

**Freeman Property, Administrative Subdivision Plan No. 620190140, Regulatory Review Extension Request No. 4**

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**Completed: 10-09-2020**

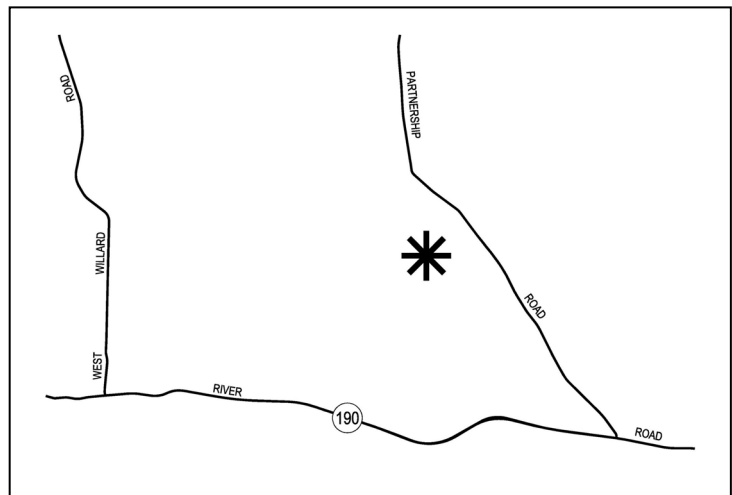
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**Description**

**Freeman Property, Administrative Subdivision Plan No. 620190140:**

Requesting to extend the regulatory review period for 6 months until May 2, 2021; an Application to create two lots, on Sugarland Road, 1,200 feet northeast of Sugarland Lane; 7.65 acres; R-200 Zone; 1980 Agricultural and Rural Open Space Master Plan.

**Applicant:** Jennifer Freeman  
**Submittal Date:** 12/24/2019  
**Review Basis:** Chapter 50



**Summary**

Section 50.4.1.E of the Subdivision Regulations provides that the Planning Board shall hold a public hearing for Preliminary Plans no later than 120 days after the date the application(s) are accepted. However, the Director may postpone the public hearing one time, by up to 30 days, without Board approval. The Director or applicant may request one or more extensions beyond the original 30 day-postponement, with Board approval.

The Freeman Property Administrative Subdivision Plan application was accepted on December 24, 2019, which established an approval date no later than April 2, 2020. This application received opposition, and a Public Hearing was requested. The Planning Director granted the first extension for a total of 30 additional days or until May 2, 2020. The Planning Board granted the second extension for a total of 3 additional months or until August 2, 2020. The Planning Board granted the third extension for a total of another 3 additional months or until November 2, 2020. The Applicant was granted the necessary Conditional Use modification for an equestrian facility in September 2020 with conditions that may alter the proposed lot lines and house placement. The Applicant needs additional time to secure the necessary agency approvals. Therefore, the Applicant requests a 6-month extension or until May 2, 2020.

Staff recommends **approval** of this extension request.

Attachment A: Applicant's Extension Request



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**REGULATORY REVIEW EXTENSION REQUEST**

Request #1

Request #2

M-NCPPC Staff Use Only			
File Number	_____	MCPB Hearing Date	_____
Date Received	_____		

**Plan Name:** Freeman Property

**Plan No.** 620190140

This is a request for extension of:

Project Plan  
 Preliminary Plan

Sketch Plan  
 Site Plan

The Plan is tentatively scheduled for a Planning Board public hearing on: 11/02/2020

The Planning Director may postpone the public hearing for up to 30 days without Planning Board approval. Extensions beyond 30 days require approval from the Planning Board.

**Person requesting the extension:**

Owner,  Owner's Representative,  Staff (check applicable.)


David McKee		Benning & Associates, Inc.	
<i>Name</i>		<i>Affiliation/Organization</i>	
8933 Shady Grove Court			
<i>Street Address</i>			
Gaithersburg		MD	20877
<i>City</i>		<i>State</i>	
(301) 948-0240		dmckee@benninglandplan.com	
<i>Telephone Number</i>	<i>Fax Number</i>	<i>E-mail</i>	

We are requesting an extension for 6 months until 05/02/2021

Describe the nature of the extension request. Provide a separate sheet if necessary.

More time is needed to secure outside agency approvals from the DPS Well & Septic Section, the Montgomery County DOT, and the RRAC. These approval are forthcoming. Our prior request for an extension was related to the need to obtain a modified approval to the Conditional Use on the site for horse pasturing to limit the pasturing to the existing home lot (i.e. remove it from the lot with the planned new house). MNCPPC Staff made this a prerequisite prior to subdivision approval. The Conditional Use modification was granted by the Hearing Examiner in September with certain conditions which may result in adjustments to the proposed new lot line and house placement. We are evaluating this and will proceed appropriately with final submissions of plans before the end of the year. In order to allow time for these final changes, time to obtain the aforementioned approvals, and time for MNCPPC Staff to review and prepare the Staff Report, 6 months is requested.

**Signature of Person Requesting the Extension**

  
 \_\_\_\_\_  
*Signature*

10/09/2020  
 \_\_\_\_\_  
*Date*

**Extension Review**

*Planning Director Review for Extensions 30 days or less*

I, the Planning Director, or Director's designee, have the ability to grant extensions of the Planning Board public hearing date of up to 30 days and approve an extension of the Planning Board public hearing date from \_\_\_\_\_ until \_\_\_\_\_.

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

*Planning Board Review for Extensions greater than 30 days*

The Montgomery County Planning Board reviewed the extension request on \_\_\_\_\_ and approved an extension for more than 30 days of the Planning Board public hearing date from \_\_\_\_\_ until \_\_\_\_\_.