

**From:** Rob Robinson  
**To:** ["magilder@comcast.net"](mailto:magilder@comcast.net)  
**Cc:** [Martin Matsen](#)  
**Subject:** RE: Questions re: annexation notification  
**Date:** Wednesday, March 23, 2016 1:57:00 PM  
**Attachments:** [Ex 56 Article 4-401 through 416.pdf](#)  
[Sec. 24 196. Map amendments.docx](#)

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Hi Sharon, the attached provide both the City and State notification requirements.

As to question 2: It is still an active application. The Applicant had requested to defer the process to revise the plan (Ex. 86)

Question 3: We have no response- the Applicant has not presented a revised plan to the City and positions will not be taken until the revised application is formally submitted and goes through the City annexation process. The community meeting held was at the discretion of the applicant and did not involve the City.

Rob

Rob Robinson III, AICP CEP  
FCA Qualified Professional  
Long Range Planning Manager  
City of Gaithersburg  
301-258-6330 Ext. 2122

The opinions expressed in this message are not necessarily those of the City of Gaithersburg Staff, Mayor or Council.

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**From:** [magilder@comcast.net](mailto:magilder@comcast.net) [mailto:[magilder@comcast.net](mailto:magilder@comcast.net)]  
**Sent:** Wednesday, March 23, 2016 12:50 PM  
**To:** Rob Robinson  
**Subject:** Questions re: annexation notification

Hi, Mr. Robinson...Caroline Seiden forwarded my email to you re: the following...I understand you have been working on the Johnson Property annexation petition. I'm writing an article for The Town Courier newspaper re: the Johnson Property at Quince Orchard & Darnestown Roads and I now have **three** questions:

1. What is the process or how does the City of Gaithersburg notify residents/the community about potential annexations?

2. As per below, is the Johnson Annexation request still being reviewed by the City of Gaithersburg? Has the request been withdrawn? or Has the request been accepted?

[Johnson Annexation X-7067-2015](#)

The City is reviewing a request to annex 23.45 acres of land from Montgomery County into the City limits.  
*Last Updated: December 2015*

3. At the community meeting conducted last night by Russell Johnson, the attendees were not in favor of the Revised Concept Plan that was presented. The residents in the surrounding neighborhoods favor the original master plan that indicates 30 single family houses. If the Johnson property is annexed into the City limits, what is the City of Gaithersburg's position re: the ultimate use of the property for least impact on congestion, traffic, reduced green space, etc.?

Many thanks in advance for your responses...Best, Sharon G.

**Sharon Allen Gilder**

Author & Freelance Writer

*The Rose Beyond*, a novel

*...a fragrant reminder of the tenacity of the human spirit and the power of love*

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Article - Local Government

§4-401.

(a) Subject to subsections (b) and (c) of this section, the legislative body of a municipality may enlarge its boundaries by annexation as provided in this subtitle.

(b) The power of annexation applies only to land that:

(1) is contiguous and adjoining to the existing boundaries of the municipality;

and

(2) does not create an unincorporated area that is bounded on all sides by:

(i) real property presently in the boundaries of the municipality;

(ii) real property proposed to be in the boundaries of the municipality

as a result of the proposed annexation; or

(iii) any combination of real property described in item (i) or (ii) of this

item.

(c) A municipality may not annex land that is in another municipality.

§4-402.

An annexation proposal may be initiated by:

(1) the legislative body of the municipality as provided in § 4-403 of this subtitle; or

(2) a petition in accordance with § 4-404 of this subtitle.

§4-403.

(a) Subject to subsection (b) of this section, an annexation resolution may be introduced in the legislative body of the municipality in accordance with:

(1) the requirements and practices applicable to its legislative enactments; and

(2) the requirements of § 4-303(a) of this title.

(b) Before an annexation resolution is introduced, the legislative body shall obtain consent from:

(1) at least 25% of the registered voters who are residents in the area to be annexed; and

(2) the owners of at least 25% of the assessed valuation of the real property in the area to be annexed.

