



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

**MCPB**  
**Item # 1B**  
**2-23-2012**

**MEMORANDUM**

**DATE:** February 13, 2012

**TO:** Montgomery County Planning Board

**VIA:** Catherine Conlon, Supervisor  
D.A.R.C. Division *CC*  
(301) 495-4542

**FROM:** Stephen Smith, Senior Planner *SS*  
D.A.R.C. Division  
(301) 495-4522

**SUBJECT:** Informational Maps and Summary of Record Plats for the Planning Board  
Agenda for February 23, 2012

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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:

220111410 **Wyngate**

**Plat Name:** Wyngate  
**Plat #:** 220111410

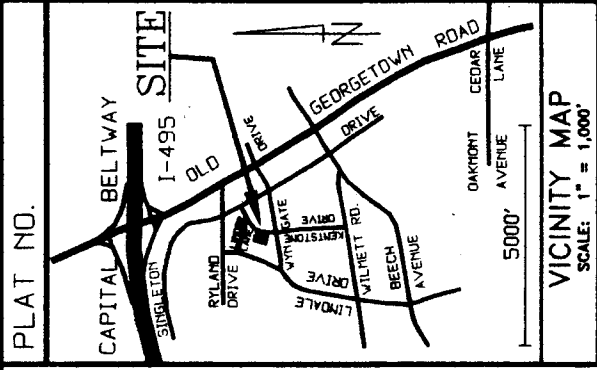
**Location:** Located on the west side of Kentstone Drive, approximately 200 feet southwest of Linder Lane  
**Master Plan:** Bethesda-Chevy Chase  
**Plat Details:** R-60 zone; 2 lots  
Community Water, Community Sewer  
**Applicant:** David Kelly

Staff recommends approval of the this minor subdivision plat pursuant to Section **50-35A(a)(5)**, which states:

**Plat of Correction.** A plat may be recorded under the minor subdivision procedure to correct inaccurate or incomplete information shown on a previously recorded subdivision plat. The plat may correct drafting or dimensional errors on the drawing; failure to include a required note, dedication, easement or other restriction; incorrect or omitted signatures; and/or other information normally required to be shown on a recorded plat. All owners and trustees or the land affected by the correction must sign the revised plat. In addition, the plat of correction must clearly identify the original plat that is being replaced and contain a note identifying the nature of the correction.

The subject plat has been submitted in order to correct a drafting and dimensional error, as originally shown on Plat 1159, for the common property line between lots 3 and 4 which are now shown as lots 29 and 30 on the attached plat.

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



**OWNER'S CERTIFICATE**

WE, THE UNDERSIGNED, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREIN, HEREBY GRANT TO THE PARTIES NAMED IN A DOCUMENT ENTITLED "DECLARATION OF TERMS AND PROVISIONS OF PUBLIC UTILITY EASEMENTS" AS RECORDED IN LIBER 2634 AT FOLIO 457 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, A TEN (10) FOOT WIDE PUBLIC UTILITY EASEMENT (P.U.E.) AS SHOWN HEREIN.

SUBJECT TO EASEMENTS AND/OR RIGHTS-OF-WAYS AS RECORDED. THERE ARE NO SUITS OF ACTION, LEASES, LIENS OR TRUSTS ON THE PROPERTY INCLUDED IN THIS PLAT OF SUBDIVISION, EXCEPT CERTAIN DEEDS OF TRUST, AND ALL PARTIES OF INTEREST THEREIN HAVE BELONG INDICATED THEIR ASSENT. AS OWNERS OF THIS SUBDIVISION, WE, OUR SUCCESSORS, AGENTS AND ASSISTANTS, WILL CAUSE PROPERTY CORNER MARKERS TO BE SET BY A REGISTERED MARYLAND SURVEYOR AS DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREIN.

AS TO LOT 29 (3)  
 Date: 8/18/11 *Dennis E. Adams* Witness  
 DENNIS E. ADAMS  
 CATHERINE D. ADAMS  
 WE ASSENT TO THIS PLAT OF CORRECTION:  
 Date: 8/18/11 *Shelley L. Hess* Trustee  
 SHELLEY L. HESS  
 NATHALIE BOND  
 NATHALIE BOND, Witness

AS TO LOT 30 (4)  
 Date: 8/18/11 *David Kelly* Witness  
 DAVID KELLY  
 HEATHER ANDERSON  
 HEATHER ANDERSON, Witness

