



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

MCPB  
Item # 2  
12/20/07

**MEMORANDUM**

**DATE:** December 7, 2007

**TO:** Montgomery County Planning Board

**VIA:** Catherine Conlon, Supervisor  
Development Review Division *CA*  
(301) 495-4542

**FROM:** Stephen Smith *SS*  
Development Review Division  
(301) 495-4522

**SUBJECT:** Informational Maps and Summary of Record Plats for the Planning Board  
Agenda for December 20, 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 plan drawings for the record plat. The following plats are included:

220080340 **Bannockburn Heights**  
220080380 **Woodside Hills**  
220080480 **Glenbrook Village**  
220080610 **Boys Highlands**

**PLAT NO. 220080340**

**Bannockburn Heights**

Located on the south side of River Road (MD 190), approximately 1,000 feet east of Wilson Lane (MD 188)

R-200 zone; 2 lots

Community Water, Community Sewer

Master Plan Area: Bethesda-Chevy Chase

Allen Khalatbari, Applicant

The record plat has been reviewed by M-NCPPC staff and other applicable agencies as documented on the attached Plat Review Checklist. Staff has determined that the plat complies with Preliminary Plan No. 120070390, 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 aforesaid plan.

**RECORD PLAT REVIEW SHEET**

Plan Name: Bannockburn Heights Plan Number: 120070390  
 Plat Name: Bannockburn Heights Plat Number: 220080340  
 Plat Submission Date: 8-20-07  
 DRD Plat Reviewer: S. Smith  
 DRD Prelim Plan Reviewer: E. Grayson

**Initial DRD Review:**

Signed Preliminary Plan - Date 11/13/07 Checked: Initial SS Date 11/14/07  
 Planning Board Opinion - Date 9/26/07 Checked: Initial SS Date 10-11-07  
 Site Plan Req'd for Development? Yes  No  Verified By: SS (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 OK Easements OK Open Space N/A  
 Non-standard BRLs N/A Adjoining Land OK Vicinity Map  Septic/Wells N/A  
 TDR note N/A Child Lot note N/A Surveyor Cert OK Owner Cert OK Tax Map OK

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>A. Hildsey</u>	<u>9-5-07</u>	<u>9/21/07</u>	<u>11-20-07</u>	<u>OK MP 10-25-07 letter</u>
Research	<u>Bobby Fleury</u>	<u>↓</u>	<u>↓</u>	<u>9-10-07</u>	<u>OK</u>
SHA	<u>Doug Mills</u>	<u>↓</u>	<u>↓</u>	<u>—</u>	<u>—</u>
PEPCO	<u>Steve Baxter</u>	<u>↓</u>	<u>↓</u>	<u>—</u>	<u>—</u>
Parks	<u>Doug Powell</u>	<u>↓</u>	<u>↓</u>	<u>—</u>	<u>—</u>
DRD	<u>Nellie Carey</u>	<u>↓</u>	<u>↓</u>	<u>9-17-07</u>	<u>OK</u>

**Final DRD Review:**

DRD Review Complete:	Initial <u>SS</u>	Date <u>12-6-07</u>
(All comments rec'd and incorporated into mark-up)		
Engineer Notified (Pick up Mark-up):	<u>SS</u>	<u>11-29-07</u>
Final Mylar w/Mark-up & PDF Rec'd:	<u>SS</u>	<u>12-3-07</u>
<b>Board Approval of Plat:</b>		
Plat Agenda:	<u>SS</u>	<u>12-20-07</u>
Planning Board Approval:	_____	_____
Chairman's Signature:	_____	_____
<b>DPS Approval of Plat:</b>		
Engineer Pick-up for DPS Signature:	_____	_____
Final Mylar for Reproduction Rec'd:	_____	_____
<b>Plat Reproduction:</b>		
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:	_____	_____

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



Maryland-National Capital  
Park and Planning Commission  
Approved Preliminary Subdivision Plan No. 12300098  
MCPB Resolution No. 02131

Per Planning Board Opinion dated 02/26/07 at its meeting of 06/28/07  
Approval, subject to the following conditions:

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 20, the Planning Board (MD No. 12300098) to create 2 lots on 1.55 acres of land located on the west side of River Road (MD 190), approximately 1/4 mile north of the intersection of River Road and the Districts/Cherry Chase master plan area ("Master Plan"), subject to the following conditions:

- Approval under this preliminary plan is limited to 2 lots for 2 unincorporated residential development.
- The Applicant shall comply with the conditions of the Maryland Forest Conservation Plan. The proposed plan must satisfy all conditions prior to recording of plat(s) or MCDPS documents of submission and design.
- The Applicant must verify the submitted preliminary forest conservation plan prior to approval of the record plat to ensure all existing forest is cleared and meet the forest conservation requirements generated for the property.
- Applicant must incorporate a tree protection plan into the final forest conservation plan and describe the methods that will be used to protect existing trees.
- The Applicant must comply with the conditions of the MCDPS summary management approval dated August 3, 2007.
- The Applicant must comply with conditions of DPWT letter dated March 6, 2007, which overrules previously approved DPWT.
- Access and improvements to be required to be approved by DPWT prior to recording of plan and SHA prior to issuance of access permits.
- DPWT shall review the preliminary plan for the preliminary plan will remain valid for sixty-one (61) months from the date of final approval.
- Other necessary easements must be shown on the record plat.

This Preliminary Plan will remain valid for 61 months from its final approval. The fee for this Preliminary Plan is \$2,000.00, as amended. Prior to the expiration of this validity period, the Applicant must submit a final plan for approval. If the final plan is not submitted within the validity period, the Preliminary Plan shall be deemed null and void, and the Applicant must be notified.

CERTIFIED PRELIMINARY PLAN  
The foregoing conditions and this plan drawing accurately reflect the Planning Board's approval of this preliminary plan.  
DATE: 11/15/07  
SIGNATURE: [Signature]

DEVELOPMENT TABULATION  
R-200 ZONING STANDARD METHOD

ELEMENT	REQUIRED/PERMITTED	PROPOSED
Lot Size	20,000 s.f. min.	29,000 ± s.f.*
Area of Site		67,895 s.f.*
Number of Lots		2
Area of Street Dedication		4,925 s.f.*
Lot Width	100' min. @ B.R.L.	108' ± @ B.R.L.*
Lot Frontage	25' min.	121.77'
Front Setback	40' min. or E.B.L.	78.8' (E.B.L.)
Side yard setback	12' min., 25' total of both	12' + 25' +
Rear yard setback	30' min.	100' +
Building coverage	30% max.	<15%
Building height	50' max.	50' max.
Off street parking	2 spaces min.	>2 spaces

\*Computed, subject to full boundary survey.

**SURVYOR'S CERTIFICATE**  
I HEREBY CERTIFY THAT THE BOUNDARY AND TOPOGRAPHIC INFORMATION AS SHOWN HEREON, IS CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.  
2/16/07  
JOHN R. WITMER  
Professional Land Surveyor  
Maryland No. 10568

GENERAL NOTES

- Lot 7 Block 4, the property subject of this plan, is included on a Subdivision Record Plan entitled "Remainder of Block 4, Bannockburn Heights" and recorded among the Land Records of Montgomery County, Maryland in Plat Book 16 as Plat 1045.
- The lot contour topography, as shown, is from MNCPPC aerial photogrammetric mapping, MICHIGAN Sheets 20NNW 7 and 20N NW 6.
- Setbacks, house and established building line from field surveys by this office.
- Site is served by public water and sewer.
- Drainage Watershed = Potomac River.
- Soils identified on this site from Montgomery County Soils Survey, Sheet 26.
- 2C General use (open - 8 - 15% slopes - Type B).
- There are no flood plains, streams, non-tidal wetlands on or within 200' of the site.
- There are no historic or cultural features on this site.
- Tax I.D. No. - 10-0081020
- This plan has been compiled from available public records, except as otherwise noted hereon, and is subject to full boundary and topography surveys.
- For approved Natural Resources Inventory see MNCPPC File #4-20070052.



