



**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**MCPB**  
**Item # 2**  
**02/15/07**

**MEMORANDUM**

**DATE:** January 31, 2007

**TO:** Montgomery County Planning Board

**FROM:** Catherine Conlon, Supervisor *CC*  
Development Review Division  
(301) 495-4542

**SUBJECT:** Informational Maps and Summary of Record Plats for the Planning Board  
Agenda for February 15, 2007

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The following record plats are recommended for APPROVAL, subject to the appropriate conditions of approval of the preliminary plan and site plan, if applicable, and conditioned on conformance with all requirements of Chapter 50 of the Montgomery County Code. Attached are specific recommendations and copies of plat drawings for the record plat. The following plats are included:

220070600 to 220070620 - Haines Addition to Damascus (3)  
220071040 - Silver Spring Country Club (1)  
220061470 - Bradley Farms (1)  
220070350 - English Village Bradley Hills (1)

**PLAT NO. 220070600 to 220070620**

Haines Addition to Damascus

Located on Howard Chapel Drive, approximately 3000 feet west Gue Road

RE-2C Zone; 5 Lots and 2 Outlots

Private Well, Private Septic

Master Plan Area: Damascus

Charles W. Small Jr., Applicant

This record plat has been reviewed by MNCPPC staff and other applicable agencies as documented on the attached Record Plat Review Sheet. Staff has determined that the plat complies with Preliminary Plan No. 120060110, as approved by the Board; and that any minor modifications reflected on the plat do not alter the intent of the Board's previous approval of the preliminary plan.

**RECORD PLAT REVIEW SHEET**

Plan Name: Hume's add to Damasus Plan Number: 120060110  
 Plat Name: Hume's add to Damasus Plat Number: 220070600  
 Plat Submission Date: 11/7/06  
 DRD Plat Reviewer: DL/TA  
 DRD Prelim Plan Reviewer: DeLoe

**Initial DRD Review:**

Signed Preliminary Plan - Date 9/25/06 Checked: Initial Dm Date 12/5/06  
 Planning Board Opinion - Date 9/25/06 Checked: Initial DL Date 11/20/06  
 Site Plan Req'd for Development? Yes    No    Verified By:    (initial)  
 Site Plan Name: NA Site Plan Number:     
 Planning Board Opinion - Date    Checked: Initial    Date     
 Site Plan Signature Set - Date    Checked: Initial    Date     
 Site Plan Reviewer Plat Approval: Checked: Initial    Date   

Review Items: Lot # & Layout    Lot Area    Zoning    Bearings & Distances     
 Coordinates    Plan #    Road/Alley Widths    Easements    Open Space     
 Non-standard BRLs NA Adjoining Land    Vicinity Map    Septic/Wells NA  
 TDR note NA Child Lot note NA Surveyor Cert    Owner Cert    Tax Map   

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>S. Penn</u>	<u>11/15/06</u>	<u>12/1/06</u>	<u>11/21/06</u>	<u>OK</u>
Research	Bobby Fleury			<u>NC</u>	<u>NC</u>
SHA	Doug Mills			<u>NC</u>	<u>NC</u>
PEPCO	Steve Baxter			<u>NC</u>	<u>NC</u>
Parks	Doug Powell				
DRD	Steve Smith			<u>✓ 11/24/06</u>	<u>see plat</u>

**Final DRD Review:**

DRD Review Complete:  
 (All comments rec'd and incorporated into mark-up)  
 Engineer Notified (Pick up Mark-up):  
 Final Mylar w/Mark-up & PDF Rec'd:

**Board Approval of Plat:**

Plat Agenda:

Planning Board Approval:

Chairman's Signature:

**DPS Approval of Plat:**

Engineer Pick-up for DPS Signature:

Final Mylar for Reproduction Rec'd:

**Plat Reproduction:**

Addressing:

File Card Update:

Final Zoning Book Check:

Update Address Books with Plat #:

Update Green Books for Resubdivision:

Notify Engineer to Seal Plats:

Engineer Seal Complete:

Complete Reproduction:

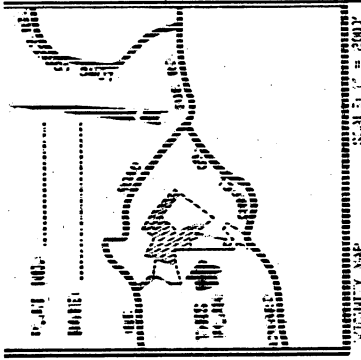
Sent to Courthouse for Recordation:

Initial

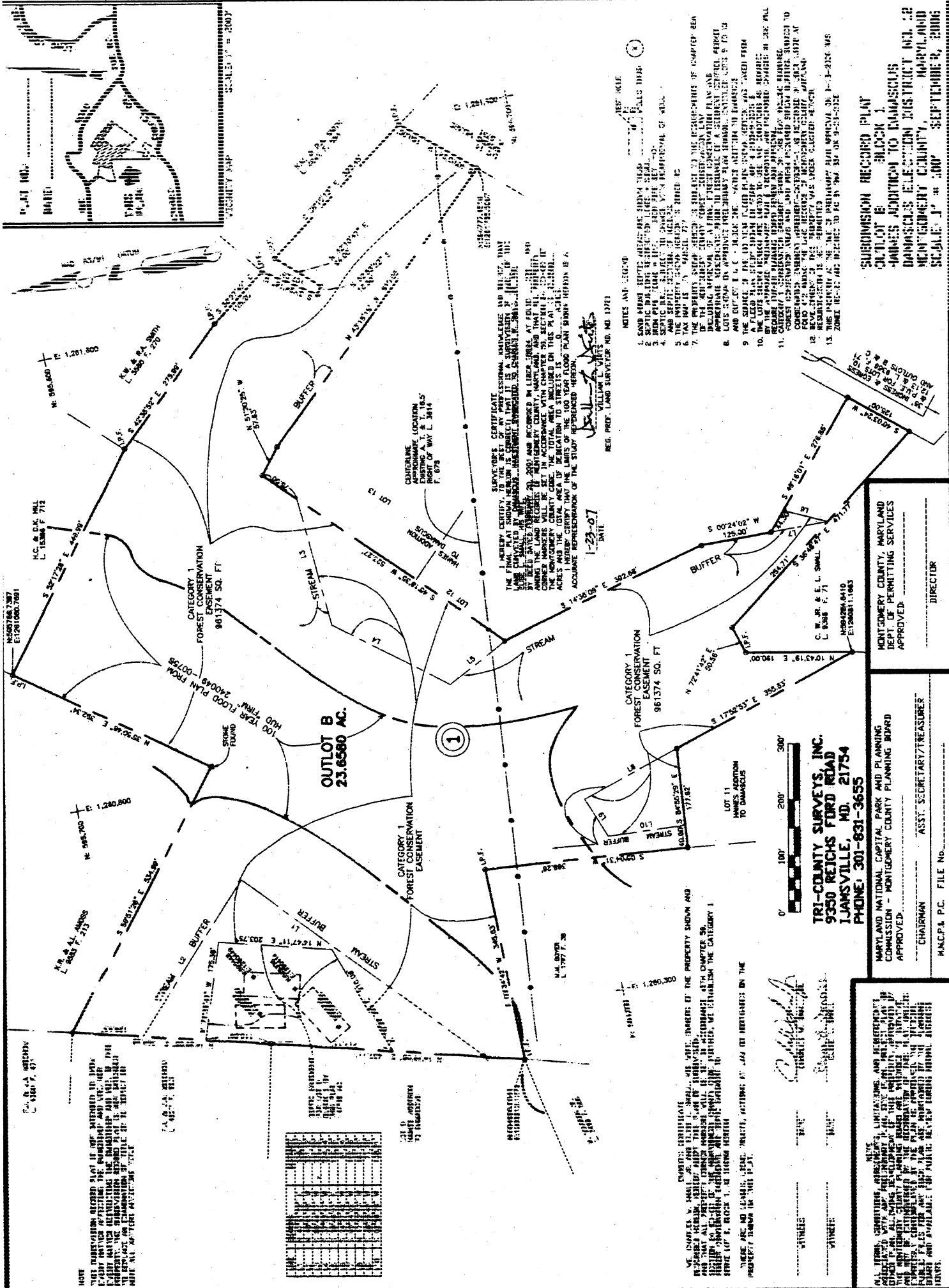
TATATATATA                        

Date

1/29/0712/5/064/29/072/15/07                          No.