(c) The annexation resolution:

(1) shall describe by a survey of courses and distances the exact area to be annexed;

(2) may also describe by landmarks and other well-known terms the exact area to be annexed; and

(3) shall contain a complete and detailed description of the conditions and circumstances that apply to:

(i) the change in boundaries; and

(ii) the residents and property in the area to be annexed.

§4-404.

- (a) Subject to § 4-413 of this subtitle, an annexation petition shall be signed by:
- (1) at least 25% of the registered voters who are residents in the area to be annexed; and
  - (2) the owners of at least 25% of the assessed valuation of the real property in the area to be annexed.
- (b) After an annexation petition is presented to the legislative body of the municipality, the presiding officer of the legislative body shall verify:
- (1) the signatures on the petition; and
  - (2) that the petition meets the requirements of subsection (a) of this section.
- (c) (1) After verifying compliance with the requirements of this section, the presiding officer of the legislative body promptly shall cause a resolution proposing the change of boundaries as requested by the petition to be introduced in the legislative body.
- (2) The annexation resolution shall conform to the form and content requirements of this subtitle.

§4-405.

- (a) An annexation resolution shall provide that the residents in the area to be annexed and their property shall be added to the municipality, generally subject or not, as applicable, to specific provisions of the municipal charter.
- (b) (1) Notwithstanding subsection (a) of this section, an annexation resolution may provide, for stated periods and under specific conditions, special treatment of the residents in the area to be annexed and their property as to:
- (i) rates of municipal taxation; and
  - (ii) municipal services and facilities.
- (2) After an annexation resolution takes effect, any change in the provisions for special treatment for stated periods and under specific conditions may be made only by a resolution enacted under this subtitle.

§4-406.

- (a) After an annexation resolution is introduced, the chief executive and administrative officer of the municipality shall publish notice in accordance with the requirements of this section that:
- (1) briefly and accurately describes the proposed annexation and the applicable conditions and circumstances; and
  - (2) specifies the date, time, and place that the legislative body sets for the public hearing on the proposed annexation.
- (b) (1) Public notice of the annexation resolution shall be published:
- (i) 1. at least four times; or
  2. if the total area of the proposed annexation is 25 acres or less, at least two times;
  - (ii) at not less than weekly intervals; and
  - (iii) in at least one newspaper of general circulation in the municipality and the area to be annexed.
- (2) The public hearing shall be:
- (i) set no sooner than 15 days after the final required publication of the public notice; and
  - (ii) held in the municipality or the area to be annexed.

(c) Immediately after the first publication of the public notice, the municipality shall provide a copy of the public notice to:

- (1) the governing body of the county in which the municipality is located; and
- (2) any regional or State planning agency with jurisdiction in the county.

(d) The county and any regional or State planning agency with jurisdiction in the county has the right to be heard before the public at the hearing on the proposed annexation.

(e) (1) The public hearing may be rescheduled for or continued to a later date not more than 30 days after:

- (i) the date when the hearing was originally scheduled; or
- (ii) the date on which the hearing began but was not completed.

(2) If the hearing is rescheduled or continued, public notice shall be published:

- (i) at least 7 days before the date of the rescheduled or continued hearing; and
- (ii) in a newspaper of general circulation in the municipality and the area to be annexed.

(3) The public notice shall:

- (i) briefly and accurately describe the area to be annexed; and
- (ii) specify the date, time, and place of the rescheduled or continued public hearing.

#### §4-407.

(a) After a public hearing, the legislative body of a municipality may enact an annexation resolution in accordance with its normal legislative procedure.

(b) The annexation resolution may not take effect until at least 45 days after its enactment.

#### §4-408.

(a) Subject to § 4-413 of this subtitle, at any time within 45 days after enactment of an annexation resolution, at least 20% of the registered voters who are residents in the area to be annexed may petition the chief executive and administrative officer of the municipality in writing for a referendum on the resolution.

(b) After a petition is presented to the chief executive and administrative officer, the officer shall verify:

- (1) the signatures on the petition; and
- (2) that the petition meets the requirements of subsection (a) of this section.