100 SHEET 20N NW 7.6 PLANNING BOARD CASE 35 AND C-12  
VICINITY MAP  
SCALE: 1" = 1,000'

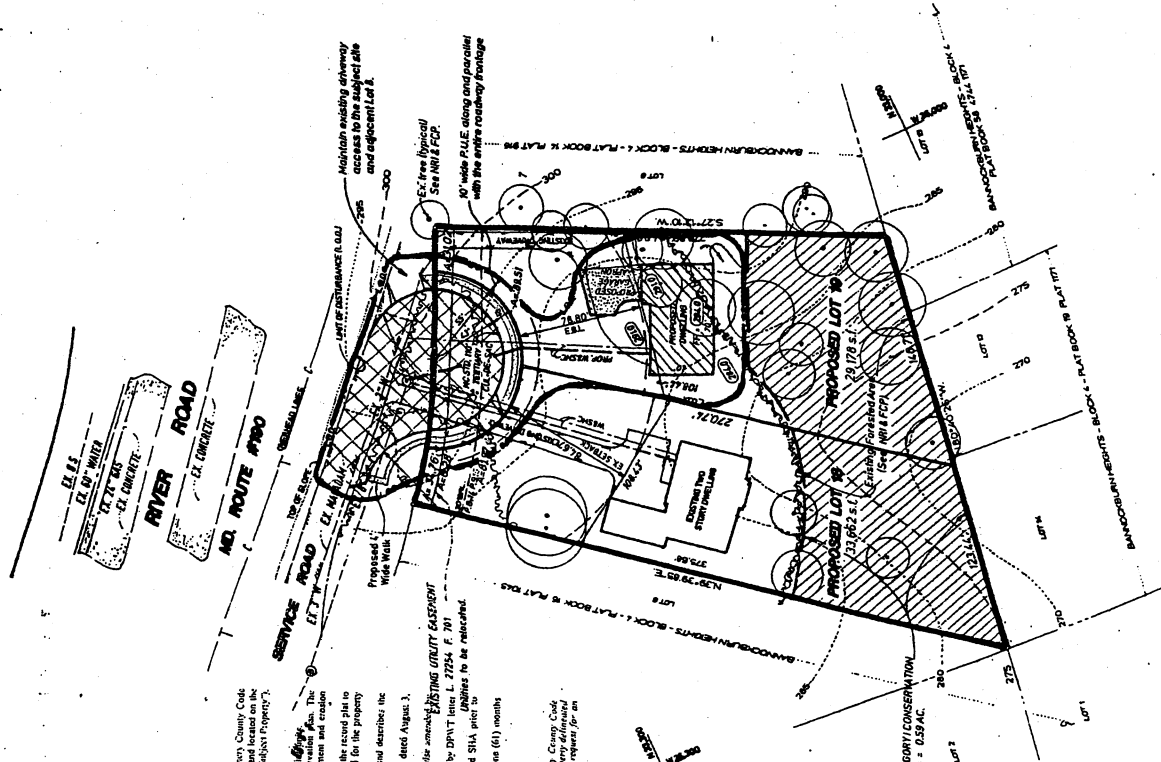
PREPARED FOR:  
ALAN KALBARN  
1820 MERRILL RD  
BETHESDA, MD 20817  
301-350-1881

DATE: 07/07/07  
BY: [Signature]

THIS PLANT WARE PROPOSED RESUBDIVISION OF LOT 7 - BLOCK 4 BANNOCKBURN HEIGHTS BETHESDA ELECTRON DISTRICT MONTGOMERY COUNTY, MARYLAND

WITMER ASSOCIATES, LLC  
Land Surveyors, Land Planning & Design  
1344 ...  
Tel: (301) 309-1400 Fax: (301) 309-1400

SCALE: 1" = 50' DATE: JULY, 2006 PROJ. NO.: 98395.6 SHEET NO.: 1 of 1





**MONTGOMERY COUNTY PLANNING BOARD**  
THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION

SEP 26

**MCPB No. 07-151**  
**Preliminary Plan No. 120070390**  
**Bannockburn Heights**  
**Date of Hearing: June 28, 2007**

**MONTGOMERY COUNTY PLANNING BOARD**

**RESOLUTION<sup>1</sup>**

WHEREAS, pursuant to Montgomery County Code Chapter 50, the Montgomery County Planning Board ("Planning Board" or "Board") is vested with the authority to review preliminary plan applications; and

WHEREAS, on November 20, 2006, Allen Khalatbari ("Applicant"), filed an application for approval of a preliminary plan of subdivision of property that would create 2 lots on 1.55 acres of land located on the west side of River Road (MD 190), approximately 1,000 feet east of Wilson Lane (MD 188) ("Property" or "Subject Property"), in the Bethesda/Chevy Chase master plan area ("Master Plan"); and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120070390, Bannockburn Heights ("Preliminary Plan" or "Application"); and

WHEREAS, Staff issued a memorandum to the Planning Board, dated April 20, 2007, setting forth its analysis, and recommendation for approval, of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and the staffs of other governmental agencies, on June 28, 2007, the Planning Board held a public hearing on the Application (the "Hearing"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

BY: *[Signature]*  
DATE: 9/14/07

<sup>1</sup> This Resolution constitutes the written opinion of the Board in this matter and satisfies any requirement under the Montgomery County Code for a written opinion.

WHEREAS, on June 28, 2007, the Planning Board approved the Application subject to certain conditions, on motion of Commissioner Bryant; seconded by Commissioner Wellington; with a vote of 5-0, Commissioners Bryant, Hanson, Perdue, Robinson, and Wellington voting in favor.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 50, the Planning Board approved Preliminary Plan No. 120070390 to create 2 lots on 1.55 acres of land located on the west side of River Road (MD 190), approximately 1,000 feet east of Wilson Lane (MD 188) ("Property" or "Subject Property"), in the Bethesda/Chevy Chase master plan area ("Master Plan"), subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 2 lots for 2 one-family detached residential dwelling units.
- 2) 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, as applicable.
- 3) The Applicant must revise the submitted preliminary forest conservation plan prior to approval of the record plat to count all onsite existing forest as cleared and meet the forest conservation requirements generated for the property off site.
- 4) Applicant must incorporate a tree protection plan into the final forest conservation that shows and describes the methods that will be used to protect onsite trees.
- 5) The Applicant must comply with the conditions of the MCDPS stormwater management approval dated August 3, 2006.
- 6) The Applicant must comply with conditions of DPWT letter dated March 6, 2007, unless otherwise amended by DPWT.

- 7) The Applicant must construct a four-foot-wide sidewalk along the proposed cul-de-sac as required by DPWT letter dated March 6, 2007, unless otherwise amended.
- 8) Access and improvements as required to be approved by DPWT prior to recordation of plat and SHA prior to issuance of access permits.
- 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 must be shown on the record plat.

BE IT FURTHER RESOLVED that, having given full consideration to the recommendations and findings of its Staff, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

1. *The Preliminary Plan substantially conforms to the master plan.*

The Subject Property is located within the Approved and Adopted Bethesda/Chevy Chase Master Plan area. The master plan does not specifically identify this Property but does give general guidance and recommendations regarding zoning and land use. The master plan recommends that this area maintain the residential zoning as adopted. The Planning Board finds that the proposed resubdivision complies with the recommendations adopted in the master plan.