DATE: \_\_\_\_\_  
 THIS TOWN: \_\_\_\_\_  
 COUNTY: \_\_\_\_\_  
 SCALE: 1" = 200'



**SURVEYOR'S CERTIFICATE**  
 I HEREBY CERTIFY, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, THAT THE FINAL PLAT SHOWN HEREIN IS CORRECTLY PREPARED FROM THE FIELD NOTES AND MEASUREMENTS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE MONTGOMERY COUNTY CODE, TITLE 10, CHAPTER 23, SECTION 1-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-1226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# RECORD PLAT REVIEW SHEET

Plan Name: Haines Add to Damascus Plan Number: 120060110  
 Plat Name: Haines Add to Damascus Plat Number: 220070610  
 Plat Submission Date: 11/7/06  
 DRD Plat Reviewer: PW/TA  
 DRD Prelim Plan Reviewer: \_\_\_\_\_

## Initial DRD Review:

Signed Preliminary Plan - Date 9/28/06 Checked: Initial PW Date 12/5/06  
 Planning Board Opinion - Date 9/18/06 Checked: Initial PW Date 11/20/06  
 Site Plan Req'd for Development? Yes    No    Verified By: PW (initial)  
 Site Plan Name: \_\_\_\_\_ Site Plan Number: \_\_\_\_\_  
 Planning Board Opinion - Date \_\_\_\_\_ Checked: Initial \_\_\_\_\_ Date \_\_\_\_\_  
 Site Plan Signature Set - Date \_\_\_\_\_ Checked: Initial \_\_\_\_\_ Date \_\_\_\_\_  
 Site Plan Reviewer Plat Approval: Checked: Initial \_\_\_\_\_ Date \_\_\_\_\_

Review Items: Lot # & Layout \_\_\_\_\_ Lot Area \_\_\_\_\_ Zoning \_\_\_\_\_ Bearings & Distances \_\_\_\_\_  
 Coordinates \_\_\_\_\_ Plan # \_\_\_\_\_ Road/Alley Widths \_\_\_\_\_ Easements \_\_\_\_\_ Open Space \_\_\_\_\_  
 Non-standard BRLs \_\_\_\_\_ Adjoining Land \_\_\_\_\_ Vicinity Map \_\_\_\_\_ Septic/Wells \_\_\_\_\_  
 TDR note \_\_\_\_\_ Child Lot note \_\_\_\_\_ Surveyor Cert \_\_\_\_\_ Owner Cert \_\_\_\_\_ Tax Map \_\_\_\_\_

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>J. Penn</u>	<u>11/15/06</u>	<u>12/1</u>	<u>11/21/06</u>	<u>OK</u>
Research	Bobby Fleury	<u>  </u>	<u>  </u>	<u>NC</u>	<u>NC</u>
SHA	Doug Mills	<u>  </u>	<u>  </u>	<u>NC</u>	<u>NC</u>
PEPCO	Jose Washington	<u>  </u>	<u>  </u>	<u>NC</u>	<u>NC</u>
Parks	Doug Powell	<u>  </u>	<u>  </u>	<u>NC</u>	<u>NC</u>
DRD	Steve Smith	<u>  </u>	<u>  </u>	<u>11/20/06</u>	<u>see plat</u>

## Final DRD Review:

DRD Review Complete:  
 (All comments rec'd and incorporated into mark-up)  
 Engineer Notified (Pick up Mark-up):  
 Final Mylar w/Mark-up & PDF Rec'd:

## Board Approval of Plat:

Plat Agenda:  
 Planning Board Approval:  
 Chairman's Signature:

## DPS Approval of Plat:

Engineer Pick-up for DPS Signature:  
 Final Mylar for Reproduction Rec'd:

## Plat Reproduction:

Addressing:  
 File Card Update:  
 Final Zoning Book Check:  
 Update Address Books with Plat #:  
 Update Green Books for Resubdivision:  
 Notify Engineer to Seal Plats:  
 Engineer Seal Complete:  
 Complete Reproduction:  
 Sent to Courthouse for Recordation:

Initial

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# RECORD PLAT REVIEW SHEET

Plan Name: Haines Add. to Damacus Plan Number: 120060110  
 Plat Name: Haines Addition to Damacus Plat Number: 220070620  
 Plat Submission Date: 11/7/06  
 DRD Plat Reviewer: PW/TA  
 DRD Prelim Plan Reviewer: \_\_\_\_\_

## Initial DRD Review:

Signed Preliminary Plan - Date 9/28/06 Checked: Initial PW Date 12/5/06  
 Planning Board Opinion - Date 9/18/06 Checked: Initial PW Date 11/20/06  
 Site Plan Req'd for Development? Yes    No    Verified By: PW (initial)  
 Site Plan Name: \_\_\_\_\_ Site Plan Number: \_\_\_\_\_  
 Planning Board Opinion - Date    Checked: Initial    Date     
 Site Plan Signature Set - Date    Checked: Initial    Date     
 Site Plan Reviewer Plat Approval: Checked: Initial    Date   

Review Items: Lot # & Layout    Lot Area    Zoning    Bearings & Distances     
 Coordinates    Plan #    Road/Alley Widths    Easements    Open Space NA  
 Non-standard BRLs NA Adjoining Land    Vicinity Map    Septic/Wells     
 TDR note NA Child Lot note NA Surveyor Cert    Owner Cert    Tax Map   

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>J. Penn</u>	<u>11/15</u>	<u>12/1</u>	<u>12/21/06</u>	<u>OK</u>
Research	Bobby Fleury	<u>  </u>	<u>  </u>	<u>NA</u>	<u>NC</u>
SHA	Doug Mills	<u>  </u>	<u>  </u>	<u>NA</u>	<u>NC</u>
PEPCO	Jose Washington	<u>  </u>	<u>  </u>	<u>NA</u>	<u>NA</u>
Parks	Doug Powell	<u>  </u>	<u>  </u>	<u>11/17/06</u>	<u>see plat</u>
DRD	Steve Smith	<u>  </u>	<u>  </u>	<u>  </u>	<u>  </u>

## Final DRD Review:

DRD Review Complete:  
 (All comments rec'd and incorporated into mark-up)  
 Engineer Notified (Pick up Mark-up):  
 Final Mylar w/Mark-up & PDF Rec'd:

## Board Approval of Plat:

Plat Agenda:  
 Planning Board Approval:  
 Chairman's Signature:

## DPS Approval of Plat:

Engineer Pick-up for DPS Signature:  
 Final Mylar for Reproduction Rec'd:

## Plat Reproduction:

Addressing:  
 File Card Update:  
 Final Zoning Book Check:  
 Update Address Books with Plat #:  
 Update Green Books for Resubdivision:  
 Notify Engineer to Seal Plats:  
 Engineer Seal Complete:  
 Complete Reproduction:  
 Sent to Courthouse for Recordation:

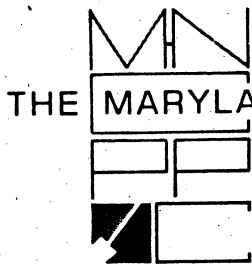
Initial	Date
<u>TA</u>	<u>1/29/07</u>
<u>TA</u>	<u>12/5/07</u>
<u>TA</u>	<u>1/29/07</u>
<u>TA</u>	<u>2/15/07</u>
_____	_____
_____	_____
_____	_____
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_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

No. \_\_\_\_\_









THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Date Mailed: SEP 18 2006

Hearing Date: June 15, 2006

Action: Approved Staff Recommendation

Motion of Commissioner Perdue, seconded by  
Commissioner Robinson, with a vote of 4-0;  
Chairman Berlage and Commissioners Perdue,  
Wellington, and Robinson voting in favor.  
Commissioner Bryant absent.

## MONTGOMERY COUNTY PLANNING BOARD

### OPINION

Preliminary Plan No. 120060110

NAME OF PLAN: Haines Addition to Damascus

*The date of this written opinion is SEP 18 2006 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).*

### INTRODUCTION

On 8/02/05, Charles W. Small, Jr. ("Applicant") submitted an application for the approval of a preliminary plan of subdivision of property in the RE-2C zone. The application proposed to create 5 lots on 50.88 acres of land located at Located on the north side of Howard Chapel Road, approximately 5,000 feet northeast of the intersection with Main Street (MD 108), in the Damascus Master Plan area ("Subject Property"). The application was designated Preliminary Plan No. 120060110 ("Preliminary Plan"). On 6/15/06, the Preliminary Plan No. 120060110 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Planning Board heard testimony and received evidence submitted in the record on the application.

The record for this application ("Record") closed at the conclusion of the public hearing, upon the taking of an action by the Planning Board. The Record includes: the information on the Preliminary Plan Application Form; the Planning Board staff-generated minutes of the Subdivision Review Committee meeting(s) on the application; all correspondence and any other written or graphic information concerning the application received by the Planning Board or its staff following submission of the application and prior to the Board's action at the conclusion of the public hearing, from the applicant, public agencies, and private individuals or entities; all correspondence and any other written or graphic information issued by Planning Board staff concerning the application, prior to the Board's action following the public hearing; all evidence, including written and oral testimony and any graphic exhibits, presented to the Planning Board at the public hearing.

### **SITE AND PROJECT DESCRIPTION**

This Preliminary Plan proposes to create 5 residential lots and 2 outlots within a land area of 50.88 acres. The property is located on the north side of Howard Chapel Road, approximately 5,000 feet northeast of the intersection with Main Street (MD 108). The Subject Property is located in the Damascus Planning area, and is currently zoned RE-2C.