(c) After verifying compliance with the requirements of this section, the chief executive and administrative officer, by proclamation, shall suspend the effectiveness of the annexation resolution pending the results of the referendum.

#### §4-409.

(a) At any time within 45 days after enactment of an annexation resolution, at least 20% of the qualified voters of the municipality may petition the chief executive and administrative officer of the municipality in writing for a referendum on the resolution.

(b) After a petition is presented to the chief executive and administrative officer, the officer shall verify:

- (1) the signatures on the petition; and
- (2) that the petition meets the requirements of subsection (a) of this section.

(c) After verifying compliance with the requirements of this section, the chief executive and administrative officer, by proclamation, shall suspend the effectiveness of the annexation resolution pending the results of the referendum.

§4-410.

(a) At any time within 45 days after enactment of an annexation resolution, the governing body of the county or counties in which the municipality is located, by at least a two-thirds majority vote, may petition the chief executive and administrative officer of the municipality for a referendum on the resolution.

(b) After verifying compliance with the requirements of this section, the chief executive and administrative officer, by proclamation, shall suspend the effectiveness of the annexation resolution pending the results of the referendum.

§4-411.

(a) The chief executive and administrative officer of the municipality shall schedule a referendum on the annexation resolution and publish notice of the date, time, and place at which the referendum will be held.

(b) The referendum shall be held:

(1) no sooner than 15 days and no later than 90 days after notices of the referendum are published; and

(2) at one or more places in:

(i) the municipality, for the referendum in the municipality; and

(ii) the area to be annexed, for the referendum in that area.

(c) Public notice of the referendum shall be published:

(1) twice at not less than weekly intervals; and

(2) in at least one newspaper of general circulation in the municipality and the area to be annexed.

§4-412.

(a) The governing body of a municipality, by ordinance, resolution, or regulation, may provide for conducting and tabulating the results of a referendum held under this subtitle.

(b) (1) The annexation resolution shall be submitted to:

(i) a referendum of the qualified voters of the municipality if the petition for referendum was presented by the residents of the municipality;

(ii) subject to § 4-413 of this subtitle, a referendum of the registered voters who are residents in the area to be annexed if the petition for referendum was presented by the residents of the area to be annexed; or

(iii) separate referendums of the voters specified in items (i) and (ii) of this paragraph if a petition for referendum was presented by the residents of the municipality and the residents in the area to be annexed.

(2) A petition for referendum presented by the governing body of a county shall be acted on in the same manner as a petition for referendum presented by the residents of the area to be annexed.

(c) The ballot shall:

(1) contain a summary of the annexation resolution; and

(2) provide for the voter to indicate a choice for or against the annexation resolution.

(d) (1) If only one petition for a referendum is filed and if a majority of the persons voting on the annexation resolution vote for the resolution, the resolution takes effect on the 14th day after the referendum.

(2) (i) If a referendum is conducted for both the residents of the municipality and the residents in the area to be annexed, the votes cast for the two referendums shall be tabulated separately to show the votes cast in the municipality and the area to be annexed.

(ii) If in both referendums a majority of the persons voting on the annexation resolution vote for the resolution, the resolution takes effect on the 14th day after the referendum.

(iii) If two referendums are held, the annexation resolution is void unless a majority in both referendums vote for the resolution.

(e) The municipality shall pay for a referendum held under this subtitle.

#### §4-413.

If fewer than 20 residents in an area to be annexed are eligible to sign a petition for annexation and vote in a referendum under this subtitle, any person, including the two or more joint owners of jointly owned property, who owns real property in the area to be annexed may sign the petition and vote in the referendum.

#### §4-414.

(a) (1) The chief executive and administrative officer of a municipality that has annexed property shall send a copy of the annexation resolution with the new boundaries to:

(i) the clerk or similar official of the municipality;

(ii) the clerk of the court in any county in which the municipality is located;

(iii) the Department of Legislative Services in accordance with paragraph (2) of this subsection; and

(iv) for any municipality located in the regional district, the Maryland–National Capital Park and Planning Commission.

