

Item 10 - Correspondence

From: [Mencarini, Katherine](#)
To: [MCP-Chair](#)
Cc: [Michele Rosenfeld](#); [Dickel, Stephanie](#)
Subject: Community Response to CU-21-09 Agenda Item #10 on Oct 14
Date: Tuesday, October 12, 2021 11:51:52 AM
Attachments: [ozah applic oppose PHorn 000050.pdf](#)
[CU 21-09-VGoertz.pdf](#)
[image002.png](#)
[image004.png](#)
[image006.png](#)
[image008.png](#)
[image010.png](#)

Hello,

The Applicant for Item 10 on this week's Board Agenda (CU-21-09) received two letters of concern by nearby residents (see attached). The Applicant responded and these and they will be addressed in staff's presentation. Please include these in the public record.

Sincerely,
Katie



Katherine (Katie) Mencarini

Planner Coordinator

Montgomery County Planning Department

2425 Reddie Drive, 13th floor, Wheaton, MD 20902

Katherine.mencarini@montgomeryplanning.org

p: 301.495.4549



WE'VE MOVED!

THE NEW PARK AND PLANNING HEADQUARTERS IS NOW LOCATED AT
2425 REEDIE DRIVE, WHEATON, MD 20902

OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS

for

MONTGOMERY COUNTY

CASE NO. CU 21-09

APPLICATION OF CREATIVE ARTS & LANGUAGE SCHOOL

Date Filed: October 8, 2021

This pre-hearing statement is filed electronically as an attachment to an e-mail to Ms. Johnson of the Office of Zoning and Administrative Hearings (OZAH) in accordance with Rule 3.5 of the OZAH Amended Land Use Rules of Procedures.

I received notice of this application and I am opposed to the granting of “conditional use to operate a *Day Care Center for over 30 persons* under Section 59-3.4.4 F of the Zoning Ordinance” at the subject property, 6607 Greentree Road in Bethesda, MD 20817.

The reasons for opposition to this application include but are not limited to the following:

1. The application lacks specificity on a size cap as it states over “30 persons.” Could this be 35 persons? 40 persons? Thus, the application is not acceptable for this reason.
2. The application also is unclear because it uses the term “persons” -- does this term refer to children as well as adults?
3. Even if the application were revised to impose a size limit of 30 persons (both adults and children), the application still should be denied because operating a school of this large size at this location is clearly inconsistent and contrary to the R-200 residential zoning area in which the property resides.
4. This application seeks a significant and marked change from the current operations at this location, which is a day care facility for far less children.
5. The home that would house the school does not sit on a large property. If this application were allowed, than any house in the neighborhood could similarly seek an exemption from well-established residential zoning restrictions to open up a school of this size.
6. A full-time school of this size would add to the noise and traffic in the area.

7. The parking plan to accommodate staff and parents is not realistic. It states that *“The proposed parking area will have sufficient space to accommodate the parking requirements; the plan shows the proposed parking layout that provides 11 spaces in accordance with site requirements. The parking plan includes two (2) compact spaces, a single ADA van accessible space, utilization of internal parking area at the garage doors, and stacked spacing for staff members directly off Fernwood Road.”* Stacked parking directly off Fernwood Rd. is not realistic given the level of traffic thereon and the difficulty in backing out or alternatively backing into this area.

I appreciate your consideration of this submission stating objections to this application for the conditional use sought for the subject property. I also plan to participate in the virtual November 5 meeting.

A handwritten signature in black ink, appearing to read 'Paul Horn', is written over a horizontal line.

Paul Horn

9211 Fernwood Rd.

Bethesda, MD 20817

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The reasons for opposition to this application include but are not limited to the following:

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2. The application also is unclear because it uses the term "persons" -- does this term refer to children as well as adults?
3. Even if the application were revised to impose a size limit of 30 persons (both adults and children), the application still should be denied because operating a school of this large size at this location is clearly inconsistent and contrary to the R-200 residential zoning area in which the property resides.
4. This application seeks a significant and marked change from the current operations at this location, which is a day care facility for far less children.
5. The home that would house the school does not sit on a large property. If this application were allowed, then any house in the neighborhood could similarly seek an exemption from well-established residential zoning restrictions to open a school of this size.
6. A full-time school of this size would add to the noise and traffic in the area, including increased auto emissions.
7. The parking plan to accommodate staff and parents is not realistic. It states that "*The proposed parking area will have sufficient space to accommodate the parking requirements; the plan shows the proposed parking layout that provides 11 spaces in accordance with site requirements. The parking plan includes two (2) compact spaces, a single ADA van accessible space, utilization of internal parking area at the garage doors, and stacked spacing for staff members directly off Fernwood Road.*" Stacked parking directly off Fernwood Rd. is not realistic given the level of traffic thereon and the difficulty in backing out or alternatively backing into this area.

We appreciate your consideration of this submission stating our objections to this application for the conditional use sought for the subject property.



Vernon Goertz

9213 Fernwood Rd