### **MAY 25, 2006 PLANNING BOARD HEARING**

The Preliminary Plan was presented to the Planning Board on May 25, 2006. At that hearing, the some members of the Planning Board questioned the development's proposed use of sand mound septic systems since the Subject Property falls within the boundary of the Agricultural Preserve Study Area as defined by the Functional Master Plan for the Preservation of Agriculture and Rural Open Space (AROS). The Applicant requested a deferral of the decision on the Preliminary Plan to further investigate the issue.

### **SITE DESCRIPTION**

The Subject Property, identified as Parcel 777 and Parcel 935, is located on the north side of Howard Chapel Road, approximately 5,000 feet northeast of the intersection with Main Street (MD 108). The site contains 50.88 acres and is zoned RE-2.

### **PROJECT DESCRIPTION**

This Preliminary Plan proposes to create five (5) residential lots and two (2) outlots for the construction of five (5) one-family detached dwelling units. Access to the site will be via shared driveways from Howard Chapel Road and Gue Road. The proposed lots will be served by private wells and private sand mound septic systems. The Subject Property contains forests and a stream with associated stream valley

buffer, which will be placed in a conservation easement and is identified on the Preliminary Plan as Outlot B. Outlot C is to be retained.

### **MASTER PLAN COMPLIANCE**

The Preservation of Agriculture & Rural Open Space Functional Master Plan ("AROS Master Plan") was adopted in 1980 for the purpose of developing a program, which would preserve farm activity in the area without a "large expenditure of public funds." The boundaries of the Agricultural Study Area included the northern section of the county, which includes the Subject Property. One of the objectives of the functional plan that would have been relative to this Preliminary Plan is to develop public policy regarding the private use of alternative sewerage systems, particularly in relationship to the Rural Density Transfer Zone.

However, the Subject Property is governed by the 1982 Damascus Master Plan ("1982 Master Plan") rather than the AROS Master Plan. Moreover, the Subject Property is located in a residential zone, not in an agricultural reserve area, and the use of sand mounds has not been at issue in these zones.

Prior to and concurrently during the review of this Preliminary Plan, the 1982 Master Plan was being revised. On May 25, 2006, the updated Damascus Master Plan ("Updated Master Plan") was adopted by the County Council and is subject to the forthcoming adoption by the Commission. The Updated Master Plan recommends rezoning the Subject Property to Rural Cluster (RC), which will become effective only after the adoption of the Sectional Map Amendment (SMA), a process just underway.

At the May 25 hearing, the Planning Board thought that the Subject Property was located in the Agriculture and Rural Open Space Study Area, and Staff concurred. After subsequent review and evaluation with Community Based Planning, the Staff now confirms that the Subject Property is located in the Damascus Master Planning Area, in a residential zone, and is, therefore, not subject to the restrictions of the Agriculture Preserve.

Since the Subject Property is within the boundaries of the Damascus Planning Area, the 1982 Master Plan governs the policies and objectives relative to the Subject Property. In the instance of this submitted subdivision, it meets the requirements of the proposed Rural Cluster Zone, as well as the requirements of the current RE-2C zone. In addition, the recently adopted Updated Master Plan places this site in a "Rural Transition" area, not a "Rural" area, and thus not subject to the same level of protection afforded properties in the Rural Density Transfer Zone.

Further, the change in zoning for this area from RE-2C to Rural Cluster was based on its location in a headwater area for the Patuxent River rather than agricultural concerns. Finally, the use of sand mounds has not been at issue in the Rural Cluster

Zone, as this zone was established to provide a mix of low-density residential uses and agriculture and is considered "Rural Open Space", not a primary agricultural area.

While the 1982 Master Plan does not specifically identify the Subject Property for discussion, it does give general guidance and recommendations to encourage densities low enough to protect fragile environmental features. The Subject Property contains extensive environmentally sensitive features. Approximately 61% of the Subject Property will be protected by a conservation easement.

The area in which the Subject Property is located is primarily high ground or ridges. The 1982 Master Plan encourages the traditional development pattern of individual lots of one to two acres along the ridge lines and allows "rural infill" among existing residences. This plan is consistent with the 1982 Master Plan recommendations in that it proposes low-density residential development.

### **ENVIRONMENTAL COMPLIANCE**

The Subject Property is within the Upper Patuxent River Watershed and contains 27.94 acres of forest, 1.0 acre of wetlands, and 16.5 acres of stream valley buffer. The preliminary forest conservation plan proposes to save 22.84 acres of forest on-site. A Category I Forest Conservation Easement will be placed in a parcel on 30.9 acres containing the on-site forest and 7.16 acres of stream valley buffer.

### **LOT FRONTAGE**

Section 50-29 (a)(2) of the Subdivision Regulations requires that every lot shall abut on a street or road which has been dedicated to public use or which has acquired the status of a public road. The Planning Board may, however, approve not more than two (2) lots on a private driveway or private right-of-way; provided, that proper showing is made that such access is adequate to serve the lots for emergency vehicles, for installation of public utilities, is accessible for other public services, and is not detrimental to future subdivision of adjacent lands.

The Preliminary Plan proposes two lots without frontage on a public road. Access to the lots is via a shared driveway from Howard Chapel Road, which also serves a house on an existing unrecorded parcel, which is not a part of the subject application. Staff supported the creation of the two lots without frontage (proposed Lots 12 and 13). Staff found that the proposed access will be adequate to serve the lots for emergency vehicles, for installation of public utilities, and for public service access.

Staff further found that the creation of the lots will not be detrimental to future development of this or other adjacent land parcels.

### **STAFF RECOMMENDATION**

Staff found that the Preliminary Plan complies with the applicable provisions of the Subdivision Regulations and the Zoning Ordinance as well as the recommendations in the Damascus Master Plan. Therefore, staff recommended approval of the Preliminary Plan, subject to conditions.

### **FINDINGS**

Having given full consideration to the recommendations of its Staff; the recommendations of the applicable public agencies<sup>1</sup>; the Applicant's position; and other evidence contained in the Record, which is hereby incorporated in its entirety into this Opinion, the Montgomery County Planning Board, based on the uncontested evidence of record and subject to conditions of approval, finds that:

- a) The Preliminary Plan No. 120060110 substantially conforms to the Damascus Master Plan.
- b) Public facilities will be adequate to support and service the area of the proposed subdivision. The Planning Board hereby approves two lots without frontage on a public road and finds that access via a private driveway for Lots 12 and 13 is adequate to serve the lots for emergency vehicles, for installation of public utilities, and for public service access. The Board further finds that the creation of the lots is not detrimental to future subdivision of adjacent lands.
- c) The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.
- d) The application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.
- e) The application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the Montgomery County Department

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<sup>1</sup> The application was referred to outside agencies for comment and review, including the Washington Suburban Sanitary Commission, the Department of Public Works and Transportation, the Department of Permitting Services and the various public utilities. All of these agencies recommended approval of the application.

of Permitting Services ("MCDPS") that the Stormwater Management Concept Plan meets MCDPS' standards.

- f) The Record of this application does not contain any contested issues; and, therefore, the Planning Board finds that any future objection, which may be raised concerning a substantive issue in this application, is waived.

### **CONDITIONS OF APPROVAL**

Finding Preliminary Plan No. 120060110 in accordance with the purposes and all applicable regulations of Montgomery County Code Chapter 50, the Planning Board approves Preliminary Plan No. 120060110, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to five (5) one-family residential lots and two (2) outlots.
- 2) The applicant shall construct all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Master Plan and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By \_\_\_\_\_" are excluded from this condition.
- 3) The applicant shall comply with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.
- 4) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation.
- 5) Compliance with conditions of MCDPWT letter dated, December 15, 2005 unless otherwise amended.
- 6) Compliance with conditions of MCDPS (Health Dept.) septic approval dated April 5, 2006.
- 7) Record plat to reflect common ingress/egress and utility easements over all shared driveways.
- 8) Compliance with the conditions of approval of the MCDPS stormwater management approval dated March 15, 2005.
- 9) Other necessary easements.

- 10) The Applicant shall place permanent markers, such as split rail fencing, along the boundaries of the Category I Conservation Easement. The types and locations of these permanent markers to be shown on the final forest conservation plan.

