




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


MCPB
Item # 1B
4/22/10

MEMORANDUM

DATE: April 15, 2010

TO: Montgomery County Planning Board

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

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

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board
Agenda for April 22, 2010

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:

220081750 **Rock Creek Vista**
220100250 **Cobb's addition to Bradley Farms**
220100260 **Rolling Acres**

Plat Name: Rock Creek Vista
Plat #: 220081750

Location: Located in the northeast quadrant of the intersection of Muncaster Road and Hollingsworth Drive
Master Plan: Upper Rock Creek
Plat Details: RE-2 zone; 2 lots
Community Water, Private Septic
Applicant: Darold Patterson

Staff recommends approval of this minor subdivision plat pursuant to Section **50-35A (a)(1)** of the Subdivision Regulations, which states:

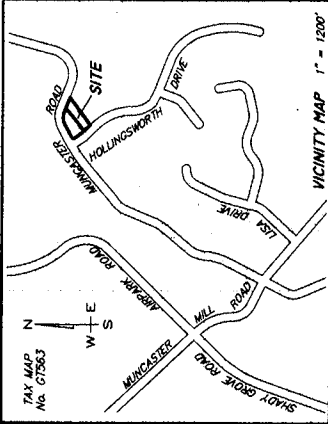
Minor Lot line Adjustment. The sale or exchange of part of a lot between owners of adjacent lots for the purpose of small adjustments in boundaries; provided:

- a. The total area of the adjustment does not exceed five percent of the combined area of the lots affected by the adjustment;
- b. No additional lots are created;
- c. The adjusted lot line is approximately parallel with the original lot line or, if it is proposed to intersect with the original line, it does not significantly change the shape of the lots involved; and,
- d. The owner submits a sketch plan for review and approval by the Planning Board staff. The sketch plan may be a copy of the existing record plan and must contain the following information:
 - i. proposed lot line adjustment as a dashed line;
 - ii. any buildings, driveways, or other physical improvements located within fifteen feet of the proposed adjusted lot line;
 - iii. any minimum building setback that would be altered by the minor lot line adjustment; and
 - iv. the amount of lot area affected by the minor lot line adjustment.

The sketch plan must be approved, approved with revision or denied, in writing, within ten business days after the plan is submitted or the sketch plan is deemed approved, provided requirements i through iii, above, are met. A final record plat must be submitted to Planning Board staff within ninety days after sketch plan approval or the sketch plan is no longer valid.

- e. Any minor lot line adjustment between properties that occurred prior to May 19, 1997, remains an exception to platting as provided in Section 50-9(d)

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)(1) of the subdivision regulations and supports this subdivision record plat.



SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF THE INFORMATION CONTAINED HEREON IS TRUE AND CORRECT. I AM A LICENSED SURVEYOR IN THE STATE OF MONTGOMERY COUNTY, MARYLAND, PER. LIBER 33802 & FOLIO 339. I WAS COMPLETED BY JOSEPH L. MILLER AND LINDA A. MILLER UNTO DAROLD R. PATTERSON AND MARIA S. PATTERSON BY DEED DATED APRIL 15, 1982 AND RECORDED IN LIBER 5885 AT FOLIO 731. IT ALSO BEING KNOWN AS LOT 1 IN BLOCK "B" IN THE SUBDIVISION KNOWN AS "ROCK CREEK VISTA" AS DESCRIBED IN PLAT No. 10902 BOTH COMPLETED BY DAROLD R. PATTERSON AND MARIA S. PATTERSON BY DEED DATED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, AND CONVEYED BY RUSSELL S. STAVES AND RUTH STAVES UNTO MOHAMMAD SAHR AND LAMIA KAVAI SAHR BY DEED DATED SEPTEMBER 15, 2003 AND RECORDED IN LIBER 25257 AT FOLIO 111. IT ALSO BEING KNOWN AS LOT 2 IN BLOCK "B" IN THE SUBDIVISION KNOWN AS "ROCK CREEK VISTA" AS DESCRIBED IN PLAT No. 10902 BOTH AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, AND CONVEYED BY DAROLD R. PATTERSON AND MARIA S. PATTERSON BY DEED DATED APRIL 15, 1982. I HAVE RECORDED THIS PLAN IN ACCORDANCE WITH SECTION 50-24(b) OF THE MONTGOMERY COUNTY CODE. I AM NOT PROVIDING ANY GUARANTEE THAT THERE ARE NO SUITS, ACTIONS AT LAW, LEASES, EASEMENTS, ENCUMBRANCES, OR OTHER INTERESTS AFFECTING THE PROPERTY SHOWN HEREON, EXCEPT AS MAY BE INDICATED BELOW, AND THE PARTIES OF INTEREST THEREIN HEREBY WARRANT THEIR ASSAULT. I HEREBY CERTIFY THAT I WAS ENGAGED AS DESCRIBED IN THE OWNER'S CERTIFICATE HEREON. ALL PROPERTY MARKERS AND OTHER BOUNDARY MARKERS WILL BE SET AS SHOWN ON THIS PLAN. THE TOTAL AREA SHOWN ON THIS PLAN OF SUBDIVISION IS 4.2088 ACRES OF LAND, NONE OF WHICH IS DEDICATED TO PUBLIC USE.