(2) The annexation resolution shall be sent to the Department of Legislative Services within 10 days after the resolution takes effect.

(b) Each official or agency that receives an annexation resolution under subsection (a) of this section shall:

(1) keep on record the resolution with the new boundaries; and

(2) make the resolution available for public inspection during regular business hours.

#### §4-415.

(a) In addition to, but not as part of, an annexation resolution, the legislative body of the municipality shall adopt an annexation plan for the area to be annexed.

(b) Except as provided in subsection (e) of this section, for an annexation that began before October 1, 2009, the annexation plan shall:

(1) contain a description of the land use pattern proposed for the area to be annexed, which may include a county master plan already in effect for the area;

(2) describe the schedule to extend each municipal service performed in the municipality at the time of the annexation to the area to be annexed;

(3) describe the general methods by which the municipality anticipates financing the extension of municipal services to the area to be annexed; and

(4) be presented so as to demonstrate the available land for public facilities that may be considered reasonably necessary for the proposed use, including facilities for schools, water or sewage treatment, libraries, recreation, or fire or police services.

(c) Except as provided in subsection (e) of this section, for annexation that begins on or after October 1, 2009, the annexation plan shall be consistent with the municipal growth element of the comprehensive plan of the municipality.

(d) For purposes of subsections (b) and (c) of this section, an annexation begins when a proposal for annexation is initiated by:

(1) resolution under § 4–403 of this subtitle; or

(2) petition under § 4–404 of this subtitle.

(e) (1) On or after October 1, 2009, a municipality may submit an annexation plan under subsection (b) of this section if the municipality is granted an extension for the inclusion of a municipal growth element under § 3–304 of the Land Use Article.

(2) After the expiration of a final extension granted under § 3–304 of the Land Use Article for the inclusion of a municipal growth element, an annexation plan shall be submitted in accordance with subsection (c) of this section.

(f) At least 30 days before the public hearing on an annexation resolution required under § 4–406 of this subtitle, a copy of the annexation plan shall be provided to:

(1) the governing body of any county in which the municipality is located;

(2) the Department of Planning; and

(3) any regional or State planning agency with jurisdiction in the county.

(g) (1) The annexation plan shall be open to public review and discussion at the public hearing on the annexation resolution.

(2) An amendment to the annexation plan does not:

(i) amend the proposed annexation resolution; or

(ii) cause a reinitiation of the annexation procedure then in process.

#### §4–416.

(a) (1) Notwithstanding § 4–104(f) of this title, if an area is annexed to a municipality that has planning and zoning authority at the time of annexation, the municipality shall have exclusive jurisdiction over planning, subdivision control, and zoning in the area annexed.

(2) Paragraph (1) of this subsection does not grant any planning or zoning power or subdivision control to a municipality that is not authorized to exercise planning or zoning power or subdivision control at the time of annexation.

(b) Without the express approval of the county commissioners or county council of the county in which the municipality is located, for 5 years after an annexation by a municipality, the municipality may not allow development of the annexed land for land uses substantially different than the authorized use, or at a substantially higher density, not exceeding 50%, than could be granted for the proposed development, in accordance with the zoning classification of the county applicable at the time of the annexation.

(c) Notwithstanding § 4–204 of the Land Use Article and if the county expressly approves, the municipality may place the annexed land in a zoning classification that allows a land use or density different from the land use or density specified in the zoning classification of the county or agency with planning and zoning jurisdiction over the land prior to its annexation applicable at the time of the annexation.

Sec. 24-196. - Map amendments.