2. *Public facilities will be adequate to support and service the area of the proposed subdivision.*

The proposed lots do not generate 30 or more vehicle trips during the morning or evening peak-hours. Therefore, the application is not subject to Local Area Transportation Review.

The Applicant proposes to construct a cul-de-sac to terminate the River Road Service Road. The proposed dedication and design for the proposed cul-



de-sac have been approved by the Department of Public Works and Transportation (DPWT), State Highway Administration (SHA) and MCFRS as shown on the plan. A four-foot wide sidewalk around the cul-de-sac bulb in the right-of-way is required by DPWT as part of construction of the standard street section.

The Planning Board finds the proposed vehicle and pedestrian access for the subdivision will be safe and adequate with the proposed public improvements.

3. *The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.*

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The Application meets all applicable sections, including the requirements for resubdivision, as discussed below. Access and public facilities will be adequate to support the proposed lots and uses.

The lots were reviewed for compliance with the dimensional requirements for the R-200 zone as specified in the Zoning Ordinance. The lots as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. The Application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

The Planning Board finds the proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.*

The Applicant submitted a preliminary forest conservation plan with the preliminary plan of subdivision. Conditional approval of the preliminary forest conservation plan requires the Applicant to count all onsite forest as cleared, and meet all planting requirements offsite.

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

The MCDPS Stormwater Management Section approved the stormwater management concept for the project on August 3, 2006 which includes on-site water quality control and onsite recharge through the use of drywells.

6. *The proposed lots are of the same character as to street frontage, alignment, size, shape, width, area and suitability for residential use as other lots within the existing neighborhood (as delineated by Staff in the Staff Report) ("Neighborhood"), as analyzed below.*

Size: In a Neighborhood of 11 lots, overall lot sizes range from 23,727 square feet to 69,208 square feet. The two proposed lots are 29,178 and 33,662 square feet in size. The proposed lot sizes are of the same character as the size of existing lots in the Neighborhood.

Width: The lot widths at the front building restriction line in the Neighborhood range from 105 feet to 275 feet. Lot widths for improved lots were measured at the front building line. For Proposed Lot 19, which does not contain a structure, the lot width was measured at the Established Building Line. Both proposed Lot 18 and Lot 19 now have widths of 108 feet. This measurement varies from those taken as part of previous reviews because MCDPS has now confirmed the precise measuring point for the established building restriction line, and determined that the width measurement may be taken at an angle that corresponds to the frontage being created around the cul-de-sac. When the width is measured in this revised location and manner, the proposed lots will be the 2<sup>nd</sup> smallest widths in the delineated Neighborhood, but they now fall within the range of existing lots. The smallest lot width in the neighborhood is 105 feet, followed by the two proposed lots at 108 feet. The next smallest lot widths are 110 and 115 feet, respectively. The proposed lots will be of the same character as existing lots in the Neighborhood with respect to the width criterion.

Frontage: In a Neighborhood of 11 lots, lot frontages range from 116 feet to 275 feet. The proposed lots fall within this range, at 123 feet and 120 feet measured along the curve of the cul-de-sac. As a result, the proposed lots will be of the same character as existing lots in the Neighborhood with respect to lot frontage.

Area: In a Neighborhood of 11 lots, buildable areas range from 7,000 square feet to 30,700 square feet. The proposed lots have buildable areas of 14,500 and 12,300 square feet. The proposed lots will be of the same character as other lots in the Neighborhood with respect to buildable area.

Alignment: Every lot in the delineated neighborhood is perpendicular in terms of alignment. The 2 proposed lots are also perpendicular given the way the proposed cul-de-sac is oriented along the front of the property. The proposed lots are of the same character as existing lots with respect to the alignment criterion.

Shape: Four lots in the Neighborhood are fairly rectangular in shape and the rest are irregular. Both the proposed lots will be irregular in shape and are, therefore, of the same character as the existing lots with respect to shape.

Suitability for Residential Use: The existing and the proposed lots are zoned residential and the land is suitable for residential use.

7. *Issues raised at the public hearing have been appropriately addressed.*

Citizens who provided written or verbal testimony at the public hearing raised the following issues for the board's consideration:

- a) The proposed resubdivision will result in excessive tree removal on the property.
- b) The proposed cul-de-sac is unnecessary.
- c) The proposed resubdivision will create water runoff that will cause harmful erosion.

With respect to issue a) above, the Planning Board finds that a conservation easement is not necessary for on-site trees, a tree save plan that is required in condition 4 above will prevent excessive tree removal at the time of construction, and it is appropriate for the Applicant to meet forest conservation requirements off-site.

With respect to issue b) above, the Planning Board finds that the proposed cul-de-sac will serve all dwelling units located on the River Road Service Road and the cul-de-sac is necessary to provide a safe and adequate turnaround for emergency and service vehicles.

With respect to issue c) above, the Planning Board finds that the stormwater management concept is acceptable, for the proposed dry wells will significantly reduce the runoff from the proposed rooftop and drainage from the site will occur at non-erosive rates.

BE IT FURTHER RESOLVED, that 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) and that 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; and

BE IT FURTHER RESOLVED, that the date of this Resolution is SEP 26 2007 (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 September 20, 2007, in Silver Spring, Maryland, the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission ADOPTED the above Resolution, on motion of Commissioner Bryant, seconded by Vice Chair Robinson, with Chairman Hanson, Vice Chair Robinson, and Commissioner Bryant present and voting in favor. This Resolution constitutes the final decision of the Planning Board, and memorializes the Board's findings of fact and conclusions of law for Preliminary Plan No. 120070390, Bannockburn Heights.

  
Royce Hanson, Chairman  
Montgomery County Planning Board

**PLAT NO. 220080380**

**Woodside Hills**

Located at the terminus of Kermit Road, approximately 200 feet east of Riley Road  
R-60 zone; 2 lots

Community Water, Community Sewer

Master Plan Area: North & West Silver Spring

Housewright Development, Inc., Applicant

Staff recommends approval of this minor subdivision plat pursuant to section **50-35A (a)(2)** of the Subdivision Regulations, which states:

Conversion of an Outlot into a Lot. An outlot may be converted into a lot under the minor subdivision procedures provided:

- a. The outlot is not required open space or otherwise constrained so as to prevent it from being converted into a buildable lot;
- b. There is adequate sewerage and water service to the property, which may be either public service and/or approved private septic system/private well;
- c. All applicable requirements and/or agreements that may be relevant, in accordance with provisions for adequate public facilities, as contained in Section 50-35(k) and the Annual Growth Policy, are satisfied prior to the recordation of the plat;
- d. All applicable conditions and/or agreements applicable to the original subdivision approval creating the outlot will also apply to the new lot. The conditions and agreements may include, but are not limited to, any adequate public facilities agreement, conservation easement or building restriction lines; and
- e. If the outlot is located within a special protection area, as shown on an approved and adopted master plan, all applicable special protection areas requirements and guidelines, including approval of a water quality plan, are satisfied prior to recordation of the plat.

An outlot may be incorporated into an adjoining lot resulting in a larger lot without having to satisfy Subsections (a) and (b) above.

