

Plat Name: Luxmanor
Plat #: 220100300

Location: Located on the east side of Luxmanor Road, 200 feet north of Poindexter Lane
Master Plan: North Bethesda/Garrett Park
Plat Details: R-200 zone; 1 lot
Community Water, Community Sewer
Applicant: Chardell Partners, LLC

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 requirements of Section 50-35A(a)(3) and supports this minor subdivision record plat.

PLAT NUMBER:
 Plat Recording Date:

NOTES

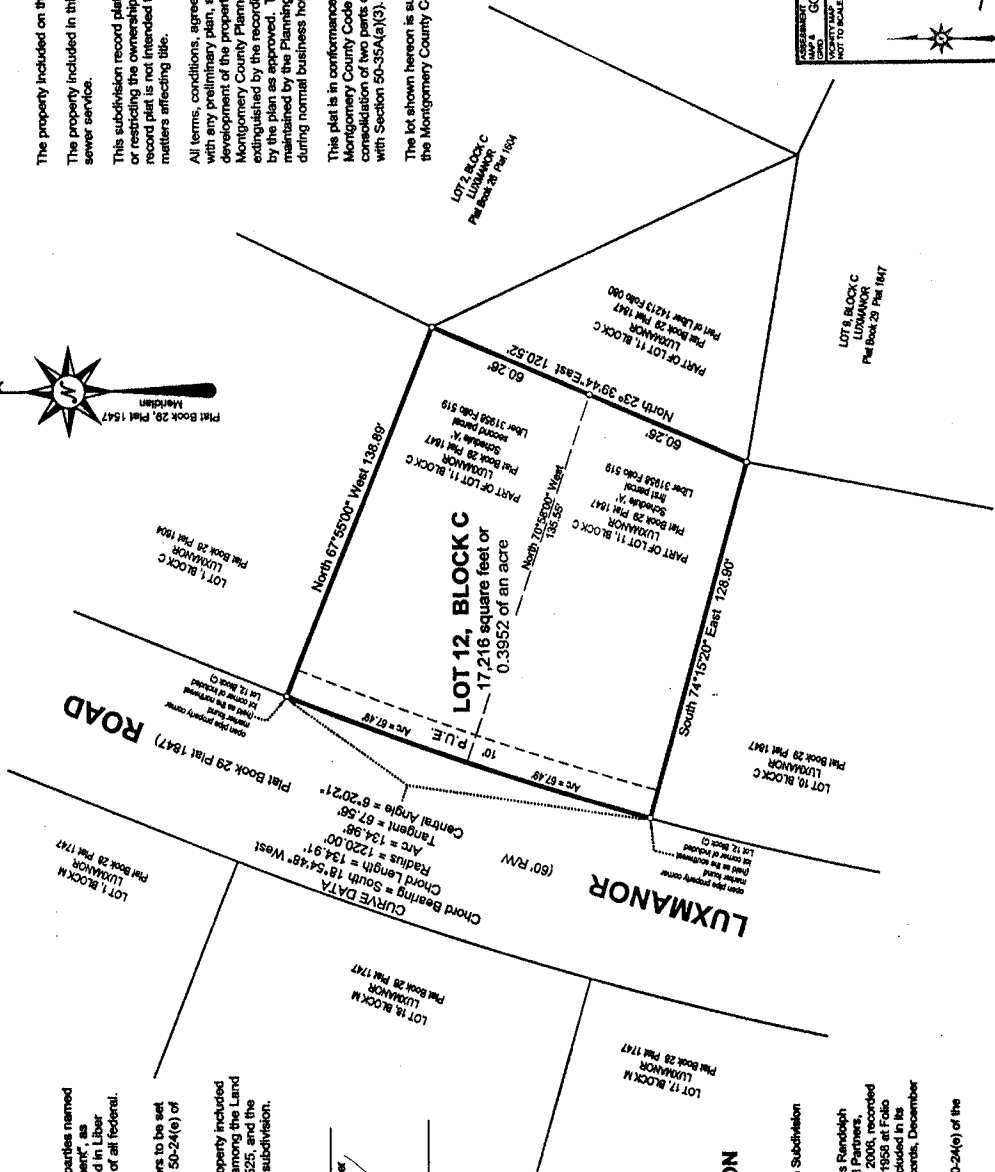
The property included on this subdivision plat is currently zoned R-200. The property included in this subdivision is intended for public water and sewer service.

This subdivision record plat is not intended to show every matter affecting or restricting the ownership and use of the subject property. A subdivision record plat is not intended to replace an examination of title or to note all matters affecting title.

All terms, conditions, agreements, limitations, and requirements associated with any preliminary plan, site plan, project plan, or other plan allowing development of the property included on this plat, as approved by the Montgomery County Planning Board, are intended to survive and not be extinguished by the recording of this plat, unless expressly contemplated by the plan as approved. The official public files for any such plan are maintained by the Planning Board and are available for public review during normal business hours.