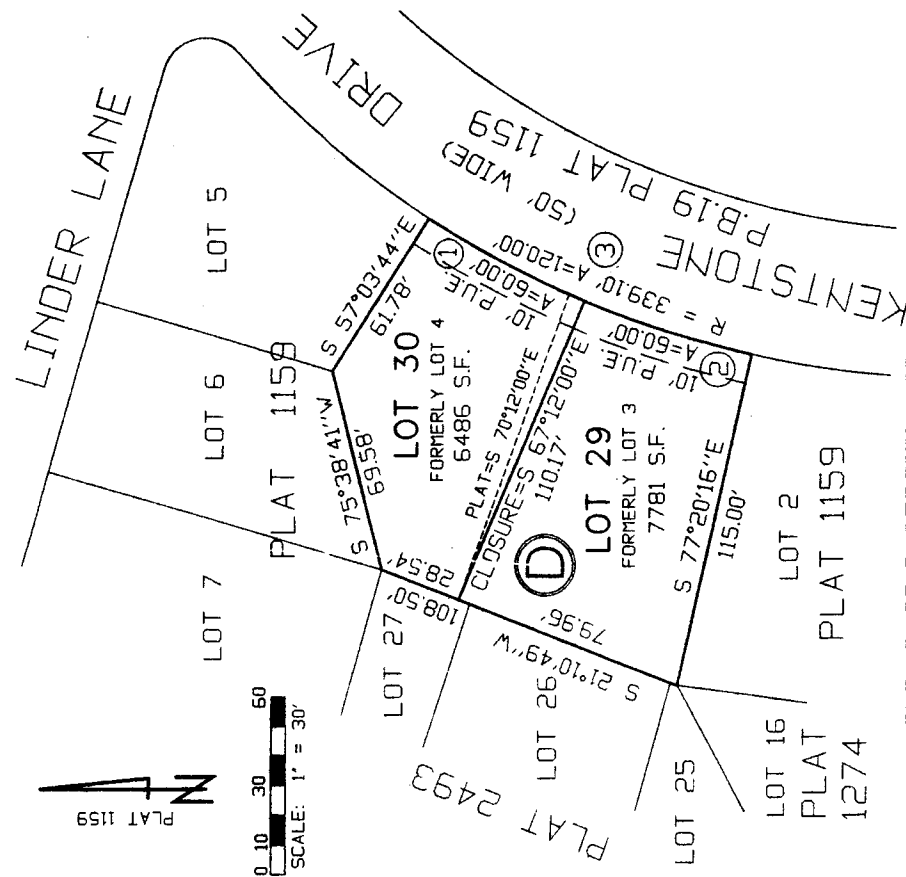
WE ASSENT TO THIS PLAT OF CORRECTION:  
 Date: 8/18/11 *John Maxwell* Trustee  
 JOHN MAXWELL  
 ED HERRING  
 ED HERRING, Witness

**NOTES**

- ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, PROJECT PLAN OR OTHER PLAN ALLOWING DEVELOPMENT OF THIS PROPERTY, APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD, ARE INTENDED TO SURVIVE UNLESS MODIFIED BY FURTHER ACTION BY THE BOARD. 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 SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND USE, NOR EVERY MATTER RESTRICTING THE OWNERSHIP AND USE, OF THIS PROPERTY. THE SUBDIVISION RECORD PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPICT OR NOTE ALL MATTERS AFFECTING TITLE.
- THIS PLAT CONFORMS WITH THE REQUIREMENTS FOR MINOR SUBDIVISION APPROVALS CONTAINED IN SECTION 50-35A OF THE MONTGOMERY COUNTY SUBDIVISION REGULATIONS, BEING CHAPTER 30 OF THE COUNTY CODE. THIS INVOLVES A PLAT TO CORRECT INACCURATE INFORMATION SHOWN ON A PREVIOUSLY RECORDED SUBDIVISION PLAT, PURSUANT TO SECTION 50-35A(i)(5).
- THE INACCURATE INFORMATION BEING CORRECTED BY THIS PLAT IS THE BEARING FOR THE LOT LINE BETWEEN EASEMENT LOT 3 AND LOT 4. THE AREA FORMERLY NOT RECEIVED INFORMATION FOR EITHER LOT IS BEING CHANGED AND NO PROPERTY IS BEING CONVEYED FROM, OR TO ANY OWNERS, LOTS 3, 4 AND 5. SHOWDOWN PLAT NO. 1155.
- THE APPROVAL OF THIS PLAT IS PREDICATED ON THE AVAILABILITY, AND ADEQUACY OF PUBLIC WATER AND SEWER.
- THE LOTS SHOWN ON THIS PLAT APPEAR ON MONTGOMERY COUNTY TAX MAP GRID GP-62 AND V.S.S.C. SHEET #212-NV-6, AND ARE ZONED R-60.