*This Preliminary Plan will remain valid for 36 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed.*

\* \* \* \* \*

[CERTIFICATION OF BOARD VOTE ADOPTING OPINION ON FOLLOWING PAGE]

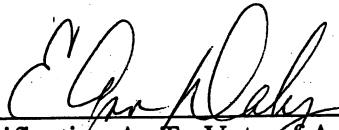
APPROVED AS TO LEGAL SUFFICIENCY

DYD 9/1/06  
M-NCPPC LEGAL DEPARTMENT



**CERTIFICATION OF BOARD ADOPTION OF OPINION**

At its regular meeting, held on **Thursday, September 7, 2006**, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, **ADOPTED** the above opinion, on motion of Commissioner Perdue, seconded by Commissioner Wellington, with Commissioners Perdue, Robinson, and Wellington voting in favor, and with Chairman Hanson and Commissioner Bryant abstaining. This Opinion constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for **Preliminary Plan No. 120060110, Haines Addition to Damascus.**



Certification As To Vote of Adoption  
E. Ann Daly, Technical Writer

**PLAT NO. 220071040**

Silver Spring Country Club

Located north quadrant, intersection of Briggs Chaney Road and Castle Boulevard

CT Zone; 1 Lot

Community Water, Community Sewer

Master Plan Area: Fairland

Commerce Bank NA, Applicant

This record plat has been reviewed by MNCPPC staff and other applicable agencies as documented on the attached Record Plat Review Sheet. Staff has determined that the plat complies with Preliminary Plan No. 120060930 and Site Plan No. 820060320, as approved by the Board; and that any minor modifications reflected on the plat do not alter the intent of the Board's previous approval of the preliminary plan.

This is a replacement for the plat number 220070400 that was previously approved by the Planning Board on 01/04/07, but was improperly recorded in the Land Record of Montgomery County.

## RECORD PLAT REVIEW SHEET

Plan Name: Commerce Bank Plan Number: 120060930  
 Plat Name: Golden Spring County Club "J" Plat Number: 220071040  
 Plat Submission Date: 10/3/06  
 DRD Plat Reviewer: PW/TA  
 DRD Prelim Plan Reviewer: Delores C

**Initial DRD Review:**

Signed Preliminary Plan - Date 10/25/06 Checked: Initial DMK Date 11/22/06  
 Planning Board Opinion - Date 8/7/06 Checked: Initial PW Date 10/23  
 Site Plan Req'd for Development? Yes ☒ No ☐ Verified By: PW (initial)  
 Site Plan Name: Commerce Bank Site Plan Number: 820060320  
 Planning Board Opinion - Date 8/31/06 Checked: Initial PW Date 10/23  
 Site Plan Signature Set - Date            Checked: Initial            Date             
 Site Plan Reviewer Plat Approval: Checked: Initial            Date           

Review Items: Lot # & Layout ☒ Lot Area ☒ Zoning ☒ Bearings & Distances ☒  
 Coordinates ☒ Plan # ☒ Road/Alley Widths ☒ Easements ☒ Open Space NA  
 Non-standard BRLs NA Adjoining Land ☒ Vicinity Map ☒ Septic/Wells NA  
 TDR note NA Child Lot note NA Surveyor Cert ☒ Owner Cert ☒ Tax Map ☒

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>CB</u>	<u>10/6/06</u>	<u>10/27/06</u>	<u>NC</u>	<u>No revision</u>
Research	Bobby Fleury			<u>10/7/06</u>	<u>OK</u>
SHA	Doug Mills			<u>NC</u>	<u>NC</u>
PEPCO	Steve Baxter			<u>NC</u>	<u>OK</u>
Parks	Doug Powell			<u>NC</u>	<u>NC</u>
DRD	Steve Smith			<u>10/19/06</u>	<u>See plat</u>

**Final DRD Review:**

DRD Review Complete:  
 (All comments rec'd and incorporated into mark-up)  
 Engineer Notified (Pick up Mark-up):  
 Final Mylar w/Mark-up & PDF Rec'd:

**Board Approval of Plat:**

Plat Agenda:  
 Planning Board Approval:  
 Chairman's Signature:

**DPS Approval of Plat:**

Engineer Pick-up for DPS Signature:  
 Final Mylar for Reproduction Rec'd:

**Plat Reproduction:**

Addressing:  
 File Card Update:  
 Final Zoning Book Check:  
 Update Address Books with Plat #:  
 Update Green Books for Resubdivision:  
 Notify Engineer to Seal Plats:  
 Engineer Seal Complete:  
 Complete Reproduction:  
 Sent to Courthouse for Recordation:

Initial

TATATATATARATA  

Date

12/7/0611/22/0611/3/061/4/071/4/071/5/071/8/07  No.



M-NCPPC

**MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING****THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION**8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760  
301-495-4500, [www.mncppc.org](http://www.mncppc.org)**Date Mailed: AUG - 7 2006****Action: Approved Staff Recommendation****Motion of Commissioner Wellington, seconded by  
Commissioner Purdue, with a vote of 3-0;  
Commissioners Berlage, Purdue, and Wellington  
voting in favor. Commissioners Bryant and  
Robinson absent.****MONTGOMERY COUNTY PLANNING BOARD****OPINION**

Preliminary Plan: 120060930  
NAME OF PLAN: Commerce Bank- Silver Spring  
Public Hearing Date: July 6, 2006

*The date of this written opinion is AUG - 7 2006 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).*

**I. INTRODUCTION**

On March 21, 2006, Commerce Bank ("Applicant") submitted an application for the approval of a Preliminary Plan for subdivision to create one (1) commercial lot in a Commercial Transit ("C-T") zone in order to construct a bank with four (4) drive-thru aisles ("Preliminary Plan" or "Plan"). The Preliminary Plan was designated Preliminary Plan No. 120060930. On July 6, 2006 Preliminary Plan No. 120060930 was brought before the Montgomery County Planning Board ("Planning Board" or "Board") for a public hearing along with corresponding site plan application. At the public hearing, the Planning Board heard testimony and received evidence submitted into the record on the Preliminary Plan application. Prior to the public hearing, Planning Board staff ("Staff")

Commerce Bank - Silver Spring  
Preliminary Plan No. 120060930  
Page 2

analyzed and provided recommendations regarding the Preliminary Plan in a memorandum sent to the Planning Board on June 16, 2006 ("Staff Report" or "Report").

The record for this application ("Record") closed at the conclusion of the public hearing, upon the taking of an action by the Planning Board. The Record includes: the information on the Preliminary Plan Application Form; the Planning Board Staff-generated minutes of the Subdivision Review Committee meeting(s) on the application; all correspondence and any other written or graphic information concerning the application received by the Planning Board or its Staff from the Applicant, public agencies and the community following submission of the application and prior to the Board's action at the conclusion of the public hearing; all correspondence and any other written or graphic information issued by Planning Board Staff, prior to the Board's action following the public hearing, concerning the application; and all evidence, including written and oral testimony and any graphic exhibits, presented to the Planning Board at the public hearing.

## **II. SITE DESCRIPTION**

The property, identified as Parcel 568 ("Subject Property"), is located at the northeast quadrant of the intersection of Briggs Chaney Road and Automobile Boulevard. The Subject Property contains 0.89 acres and is in a C-T zone. A dwelling that currently exists on the property will be removed.

## **III. PLAN DESCRIPTION**

This is a preliminary plan application to create one (1) lot for the construction of a 4,100 square foot bank with four (4) drive-thru aisles. Access to the site will be from Briggs Chaney Road and Castle Boulevard. Staff found that the property contains no environmental features and is exempt from general Forest Conservation Law requirements. The Subject Property will generate more than 30 vehicular peak hour trips and, therefore, a Local Area Traffic Review (LATR) is required.

## **MASTER PLAN COMPLIANCE**

The 1997 Fairland Master Plan recommends one-family detached dwellings for the Subject Property, but states that it is appropriate for C-T zoning. The Master Plan also recommends that "transitional, small-scale, non-residential uses such as offices" be considered for the site. Staff found that the proposed preliminary plan complies with the recommendations adopted in the master plan in that it proposes a convenience commercial drive-thru bank.

## PROPOSED LOT DIMENSIONS

In its Report, Staff presented the current size, width, shape and orientation of lots in the surrounding subdivision as well as the dimensions of the proposed lot under the Preliminary Plan. Staff found that the size, width, shape and orientation of the proposed lots are appropriate for the location of the subdivision and will conform to the minimum requirements of the C- T zone.

## ADEQUATE PUBLIC FACILITIES - TRANSPORTATION

### Site Locations and Pedestrian/Vehicular Access

The site is located at the northeast corner of Briggs Chaney Road and Castle Boulevard. The site will be provided with "right in and right out only" access points on both Briggs Chaney Road and full movement on Castle Boulevard. Five-foot sidewalks with tree panels will be provided on Briggs Chaney Road and Castle Boulevard. Lead-in sidewalks connect internal walkways to external sidewalks on both roadways at the site access points. Internal circulation and ingress and egress points are designed for safe vehicular and pedestrian access. An eight-foot wide shared-used path will be constructed by the County on the south side (opposite side of the proposed bank) of Briggs Chaney Road.

In its Report, Staff stated its opinion that vehicular and pedestrian access will be safe and sufficient upon implementation of recommended improvements stated for this application.

### Roadway Classifications

Briggs Chaney Road is classified in the Fairland Master Plan as a four-lane arterial roadway in 120 feet of right-of-way with a five-foot sidewalk on the north side and a shared-used path on the south side.

Castle Boulevard is classified in the Fairland Master Plan as a four-lane (in front of the site) industrial roadway in 80 feet of right-of-way with five-foot sidewalks on both sides.