Staff applied the above-noted minor subdivision criteria for this application, which is incorporating two record lots and two respective adjoining outlots into two lots, and concludes that the proposed subdivision complies with the criteria of Section 50-35A (a)(2) 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: Woodside Hills Plat Number: 220080380

Plat Submission Date: 8/24/07

DRD Plat Reviewer: TA

DRD Prelim Plan Reviewer: NA

\*For category of minor see pages 2 and 3

**Initial DRD Review:**

Pre-Preliminary Plan No. N/A Checked: Initial N/A Date N/A

Preliminary Plan No. N/A Checked: Initial N/A Date N/A

Planning Board Opinion - Date N/A Checked: Initial N/A Date N/A

Site Plan Name if applicable: N/A Site Plan Number: N/A

Planning Board Opinion - Date N/A Checked: Initial N/A Date N/A

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

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>C.P.</u>	<u>9-10-08</u>	<u>9-28-07</u>	<u>9-28-07</u>	<u>Add FC Plan note</u>
Research	Bobby Fleury			<u>9-12-07</u>	<u>OK</u>
SHA	Doug Mills				
PEPCO	Steve Baxter				
Parks	Doug Powell				
DRD	<u>Steve Smith</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<u>No Comments</u>

N. Corry

**Final DRD Review:**

DRD Review Complete: SJS 12-6-07

(All comments rec'd and incorporated into mark-up)  
 Engineer Notified (Pick up Mark-up): SJS 9-28-07

Final Mylar w/Mark-up & PDF Rec'd: SJS 11-27-07

**Board Approval of Plat:**  
 Plat Agenda: SJS 12-20-07

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: \_\_\_\_\_

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: ok
- 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: N/A

*(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:

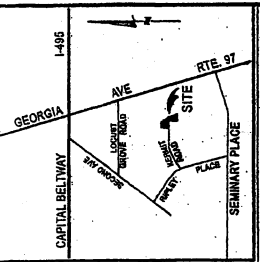
\_\_\_\_\_

f) Forest Conservation requirements met:

\_\_\_\_\_



# PLAT NO.



## SURVEYOR'S CERTIFICATE

I hereby certify that the information shown hereon is true to the best of my knowledge and belief, and that the same was prepared by me or under my direct supervision and control, and that I am a duly licensed and qualified Surveyor in the State of Maryland, and that I am duly sworn and qualified in accordance with the provisions of Section 50-24 (6) (2) of the Montgomery County Code.

There is NO STREET DEDICATION by this plat of subdivision and the TOTAL AREA of the plat, which includes 2 LOTS is 17,971 square feet or 0.4123 of an acre of land.

And that once engaged as described in the Owner's Certificate hereon, at the property address shown hereon, I have performed the services herein stated to be performed hereon, in accordance with the provisions of Section 50-24 (6) (2) of the Montgomery County Code.

There is NO STREET DEDICATION by this plat of subdivision and the TOTAL AREA of the plat, which includes 2 LOTS is 17,971 square feet or 0.4123 of an acre of land.

*William H. Plank II*  
 Date  
 William H. Plank II  
 Professional Land Surveyor  
 Maryland Registration No. 11033

## OWNER'S CERTIFICATE

We, the undersigned, owner(s) of the property described hereon, hereby adopt this plan of subdivision and establish the minimum building restriction lines.

We grant to the Potomac Electric Power Company, Verizon Communications, Inc., Washington Gas Light Co. and to their respective successors, agents and assigns, a Public Utility Easement (PUE) shown hereon, with terms and provisions of such a grant being set forth in the attached Public Utility Easement and recorded among said Land Records in Liber 3834 of Folio 457.

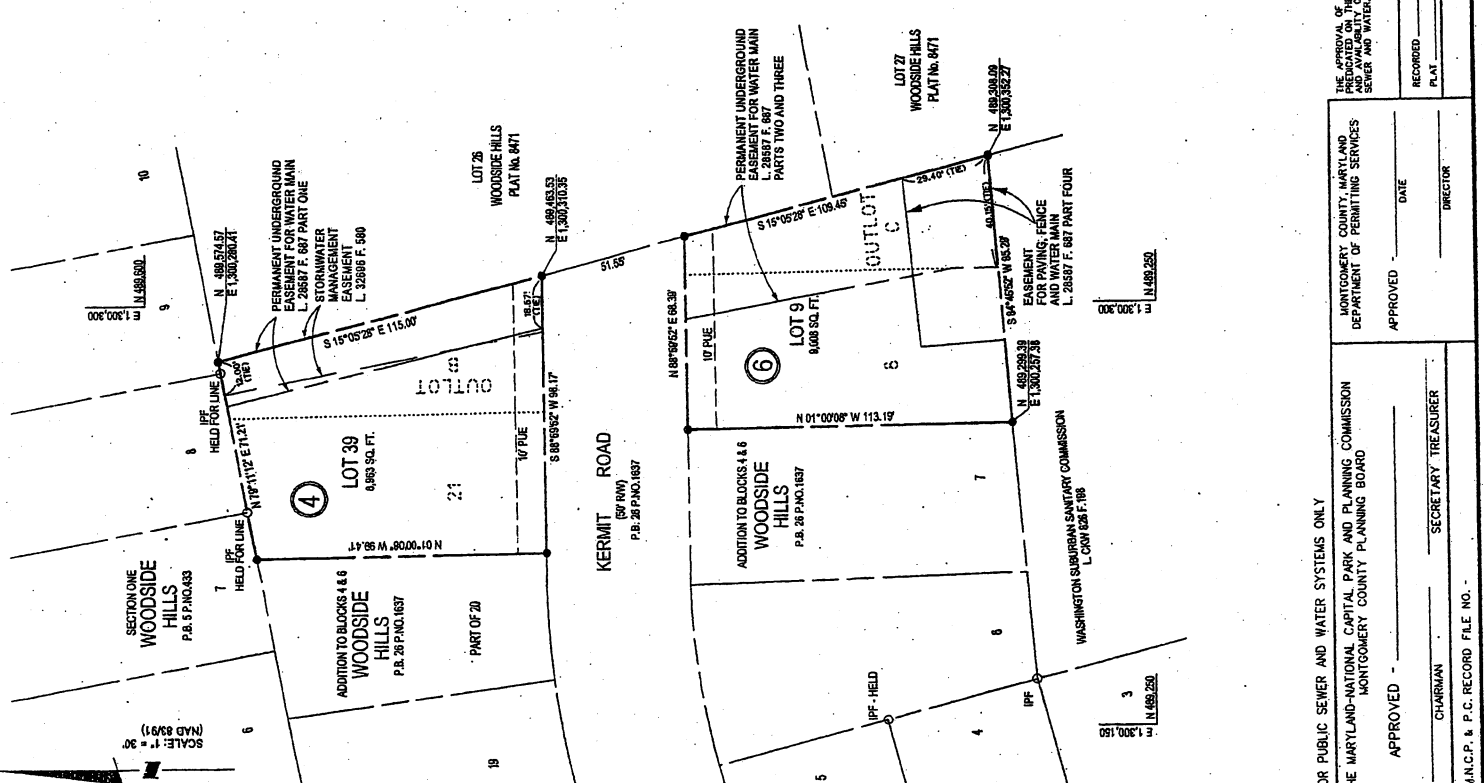
As owners of this subdivision, we, our successors, agents and assigns will cause all property corner markers and any other required monumentation to be set by a registered Professional Surveyor in accordance with Section 50-24 (6) (2) of the Montgomery County Code.

There are no recorded suits, actions at law, leases, mortgages or trusts affecting the property included in this plan of subdivision.