- (a) Application of the council, etc. The zoning map may be amended upon the application of the council, the planning commission or any person having an interest, as owner or contract purchaser, in the land which is the subject of the application.
- (b) General proposals of amendments. A zoning map amendment may propose one new zoning classification for the property which is the subject of the application, or it may propose two or more alternative classifications for all of such property.
- (c) Information required on application; where filed. Such application shall be filed with the city manager on forms supplied by the city manager, in such number of copies as shall be required by the city manager. Such application shall contain a description of the property which is the subject of the application, its location, the name and address of the applicant, the name and address of each person who owns an interest in the property, the existing zoning classification of the property, the new classification or classifications proposed and the application number of any map amendment application involving all or part of the property which has been acted upon in any manner by the city council or the district council for the Maryland-Washington Regional District in Montgomery County during the three years immediately prior to the filing of the application. The application shall also include such other information as shall be required by the city manager. If the description of the property is by metes and bounds, it shall be drawn with reference to Washington Suburban Sanitary Commission data.
- (d) Limitation on refiling. Where a map amendment application includes land all or part of which has been the subject of a previous map amendment application which has been granted or denied by the city council, such application shall not be accepted for filing within twelve months after the effective date of the decision granting or denying such prior application. The council shall have the right to waive this limitation by resolution upon written request for such waiver, where the previous application was granted.
- (e) Posting of notice. The applicant shall erect one or more signs to be supplied to him by the city manager giving notice of the number assigned to such application and the classifications proposed. Such sign or signs shall be erected by the applicant on the property which is the subject of the application in accordance with the specifications of this subsection. The sign(s) shall be erected as soon as the public hearing date is set, but in all cases the sign(s) shall be posted a minimum of fourteen (14) calendar days prior to the date of the public hearing. Ordinarily, such sign or signs shall be located on property which is the subject of the application. In the event the applicant is not the owner of the property and the owner refuses to permit a sign to be placed on the property, or in the event a sign on the property cannot be readily seen by the public, the city manager may direct that the sign or signs be placed on property other than the subject property in such locations as will give fair notice of the pendency of the application. All signs shall be posted in accordance with the following rules:
  - (1) At minimum, the sign shall contain the following information:
    - (i) The title of "Mayor and Council and/or Planning Commission Hearing;"
    - (ii) The type of application pending;
    - (iii) The application number;
    - (iv) The date, and place of the hearing; and
    - (v) A phone number to call for additional information.
  - (2) If the property has frontage on one (1) or more improved streets, there shall be one (1) sign posted for each one thousand (1,000) feet (or fraction) of frontage on each street. The sign(s) shall be posted on the property not more than fifteen (15) feet from the street right-of-way so as to be visible from the improved portion of the street. When more than one (1) sign is required to be posted along a street, the signs shall, where practicable, be evenly spaced along the street.

- (3) If the property does not have frontage on an improved public street, then a sign shall be placed on the property by the applicant near the boundary of the property and visible from an abutting or confronting property. A second sign shall be placed by the applicant near to, and visible from, the improved portion of the nearest, most traveled street. The second sign shall indicate it is not posted on the subject property.
  - (4) The minimum size of each sign shall be two (2) feet in width by three (3) feet in height for all signs to be located abutting streets that are two (2) lanes or smaller. However, the minimum size of each sign shall be four (4) feet in width by three (3) feet in height, for all signs to be located abutting streets that are larger than two (2) lanes.
  - (5) All signs posted shall be conspicuous and legible.
  - (6) The applicant shall be responsible for the cost of the sign and for reasonable maintenance of all signs posted. In the event a sign is removed, falls down, or otherwise is not posted correctly during the pendency of and including the date of the hearing, it shall be the responsibility of the applicant to re-post the sign. Following the hearing, it shall be the responsibility of the applicant to remove all signs posted within a five-day period following the hearing.
  - (7) The applicant shall file a written statement in the record verifying the posting.
- (f) Publication of notice. In addition to the posting of notice, the city manager shall cause to be published notice of the time, date and place of the public hearing, together with a summary of the application or proposed regulation, restriction or boundary change, in at least one newspaper of general circulation in the city once each week for two successive weeks, with the first such publication of notice appearing at least fourteen days prior to the hearing. In the case of an application for a map amendment, such notification shall also include the amount of land involved, its location, the name of the applicant, the name of the owner, if different from the applicant, the existing zoning classification and the new classification or classifications proposed.
  - (g) Mailing of notice. In addition to the posting and publication of notice required above, the city manager shall, promptly, after the filing of a map amendment application, mail notice of the filing of the application to the owner of every property, any part of which is located within two hundred feet of the boundary of the property which is the subject of the application. The names and addresses of the owners of such property shall be supplied by the applicant at the time of the filing of the application. Failure of any owner of any such property to receive such notice shall not be a basis for denial of the application.
  - (h) Action by the council. The council may dismiss an application to amend the zoning map or failure to comply with the requirements of this article. If such application shall comply with such requirements, the council may deny it, or grant it, or grant it with modifications, or permit it to be withdrawn. The action of the council granting a zoning map amendment application either with or without modifications shall be by ordinance. The action of the council denying such an application or permitting it to be withdrawn shall be by resolution. The council may grant a map amendment application for any one of the classifications requested in the application or for a different classification.
  - (i) Reconsideration by council. Action by the council on any zoning map amendment shall, after thirty days, be final and not subject to reconsideration, except through the filing of a new application. Within such thirty-day period, the city council may recall for reconsideration any map amendment; provided, that before taking further action therein, a rehearing shall be scheduled and advertised and the property posted, as in the case of a new application.