### Local Area Transportation Review

A traffic study was submitted by the Applicant to satisfy Local Area Transportation Review (LA TR) and to determine the impact of the proposed development on area transportation systems ("Traffic Study"). Staff noted that the site is projected to generate 41 and 108 new trips, and 37 and 96 pass-by trips during the typical peak hours of the morning and evening peak periods, respectively. A total of one intersection and both access points were identified for analysis in the Traffic Study and site trips were added to the existing and background traffic (trips from approved, but

Commerce Bank - Silver Spring  
Preliminary Plan No. 120060930  
Page 4

unbuilt developments) to form the total traffic condition. Traffic was assigned to the three effected intersections, and the results show that all intersections will operate within the congestion standard of 1,500 Critical Lane Volume (CLV) for the Fairland/White Oaks Policy Area. Staff determined that public facilities will be adequate to support and service the subdivision proposed under the Preliminary Plan.

#### STAFF RECOMMENDATIONS

In its Report, Staff provided visual depictions of the surrounding lots in the current subdivision along with the dimensions of the proposed lot. Staff also provided the Board with a tabular summary of the C-T zone requirements and the proposed lot dimensions and attributes. Staff found that the proposed Preliminary Plan complies with Chapter 50 of the Montgomery County Code, Subdivision Regulations and Chapter 59, the Zoning Ordinance and recommended approval of the Preliminary Plan subject to conditions.

#### **IV. Findings**

Having given full consideration to the recommendations of its Staff, the recommendations of the applicable public agencies,<sup>1</sup> the Applicant's position, and other evidence contained in the Record, which is hereby incorporated in its entirety into this Opinion, the Montgomery County Planning Board finds, based on the uncontested evidence of record, and with the conditions of approval, that:

1. The proposed lot is appropriate for the location.
2. The proposed lot conforms to the minimum standards of an C-T zone.
3. The Preliminary Plan substantially conforms to the Fairland Master Plan.
4. The public facilities will be adequate to support and service the area of the Preliminary Plan's proposed subdivision.
5. The application satisfies all the applicable requirements for an exemption under the Forest Conservation Law contained in Montgomery County Code Chapter 22A.

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<sup>1</sup> The application was referred to outside agencies for comment and review, including the Washington Suburban Sanitary Commission ("WSSC"), the Montgomery County Department of Public Works and Transportation ("MCDPWT"), the Montgomery County Department of Permitting Services ("MCDPS" or "DPS"), and the various public utilities. None of these agencies objected to approval of the application.



Commerce Bank - Silver Spring  
Preliminary Plan No. 120060930  
Page 5

6. The application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by MCDPS that the Stormwater Management Concept Plan meets MCDPS standards.
7. That any future objection, which may be raised concerning a substantive issue in this application, is waived.

#### **V. CONDITIONS OF APPROVAL**

Finding Preliminary Plan No. 120060930 in accordance with the purposes and all applicable regulations of Montgomery County Code Chapter 50, the Planning Board APPROVES Preliminary Plan No. 120060930, subject to the following conditions:

- 1) Approval under this Preliminary Plan is limited to a 4,100 square foot bank with a maximum of four (4) drive-through windows.
- 2) Final approval of the number and location of buildings, on-site parking, site circulation, sidewalks, and bikepaths will be determined at site plan.
- 3) A landscape and lighting plan must be submitted as part of the site plan application for review and approval.
- 4) The record plat shall reflect dedication of 40 feet from the centerline of Castle Boulevard for a total of 80 feet right-of-way, as required by the Fairland Master Plan.
- 5) Prior to issuance of use and occupancy permit, the Applicant shall provide the following sidewalk improvements in the vicinity of the site:
  - a) Replace the substandard four-foot sidewalk with a five-foot concrete sidewalk along Castle Boulevard with a minimum of two-foot setback from the property line with street trees, subject to approval by MCDPWT.
  - b) Provide level sidewalk across the driveways on Briggs Chaney Road and Castle Boulevard, subject to approval by MCDPWT.
  - c) Provide a raised pedestrian refuge area across the curb cut from Castle Boulevard.
  - d) Provide lead-in sidewalks along the western side of the Briggs Chaney Road curb cut and from Castle Boulevard.

Commerce Bank - Silver Spring

Preliminary Plan No. 120060930

Page 6

- e) Provide one handicapped ramp in each direction at the corner of the Briggs Chaney Road and Castle Boulevard.
- 6) Prior to issuance of a use and occupancy permit for the bank, the Applicant shall:
  - a) Provide for an increased turning radius to 30 feet at the intersection of Briggs Chaney Road and Castle Boulevard as required by MCDPWT.
  - b) Provide one bike rack at the main entrance; and
  - c) Coordinate with MCDPWT and the Washington Metropolitan Area Transit Authority for the locations of site access near Ride On and Metro bus stops on Briggs Chaney Road and Castle Boulevard.
- 7) The Applicant shall comply with the conditions of approval of the MCDPS stormwater management approval dated February 13, 2006.
- 8) The applicant shall comply with conditions of the MCDPWT letter dated May 25, 2006, unless otherwise amended.
- 9) The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.
- 10) Other necessary easements.

*This Preliminary Plan will remain valid for 36 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed.*

\* \* \* \* \*

[CERTIFICATION OF BOARD VOTE ADOPTING OPINION ON FOLLOWING PAGE]

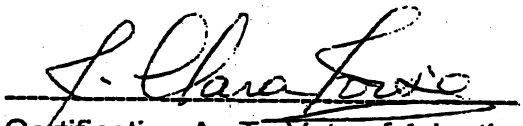
APPROVED AS TO LEGAL SUFFICIENCY

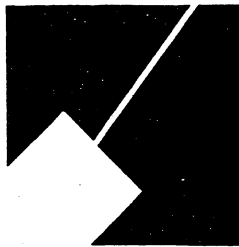
M-NCPFC LEGAL DEPARTMENT

Commerce Bank – Silver Spring  
Preliminary Plan No. 120060930  
Page 7

**CERTIFICATION OF BOARD ADOPTION OF OPINION**

At its regular meeting, held on **Thursday, July 27, 2006**, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, by unanimous consent, with four Commissioners present, and Commissioner Robinson abstaining, and Commissioner Byrant necessarily absent, **ADOPTED** the above Opinion which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for **Preliminary Plan No. 120060930, Commerce Bank – Silver Spring.**

  
\_\_\_\_\_  
Certification As To Vote of Adoption  
**M. Clara Moise, Technical Writer**



MCPB Resolution No. 06-69  
Site Plan No. 820060320  
(Previously 8-06032)  
Commerce Bank-Silver Spring

## MONTGOMERY COUNTY PLANNING BOARD

### RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board" or "Board") is required to review site plan applications; and

WHEREAS, on March 29, 2006, a site plan application was submitted by Commerce Bank ("Applicant") to construct a one-story, 4,100 square-foot bank facility ("Site Plan"); and

WHEREAS, following review and analysis of the Site Plan application by Planning Board staff ("Staff") and the staffs of other governmental agencies, on July 6, 2006, Staff presented this application to the Planning Board at a public hearing for its review and action ("Hearing"); and

WHEREAS, prior to the Hearing, on June 23, 2006, Staff issued a memorandum to the Board setting forth its analysis of, and recommendation for approval of the application subject to certain conditions ("Staff Report" or "Report"); and

WHEREAS, the subject property of the Site Plan is located in the northeast quadrant of the intersection of Briggs Chaney Road and Castle Boulevard within the Greencastle/Briggs Chaney community and the Fairland Master Plan area ("Subject Property"); and

WHEREAS, the Fairland Master Plan states that the Subject Property is appropriate for C-T zoning and that "transitional, small-scale, non-residential uses such as offices" should be considered for the site; and

WHEREAS, the Subject Property was rezoned from C-2 Zone to the C-T Zone by Sectional Map Amendment G-747 on July 8, 1997; and

WHEREAS, Applicant's application for this Site Plan was designated Case No. 820060320 (Previously 8-06032), Commerce Bank- Silver Spring; and

WHEREAS, Preliminary Plan No. 120060930 for this project was heard concurrently with this Site Plan application and was approved by the Planning Board on July 6, 2006; and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on this Site Plan application and approved the application on the motion of Commissioner Wellington, seconded by Commissioner Perdue, with Commissioners Berlage, Perdue and Wellington voting in favor of the motion and Commissioners Bryant and Robinson absent, at its regular meeting held on July 6, 2006, in Silver Spring, Maryland.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board APPROVES Site Plan No. 820060320 (Previously 8-06032), based on the uncontested evidence of record, with the following conditions:

1. The proposed development shall comply with the conditions of approval for Preliminary Plan 120060930.
2. Applicant shall provide details for the proposed retaining wall located along the eastern and southern boundary of the site.
3. Applicant shall modify the Lighting Plan as follows:
  - a. Revise the Lighting Plan to show that illumination levels on the site shall not exceed 0.5 footcandles (fc) at the property lines abutting the adjacent residential property and abutting Briggs Chaney Road and Castle Boulevard.
  - b. All light fixtures shall be full cut-off fixtures.
  - c. Reflectors shall be installed on all fixtures causing potential glare or excess illumination, especially on the perimeter fixtures abutting the adjacent residential properties.
  - d. The height of the light poles shall not exceed 18 feet including the mounting base.
4. Applicant shall comply with the following conditions of approval from M-NCPPC-Transportation Planning in the memorandum dated June 8, 2006:

- a. Limit the proposed development to 4,100 Square feet of bank with a maximum four drive-through banking lanes.
- b. Show clearly on the plan the dedication of 60 feet of right-of-way from the centerline or 120 feet from the opposite right-of-way line for Briggs Chaney Road required by Fairland Master Plan.
- c. Dedicate 40 feet from the centerline of Castle Boulevard for a total of 80 feet right-of-way as required by Fairland Master Plan.
- d. Provide the following sidewalk improvements in the vicinity of the site:
  - i. Replace the substandard four-foot sidewalk with a five-foot concrete sidewalk along Castle Boulevard with a minimum of two feet setback from the property line and street trees.
  - ii. Provide level sidewalks across the driveways on Briggs Chaney Road and Castle Boulevard.
  - iii. Provide a raised pedestrian refuge area across the curb cut from Castle Boulevard.
  - iv. Provide lead-in sidewalks along the western side of the Briggs Chaney Road curb cut and from Castle Boulevard.
  - v. Provide one handicapped ramp in each direction at the corner of Briggs Chaney Road and Castle Boulevard.
- e. Provide for an increased turning radius to 30 feet at the intersection of Briggs Chaney Road and Castle Boulevard as required by Department of Public Works and Transportation.
- f. Provide one bike rack at the main entrance.
- g. Coordinate with the Department of Public Works and Transportation and Washington Metropolitan Area Transit Authority for the locations of site access near Ride On and Metro bus stops on Briggs Chaney Road and Castle Boulevard.
- h. Satisfy all requirements of the Department of Public Works and Transportation and the State Highway Administration.
- i. All improvements referenced in a - h above shall be complete prior to issuance of a use and occupancy permit.

5. The proposed development is subject to Stormwater Management Concept approval conditions dated February 13, 2006 unless amended and approved by the Department of Permitting Services;
6. Applicant shall construct the proposed development in accordance with the Development Program. The Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of signature set of site plan. The Development Program shall include a phasing schedule as follows:
  - a. The required sidewalk along Castle Boulevard shall be completed prior to issuance of an occupancy permit for the proposed bank building.
  - b. Street trees and on-site landscaping and lighting shall be completed prior to issuance of an occupancy permit for the proposed bank building.
  - c. Clearing and grading shall correspond to the construction phasing, to minimize soil erosion.
7. No clearing or grading prior to M-NCPPC approval of certified set of plans.
8. Prior to Certified Site Plan approval of site and landscape/lighting plans the following revisions shall be included and/or information provided, subject to Staff review and approval:
  - a. Development program, inspection schedule, and Site Plan Resolution.
  - b. Provide details of the proposed retaining wall along the eastern and southern boundary of the site.
  - c. Revised development standard table.
  - d. Addition street trees along Castle Boulevard.
  - e. Detail for the bike racks proposed.
  - f. Location and details of bus stops on Briggs Chaney Road and Castle Boulevard if required by the Department of Public Works and Transportation.

BE IT FURTHER RESOLVED THAT, the Planning Board's decision is based on the following findings proposed by Staff, which are supported by the uncontested evidence of record:

1. An approved development plan, diagrammatic plan, schematic development plan, or a project plan is not required for the subject development.
2. The Site Plan meets all of the requirements of the C-T Zone as demonstrated in the table below. An urban renewal plan is not applicable for the subject development.

Development Standard	Approved by the Board
Min. Tract Area (ac.):	.89 ac. (38,667 sf)
Proposed Floor Area (gsf.)	4,100 sf
Floor Area Ratio (F.A.R.)	0.11
Min. Building Setback (ft.)	
Front Setback (Briggs Chaney Road)	64
Front Setback (Castle Boulevard)	82
Side Setback (northeast, residential)	71
Side Setback (east, residential)	38
Min. Parking Setback	
Front Setback (Briggs Chaney Road)	13
Front Setback (Castle Boulevard)	14
Side Setback (northeast, residential)	15
Side Setback (east, residential)	15
Parking Requirements	
2.7 spaces/1,00 gsf of floor area	18
Parking Landscape Requirements (ft.)	
Landscape strip adjacent to street right-of-way	10
Perimeter (other than right-of-way)	15
Max. Building Height (ht)	28
Min. Drive Aisles (ft)	24
Building Coverage (%)	11
Open Space (%)	33

3. The location of the building and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.

a. Building



The proposed bank building is located in a manner that is adequate, safe and efficient with the surrounding development.

b. Open Spaces

The open space is adequate, safe and efficient with the surrounding development.

The proposed development provides 33% open space. Trees and other landscaping materials are included within the open space areas along the property boundaries.

c. Landscaping and Lighting

Landscaping and Lighting is adequate, safe and efficient with the surrounding development.

A good variety of landscaping materials are proposed for the site. The proposed landscaping consists of a mix of shade and flowering trees, shrubs and a retaining wall along the eastern and southern boundaries of the site. Flowering trees and evergreen shrubs will be placed in front of the parking areas facing Briggs Chaney Road and Castle Boulevard.

In addition to the lighting fixtures under the bank's pedestrian entrance canopy and the drive-thru canopy, shielded, pole-mounted lighting will be provided. The Lighting Plan will be revised to limit the illumination level at the site's property lines to 0.5 footcandles (fc).

d. Vehicular and Pedestrian Circulation

The proposed bank building is sited to provide an efficient circulation and parking pattern for banking patrons. The corner lot location will provide access points that are "right in, right out" only. Two lead sidewalks into the site and internal pedestrian crosswalks across the drive aisles will provide safe pedestrian access to the bank. Vehicular and pedestrian circulation is safe, adequate and efficient.

e. Recreation

There are no recreational requirements for this zone regarding this project.

4. The proposed bank is in conformance with the Master Plan and is compatible with the adjacent commercial and residential uses.

5. The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and other applicable laws.

The development is exempt from the requirements of forest conservation as stated by the Environmental Planning Division in a memorandum dated May 11, 2006. The Department of Permitting Services approved the stormwater management concept on February 13, 2006.

The proposed stormwater management concept consists of on-site channel protection measures via a waiver to the existing Montgomery Auto Park Regional Pond; on-site water quality control via installation of proprietary filtration units with hydrodynamic pretreatment; and onsite recharge via landscaped recharge areas.

BE IT FURTHER RESOLVED, that this resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this site plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this resolution is AUG 31 2006 (which is the date that this resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

\* \* \* \* \*

At its regular meeting, held on Thursday, July 27, 2006, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, by unanimous consent, with four Commissioners present, and Commissioner Robinson abstaining, and Commissioner Bryant necessarily absent, ADOPTED the above Resolution which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for Site Plan No. 820060320, Commerce Bank-Silver Spring.





**PLAT NO. 220061470**

Bradley Farms

Located in the northeast corner, intersection of River Road and Harrington Road

RE-2 zone; 1 lot

Community Water, Community Sewer

Master Plan Area: Potomac

Mid-Atlantic Petroleum Properties, LLC, Applicant

Staff recommends approval of this minor subdivision plat pursuant to section **50-35A (a)(3)** of the Subdivision Regulations, which states:

Consolidation of Two or More Lots or a Part of a lot into One Lot. Consolidating more than one lot into a single lot is permitted under the minor subdivision procedure provided:

- a. Any conditions applicable to the original subdivision remain in full force and effect and the number of trips generated on the new lot do not exceed those permitted for the original lots or as limited by an Adequate Public Facilities agreement.
- b. Any consolidation involving a part of a lot may occur under the minor subdivision process if the part of a lot was created by deed recorded prior to June 1, 1958

Staff applied the above-noted minor subdivision criteria for this lot (previously known as part of lot 9) and concludes that the proposed minor subdivision complies with the criteria of Section 50-35A (a)(3)b of the subdivision regulations and supports this minor subdivision record plat.