*William H. Plank II*  
 Date  
 William H. Plank II  
 Owner

## SUBMISSION NOTES

- All terms, conditions, agreements, limitations and requirements associated with any site plan, project plan or other plan, showing development of this property, approved by the Montgomery County Planning Board, shall apply to this plan. Any other terms, conditions, agreements, limitations and requirements expressly contemplated by the plan as approved. The official public files for any such plan are maintained by the Planning Board and available for public review during normal business hours.
- This subdivision record plat is not intended to show every matter affecting the ownership and use, and is not intended to replace an examination of title or to depict or note in matters affecting title.
- This plat conforms with the requirements of Section 50-35A of the Montgomery County Subdivision Regulations, being Chapter 50 of the County Code. This plat involves the consolidation of a lot and an outlet into one lot as provided for in Section 50-35A(a)(2).
- This property is zoned R40 classification.
- The property appears on Montgomery County Tax Map JP-121 & 122.
- The property shown hereon is subject to the requirements of the Montgomery County Forest Conservation Law of 1982, including approval of the Final Forest Conservation Plan and appropriate agreements prior to issuance of a subdivision record plat.
- IPF = IRON PIPE FOUND



FOR PUBLIC SEWER AND WATER SYSTEMS ONLY

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
 MONTGOMERY COUNTY PLANNING BOARD

APPROVED \_\_\_\_\_ DATE \_\_\_\_\_

CHAIRMAN \_\_\_\_\_ SECRETARY/TREASURER \_\_\_\_\_

M.N.C.P. & P.C. RECORD FILE NO. \_\_\_\_\_

THE APPROVAL OF THIS PLAT IS  
 PRESENTED ON THE MONTGOMERY  
 COUNTY PUBLIC SEWER AND WATER.

RECORDED \_\_\_\_\_

PLAT \_\_\_\_\_

APPROVED \_\_\_\_\_ DATE \_\_\_\_\_

DIRECTOR \_\_\_\_\_

**PLAT NO. 220080480**

**Glenbrook Village**

Located on the south side of North Chelsea Lane, approximately 525 feet west of Maryland Avenue

R-60 zone; 1 lot

Community Water, Community Sewer

Master Plan Area: Bethesda-Chevy Chase

Turning Point Homes, 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 property and concludes that the proposed subdivision complies with the criteria of Section 50-35A (a)(3) 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: Glenbrook Village Plat Number: 220080480  
 Plat Submission Date: 9-7-07  
 DRD Plat Reviewer: S. Smith  
 DRD Prelim Plan Reviewer: N/A  
 \*For category of minor see pages 2 and 3

**Initial DRD Review:**

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

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

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>A. Wilsey</u>	<u>9-17-07</u>	<u>10-5-07</u>	_____	<u>N/A</u>
Research	<u>Bobby Fleury</u>	_____	_____	<u>9-19-07</u>	<u>OK</u>
SHA	<u>Doug Mills</u>	_____	_____	_____	_____
PEPCO	<u>Steve Baxter</u>	_____	_____	_____	_____
Parks	<u>Doug Powell</u>	_____	_____	_____	_____
DRD	<u>Nellie Carey</u>	_____	_____	<u>9-18-07</u>	<u>No Comments</u>

**Final DRD Review:**

	Initial	Date
DRD Review Complete:	<u>SSS</u>	<u>12-6-07</u>
(All comments rec'd and incorporated into mark-up)		
Engineer Notified (Pick up Mark-up):	<u>SSS</u>	<u>10-9-07</u>
Final Mylar w/Mark-up & PDF Rec'd:	<u>SSS</u>	<u>12-3-07</u>
<b>Board Approval of Plat:</b>		
Plat Agenda:	<u>SSS</u>	<u>12-20-07</u>
Planning Board Approval:	_____	_____
Chairman's Signature:	_____	_____
<b>DPS Approval of Plat:</b>		
Engineer Pick-up for DPS Signature:	_____	_____
Final Mylar for Reproduction Rec'd:	_____	_____
<b>Plat Reproduction:</b>		
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:	_____	_____

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

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**

1. TOTAL AREA INCLUDED ON THIS PLAT IS 7,820.0 SQUARE FEET, NONE OF WHICH IS DEDICATED TO PUBLIC USE.
2. TOTAL AREA OF SUBDIVISION IS 840 SQUARE FEET.
3. THE PROPERTY THAT IS THE SUBJECT OF THIS RECORD PLAT IS IN THE R-40 ZONE.
4. THE PLAT IS SUBJECT TO THE PLAT RECONSTRUCTION ACT OF 1973 (PLA 1973-100).
5. THE PROPERTY IS SHOWN ON THE MAP IN 123, WSCC 200' SHEET 210 NW 05.
6. THE PROPERTY IS SUBJECT TO THE REQUIREMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH THE SUBDIVISION ACT OF 1973 (PLA 1973-100).
7. THE PROPERTY IS SUBJECT TO THE REQUIREMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH THE SUBDIVISION ACT OF 1973 (PLA 1973-100).
8. THE PROPERTY IS SUBJECT TO THE REQUIREMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH THE SUBDIVISION ACT OF 1973 (PLA 1973-100).
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17. THE PROPERTY IS SUBJECT TO THE REQUIREMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH THE SUBDIVISION ACT OF 1973 (PLA 1973-100).
18. THE PROPERTY IS SUBJECT TO THE REQUIREMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH THE SUBDIVISION ACT OF 1973 (PLA 1973-100).
19. THE PROPERTY IS SUBJECT TO THE REQUIREMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH THE SUBDIVISION ACT OF 1973 (PLA 1973-100).
20. THE PROPERTY IS SUBJECT TO THE REQUIREMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH THE SUBDIVISION ACT OF 1973 (PLA 1973-100).

THE PROPERTY IS SUBJECT TO THE REQUIREMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH THE SUBDIVISION ACT OF 1973 (PLA 1973-100).

**SURVEYOR'S CERTIFICATION**

I, **DAVID F. BOWATT**, LAND SURVEYOR #21139, DO 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 CONVEYED BY RICHARD WILES TO SUSAN P. BRAMAN & WILLIAM R. PORTER, LIBER 31392, FOLIO 755, CLERMONT, MONTGOMERY COUNTY, MARYLAND, AND THAT THE SAME ARE SHOWN ON A PLAT OF SUBDIVISION KNOWN AS GLENBROOK VILLAGE AS RECORDED IN PLAT BOOK 7 AT PLAT 584 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND; AND THAT ALL PROPERTY CORNERS MARKED THIS—**⊕**—ARE IN PLACE AS SHOWN HEREON IN ACCORDANCE WITH SECTION 50-2A(2) OF THE SUBDIVISION REGULATIONS OF MONTGOMERY COUNTY, MARYLAND.

TOTAL AREA INCLUDED ON THIS PLAT IS 7,820 SQUARE FEET, NONE OF WHICH IS DEDICATED TO PUBLIC USE.

DAVID F. BOWATT  
 DATE 11/20/07

**OWNERS CERTIFICATION**

WE, TURNING POINT HOMES, LLC, 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' PALE," 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 SUITS, ACTIONS AT LAW, LEASES, LIENS, MORTGAGES, OR TRUSTS AFFECTING THE PROPERTY SHOWN HEREON, EXCEPT FOR THOSE LISTED BELOW.

