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
Plan Name: Freeman Property
Plan No. 620190140

This is a request for extension of:

- 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

David McKee
Name
8933 Shady Grove Court
Street Address
Gaithersburg
City
(301) 948-0240
Telephone Number

Benning & Associates, Inc.
Affiliation/Organization

State
Zip Code
20877

Fax Number
dmckee@benninglandplan.com
E-mail

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

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 ____________________.

_________________________________________ Date

Signature

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 ____________________.