(Ord. No. O-2-65, art. 4; Ord. No. O-13-78; Ord. No. O-16-82; Ord. No. O-13-01, 7-2-01; [Ord. No. O-03-13, 5-6-13](#))

**From:** Rob Robinson  
**To:** ["Katie Rapp"](#); [Michael Bello](#)  
**Cc:** [Lindsay Hoffman](#); [Councilmember Katz's Office](#); [Councilmember Rice's Office](#); [Jeff Odom](#); [Munish Mehra](#); [pam@towncourier.com](#); [Martin Matsen](#); ["Barr, Stuart R."](#); [Lynn Board](#)  
**Subject:** RE: Johnson annexation  
**Date:** Friday, March 25, 2016 1:14:00 PM

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Hi All,

The Applicant had requested to defer the pending City Application in order for community outreach and to possibly amend the Plan. As such, from the City perspective, the application has been on hold. All of the Applicant's recent actions have not involved the City and any revised plan has not been formally submitted to the City, therefore we have no comments related to it. As to process, under the MD Land Use Article:

§4-415.

(g) (1) The annexation plan shall be open to public review and discussion at the public hearing on the annexation resolution.

**(2) An amendment to the annexation plan does not:**

**(i) amend the proposed annexation resolution; or**

**(ii) cause a reinitiation of the annexation procedure then in process.**

-  
That being said, any formally revised and submitted plan would go through County Council review. As has been the City's informal policy- we typically do not schedule the City Council's public hearing until we know at such time as the County Council will officially define their position under §4-416. We have no requirements related to the County Planning Board's re- involvement.

Again, let me emphasize that at the time the Applicant had requested deferment, neither the City Staff, Planning Commission, nor City Council had determined or stated their recommendations and/or support on the application and that is where we remain until such time as we continue through our process.

Rob

Rob Robinson III, AICP CEP  
FCA Qualified Professional  
Long Range Planning Manager  
City of Gaithersburg  
301-258-6330 Ext. 2122

The opinions expressed in this message are not necessarily those of the City of Gaithersburg Staff, Mayor or Council.

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**From:** Katie Rapp [<mailto:wookyluvr2002@yahoo.com>]  
**Sent:** Thursday, March 24, 2016 1:29 PM  
**To:** Michael Bello

**Cc:** Lindsay Hoffman; Councilmember Katz's Office; Councilmember Rice's Office; Rob Robinson; Jeff Odom; Munish Mehra; pam@towncourier.com  
**Subject:** Johnson annexation

Hi Mike,

The Johnson team held 2 community meetings in the past month. The first one they spent 2.5 hours explaining the reasoning and stats backing up the original plan from the fall. It was confusing and left many residents feeling insulted that they were still talking about that plan as viable, even though they had withdrawn it.

The second meeting this past Tues they presented their revised plan (attached) for 120 units on the R-200 and now they're just not talking about the commercial spaces at all, although we know what they envision longterm from the original plan.