STUART PLANK  
 (SIGNING ON BEHALF OF TURNING POINT HOMES, LLC)  
 DATE 11/20/07

Department of Permitting Services  
 Montgomery County, Maryland

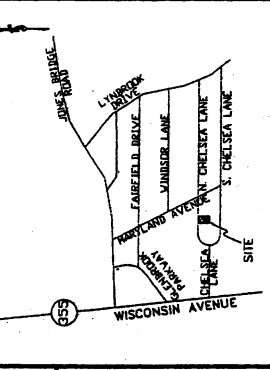
Approved: \_\_\_\_\_  
 Director

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

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

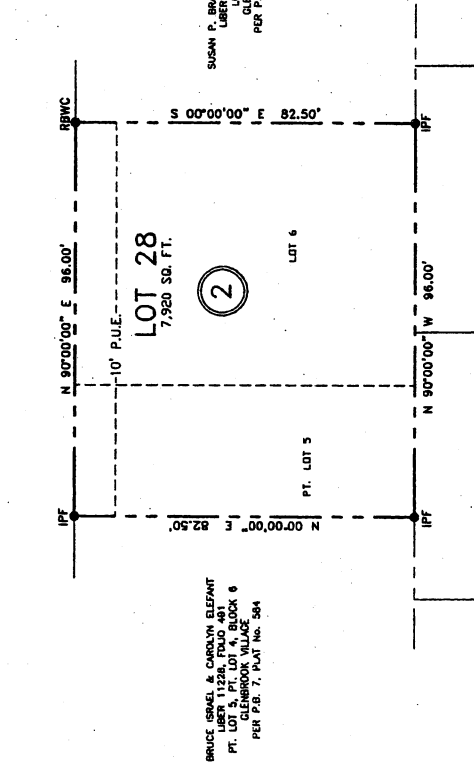
Approved: \_\_\_\_\_  
 Asst. Secretary/Treasurer

M.N.C.P. & P.C. Record File No. \_\_\_\_\_



VICINITY MAP  
 SCALE: 1"=200'

**NORTH CHELSEA LANE**  
 (50' RIGHT OF WAY—**⊕**—)  
 PER PLAT BOOK 7 AT PLAT 584)



**SUBDIVISION RECORD PLAT**  
**GLENBROOK VILLAGE**  
**LOT 28, BLOCK 2**  
**A RESUBDIVISION OF**  
**LOT 6 and PT. OF LOT 5, BLOCK 2**  
 BETHESDA  
 (7TH) ELECTION DISTRICT  
 MONTGOMERY COUNTY, MARYLAND  
 SCALE: 1"=20' AUGUST 2007

**POTOMAC VALLEY**  
**SURVEYS**  
 P.O. BOX 627  
 (19960 FISHER AVENUE)  
 POOLSVILLE, MARYLAND  
 1-888-349-5050

Recorded \_\_\_\_\_  
 Plat Book \_\_\_\_\_  
 Plat No. \_\_\_\_\_

20 8/20/07

**PLAT NO. 220080610**

**Boyd's Highlands**

Located on the north side of Barnesville Road (MD 117), approximately 1,800 feet west of Ganley Road

RE-2 zone; 3 lots

Private Well, Private Septic

Master Plan Area: Boyds

William Kamachaitis, Applicant

**Background**

The basis for the subject record plat is Preliminary Plan #120070670, entitled Boyds Highlands, which originally proposed to create 3 lots on 8.79 acres in the RE-2 zone. Staff's analysis and report to the Planning Board was based on an ultimate approval of 3 lots for this property, however at the time of the public hearing for the Preliminary Plan, the applicant had obtained septic approval for only 2 of the 3 proposed lots. Therefore, staff recommended approval for 2 lots and 1 outlot, with the understanding that the outlot would be eligible to be converted to a buildable lot through the minor subdivision process (50-35A(a)(2)) should septic approval be obtained from the Montgomery County Department of Permitting Services Well and Septic Office. The Planning Board approved the plan for 2 lots and 1 outlot on July 26, 2007.

Subsequent to the Board's approval of the preliminary plan, the applicant/engineer obtained septic approval for the area shown on the approved preliminary plan as an outlot per the attached Memorandum signed and dated November 1, 2007. With the aforesaid approval the applicant would like to move forward with a plat that will record 3 lots in total, 2 lots as approved under the preliminary plan, and 1 additional lot that recognizes the ability to plat the outlot shown on the shown on the approved preliminary plan and convert it to a buildable lot, as permitted by a minor subdivision, in a one step record plat process.

Staff feels that this request is warranted and recommends approval, with conditions as noted below, of the plat based on compliance with Preliminary Plan No. 120070670, as approved by the Board, with 1 lot (of the 3 total lots) based on compliance with **Section 50-35A(a)(2)** of the Subdivision Regulations, which states:

*Conversion of an Outlot into a Lot.* An outlot may be converted into a lot under the minor subdivision procedures provided:

- a. The outlot is not required open space or otherwise constrained so as to prevent it from being converted into a buildable lot;

- b. There is adequate sewerage and water service to the property, which may be either public service and/or approved private septic system/private well;
- c. All applicable requirements and/or agreements that may be relevant, in accordance with provisions for adequate public facilities, as contained in Section 50-35(k) and the Annual Growth Policy, are satisfied prior to the recordation of the plat;
- d. All applicable conditions and/or agreements applicable to the original subdivision approval creating the outlot will also apply to the new lot. The conditions and agreements may include, but are not limited to, any adequate public facilities agreement, conservation easement or building restriction lines; and
- e. If the outlot is located within a special protection area, as shown on an approved and adopted master plan, all applicable special protection areas requirements and guidelines, including approval of a water quality plan, are satisfied prior to recordation of the plat.

An outlot may be incorporated into an adjoining lot resulting in a larger lot without having to satisfy Subsections (a) and (b) above.

Approval is subject to the following condition:

1. Applicant to record septic easement to serve Lot 12 among the Land Records of Montgomery County, and note the corresponding Liber/Folio on the record plat prior to recordation.

**RECORD PLAT REVIEW SHEET**

Plan Name: Boyd's Highlands Plan Number: 120070670  
 Plat Name: Boyd's Highlands Plat Number: 220080610  
 Plat Submission Date: 10-12-07  
 DRD Plat Reviewer: S. Smith  
 DRD Prelim Plan Reviewer: E. Grayson

**Initial DRD Review:**

Signed Preliminary Plan - Date 10/4/07 Checked: Initial ES Date 11/29/07  
 Planning Board Opinion - Date 9/26/07 Checked: Initial SJS Date 10-29-07  
 Site Plan Req'd for Development? Yes  No  Verified By: SJS (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 OK Easements OK Open Space N/A  
 Non-standard BRLs N/A Adjoining Land OK Vicinity Map OK Septic/Wells   
 TDR note N/A Child Lot note N/A Surveyor Cert  Owner Cert  Tax Map

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	J. Penn	10/23/07	11-7-07	11-1-07	Revisions Needed
Research	Bobby Fleury	↓	↓	10-29-07	OK
SHA	Doug Mills	↓	↓	---	---
PEPCO	Steve Baxter	↓	↓	---	---
Parks	Doug Powell	↓	↓	---	---
DRD	Nellie Carey	↓	↓	10/30/07	OK

**Final DRD Review:**

	Initial	Date
DRD Review Complete:	<u>SJS</u>	<u>12-6-07</u>
(All comments rec'd and incorporated into mark-up)		
Engineer Notified (Pick up Mark-up):	<u>SJS</u>	<u>11/29/07</u>
Final Mylar w/Mark-up & PDF Rec'd:	<u>SJS</u>	<u>12-4-07</u>
<b>Board Approval of Plat:</b>		
Plat Agenda:	<u>SJS</u>	<u>12-20-07</u>
Planning Board Approval:	_____	_____
Chairman's Signature:	_____	_____
<b>DPS Approval of Plat:</b>		
Engineer Pick-up for DPS Signature:	_____	_____
Final Mylar for Reproduction Rec'd:	_____	_____
<b>Plat Reproduction:</b>		
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:	_____	_____

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





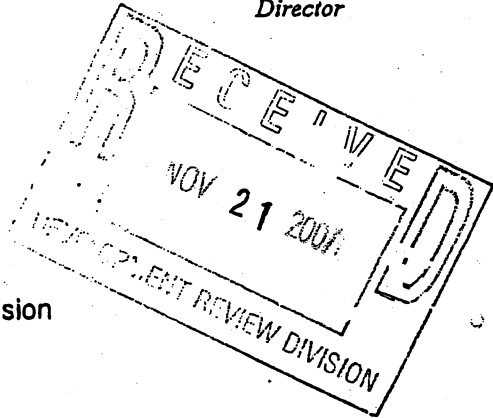
DEPARTMENT OF PERMITTING SERVICES

John Leggett  
County Executive

Carla Reid Joyner  
Director

MEMORANDUM

October 8, 2007



TO: Cathy Conlon, Development Review,  
Maryland National Capital Park and Planning Commission

FROM: Carla Reid, Director *CR*  
Department of Permitting Services

SUBJECT: Status of Pre-Application Plan: # 7-20060670,

Boyd's Highlands, lots 1, 2, 3  
(Re-subdivision of lot 11)

This is to notify you that the Well & Septic Section of MCDPS approved the plan received in this office on September 14, 2007.

