



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

MCPB
Item # 1B
5/19/2011

MEMORANDUM

DATE: May 10, 2011

TO: Montgomery County Planning Board

VIA: Catherine Conlon, Supervisor *CAC*
Regulatory Coordination Division
(301) 495-4542

FROM: Stephen Smith, Senior Planner *SS*
Regulatory Coordination Division
(301) 495-4522

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board
Agenda for May 19, 2011

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:

220110150 **Moxley Estates**
220110490 **Kensington Heights**
220110750 **Oakmont**
220110820 **West Chevy Chase**
220110920 **Rosedale Park**

Plat Name: Moxley Estates
Plat #: 220110150

Location: Located in the southeast quadrant of the intersection of Bethesda Church Road and Clarksburg Road
Master Plan: Damascus
Plat Details: R-200 and RDT zones; 2 lots
Private Well and Private Septic
Applicant: Janice Rieke and Judith Streeter

Staff recommends approval of this minor subdivision plat pursuant to Section **50-35A(a)(6)** and of the Subdivision Regulations, which states:

Plats for Certain Residentially Zoned Parcels Created by Deed prior to June 1 1958.

While recognizing the single residential parcel exemption of Sec. 50-9(e), an owner may voluntarily submit a plat to record such a parcel under the minor subdivision procedure provided that the parcel is developable for only one single-family, detached dwelling unit.

The proposed minor subdivision is concurrently a lot adjustment between the voluntarily platted parcel, now lot 10 (formerly Parcel 998) and Lot 9 (formerly lot 5) in accordance with Section **50-35A(a)(1)** 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 Sections 50-35A(a)(6) and 50-35A(a)(1) of the subdivision regulations and supports this subdivision record plat.

MINOR SUBDIVISION PLAT REVIEW SHEET

(This form contains 3 pages)

Plat Name: Moxley Estates Plat Number: 220110150
 Plat Submission Date: 8/23/2010
 DRD Plat Reviewer: S. Smith
 DRD Prelim Plan Reviewer: N/A

*For category of minor subdivision 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 OK Easements Open Space Non-standard _____
 BRLs Adjoining Land Vicinity Map Septic/Wells OK Dr GVG
 TDR note 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	Evelyn Gibson	8/25/10	9/8/10	9-8-10	No Revisions Show MAD 93/TI Datum
Research	Bobby Fleury			8/26/10	
SHA	Corren Giles				
PEPCO	Bobbie Dickey				
Parks	Doug Powell				
DRD	Keiona Clark				

Final DRD Review:

Consultant Notified (Final Mark-up): SS Initial SS Date 1-7-2011
 Final Mylar & DXF/DWG Received: SS Initial SS Date 4/8/11
 Final Mylar Review Complete: SS Initial SS Date 5/5/11

Board Approval of Plat:

Plat Agenda: SS Initial SS Date 5/19/2011

Planning Board Approval: _____
 Chairman's Signature: _____

MCDPS Approval of Plat:

Consultant 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: _____
 Complete Reproduction: _____
 Notify Consultant to Seal Plats: _____
 Surveyor's Seal Complete: _____
 Sent to Courthouse for Recordation: _____
 Recordation Info Entered into Hansen _____

No. _____

MINOR SUBDIVISION SECTION 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: 7-13-2010
- e) Sketch plan revised or denied within 10 business days: Approved 7/29/10
- 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: _____