**CURVE DATA**

No.	Delta Angle	Radius	Arc Length	Chord	Chord Bearing
1	10°08'15"	339.10	60.00	30.08	S 27°52'08" W
2	10°08'15"	339.10	60.00	30.08	S 17°43'52" W
3	20°16'32"	339.10	120.00	60.63	S 22°46'00" W



**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THE INFORMATION SHOWN ON THIS PLAT OF SUBDIVISION IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT IT IS ALL OF THE LAND CONVEYED TO DENNIS E. ADAMS AND CATHERINE D. ADAMS, HUSBAND AND WIFE, FROM CHARLES N. DAWSON BY DEED DATED MAY 11, 2004 AND RECORDED IN LIBER 27523 AT FOLIO 721, ALSO BEING KNOWN AS LOT 3, BLOCK D, "WYNGATE", RECORDED AS PLAT NO. 1159; AND ALSO ALL OF THE LAND CONVEYED TO DAVID S. KELLY DEVELOPMENT CO., INC. FROM MICHAEL A. FLANNICK, TRUSTEE OF THE MICHAEL A. FLANNICK REVOCABLE TRUST, AND MONA A. FELDMAN, TRUSTEE OF THE MONA A. FELDMAN REVOCABLE TRUST, BY DEED DATED MAY 27, 2011 AND RECORDED IN LIBER 41982 AT FOLIO 86; ALSO BEING KNOWN AS LOT 4, BLOCK D, "WYNGATE"; ALL BEING RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.

PROPERTY MARKERS ARE IN PLACE AT ALL LOT CORNERS AS SHOWN HEREON, AND THE TOTAL AREA INCLUDED ON THIS PLAT IS 14,267 SQUARE FEET OR 0.3275 OF AN ACRE, NONE OF WHICH IS DEDICATED FOR PUBLIC USE.

Date: August 17, 2011 *William L. Poppe*  
 William L. Poppe  
 Professional Land Surveyor  
 MD Registration No. 8620  
 Expiration Date: Sept. 20, 2011

RECORDED: \_\_\_\_\_  
 PLAT NO: \_\_\_\_\_  
 THE MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION  
 MONTGOMERY COUNTY PLANNING BOARD  
 APPROVED DATE: \_\_\_\_\_  
 CHAIRMAN: \_\_\_\_\_ ASST. SECRETARY-TREASURER: \_\_\_\_\_  
 DIRECTOR: \_\_\_\_\_  
 MONTGOMERY COUNTY, MARYLAND  
 DEPARTMENT OF PERMITTING SERVICES  
 APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

SUBDIVISION RECORD PLAT  
 LOTS 29 & 30, BLOCK D  
 PLAT OF CORRECTION  
 (FORMERLY LOTS 3 & 4, BLOCK D)  
**WYNGATE**

7th ELECTION DISTRICT  
 MONTGOMERY COUNTY, MARYLAND  
 SCALE: 1"=30' JULY 2011

LANIER POPPE ENGINEERING  
 ENGINEERING + SURVEYING + PLANNING  
 224 North Adams Street  
 Rockville, MD 20850  
 TEL. 301-580-5518 FAX 703-971-7327

# MINOR SUBDIVISION PLAT REVIEW SHEET

(This form contains 3 pages)

Plat Name: Wynsake Plat Number: 220111410  
 Plat Submission Date: 6-8-2011  
 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  Easements  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   
 SPAN N/A

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	Evelyn Gibson	6-9-11	6-22-11	6-20-11	NO REVISIONS
Research	Bobby Fleury			6-13-2011	OK
SHA	Corren Giles				
PEPCO	Bobbie Dickey				
Parks	Doug Powell				
DRD	Keiona Clark				

## Final DRD Review:

Consultant Notified (Final Mark-up):

Initial

Date

Final Mylar & DXF/DWG Received:

WM

10/27/11

Final Mylar Review Complete:

WM

2/6/12

## Board Approval of Plat:

WM

2/10/12

Plat Agenda:

SOS

2/23/12

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 #:

\_\_\_\_\_

\_\_\_\_\_

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

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

\_\_\_\_\_

\_\_\_\_\_

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

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

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

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

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

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

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

**(5) Plat of Correction**

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

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

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

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

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