They said they will be filing this version simultaneously with the county and city. What is the process? Will it go back to you for another report? Then another hearing with the planning board? Then county council? Why can they do this at the same time with the city? I'm copying Rob Robinson and would like this info about process from the city's side, as well.

Also, they said because they withdrew the original plan, that there was no 5 year moratorium on the zoning change. Can you explain this? The zoning change to MXD could now happen with the annexation? Also, they said they'll be filing for the local map amendment for townhouses. Can you let me know what that process is and how the community can have their voice heard on that?

I can tell you there is strong community outrage at this point that they have wasted our time paying lip service to seeking community comments. They cut the meeting this week short when community members were voicing this outrage. There were at least a half dozen people still standing in line to speak when they said they were done.

Of course, they knew the issues from the 600+ letters attached to your earlier report, the letters they rec'd directly, the decision from the planning board at the Nov hearing, the meeting with "community leaders" they held with me and others in Feb. The revised plan does not demonstrate any real effort to address our concerns.

I told them again at the meeting this past Tues that the land is zoned for 30 single family homes and that's what we want to see there. They said "We know that's what you want, but we see this property as having greater potential."

I'm writing a longer letter that I plan to send out widely to elected officials and others about what's going on here, but why bother with master plans and zoning properties when a landowner can just decide they see "greater potential" for heavier development than their zoning allows?

Thanks,

Katie



April 26, 2016

The Honorable Isiah Leggett  
Montgomery County Executive  
101 Monroe Street, 2nd Floor  
Rockville, MD 20850

Re: X-7067-2015 Johnson Properties Annexation to the City of Gaithersburg

Dear Mr. Leggett;

The City of Gaithersburg received a petition for annexation for approximately 23.45 acres of land from Montgomery County into the City on June 30, 2015. The parcels, known as the Johnson Properties, are located northwest of the intersection of Quince Orchard Road and Darnestown Road at 12201, 12251, 12301, and 12311 Darnestown Road. The annexation petition included a conceptual development (annexation) plan to be completed in three phases.

In December, 2015, the Applicant requested a postponement of the City's Annexation review process for X-7067-2015 (the Johnson Properties) for community outreach and assessment of the original plan in response to comment received from the surrounding community and from the Montgomery County Planning Board. The Applicant has prepared a revised annexation plan and has formally resubmitted it along with a letter discussing the preceding months' work to the City; thus reinitiating the City Annexation Process.

This letter serves as official notification, as required by §4-406 of the Land Use Article, that the Mayor and City Council will hold a public hearing regarding the proposed annexation on a date to be announced following the date that any determination as to "substantial conformance" of the revised annexation plan by the Montgomery County Planning Board is issued and any actions by the Montgomery County Council, if necessary, are conducted. The City Council's record is currently open. Advertising for the public hearing will be in accordance with §4-406 of the Land Use Article.

Attached is a copy of the Applicant's revised statement and the annexation plan. You may contact me with any questions you may have regarding the application at either 301-258-6330 or [rrobinson@gaitthersburgmd.gov](mailto:rrobinson@gaitthersburgmd.gov)

Mayor and City Council  
X-7067-2015  
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City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2038  
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MAYOR  
Jud Ashman

COUNCIL MEMBERS  
Neil H. Harris  
Henry F. Marraffa, Jr.  
Michael A. Sesma  
Ryan Spiegel  
Robert T. Wu

CITY MANAGER  
Tony Tomasello

Sincerely,

A handwritten signature in black ink, consisting of several fluid, connected strokes that form a stylized representation of the name 'Rob Robinson'.

Rob Robinson, Long Range Planning Manager  
Planning and Code Administration



April 26, 2016

The Honorable Nancy Floreen  
Council President  
Montgomery County Council  
100 Maryland Ave  
Rockville, Maryland 20850

Re: X-7067-2015 Johnson Properties Annexation to the City of Gaithersburg

Dear Ms. Floreen,

The City of Gaithersburg received a petition for annexation for approximately 23.45 acres of land from Montgomery County into the City on June 30, 2015. The parcels, known as the Johnson Properties, are located northwest of the intersection of Quince Orchard Road and Darnestown Road at 12201, 12251, 12301, and 12311 Darnestown Road. The annexation petition included a conceptual development (annexation) plan to be completed in three phases.