Approved with the following reservations:

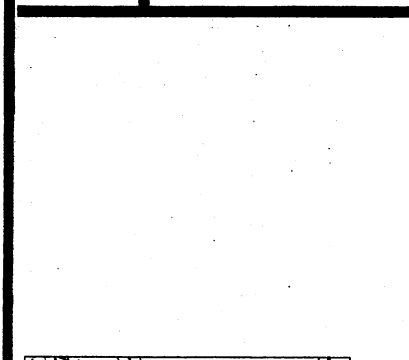
1. The record plat must be at the same scale as the preliminary plan, or submit an enlargement of the plat to match the preliminary plan.
2. The record plat must show the water well easement as shown on this plan.

*Rev. plan Appl'd 11/1/07 - removes well easement  
GUC  
11/1/07*

If you have any questions, contact Gene von Gunten at (240) 777-6319.

cc: Surveyor  
File

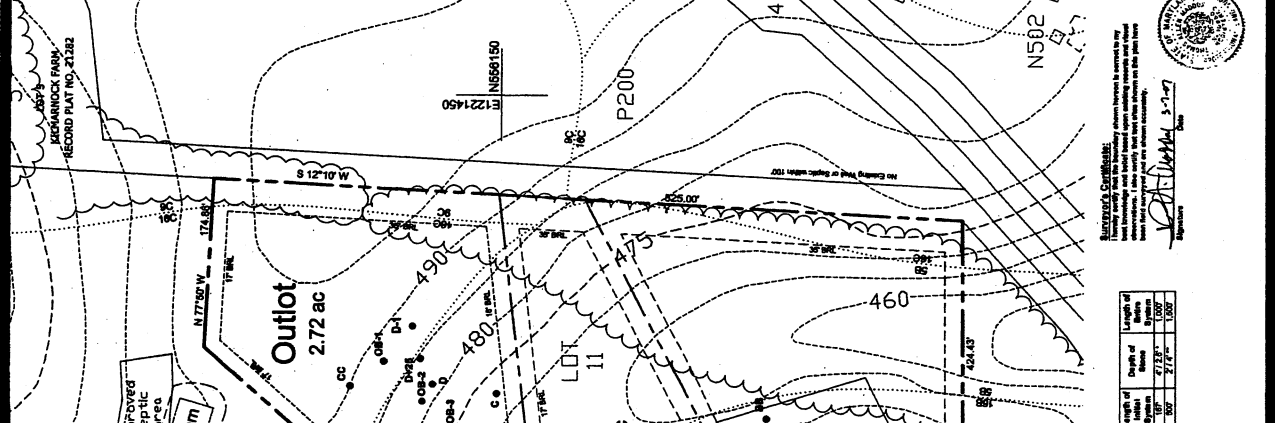
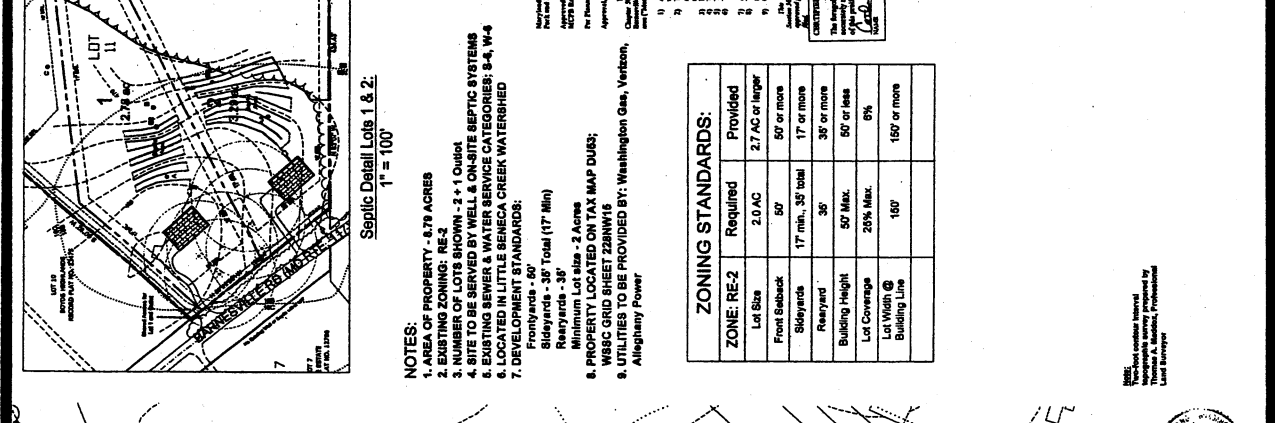
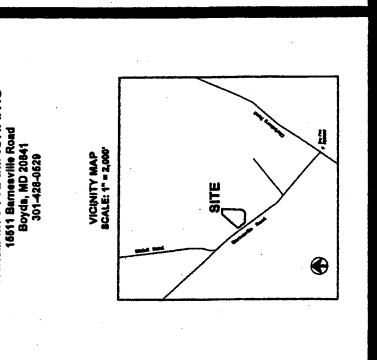
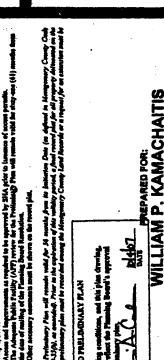




- NOTES:**
1. AREA OF PROPERTY - 8.78 ACRES
  2. EXISTING ZONING: RE-3
  3. NUMBER OF LOTS SHOWN - 2 + 1 OUTLOT
  4. SITE TO BE SERVED BY WELL & ON-SITE SEPTIC SYSTEMS
  5. EXISTING SEWER & WATER SERVICE CATEGORIES: S-4, W-4
  6. LOCATED IN LITTLE BENECA CREEK WATERSHED
  7. DEVELOPMENT STANDARDS:  
 Frontyards - 60'  
 Sideyards - 35' Total (17' Min)  
 Rearyards - 35'
  8. PROPERTY LOCATED ON TAX MAP DUES;  
 MAP OF GRID STREET ZONING  
 UTILITIES TO BE PROVIDED BY: Washington Gas, Verizon,  
 Allegheny Power

**ZONING STANDARDS:**

ZONE: RE-2	Required	Provided
Lot Size	2.0 AC	2.7 AC or larger
Front Setback	50'	50' or more
Sideyards	17' min., 35' total	17' or more
Rearyard	35'	35' or more
Building Height	50' Max.	50' or less
Lot Coverage	20% Max.	6%
Lot Width @ Building Line	100'	150' or more



**SEWAGE DISPOSAL SYSTEM - DESIGN DATA:**

LOT	# Bed-rooms	Depth of Tank (ft)	Time (min)	Depth of Tank (ft)	Time (min)	Depth of Tank (ft)	Time (min)	Depth of Tank (ft)	Time (min)	Depth of Tank (ft)	Time (min)
1	1	4.0	15	4.0	15	4.0	15	4.0	15	4.0	15
2	2	4.0	15	4.0	15	4.0	15	4.0	15	4.0	15
10	1	4.0	15	4.0	15	4.0	15	4.0	15	4.0	15
11	1	4.0	15	4.0	15	4.0	15	4.0	15	4.0	15
Outlot	1	4.0	15	4.0	15	4.0	15	4.0	15	4.0	15