**RECORD PLAT FOR MINOR SUBDIVISION REVIEW SHEET**

(This form contains 3 pages)

Plat Name: Lot 99 Block 9 Bradley Rd Plat Number: 2-06147(220061470)Plat Submission Date: 11/12/06 resubmittedDRD Plat Reviewer: pw / CAEDRD Prelim Plan Reviewer: NA

\*For category of minor see pages 2 and 3

**Initial DRD Review:**Pre-Preliminary Plan No. NA Checked: Initial      Date     Preliminary Plan No. NA Checked: Initial      Date     Planning Board Opinion - Date      Checked: Initial      Date     Site Plan Name if applicable: NA Site Plan Number:     Planning Board Opinion - Date      Checked: Initial      Date     Lot # & Layout      Lot Area      Zoning      Bearings & Distances      Coordinates     Plan #      Road/Alley Widths      Easements      Open Space      Non-standardBRLs      Adjoining Land      Vicinity Map      Septic/Wells     TDR note NA Child Lot note NA Surveyor Cert      Owner Cert      Tax Map     SPA     

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>M. P. F.</u>	<u>11/21</u>	<u>12/5/06</u>	<u>12/14/06</u>	<u>No Comm</u>
Research	Bobby Fleury			<u>11/22/06</u>	<u>OK</u>
SHA	Doug Mills			<u>NC</u>	<u>NC</u>
PEPCO	Steve Baxter			<u>NC</u>	<u>OK</u>
Parks	Doug Powell			<u>NC</u>	<u>NA</u>
DRD	Steve Smith			<u>12/12/06</u>	<u>see meet</u>

**Final DRD Review:**

DRD Review Complete:

(All comments rec'd and incorporated into mark-up)

Engineer Notified (Pick up Mark-up):

Final Mylar w/Mark-up &amp; PDF Rec'd:

**Board Approval of Plat:**

Plat Agenda:

Planning Board Approval:

Chairman's Signature:

**DPS Approval of Plat:**

Engineer Pick-up for DPS Signature:

Final Mylar for Reproduction Rec'd:

**Plat Reproduction:**

Addressing:

File Card Update:

Final Zoning Book Check:

Update Address Books with Plat #:

Update Green Books for Resubdivision:

Notify Engineer to Seal Plats:

Engineer Seal Complete:

Complete Reproduction:

Sent to Courthouse for Recordation:

Initial

TATATATATA  

Date

1/29/0712/18/061/25/071/25/072/5/07  No.

## RECORD PLAT REVIEW SHEET – MINOR SUBDIVISION SEC-50-35A

Select which Category of Minor Subdivision and fill information as required

### Requirements under Sec 50-35A (A)

#### (1) Minor Lot Adjustment

- a) Total area does not exceed 5% of combined area affected: \_\_\_\_\_
- b) No additional lots created: \_\_\_\_\_
- c) Adjusted line is approximately parallel/does not significantly change shape of the lots: \_\_\_\_\_
- d) Date sketch plan submitted: \_\_\_\_\_
- e) Sketch plan revised or denied within 10 business days: \_\_\_\_\_
- f) Final record plat submitted within ninety days: \_\_\_\_\_
- g) Sketch shows following information:
  - i. proposed lot adjustment: \_\_\_\_\_
  - ii. physical improvements within 15 feet of adjusted line: \_\_\_\_\_
  - iii. alteration to building setback: \_\_\_\_\_
  - iv. amount of lot area affected: \_\_\_\_\_

#### (2) Conversion of Outlot into a Lot

- a) Outlot not required for open space or otherwise constrained: \_\_\_\_\_
- b) Adequate sewerage and water service/public or private: \_\_\_\_\_
- c) Adequate public facilities and AGP satisfied: \_\_\_\_\_
- d) Any conditions/agreements of original subdivision: \_\_\_\_\_
- e) Special Protection Area, Water Quality Plan required: \_\_\_\_\_

#### (3) Consolidation Of Two of More Lots

- a) Any prior subdivision conditions: \_\_\_\_\_
- b) Part of lot created by deed prior to June 1 1958: ☒ \_\_\_\_\_

#### (4) Further Subdivision of Commercial/Industrial/Multi-Family Lot

Any subdivision/conditions; APF agreement satisfied: \_\_\_\_\_

#### (5) Plat of Correction

- a) All owners and trustees signed: \_\_\_\_\_
- b) Original Plat identified: \_\_\_\_\_

#### (6) Plats for Residentially Zoned Parcels Created by Deed prior to June 1958

- a) Deed(s) submitted: \_\_\_\_\_
- b) Developable with only one single family detached unit: \_\_\_\_\_

#### (7) Plat for Existing Places of Worship, Private Schools, Country Club, Private Institution, and Similar Uses located on Unplatted Parcels

- a) Adequate Public Facilities satisfied: \_\_\_\_\_
- b) Street dedication required: \_\_\_\_\_
- c) Forest conservation: \_\_\_\_\_
- d) Storm water management: \_\_\_\_\_
- e) Special Protection Area/Water Quality Plan: \_\_\_\_\_
- f) Landscaping and lighting plan including parking lot layout: \_\_\_\_\_

g) Approved Special Exception: \_\_\_\_\_

**(8) Plats for Certain Residential Lots in the RDT Zone; 5 Lot Maximum**

a) Number of Lots: \_\_\_\_\_

b) Written MCDPS approval of proposed septic area: \_\_\_\_\_

c) Required street dedication: \_\_\_\_\_

d) Easement for balance of property noting density and TDRS: \_\_\_\_\_

e) Average lot size of 5 acres: \_\_\_\_\_

f) Forest Conservation requirements met: \_\_\_\_\_



# NOTES

- TOTAL AREA INCLUDED ON THIS PLAT IS 65,562 SQUARE FEET
- TOTAL AREA OF PROPOSED LOT IS 65,562 SQUARE FEET.
- TOTAL AREA OF DEDICATION IS 0.00 SQUARE FEET.
- THE PROPERTY IS CURRENTLY ZONED RE-2.
- THE PROPERTY IS SHOWN ON TAX MAP PP 561, AS PART OF LOT 9, BLOCK 9, BRADLEY FARMS. WSSC 200' SHEET 211 NW 09
- ALL TRANSITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, PROJECT PLAN, OR OTHER PLAN ALLOWING DEVELOPMENT OF THIS PROPERTY AND APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD ARE INTENDED TO BE INCORPORATED INTO THE SUBDIVISION RECORD PLAT. ANY SUCH PLAN AS MAINTAINED BY THE PLANNING BOARD AND ARE AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
- ALL EXISTING AND PROPOSED DEVELOPMENT ON THIS PROPERTY IS SUBJECT TO THE STANDARDS UNDER MONTGOMERY COUNTY ZONING ORDINANCE FOR THE RE-2 ZONE, EXCEPT FOR THE DIMENSIONAL REQUIREMENT AS PER 58-C-1.32.
- IF/IPS = IRON PIPE OR IRON PIN FOUND/SET
- THE APPROVAL OF THIS PLAT IS PREDICATED ON THE AVAILABILITY OF PUBLIC WATER AND SEWER.
- THIS PLAT CONFORMS TO THE REQUIREMENTS OF SECTION 50-33A OF THE MONTGOMERY COUNTY SUBDIVISION REGULATIONS, BEING CHAPTER 50 OF THE MONTGOMERY COUNTY CODE. THIS PLAT INVOLVES A CONSOLIDATION OF ONE LOT AND PART OF A LOT INTO ONE, AS PROVIDED FOR IN SECTION 50-33A(4)(3).
- THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND USE, NOR EVERY MATTER RESTRICTING THE OWNERSHIP AND USE, OF THIS PROPERTY. THE SUBDIVISION RECORD PLAT IS INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO SUPPLEMENT OR NOTE ALL MATTERS AFFECTING TITLE.

## SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT IT IS A RE-SUBDIVISION OF ALL THE LANDS OWNED BY MARY K. MCHRA AND HER ESTATE, BEING LOT 9, BLOCK 9, BRADLEY FARMS, AS SHOWN ON PLAT NO. 1450, RECORDED IN LIBER 3022 AT FOLIO 589 AND BEING PART OF LOT 9, BLOCK 9, AS SHOWN ON A PLAT OF SUBDIVISION KNOWN AS BRADLEY FARMS AS RECORDED IN PLAT BOOK 23 AT PLAT 1450 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND; AND THAT ALL PROPER CORRECTIONS HAVE BEEN MADE TO THE PLAN SHOWN HEREON IN ACCORDANCE WITH SECTION 50-24(3) OF THE SUBDIVISION REGULATIONS OF MONTGOMERY COUNTY, MARYLAND.

DAVID P. MOWATT  
MD. PROFESSIONAL LAND SURVEYOR #21136  
DATE 12/21/06

## OWNERS' CERTIFICATION

WE, CARLOS HORCASTAS(C.F.O.) AND MAY-MAY HORCASTAS(C.F.O.) OF MID-ATLANTIC PETROLEUM PROPERTIES, L.L.C., OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION.

WE FURTHER GRANT A 10-FOOT PUBLIC UTILITY EASEMENT, SHOWN HEREON AS "10' P.U.E." TO THOSE PARTIES NAMED IN THE DOCUMENT ENTITLED "DECLARATION OF TERMS AND PROVISIONS OF PUBLIC UTILITY EASEMENTS", AS RECORDED IN LIBER 3834 AT FOLIO 457 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.

THERE ARE NO SITS, ACTIONS AT LAW, LEASES, LIENS, MORTGAGES, OR TRUSTS AFFECTING THE PROPERTY SHOWN HEREON, EXCEPT FOR THOSE LISTED BELOW.