DANIEL P. LAVELLE
 4/15/2008
 MD. REC. NO. 10948

OWNERS CERTIFICATION

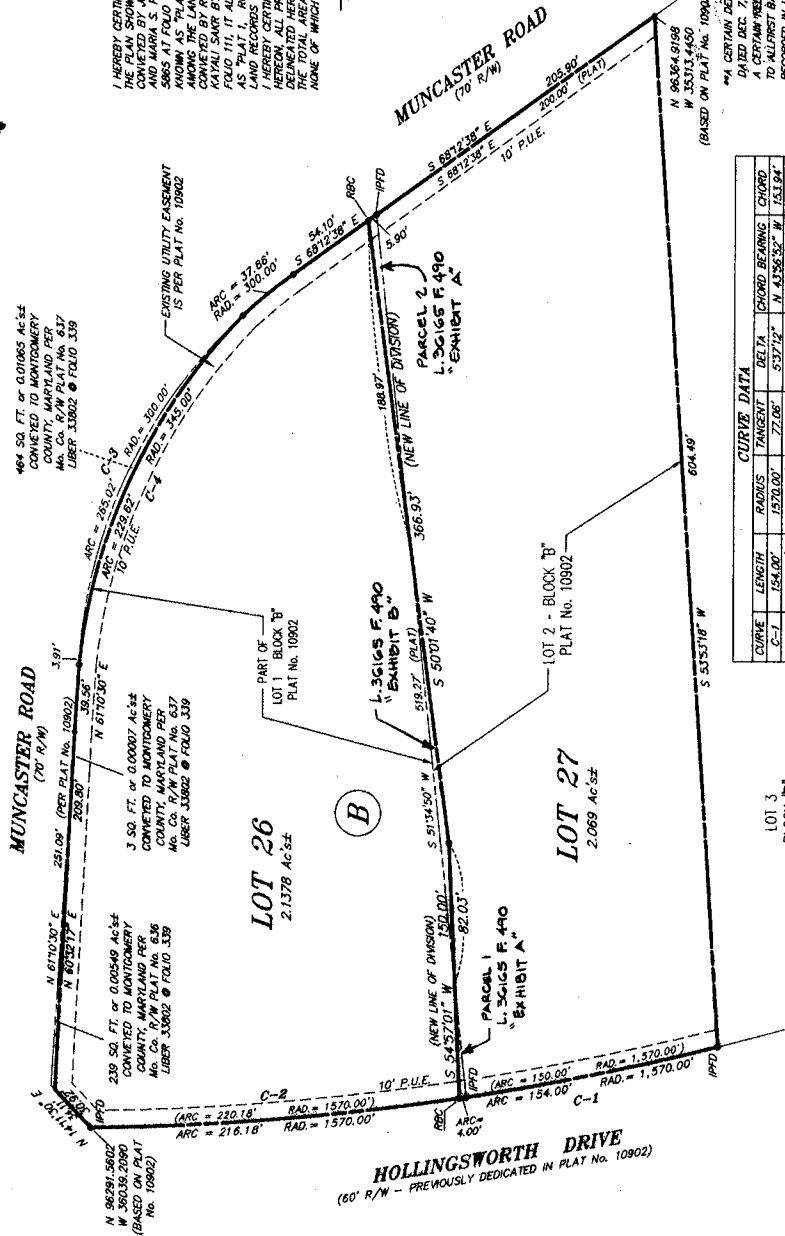
WE, DAROLD R. PATTERSON AND MARIA S. PATTERSON, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AS PART OF LOT 1 AND PARCELS 1 AND 2 OF THE SUBDIVISION KNOWN AS "ROCK CREEK VISTA" AS DESCRIBED IN PLAT No. 10902, DO HEREBY WARRANT AND ESTABLISH THE MINIMUM BUILDING RESTRICTIONS WILL BE SET BY A REGISTERED LAND SURVEYOR IN ACCORDANCE WITH SECTION 50-24(b) OF THE MONTGOMERY COUNTY CODE. I HEREBY CERTIFY THAT THERE ARE NO SUITS, ACTIONS AT LAW, LEASES, EASEMENTS, ENCUMBRANCES, OR OTHER INTERESTS AFFECTING THE PROPERTY SHOWN HEREON, EXCEPT AS MAY BE INDICATED BELOW, AND THE PARTIES OF INTEREST THEREIN HEREBY WARRANT THEIR ASSAULT.