**NOTES:**

1. APPROVED SEWERAGE SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND ENGINEERING, DIVISION OF SEWERAGE AND WATER SERVICES, DESIGN MANUAL, SECTION 2000, AND THE MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND ENGINEERING, DIVISION OF SEWERAGE AND WATER SERVICES, DESIGN MANUAL, SECTION 2000, AND THE MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND ENGINEERING, DIVISION OF SEWERAGE AND WATER SERVICES, DESIGN MANUAL, SECTION 2000.
2. THE SEWERAGE SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND ENGINEERING, DIVISION OF SEWERAGE AND WATER SERVICES, DESIGN MANUAL, SECTION 2000, AND THE MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND ENGINEERING, DIVISION OF SEWERAGE AND WATER SERVICES, DESIGN MANUAL, SECTION 2000, AND THE MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND ENGINEERING, DIVISION OF SEWERAGE AND WATER SERVICES, DESIGN MANUAL, SECTION 2000.
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WHEREAS, on July 26, 2007, the Planning Board approved the Application subject to certain conditions, on motion of Commissioner Lynch; seconded by Commissioner Cryor; with a vote of 3-0, Commissioner Hanson voting in favor, Commissioners Bryant and Robinson absent.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 50, the Planning Board approved Preliminary Plan No. 120070670 to create 2 lots on 8.79 acres of land located on Barnesville Road (MD 117), 1800 feet northwest of Ganley Road ("Property" or "Subject Property"), in the Boyds master plan area ("Master Plan"), subject to the following conditions:

- 1) Approval under this Preliminary Plan is limited to 2 lots and 1 outlot for 2 one-family detached residential dwelling units.
- 2) The Applicant must 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, as applicable.
- 3) Record plat to reflect common ingress/egress and utility easements over all shared driveways.
- 4) The Applicant must comply with the conditions of the MCDPS stormwater management approval dated April 4, 2007.
- 5) The Applicant must comply with conditions of MCDPS (Health Dept.) septic approval dated June 25, 2007.
- 6) The Applicant must comply with the conditions of the Maryland State Highway Administration (SHA) letter dated May 4, 2007.
- 7) Access and improvements as required to be approved by SHA prior to issuance of access permits.
- 8) 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 Resolution.
- 9) Other necessary easements must be shown on the record plat.

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

1. *The Preliminary Plan substantially conforms to the master plan.*

The Boyds Master Plan does not specifically identify the Subject Property but does provide general recommendations for zoning and land use. The plan identifies RE-2 zoning along Barnesville Road as suitable "to create a definable

edge for the RE-2 zone and to create a more logical zoning transition from Clarksburg to Boyds" (p. 9). Residential land use at this density is considered appropriate due to septic limitations in the area. The Planning Board finds the Boyd's Highlands Preliminary Plan complies with the recommendations adopted in the Boyd's Master Plan in that residential land use is proposed on lots greater than 2 acres in size.

- 2. Public facilities will be adequate to support and service the area of the proposed subdivision.*

#### Roads and Public Transportation Facilities

The Planning Board finds that proposed vehicle and pedestrian access to the Property will be safe and adequate with the recommended conditions. The proposed lots do not generate 30 or more vehicle trips during the morning or evening peak-hours. Therefore, the Application is not subject to Local Area Transportation Review.

#### Other public facilities and services

The Planning Board finds that other public facilities and services are available and will be adequate to serve the proposed units. The Montgomery County Fire and Rescue Service reviewed the Application and determined that the Property has appropriate access for fire and rescue vehicles. Other public facilities and services, such as schools, police stations, firehouses and health services are currently operating within acceptable county standards and will be adequate to serve the Property. The proposed lots will be served by private wells and private standard septic systems. Electrical and telecommunications services are also available to serve the Property.

- 3. The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.*

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations and with the dimensional requirements for the RE-2 zone as specified in the Zoning Ordinance. The Application meets all applicable sections, including the requirements for resubdivision, as discussed below. Access and public facilities will be adequate to support the proposed lots and uses. The Planning Board finds the proposed lot size, width, shape and orientation are appropriate for the location of the subdivision and the lots as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in the RE-2 zone.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.*

The Applicant submitted a preliminary forest conservation plan as part of the preliminary plan of subdivision. Under Forest Conservation Section 22A-12 of the Montgomery County Code properties must retain, plant, or mitigate up to a certain threshold (percentage) of forest. The Applicant proposes to meet the required thresholds by retaining 2.14 acres of existing forest and planting 0.12 acres on-site. The Planning Board finds the proposed Preliminary Plan satisfies the requirements of the Forest Conservation Law.

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

The MCDPS Stormwater Management Section approved the stormwater management concept for the Project on April 4, 2007. The stormwater management concept includes on-site water quality control and on-site recharge via rooftop and non-rooftop disconnection and drywells

6. *The proposed lots are of the same character as to street frontage, alignment, size, shape, width, area and suitability for residential use as other lots within the existing neighborhood (as delineated by Staff in the Staff Report) ("Neighborhood"), as analyzed below.*

Size: The lot sizes in the delineated neighborhood range from 2.4 acres to 12.2 acres. Proposed Lot 1 is 2.7 acres in size, proposed Lot 2 is 3.2 acres and the proposed outlot is 2.7 acres in size. The sizes of the proposed lots are of the same character as the size of existing lots in the neighborhood.

Width: The lot widths at the front building restriction line in the existing neighborhood range from 150 feet to 700 feet. Proposed Lot 1 has a lot width of 160 feet, proposed Lot 2 has a lot width of 180 feet and the outlot has a lot width of 150 feet. The proposed lots will be of the same character as existing lots in the neighborhood with respect to width.

Frontage: In a neighborhood of 11 lots, lot frontages range from 25 feet to 688 feet. The proposed lots fall within this range. Proposed Lot 1 has frontage of 139 feet, proposed Lot 2 has 155 feet of frontage and the proposed outlot has 25 feet of frontage. Seven of 11 lots in the neighborhood have 25 feet of frontage. The proposed lots will be of the

same character as existing lots in the neighborhood with respect to lot frontage.

Area: In a neighborhood of 11 lots, lots range from 1.3 acres to 10.3 acres in buildable area. Proposed Lot 1 has a buildable area of 1.9 acres, Lot 2 has a buildable area of 2.3 acres and the outlot has a buildable area of 1.7 acres. The proposed lots will be of the same character as other lots in the neighborhood with respect to buildable area.

Alignment: Six lots in the neighborhood are angular, four lots are perpendicular and 1 lot is a corner lot in terms of alignment. The 2 proposed lots and outlot are perpendicular and will, therefore, be of the same character as the majority of existing lots in the neighborhood.

Shape: Three lots in the neighborhood are irregular, 7 lots are irregular/pipestem and 1 lot is rectangular. The 2 proposed lots are irregular in shape and the outlot is irregular/pipestem. The 2 proposed lots and proposed outlot will, therefore, be of the same character as shapes of the existing lots.

Suitability for Residential Use: The existing and the proposed lots are zoned residential and the land is suitable for residential use.

BE IT FURTHER RESOLVED, that 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) and that 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; and

BE IT FURTHER RESOLVED, that the date of this Resolution is SEP 20 2007 (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).


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At its regular meeting, held on Thursday, September 6, 2007, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, on motion of Commissioner Lynch, seconded by



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Commissioner Cryor, with Commissioners Hanson, Cryor, and Lynch voting in favor, and Commissioners Bryant and Robinson abstaining, 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 Preliminary Plan No. 120070670-Boyds Highlands.



Royce Hanson, Chairman  
Montgomery County Planning Board