



**Request to Abandon 45 feet of Unimproved Edgevale Rd Right-of-Way within Woodside Park Subdivision, Silver Spring**

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**Description**

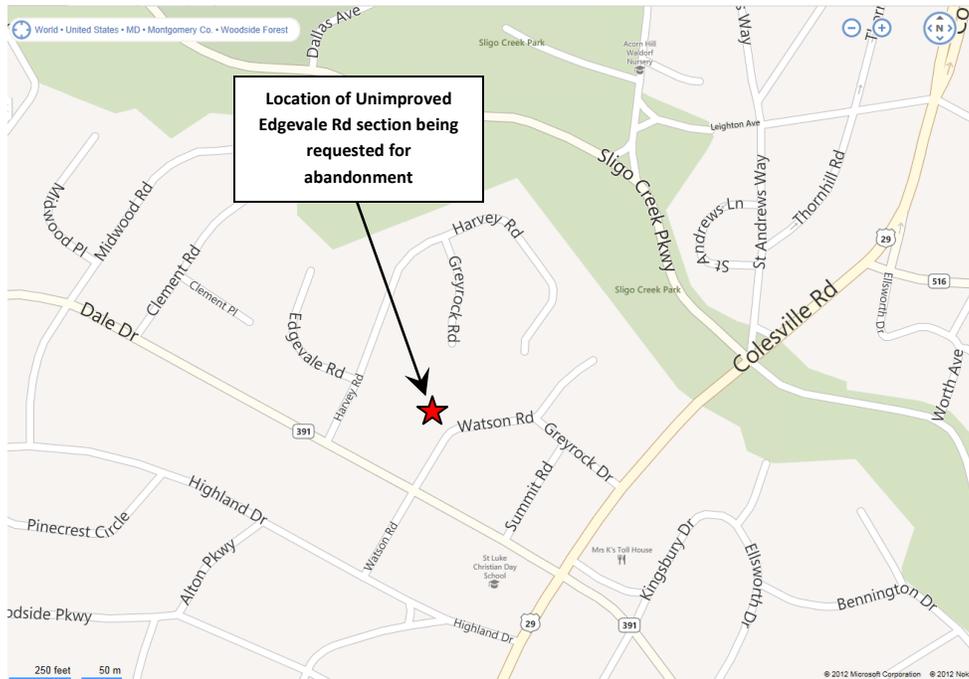
This memorandum presents the staff review for the subject abandonment application per Section 49-62 of the Montgomery County Code (Article 6) to abandon 45 feet of unimproved Edgevale Road right-of-way between Watson Road to the east and Harvey Road to the west. As shown on the map on page 2, both Watson Road and Harvey Road extend north from Dale Drive, and is to the west side of Colesville Road (US 29).

The abandonment application referral from the County Executive’s office, dated August 17, 2012, detailing the subject request is included as Attachment No. 1. A Public Hearing by the County Executive’s office is scheduled for this abandonment request for Wednesday, October 17, 2012.

Edgevale Road, between Watson Road and Harvey Road, is an unpaved, unmaintained tertiary residential roadway that currently provides “driveway” access to two single-family residences at each of its eastern and western ends. At present, it also facilitates pedestrian access between Watson Road and Harvey Road. The unimproved roadway has a right-of-way width of 50 feet. The general area is zoned R-60 and is located within the North and West Silver Spring Master Plan area and the Silver Spring/Takoma Park Policy Area.

The subject abandonment is being requested by the Checchi family (Vincent A. Checchi and Mary Jane Checchi or “Applicant”) along with Sarah R. Knight and Marc E. Johnson (residing at 9204 Watson Road; see Attachment No. 2) for the Checchi family to move forward with a pending subdivision application for their property. The subdivision application, called “Woodside Park” (Preliminary Plan No. 120070230 for Part of Parcel C, Section 7 of Woodside Park Subdivision), is located to the north side of the Edgevale Road section being requested for abandonment. This section of Edgevale Road also fronts Lot 10, Block D2, Section 7 of Woodside Park Subdivision owned by Sarah R. Knight and Marc E. Johnson. The Applicant, as part of the subdivision application, is proposing to create two parcels of equal size from the abandoned roadway right-of-way, with one parcel to be annexed to the Checchi family property and the other parcel to be annexed to the property owned by Sarah R. Knight and Marc E. Johnson.

Contingent on a favorable County Council action on the abandonment application and future approval of the subdivision application, the Applicant proposes to place a perpetual pedestrian access easement over the abandoned Edgevale Road right-of-way area at the time of recordation of a plat for the proposed new subdivision to guarantee continued pedestrian access between Watson Road and Harvey Road.



Map source: Microsoft Bing Maps

## Recommendation

Staff recommends that the Planning Board approve transmittal of a recommendation of approval to the Montgomery County Department of Transportation (DOT) for the referenced abandonment request subject to the following condition:

- The proposed 45 feet long Edgevale Road abandonment, effective with the recordation of a plat for properties that incorporate the abandoned 50-foot wide right-of-way, must reflect a perpetual pedestrian access easement over the entire abandoned area.

The above recommendation is based on the staff finding that the subject right-of-way is not needed to serve any present or anticipated future neighborhood vehicular traffic. However, staff believes that a public access easement must be placed over the entire abandoned right-of-way to provide continued pedestrian access over Edgevale Road in perpetuity between Watson Road and Harvey Road.

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