7/15/2008
 7/20/2008
 7/21/2008
 7/21/2008
 DATE DATE DATE DATE
 DAROLD R. PATTERSON
 MARIA S. PATTERSON
 MOHAMMAD SAHR
 LAMIA KAVAI SAHR

FLAT NO.

NOTES: (CONTINUED)
 1. WATER CATEGORY: E
 2. THE PROPERTY THAT IS THE SUBJECT OF THIS RECORD PLAT IS IN THE RE-2 ZONE AS OF THE DATE OF PLAT RECORDED.
 3. I.P.D. = IRON PIPE FOUND ABC = REBAR & CAP SET
 4. THE APPROVAL OF THIS PLAT IS PREDICATED ON THE AVAILABILITY OF PUBLIC WATER AND PRIVATE SEPTIC SYSTEM.
 5. THIS PROPERTY IS SHOWN ON TAX MAP No. C7563.
 6. THIS PROPERTY IS SHOWN ON M.S.S.C. 200-FOOT SHEET 225 NW 06.
 7. ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, PROJECT PLAN, OR OTHER PLAN ALLOWING DEVELOPMENT OF THIS PROPERTY AS APPROVED BY THE MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES SHALL BE APPLIED TO THIS PLAT. THE OFFICIAL PUBLIC RULES FOR THE M.S.S.C. PLAN PERMITTING ACTION BY THE PLANNING BOARD AND ARE AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
 8. THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE LAND AND USE, NOR EVERY MATTER RESTRICTING THE AVAILABILITY OF PUBLIC WATER OR PRIVATE SEPTIC SYSTEM. THIS PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPORT OR NOTE ALL MATTERS AFFECTING TITLE.
 9. THE PROPERTY SHOWN HEREON LIES WITHIN THE UPPER ROCK CREEK SPECIAL PROTECTION AREA.

464.50 FT. OF 0.00085 AC±±
 COUNTY, MARYLAND, PER.
 No. Co. R/W PLAT No. 637
 LIBER 33802 & FOLIO 339



CURVE DATA

CURVE	LENGTH	RADIUS	TANGENT	DELTA	CHORD BEARING	CHORD
C-1	154.00'	1570.00'	77.00'	53°27'19"	N 43°58'52" W	151.94'
C-2	216.18'	1570.00'	108.09'	75°37'19"	N 37°11'55" W	216.01'
C-3	228.07'	300.00'	114.04'	50°38'53"	N 08°29'59" E	228.48'
C-4	228.07'	585.00'	114.04'	30°29'59"	N 08°29'59" E	228.48'

AREA TABULATION

TOTAL NUMBER OF LOTS = 2
TOTAL NUMBER OF PARCELS = 0
TOTAL AREA OF LOTS = 4.2088 AC±±
TOTAL AREA OF DEDICATION = 0 S.F. (0.0 AC±±)
TOTAL AREA OF PLAT = 4.2088 AC±±



MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES
 DATE: _____
 APPROVED: _____
 DIRECTOR

220081750
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 MONTGOMERY COUNTY PLANNING BOARD
 APPROVED: _____
 CHAIRMAN
 ASST. SECRETARY - TREASURER

M.N.C.P. & P.C. RECORD FILE NO.: _____

ROCK CREEK VISTA
 LOTS 26 & 27, BLOCK B

ELECTION DISTRICT NO. 8
 MONTGOMERY COUNTY, MARYLAND

LAVELLE & ASSOCIATES INCORPORATED
 LAND PLANNERS & ASSOCIATES
 LAND SURVEYORS
 6732 INDUSTRIAL LANE FREDERICK, MARYLAND 21704
 OFFICE (301) 885-9722 FAX (301) 885-9788

APRIL 2008

08-003

RECORD PLAT FOR MINOR SUBDIVISION REVIEW SHEET

(This form contains 3 pages)

Plat Name: Rock Creek Vista Plat Number: 220081750

Plat Submission Date: 5-2-08

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
 Plan # N/A Road/Alley Widths Easements Open Space N/A Non-standard
 BRLs N/A Adjoining Land Vicinity Map Septic/Wells
 TDR note N/A Child Lot note N/A Surveyor Cert Owner Cert Tax Map
 SPA

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>D. Johnson</u>	<u>5-7-08</u>	<u>5/21/08</u>	<u>5/21/08</u>	<u>Add SPA note</u>
Research	<u>Bobby Fleury</u>			<u>5-8-08</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>6/3/08</u>	<u>OK</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

SJS

SJS

SJS

SJS

Date

4/9/10

7/7/08

3/26/10

4-22-10

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: ok
- b) No additional lots created: ok
- c) Adjusted line is approximately parallel/does not significantly change shape of the lots: ok
- d) Date sketch plan submitted: ok ✓
- e) Sketch plan revised or denied within 10 business days: ok ✓
- f) Final record plat submitted within ninety days: YES
- 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: _____