In December, 2015, the Applicant requested a postponement of the City's Annexation review process for X-7067-2015 (the Johnson Properties) for community outreach and assessment of the original plan in response to comment received from the surrounding community and from the Montgomery County Planning Board. The Applicant has prepared a revised annexation plan and has formally resubmitted it along with a letter discussing the preceding months' work to the City; thus reinitiating the City Annexation Process.

This letter serves as official notification, as required by §4-406 of the Land Use Article, that the Mayor and City Council will hold a public hearing regarding the proposed annexation on a date to be announced following the date that any determination as to "substantial conformance" of the revised annexation plan by the Montgomery County Planning Board is issued and any actions by the Montgomery County Council, if necessary, are conducted. The City Council's record is currently open. Advertising for the public hearing will be in accordance with §4-406 of the Land Use Article.

Attached is a copy of the Applicant's revised statement and the annexation plan. You may contact me with any questions you may have regarding the application at either 301-258-6330 or [rrobinson@gaitthersburgmd.gov](mailto:rrobinson@gaitthersburgmd.gov)

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Rob Robinson, Long Range Planning Manager  
Planning and Code Administration



April 26, 2016

Mr. Casey Anderson  
Chair, Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Re: X-7067-2015 Johnson Properties Annexation to the City of Gaithersburg

Dear Mr. Anderson;

The City of Gaithersburg received a petition for annexation for approximately 23.45 acres of land from Montgomery County into the City on June 30, 2015. The parcels, known as the Johnson Properties, are located northwest of the intersection of Quince Orchard Road and Darnestown Road at 12201, 12251, 12301, and 12311 Darnestown Road. The annexation petition included a conceptual development (annexation) plan to be completed in three phases.

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Rob Robinson, Long Range Planning Manager  
Planning and Code Administration



April 26, 2016

The Honorable Sidney Katz  
District 3  
Montgomery County Council  
100 Maryland Ave  
Rockville, Maryland 20850

Re: X-7067-2015 Johnson Properties Annexation to the City of Gaithersburg

Dear Mr. Katz;

The City of Gaithersburg received a petition for annexation for approximately 23.45 acres of land from Montgomery County into the City on June 30, 2015. The parcels, known as the Johnson Properties, are located northwest of the intersection of Quince Orchard Road and Darnestown Road at 12201, 12251, 12301, and 12311 Darnestown Road. The annexation petition included a conceptual development (annexation) plan to be completed in three phases.

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CITY MANAGER  
Tony Tomasello

Sincerely,

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Rob Robinson, Long Range Planning Manager  
Planning and Code Administration



April 26, 2016

Ms. Gwen Wright, Planning Director  
Montgomery County Planning  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Re: X-7067-2015 Johnson Properties Annexation to the City of Gaithersburg

Dear Ms. Wright;

The City of Gaithersburg received a petition for annexation for approximately 23.45 acres of land from Montgomery County into the City on June 30, 2015. The parcels, known as the Johnson Properties, are located northwest of the intersection of Quince Orchard Road and Darnestown Road at 12201, 12251, 12301, and 12311 Darnestown Road. The annexation petition included a conceptual development (annexation) plan to be completed in three phases.

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Rob Robinson, Long Range Planning Manager  
Planning and Code Administration



April 26, 2016

Mr. Glenn Kreger,  
Chief, Planning Area 2  
Montgomery County Planning Department  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: X-7067-2015 Johnson Properties Annexation to the City of Gaithersburg

Dear Mr. Kreger;

The City of Gaithersburg received a petition for annexation for approximately 23.45 acres of land from Montgomery County into the City on June 30, 2015. The parcels, known as the Johnson Properties, are located northwest of the intersection of Quince Orchard Road and Darnestown Road at 12201, 12251, 12301, and 12311 Darnestown Road. The annexation petition included a conceptual development (annexation) plan to be completed in three phases.

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