CARLOS HORCASTAS (C.F.O.) (OWNER) DATE 12/21/06  
WITNESS Thomas H. McMichael 12/21/06  
MAY-MAY HORCASTAS (C.F.O.) (OWNER) DATE 12/21/06  
WITNESS Thomas H. McMichael 12/21/06

Department of Planning Services  
Montgomery County, Maryland  
Date:

Approved: \_\_\_\_\_

The Maryland National Capital Park and Planning Commission  
Montgomery County Planning Board

Approved: \_\_\_\_\_

Date \_\_\_\_\_ Chairman \_\_\_\_\_ Asst. Secretary-Treasurer \_\_\_\_\_

MNC.P. & P.C. Record File No. \_\_\_\_\_

WE, MERCANTILE POTOMAC BANK, HEREBY CONSENT TO THIS PLAN OF SUBDIVISION.

JACK GREEN SENIOR VICE PRESIDENT  
DATE 1-3-07  
WITNESS \_\_\_\_\_

PLAT No.

LOT 12, BLOCK 9  
BRADLEY FARMS  
PLAT No. 3999

PART OF LOT 9, BLOCK 9  
BRADLEY FARMS  
PLAT No. 1450

PART OF LOT 9, BLOCK 9  
BRADLEY FARMS  
PLAT No. 1450

LOT 30  
65,562 SQ. FT.  
1.30 ACRES  
(9)

VICINITY MAP  
SCALE: 1"=100'

PLAT DATUM  
P.B.23 P.1450



### CURVE DATA

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	609.48'	280.83'	278.34'	S 15°28'28" W	26°23'58"	142.95'
C2	25.00'	39.28'	35.36'	S 73°38'55" W	90°00'45"	25.01'

SUBDIVISION RECORD PLAT  
BRADLEY FARMS  
LOT 30, BLOCK 9  
A RESUBDIVISION OF  
PART OF LOT 9, BLOCK 9  
POTOMAC (10TH) ELECTION DISTRICT  
MONTGOMERY COUNTY, MARYLAND  
SCALE: 1"=40' JANUARY 2007

POTOMAC VALLEY  
SURVEYS  
19960 FISHER AVENUE  
P.O. BOX 627  
POOLESVILLE, MARYLAND  
301-349-5090

**PLAT NO. 220070350**

English Village Bradley Farms

Located in the west side of Oldchester Road, approximately 100 feet north of Maiden Lane

R-90 Zone; 1 lot

Community Water, Community Sewer

Master Plan Area: Bethesda Chevy Chase

David A. Schain, Applicant

Staff recommends approval of this minor subdivision plat pursuant to section **50-35A (a)(3)** of the Subdivision Regulations, which states:

Consolidation of Two or More Lots or a Part of a lot into One Lot. Consolidating more than one lot into a single lot is permitted under the minor subdivision procedure provided:

- c. Any conditions applicable to the original subdivision remain in full force and effect and the number of trips generated on the new lot do not exceed those permitted for the original lots or as limited by an Adequate Public Facilities agreement.
- d. Any consolidation involving a part of a lot may occur under the minor subdivision process if the part of a lot was created by deed recorded prior to June 1, 1958

Staff applied the above-noted minor subdivision criteria for this lot (previously known as lots 15 and 16) and concludes that the proposed minor subdivision complies with the criteria of Section 50-35A (a)(3)b of the subdivision regulations and supports this minor subdivision record plat.

**RECORD PLAT FOR MINOR SUBDIVISION REVIEW SHEET**

(This form contains 3 pages)

Plat Name: English Village Lot 32 Plat Number: 220070350  
 Plat Submission Date: 9/26/06  
 DRD Plat Reviewer: PW/TA  
 DRD Prelim Plan Reviewer: NA

\*For category of minor see pages 2 and 3

**Initial DRD Review:**

Pre-Preliminary Plan No. NA Checked: Initial      Date       
 Preliminary Plan No. NA Checked: Initial      Date       
 Planning Board Opinion - Date NA Checked: Initial      Date       
 Site Plan Name if applicable: NA Site Plan Number:       
 Planning Board Opinion - Date      Checked: Initial      Date     

Lot # & Layout ✓ Lot Area ✓ Zoning ✓ Bearings & Distances ✓ Coordinates ✓  
 Plan # NA Road/Alley Widths ✓ Easements ✓ Open Space NA Non-standard  
 BRLs NA Adjoining Land ✓ Vicinity Map ✓ Septic/Wells NA  
 TDR note NA Child Lot note NA Surveyor Cert ✓ Owner Cert ✓ Tax Map ✓  
 SPA     

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment		10/01	10/27	NC	NC
Research	Bobby Fleury			10/7/06	OK
SHA	Doug Mills			NC	NC
PEPCO	Steve Baxter			NC	OK
Parks	Doug Powell			NC	NA
DRD	Steve Smith	✓	✓	10/20	None

**Final DRD Review:**

DRD Review Complete:

(All comments rec'd and incorporated into mark-up)

Engineer Notified (Pick up Mark-up):

Final Mylar w/Mark-up &amp; PDF Rec'd:

**Board Approval of Plat:**

Plat Agenda:

Planning Board Approval:

Chairman's Signature:

**DPS Approval of Plat:**

Engineer Pick-up for DPS Signature:

Final Mylar for Reproduction Rec'd:

**Plat Reproduction:**

Addressing:

File Card Update:

Final Zoning Book Check:

Update Address Books with Plat #:

Update Green Books for Resubdivision:

Notify Engineer to Seal Plats:

Engineer Seal Complete:

Complete Reproduction:

Sent to Courthouse for Recordation:

Initial

TATATATATA  

Date

1/29/0710/30/061/20/072/15/07  No.

## RECORD PLAT REVIEW SHEET – MINOR SUBDIVISION SEC-50-35A

Select which Category of Minor Subdivision and fill information as required

### Requirements under Sec 50-35A (A)

#### (1) Minor Lot Adjustment

- a) Total area does not exceed 5% of combined area affected: \_\_\_\_\_
- b) No additional lots created: \_\_\_\_\_
- c) Adjusted line is approximately parallel/does not significantly change shape of the lots: \_\_\_\_\_
- d) Date sketch plan submitted: \_\_\_\_\_
- e) Sketch plan revised or denied within 10 business days: \_\_\_\_\_
- f) Final record plat submitted within ninety days: \_\_\_\_\_
- g) Sketch shows following information:
  - i. proposed lot adjustment: \_\_\_\_\_
  - ii. physical improvements within 15 feet of adjusted line: \_\_\_\_\_
  - iii. alteration to building setback: \_\_\_\_\_
  - iv. amount of lot area affected: \_\_\_\_\_

#### (2) Conversion of Outlot into a Lot

- a) Outlot not required for open space or otherwise constrained: \_\_\_\_\_
- b) Adequate sewerage and water service/public or private: \_\_\_\_\_
- c) Adequate public facilities and AGP satisfied: \_\_\_\_\_
- d) Any conditions/agreements of original subdivision: \_\_\_\_\_
- e) Special Protection Area, Water Quality Plan required: \_\_\_\_\_

#### (3) Consolidation Of Two of More Lots

- a) Any prior subdivision conditions: \_\_\_\_\_
- b) Part of lot created by deed prior to June 1 1958: ✓ early plat 1913

#### (4) Further Subdivision of Commercial/Industrial/Multi-Family Lot

Any subdivision/conditions; APF agreement satisfied: \_\_\_\_\_

#### (5) Plat of Correction

- a) All owners and trustees signed: \_\_\_\_\_
- b) Original Plat identified: \_\_\_\_\_

#### (6) Plats for Residentially Zoned Parcels Created by Deed prior to June 1958

- a) Deed(s) submitted: \_\_\_\_\_
- b) Developable with only one single family detached unit: \_\_\_\_\_

#### (7) Plat for Existing Places of Worship, Private Schools, Country Club, Private Institution, and Similar Uses located on Unplatted Parcels

- a) Adequate Public Facilities satisfied: \_\_\_\_\_
- b) Street dedication required: \_\_\_\_\_
- c) Forest conservation: \_\_\_\_\_
- d) Storm water management: \_\_\_\_\_
- e) Special Protection Area/Water Quality Plan: \_\_\_\_\_
- f) Landscaping and lighting plan including parking lot layout: \_\_\_\_\_

g) Approved Special Exception: \_\_\_\_\_

**(8) Plats for Certain Residential Lots in the RDT Zone; 5 Lot Maximum**

a) Number of Lots: \_\_\_\_\_

b) Written MCDPS approval of proposed septic area: \_\_\_\_\_

c) Required street dedication: \_\_\_\_\_

d) Easement for balance of property noting density and TDRS: \_\_\_\_\_

e) Average lot size of 5 acres: \_\_\_\_\_

f) Forest Conservation requirements met: \_\_\_\_\_

1/24/20