This plat is in conformance with the requirements of Section 50-35A of the Montgomery County Code (Subdivision Regulations) which provides for the consolidation of two parts of lots being re-platted as a single lot in accordance with Section 50-35A(a)(3).

The lot shown hereon is subject to the requirements of Chapter 59-B-5.4 of the Montgomery County Code (Zoning Ordinance).



OWNER'S CERTIFICATION

We, Charcell Partners, LLC, owners of the property shown and included hereon, hereby establish this plat of subdivision, and grant a Public Utilities Easement (P.U.E.), as shown hereon, to the parties named in a document titled "Terms and Provisions of a Public Utility Easement" as attached to this plat, and the County of Montgomery, Maryland, in Liber 39329 of the Public Utility Easement Records, to all current and applicable regulations of all federal, state, and local governing agencies.

We, or our successors and assigns will cause property corner markers to be set by a Maryland Licensed Land Surveyor, in accordance with Section 50-24(e) of the Montgomery County Code (Subdivision Regulations).

There are no suits, liens, leases, mortgages or trusts affecting the property included in this plan of subdivision; except a certain Deed of Trust recorded among the Land Records of Montgomery County, Maryland, in Liber 31959 of Folio 525; and the parties in interest thereto have hereon indicated their assent to this subdivision.

By: *[Signature]*
 Philip M. Cantor, member
 JOHN MARSHALL BANK

By: *[Signature]*
 Greg Motheral

SURVEYOR'S CERTIFICATION

I hereby certify that the survey information shown hereon is correct; that this plat of subdivision has been prepared in accordance with the Subdivision Regulations of Montgomery County, Maryland; that this plat is a subdivision of that real property conveyed by Charles Randolph Eastwood and Cathy Hazel Eastwood, husband and wife, to Charcell Partners, LLC, a Maryland Limited Liability Company, by Deed, dated March 1, 2008, recorded among the Land Records of Montgomery County, Maryland, in Liber 31959 of Folio 518; and that the property being replatted hereon is the same as that described in said Deed of 6, 1946, in Plat Book 29 as Plat 1847; and that property corner markers will be set in accordance with Section 50-24(e) of the Montgomery County Code (Subdivision Regulations), if so engaged.

The total area included in this plat of subdivision is 17,216 square feet or 0.3952 of an acre. There is no area being dedicated to public use by this plat.

Date: 12/04/2009
 JOHN R. WITMER
 Professional Land Surveyor
 Maryland No. 10686

2202.00.300
 THE MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION
 THE MONTGOMERY COUNTY PLANNING BOARD

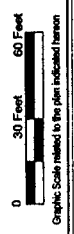
APPROVED: _____
 CHAIRMAN

APPROVED: _____
 SECRETARY-TREASURER

APPROVED: _____
 DIRECTOR

M.N.C.P. & P.C. RECORD FILE NUMBER: _____

CONVEYANCE LIBER 39329 SHEET NO. 35	ACRES 0.3952	PLAT NO. 214 NH 08	DATE 12/04/2009	F-1 & G-1
CITY MAP NOT TO SCALE				
SUBDIVISION RECORD PLAT LOT 12, BLOCK C LUXMANOR ROCKVILLE (FOURTH) (4th) ELECTION DISTRICT MONTGOMERY COUNTY, MARYLAND				
WITMER ASSOCIATES, LLC Land Surveying, Land Planning & Design 10000 Rockville Pike, Suite 200 Rockville, MD 20850 Tel: (301) 761-6000 Fax: (301) 761-2005 E-Mail: info@witmer.com				
SCALE 1 inch = 30 feet	DATE October, 2009	PREPARED BY 83177-J-1	1 of 1	



Graphic Scale related to the plan indicated hereon

RECORD PLAT FOR MINOR SUBDIVISION REVIEW SHEET

(This form contains 3 pages)

Plat Name: Luxmanor Plat Number: 220100300
 Plat Submission Date: 10/16/09
 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 Vicinity Map 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>E. G. Looan</u>	<u>10/21/09</u>	<u>11/6/09</u>	<u>11/4/09</u>	<u>No REVISIONS</u>
Research	<u>Bobby Fleury</u>			<u>10-21-09</u>	<u>OK</u>
SHA	<u>Doug Mills</u>				
PEPCO	<u>Steve Baxter</u>				
Parks	<u>Doug Powell</u>				
DRD	<u>Nellie Carey</u>				

Final DRD Review:

DRD Review Complete: _____ Initial SS Date 12/8/09
 (All comments rec'd and incorporated into mark-up)

Engineer Notified (Pick up Mark-up): _____ Initial SS Date 12/1/09

Final Mylar w/Mark-up & PDF Rec'd: _____ Initial SS Date 12/7/09

Board Approval of Plat:

Plat Agenda: _____ Initial SS Date 12/17/09

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: _____
- 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: ok
yes 1952

(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:
