

**Preliminary Plan No. 120110330 - Tschand Property**

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*KH*  
*RAW*  
*JAC*

Katherine Holt, Senior Planner, Area 3, [Katherine.Holt@montgomeryplanning.org](mailto:Katherine.Holt@montgomeryplanning.org) 301-495-4549

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**Completed: 1-10-13**

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**Description**

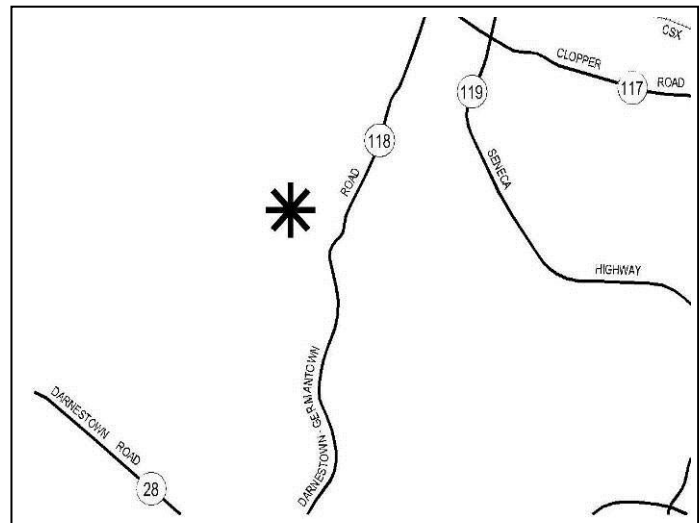
Preliminary Plan No. 120110330: Tschand Property  
One lot requested for an existing one-family detached dwelling unit; R-200 zone; 0.99 acres; located at 17601 Burdette Lane. Functional Master Plan for the Preservation of Agriculture and Rural Open Space.

**Staff Recommendation:** Approval with conditions and adoption of the Resolution

**Review Basis:** Chapter 50 and Chapter 22A

**Applicant:** Om Tschand

**Date Submitted:** September 21, 2011



**Summary**

- The Applicant requests to combine two parcels to create one lot for an existing one-family detached dwelling in the R-200 zone.
- After dedication of Burdette Lane, the existing house will not meet the front yard setback for the R-200 zone; however, §59-G-4.25 provides relief of this non-conformance.
- A Forest Conservation Plan exemption was granted by staff in 2011.
- No correspondence has been received on this Application

**RECOMMENDATION:** Approval with the following conditions:

1. This Preliminary Plan is limited to one lot for one-family detached dwelling unit.
2. The Planning Board has accepted the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated November 25, 2011, and does hereby incorporate them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
3. Prior to recordation of plat, the Applicant must satisfy the provisions for access and improvements as required by MCDOT.
4. The Planning Board has accepted the recommendations of the Montgomery County Department of Permitting Service (“MCDPS”) – Water Resources Section in its stormwater management concept letter dated April 19, 2011, and does hereby incorporate them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
5. The Planning Board has accepted the recommendations of the MCDPS – Well and Septic Section in its letter dated June 20, 2012, and does hereby incorporate them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Well and Septic Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
6. The Applicant must dedicate and the record plat must show dedication of 60 feet from the opposite right-of-way line along the Subject Property.
7. The record plat must reflect overlapping Public Improvement Easements and Public Utility Easement as shown of the Certified Preliminary Plan.
8. The record plat must show necessary easements.

**SITE DESCRIPTION**

Preliminary Plan No. 120110330 (“Application” or “Preliminary Plan”) is a request to subdivide a property identified as Parcels 853 and 823 on Tax Map ET12, located at 17601 Burdette Lane near the corner of Black Rock Road and consisting of 0.99-acres, zoned R-200 (“Property” or “Subject Property”). The Property is located within the Functional Master for the Preservation of Agriculture and Rural Open Space (AROS) area and abuts a road (Burdette Lane) covered by the Rustic Roads Functional Master Plan (RRFMP). The Property is currently improved with one-family detached dwelling unit built in 1963 and a shed. Access to the Property is provided by an existing driveway cut from Burdette Lane. The house is served by an existing septic system.

As depicted in Figures 1 and 2 below, one-family detached dwellings abut the Property to the east, west and south in the R-200 zone. South Germantown Recreational Park abuts the Property to the north and it is zoned RDT. The Property's topography is generally flat, sloping gently from the southwest to the northeast. There are no streams, floodplains, wetlands, forests, or environmental buffers on or affecting the Property. The Property is within the Lower Great Seneca Creek watershed, which is classified as a Use I watershed by the Maryland Department of the Environment. The Montgomery County – Countywide Stream Protection Strategy (CSPS) rates streams in this watershed as having good water quality.

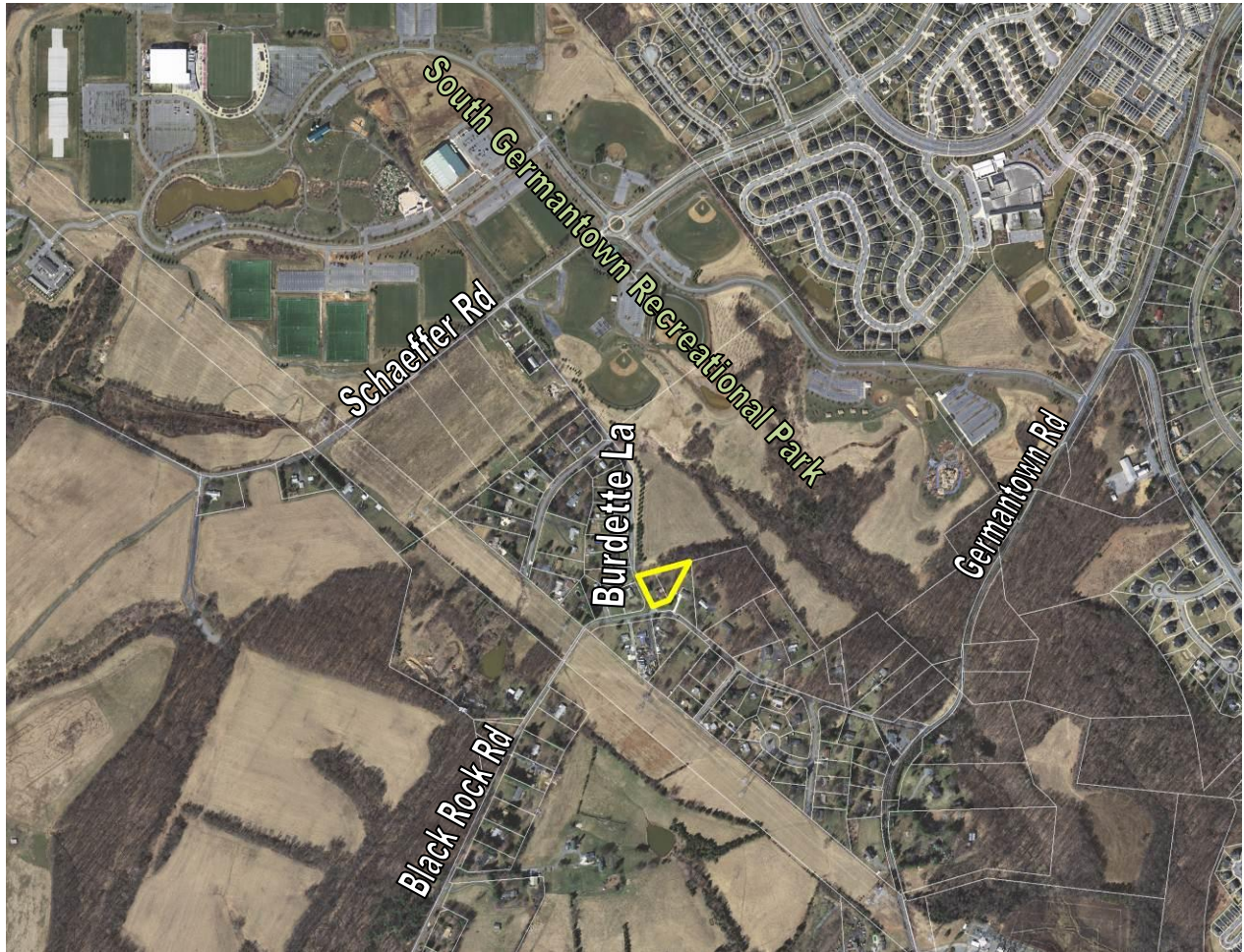


Figure 1 - Vicinity Map

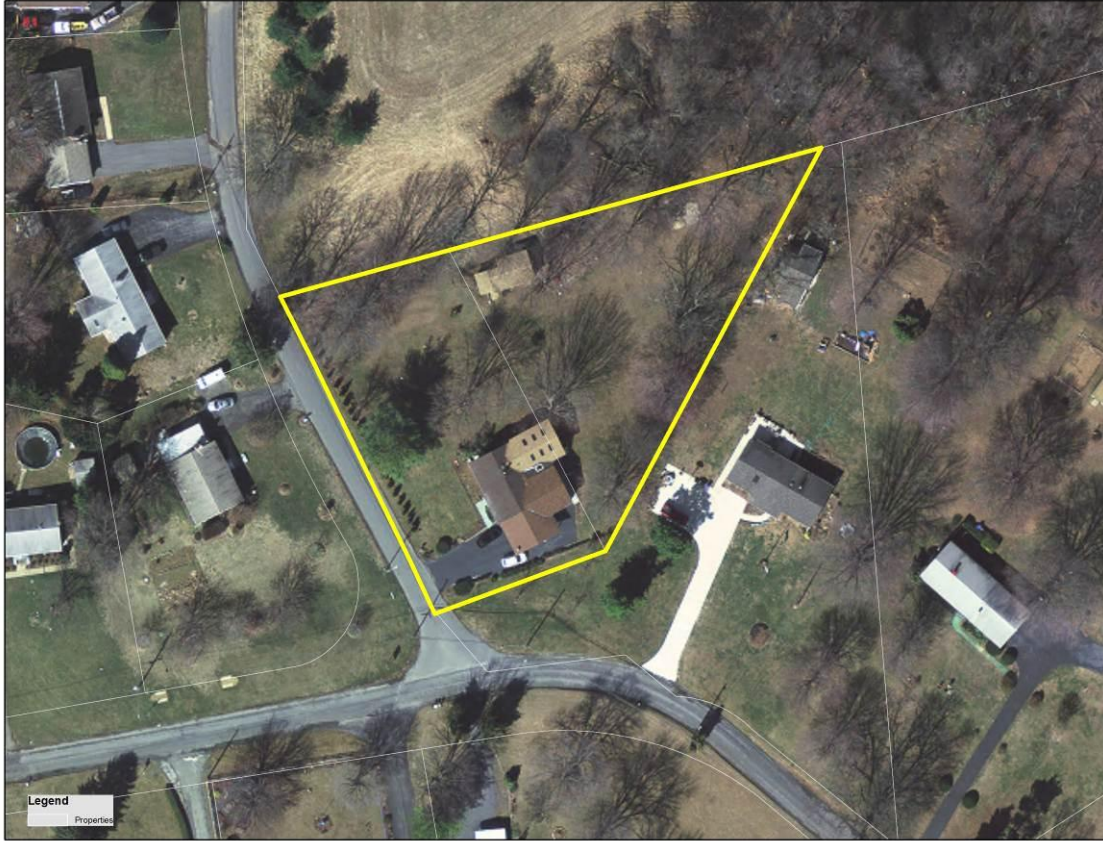


Figure 2 – Subject Property

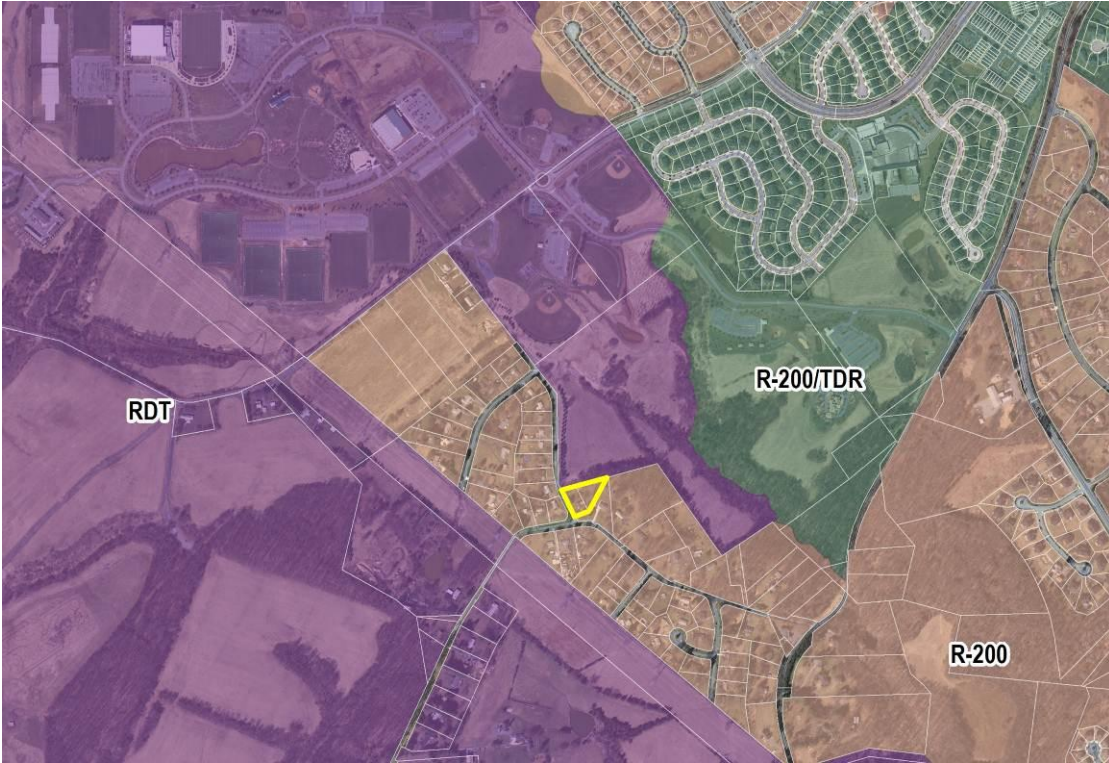


Figure 3 - Zoning

## **PROJECT DESCRIPTION<sup>1</sup>**

The Applicant proposes to combine Parcels 853 and 823 into one lot and retain the existing one-family detached dwelling unit; no other development is proposed. A new septic system is approved by MCDPS<sup>2</sup>. In addition to the dedication for Burdette Lane, there will be two overlapping easements contiguous to the Property frontage; one is a 15-foot wide Public Utilities Easement (PUE) and a second is a five-foot wide Public Improvement Easement (PIE). The five foot wide PIE will allow the County to perform normal maintenance of any existing pavement and drainage ways within the easement area that are outside of the dedicated right-of-way. The five foot wide PIE is included within the 15 foot wide PUE and leaves 10 feet of PUE free and clear to place utilities if or when they are needed.

## **ANALYSIS AND FINDINGS**

### **Conformance to the Master Plan**

Two functional master plans provide guidance on the development of this Property: the AROS Plan and the RRFMP. Excerpts from AROS Plan appear below in the order of their appearance.

#### Functional Master Plan for the Preservation of Agriculture and Rural Open Space (AROS, 1980)

“This Plan confirms...

- That farmland, rural open space, and residential development (rural communities and large lot development) can be compatible land-uses within the Agricultural Preservation Study Area, if appropriately located” (Summary of Findings and Recommendations, p. iv).

The Property is abutting the South Germantown Recreational Park and is surrounded by homes built in the 1960s that are zoned R-200. These properties were created, and the homes were built, well before the AROS Plan went into effect.

#### “Rural Communities and Villages

These are historic rural settlements that were not affected by the 1973 Rural Zone Sectional Map Amendment of the upper county. Today the rural communities and villages remain zoned R-200 (1/2 acre lot sizes), or as in Boyds and Sandy Spring/Ashton which are governed by separate local area master plans. This functional master plan reconfirms and is consistent with land use recommendations of those area master plans” (p. 38).

The R-200 zone was reconfirmed in the AROS plan and the Property remained in the R-200 zone. There are about 68 properties zoned R-200 in this area between South Germantown Recreational Park and Germantown Road (MD 118). This general area is also identified as the site of a 19<sup>th</sup> century freed slave community that once included a church and a school.

#### “Recommended Transportation Guidelines

Allow roads to remain in their present condition for 15-20 years except for maintenance and safety projects” (p. 63).

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<sup>1</sup> See attached Preliminary Plan dated September 5, 2012.

<sup>2</sup> See attached letter.

The RRFMP was adopted in 1996, which is 16 years after the recommended transportation guidelines in the 1980 AROS Plan. The RRFMP states, “The law is very specific that rustic roads are to be maintained” (p. 35).

Excerpts from the Rustic Roads Functional Master Plan are as follows:

Burdette Lane was designated a rustic road in 1996 with the adoption of the RRFMP<sup>3</sup>. The Significant Features identified in this plan for the road are:

- Example of a small residential rural area
- Roadway and edges flow together (RRFMP, 1996, pp. 66-67).

The RRFMP describes Burdette Lane as, “a small rural road with houses on small lots on the west side and South Germantown Recreational Park on the east side” (p. 66). The value of Burdette Lane as a rustic road is due partly to the fact that it connects Black Rock Road (a rustic road) and Schaeffer Road (a rustic road). Burdette Lane is short, being only 0.45 miles in length. The road is described as having a narrow, 16 feet of pavement with existing homes near the edge of pavement.

The RRFMP recommends a 70-foot width for the Burdette Lane right-of-way (p. 194); the typical recommended width of most rustic roads in the County. The Property is the only remaining privately owned property fronting on Burdette Lane that has not dedicated right-of-way. All other unplatted properties fronting Burdette Lane that have not dedicated right-of-way are owned by M-NCPPC as part of the South Germantown Recreational Park. Where dedication has occurred by previously platted properties, 30 feet of dedication from the centerline of pavement was required. The Property is essentially the last property that can provide dedication per record plat. Hence, the opportunity to get a 70-foot wide right-of-way per the RRFMP recommendations for the vast majority of the length of Burdette Lane is very limited. To be consistent with platted properties on the opposite side of Burdette Lane, staff recommends a 30-foot dedication from centerline along the Property frontage with a five-foot PIE. As discussed above, the PIE will give MCDOT the same maintenance capabilities as would have been provided with a 35-foot dedication from centerline.

The reduction in right-of-way dedication is not inconsistent with the Vision of the RRFMP. The proximity of the house to the pavement will not be changed by the reduction in dedication and does nothing to require alterations to the pavement of Burdette Lane which helps shape its rustic characteristics. With the PIE, the County will have control over maintenance and drainage of the road as they would if full dedications were made.

For the reasons discussed above, Staff concludes that the Application is in substantial conformance with both the AROS Plan and the RRFMP.

## **Public Facilities**

### **Roads and Transportation Facilities**

The Local Area Transportation Review (LATR) guidelines require a traffic study to be performed if the development generates 30 or more peak-hour trips. The Application generates no new traffic; therefore,

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<sup>3</sup> See attached pages from the Functional Master Plan.

the Application is not subject to LATR. The Property is located in the Poolesville Policy Area where there is a no Policy Area Mobility Review (PAMR) mitigation requirement.

Access to the Property will continue to use the existing driveway cut from Burdette Lane. The sight distance for the driveway is acceptable per the Sight Distance Evaluation reviewed and approved by MCDOT on November 25, 2011<sup>4</sup>. As discussed previously, the Applicant is required to dedicate additional right-of-way measured 30 feet from the centerline and grant a five-foot wide PIE and 15-foot wide PUE along the Burdette Lane frontage. The Application was reviewed by the Montgomery County Fire and Rescue Service; however, they do not comment because the house is located on a single driveway. Sidewalks do not exist along the road and are not recommended because of the rustic road designation. Pedestrians continue to use the shoulder of the road for mobility. Access for the subdivision is safe and adequate.

#### Other Public Facilities and Services

Public facilities and services are available and adequate to serve the proposed lot. The house will be served by the existing well and the septic system was improved to include new reserve fields. Electrical and telecommunications services are available to serve the Property. Other public facilities and services, such as schools, police stations, and health services are operating within the standards set by the Subdivision Staging Policy currently in effect. The Application is located in the Northwest School Cluster which is operating at adequate levels according to the FY13 Annual School Test<sup>5</sup>. No School Facility Payment is required.

#### Environment

##### Environmental Inventory

Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) #420102160 for this Property was approved by staff on March 17, 2011. The Property contains no streams, floodplains, wetlands, forest, or environmental buffers on or affecting the site.

##### Forest Conservation Plan (FCP)

This Property is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County code). The Property was granted a forest conservation plan exemption (42010216E) on April 5, 2011<sup>6</sup>, under 22A-5(s)(2)<sup>7</sup> the small property exemption. Therefore, an FCP for the Property is not required.

The Application meets all applicable requirements of the Chapter 22A of the Montgomery County Code (Forest Conservation Law).

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<sup>4</sup> See attached letter.

<sup>5</sup> Per the 2012-2016 Subdivision Staging Policy Appendix

[http://www.montgomeryplanning.org/research/growth\\_policy/subdivision\\_staging\\_policy/2012/documents/SSPappendix4sc.pdf](http://www.montgomeryplanning.org/research/growth_policy/subdivision_staging_policy/2012/documents/SSPappendix4sc.pdf)

<sup>6</sup> See attached letter.

<sup>7</sup> 22A-5(s) (2) an activity occurring on a tract less than 1 acre that will not result in the clearing of more than a total of 30,000 square feet of existing forest, or any existing specimen or champion tree, and reforestation requirements would not exceed 10,000 square feet. Forest in any priority area on-site must be preserved.

Stormwater Management Concept

The MCDPS Stormwater Management Section conditionally approved the Stormwater Management Concept for the Application on April 19, 2011<sup>8</sup>. The Application will meet the required stormwater management goals via disconnection credits.

**Compliance with the Subdivision Regulations and Zoning Ordinance**

Subdivision Regulations

The Application was reviewed for compliance with the Montgomery County Code, Chapter 50 in the Subdivision Regulations. The size, width, shape, and orientation of the proposed lot is appropriate for the location of the subdivision given the use proposed for the Property and the surrounding uses. Based on a review of the vicinity map, Figure 1, the lot is comparable in size, width, shape and orientation to existing properties fronting onto Burdette Lane in the general area. The lot meets all other applicable sections of Chapter 50.

Zoning Ordinance

The Property was reviewed for compliance with the dimensional requirements of the R-200 zone as specified in the Zoning Ordinance. As shown in Table 1 below, the lot will meet all dimensional requirements for area, frontage, and width established in that zone.

**Table 1: Preliminary Plan Data Table for R-200 Zone**

PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan
Minimum Lot Area	20,000 sq. ft.	43,154 sq. ft.
Lot Width	100 ft.	200 ft.
Lot Frontage	25 ft.	205 ft.
Setbacks		
Front	40 ft. Min.	33 ft. (See §59-G-4.25)
Side	12 ft. Min./ 25 ft. total	24 ft./ 144 ft.
Rear	30 ft. Min.	55 ft.
Height	50 ft. Max.	May not exceed maximum <sup>1</sup>
Maximum Residential Dwelling Units	2	1
MPDUs	N/A	N/A
TDRs	N/A	N/A
Site Plan Required	N/A	N/A

<sup>1</sup> As determined by MCDPS at the time of building permit.

Nonconformity through public taking

As discussed, the required dedication for Burdette Lane will bring the street line closer to the front of the existing house. After dedication, the house will no longer meet the requisite 40-foot front setback in the R-200 zone, however, §59-G-4.25 of the Montgomery County Zoning Ordinance states,

“A building or structure is not a nonconforming building or structure if:

- (a) the building or structure:

<sup>8</sup> See attached letter.



- (1) was otherwise lawful on:
  - A. June 1, 1958; or
  - B. the date of an amendment of this Chapter; or
- (2) is on an otherwise lawful lot; and

(b) The lot on which the building or structure is located is reduced in area by taking under eminent domain or another government action that would otherwise make the building or structure nonconforming because a dimension of the building or structure, or the location of the lot is deficient.

The building or structure may be repaired, altered, or reconstructed, if it is an otherwise lawful use, except that the construction must not change any dimension of the building or structure that is deficient.”

As a public taking through dedication the house is afforded relief from nonconformity under §59-G-4.25 and will remain as a conforming structure that may be repaired, altered, or reconstructed.

The Application was reviewed by other applicable county agencies, all of whom have recommended approval of the Preliminary Plan. The Application complies with the Chapter 50 and Chapter 59 of the County Code.

#### **Citizen Correspondence and Issues**

The Applicant notified adjacent and confronting property owners of the pre-submission meeting held on August 5, 2010 at 6 p.m. at the Germantown Community Center at 18905 Kingsview Road, Germantown. A second public meeting was held on January 19, 2011 at 6 p.m. at the same location due to the expiration of the 90 day period. One person attended the first meeting in August and asked about setbacks for the septic system; no one attended the second meeting. To date, staff has not received any correspondence regarding the application.

#### **CONCLUSION**

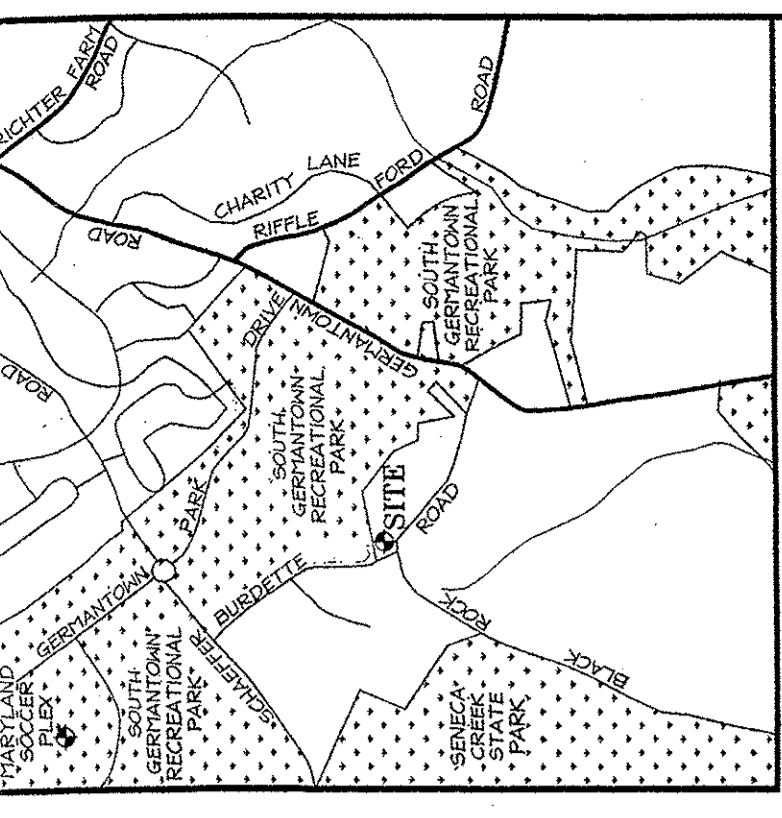
The Application meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conforms to the recommendations of the Preservations of Agriculture and Rural Open Space Functional Master Plan and the Rustic Roads Functional Master Plan. Access and public facilities will be adequate to serve the Property. The Application was reviewed by all applicable county agencies, all of whom have recommended approval of the Application, therefore, Staff recommends approval of the Application with the above conditions specified.

#### **Attachments**

Attachment A – Proposed Development Plan

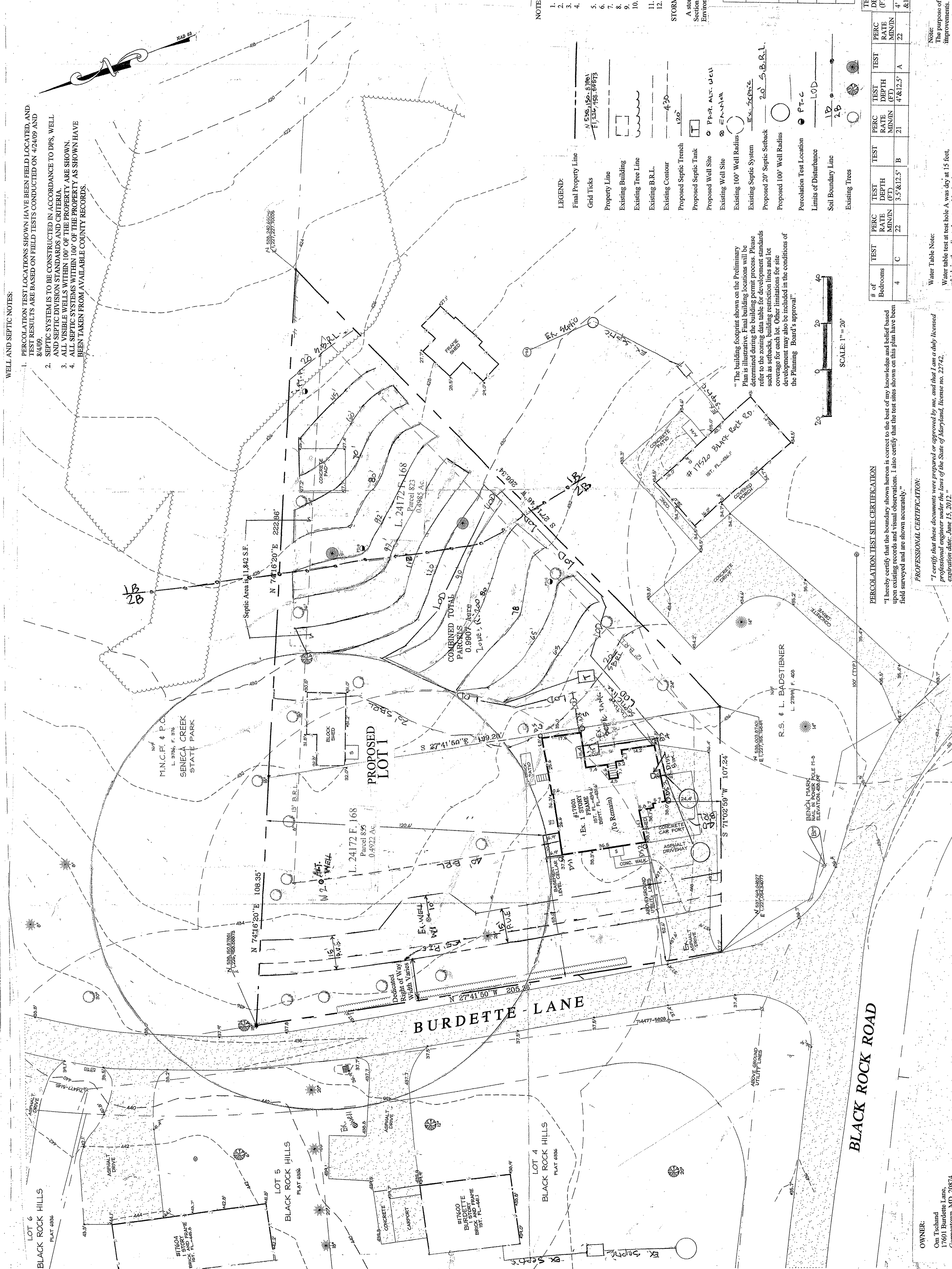
Attachment B – Agency Correspondence

Attachment C – Rustic Roads Functional Master Plan excerpts



**WELL AND SEPTIC NOTES:**

- PERCOLATION TEST LOCATIONS SHOWN HAVE BEEN FIELD LOCATED, AND TEST RESULTS ARE BASED ON FIELD TESTS CONDUCTED ON 4/24/09 AND 8/4/09.
- SEPTIC SYSTEMS TO BE CONSTRUCTED IN ACCORDANCE TO DRS, WELL AND SEPTIC DIVISION STANDARDS AND CRITERIA.
- ALL VISIBLE WELLS WITHIN 100' OF THE PROPERTY ARE SHOWN.
- ALL SEPTIC SYSTEMS WITHIN 100' OF THE PROPERTY AS SHOWN HAVE BEEN TAKEN FROM AVAILABLE COUNTY RECORDS.



**LEGEND:**

- Final Property Line
- Grid Ticks
- Property Line
- Existing Building
- Existing Tree Line
- Existing B.R.L.
- Existing Contour
- Proposed Septic Trench
- Proposed Septic Tank
- Proposed Well Site
- Existing Well Site
- Existing 100' Well Radius
- Existing Septic System
- Proposed 20' Septic Setback
- Proposed 100' Well Radius
- Percolation Test Location
- Limits of Disturbance
- Soil Boundary Line
- Existing Trees

**NOTES:**

- Address: Parcels 823 & 823-17601 Burdette Lane, Germantown, MD.
- Zoning: R-200
- Existing Use: Single Family Residential
- Existing Site Area: 0.99 Acres
- Proposed Site Area: Lot : 0.99 Acres
- Election District: 6<sup>th</sup>
- Tax Map: ET12
- WSSC 200 Map: 224NW14
- Water and Sewer Category: W-6 and S-6
- Watershed: Little Great Seneca Creek
- The topography shown on this plan is 2' topography based on field run survey by Snider & Associates.
- Water and sewer service will be by private well and septic.
- Electric service is provided by PERCO.

**STORMWATER MANAGEMENT NOTE:**

A stormwater management concept has been submitted to Montgomery County, DPs, Water Resources Section. Stormwater requirements will be fulfilled, using the MDE Regulations, Chapter 5; Environmental Site Design.

**ZONING STANDARDS**

REQUIRED/ALLOWED	PROPOSED
Zone: R-200	Zone: R-200
Sublots: Front 40', Side 12' min./25' total, Rear 30', Building Height 30'	Sublots: Front 40', Side 12' (1 side)/25' (2 sides), Rear 30', Building Height 30'
Maximum Coverage 25%	Maximum Coverage 25%
Area Requirement Minimum Lot 20,000 S.F.	Area Requirement Minimum Lot 20,000 S.F. 43,154 S.F.
Minimum Lot Frontage 100' at Front Building line; 200' at street line	Minimum Lot Frontage 100' at Front Building line; 200' at street line

TEST	PERC RATE (MIN)	TEST DEPTH (FT)	PERC RATE (MIN)	TEST DEPTH (FT)
A	22	4' & 12.5'	21	4' & 12.5'
B	22	5.5' & 12.5'	21	5.5' & 12.5'
C	22	5.5' & 12.5'	21	5.5' & 12.5'

**PROFESSIONAL CERTIFICATION:**

I certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, license no. 22742, expiration date: June 15, 2012.

**PERCOLATION TEST SITE CERTIFICATION**

I hereby certify that the boundary shown herein is correct to the best of my knowledge and belief based upon existing records and visual observations. I also certify that the test sites shown on this plan have been field surveyed and are shown accurately.

**WATER TABLE NOTE:**

Water table test at test hole A was 46" at 15 feet, which is the adjusted water table depth.

**NOTE:**

The purpose of this plan is to establish a modern sewage disposal area to serve the existing dwelling with improvements. The existing house has three (3) bedrooms.

**OWNER:**

Om Tschand  
17601 Burdette Lane,  
Germantown, MD, 20874

**DATE:**

6/9/2012

**PROPOSED USE:**

One Single Family Residential Lot

**SURVEYOR'S CERTIFICATE:**

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON HAS BEEN BASED ON ACTUAL FIELD SURVEY, PERFORMED BY ACCEPTED METHODS, PURSUANT TO THE DEED OF RECORD. THE INFORMATION SHOWN HAS BEEN DERIVED WITHOUT THE BENEFIT OF A TITLE EXAMINATION AND MAY NOT REFLECT ALL EASEMENTS OR ENCUMBRANCES AFFECTING THE SUBJECT PROPERTY.

**RECEIVED**

MONTGOMERY COUNTY PLANNING DEPARTMENT  
6/15/2012

**DESIGNED BY:**

MR

**CHECKED BY:**

MR

**DATE:**

OCT. 2010

**SCALE:**

1" = 20'

**SHEET 1 OF 1**

**DWG:**

**REV#**

**DATE**

**PRELIMINARY PLAN**

TSCHAND PROPERTY-PARCELS 853 & 823  
17601 BURDETTE LANE  
DARNESTOWN (6<sup>TH</sup>) ELECTION DISTRICT  
MONTGOMERY COUNTY, MARYLAND

WSSC 200 MAP: 224 NW 14  
TAX MAP: ET12

3451 Enys Place  
Montomery, Maryland 21770  
Tel: (301) 831-5415  
Fax: (301) 831-6111

**RAZTEC ASSOCIATES, INC.**



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

Diane R. Schwartz Jones  
Director

MEMORANDUM

June 20, 2012

TO: Cathy Conlon, Development Review *Rich*  
 Maryland National Capital Park and Planning Commission

FROM: Diane R. Schwartz Jones, Director *Diane R. Schwartz Jones*  
 Department of Permitting Services

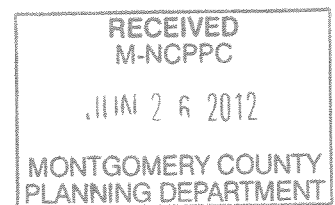
SUBJECT: Status of Preliminary Plan: Tschand Property  
 1-20110330

This is to notify you that the Well & Septic Section of MCDPS approved the plan received in this office on June 11, 2012

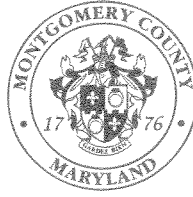
Approved with the following reservations:

1. Prior to record plat approval, the existing septic system must be pumped by a licensed scavenger, crushed and backfilled and then replaced with an approvable septic system installed under a valid County septic system permit.
2. The record plat must be at the same scale as the preliminary plan, or submit an enlargement of the plat to match the preliminary plan.
3. The record plat must show the septic reserve area as it is shown on this plan.

If you have any questions, please contact Kim Beall at (240) 777-6315.



cc: Raztec Associates, Inc.  
File



## DEPARTMENT OF TRANSPORTATION

Isiah Leggett  
County Executive

Arthur Holmes, Jr.  
Director

November 25, 2011

Mr. Ronald Cashion, Planner Coordinator  
Area 3 Planning Division  
The Maryland-National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 120110330  
Tschand Property

Dear Mr. Cashion:

We have completed our review of the preliminary plan signed and sealed on September 20, 2011. This plan was reviewed by the Development Review Committee at its meeting on October 17, 2011. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. The vicinity map on the preliminary plan should be amended to read "Burdette Lane."
2. Burdette Lane is identified as a Rustic Road on the 2005 Master Plan of Highways. As such, every effort must be made to preserve the existing rustic features of this road. Coordinate the project with the County's Rustic Roads Advisory Committee prior to Planning Board approval.
3. In light of the existing right-of-way dedications along Burdette Lane (and as discussed at the Development Review Committee meeting), we recommend the applicant be required to dedicate additional right-of-way [measured sixty (60) feet from the opposite property line] and grant a five (5) foot wide Public Improvements Easement along their Burdette Lane site frontage. To establish the Public Improvements Easement, the applicant will need to execute a Declaration of Public Improvements Easement document. That document is to be recorded in the Land Records of Montgomery County, with the liber and folio referenced on the record plat.

**Division of Traffic Engineering and Operations**

100 Edison Park Drive, 4th Floor • Gaithersburg, Maryland 20878  
Main Office 240-777-2190 • TTY 240-777-6013 • FAX 240-777-2080  
trafficops@montgomerycountymd.gov

Mr. Ronald Cashion  
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4. Wells and septic systems cannot be located within the right of way nor slope or drainage easements.
5. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at [greg.leck@montgomerycountymd.gov](mailto:greg.leck@montgomerycountymd.gov) or (240) 777-2197.

Sincerely,



Gregory M. Leck, Manager  
Development Review Team

m:/subd/gml/docs/pp/120110330, Tschand Property.doc

Enclosures (2)

cc: Om Tschand  
Mike Razavi; Raztec Associates, Inc.  
Ki Kim; M-NCPPC Area 3  
Catherine Conlon; M-NCPPC DARC  
Preliminary Plan folder  
Preliminary Plan letters notebook

cc-e: Atiq Panjshiri; MCDPS RWPR  
Sam Farhadi; MCDPS RWPR



**MONTGOMERY COUNTY, MARYLAND**  
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION  
 DEPARTMENT OF PERMITTING SERVICES

**SIGHT DISTANCE EVALUATION**

Facility/Subdivision Name: TBchand Property Preliminary Plan Number: 1- 20110330

Street Name: Burdette Lane Master Plan Road Classification: \_\_\_\_\_

Posted Speed Limit: None mph

Street/Driveway #1 ( \_\_\_\_\_ ) Street/Driveway #2 ( \_\_\_\_\_ )

Sight Distance (feet)	OK?	✓
Right <u>150</u>	✓	✓
* Left <u>50</u>	✓	✓

Sight Distance (feet)	OK?
Right _____	_____
Left _____	_____

Comments: This is an existing driveway Entrance.  
\* The distance to the intersection is only 50 Feet.

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**GUIDELINES**

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

\*Source: AASHTO

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

**ENGINEER/ SURVEYOR CERTIFICATE**

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

[Signature]      4/14/11  
 Signature      Date

22942

PLS/P.E. MD Reg. No.

<b>Montgomery County Review:</b>	
<input checked="" type="checkbox"/>	Approved
<input type="checkbox"/>	Disapproved:
By:	<u>[Signature]</u>
Date:	<u>11/25/11</u>



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

Om Tschand  
17601Burdette Lane  
Germantown, MD 20874

April 5, 2011

Re: Forest Conservation Exemption Number: 42010216E  
Name of Plan: Tschand Property

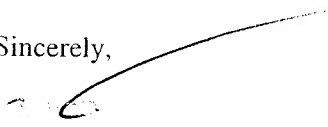
Dear Mr. Tschand:

This letter is to inform you that your request for an exemption from submitting a forest conservation plan 42010216E, Tschand Property, is **confirmed**. This plan approved on April 5, 2011 is in compliance with Chapter 22A-5.(s)(2) of the Forest Conservation Law. This exemption covers an activity conducted on a tract less than 1 acre that will not result in the clearing of more than a total of 30,000 square feet of existing forest, or any existing specimen or champion tree, and reforestation requirements would not exceed 10,000 square feet.

Any changes from the approved exemption request may constitute grounds to rescind or amend any approval actions taken and to take appropriate enforcement actions. If there are any subsequent modifications planned to the approved plan, a separate amendment must be submitted to M-NCPPC for review and approval prior to those activities occurring.

If you have any questions regarding these actions, please feel free to contact me at (301) 495-4521 or at [marco.fuster@mncppc-mc.org](mailto:marco.fuster@mncppc-mc.org).

Sincerely,

  
Marco Fuster,  
Senior Planner  
Area I  
M-NCPPC

Cc: File # 42010216E  
Mike Razavi



Montgomery County  
RECEIVED  
ATTACHMENT B

SEP 23 2011

★  
★  
Planning Department

DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

April 19, 2011

Carla Reid  
Director

Mr. Mike Razavi, P.E.  
Raztec Associates, Inc.  
3451 Emys Place  
Monrovia, MD 21770

Re: Stormwater Management **CONCEPT** Request  
for Tschand Property  
Preliminary Plan #: na  
SM File #: 239987  
Tract Size/Zone: .99 acres/R-200  
Total Concept Area: .99 acres  
Lots/Block: NA  
Parcel(s): 853 & 823  
Watershed: Little Seneca Creek

Dear Mr. Razavi:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals via disconnection credits.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is **not required**.



This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact William Campbell at 240-777-6345.

Sincerely,



Richard R. Brush, Manager  
Water Resources Section  
Division of Land Development Services

RRB: tla

cc: C. Conlon  
SM File # 239987

ESD Acres:	.99
STRUCTURAL Acres:	0
WAIVED Acres:	0

## Burdette Lane

A Rustic Road



Burdette Lane has rural vistas.

Recommended as a *rustic road*.

### Significant Features:

- Example of small residential rural area
- Roadway and edges flow together

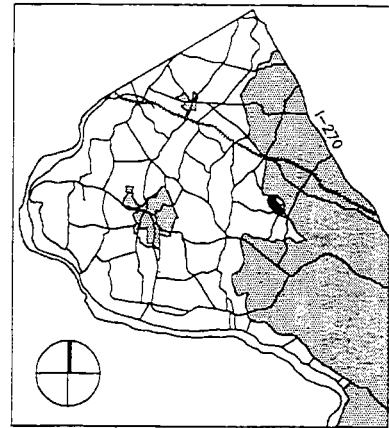
### History:

Named for the Burdette family living in this vicinity, this road was established after 1879.

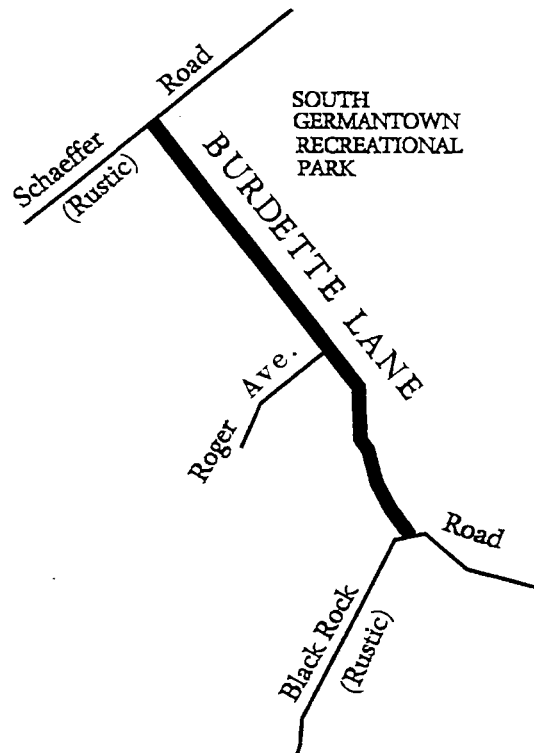
### Driving Experience:

The principal value of Burdette Lane as a rustic road is the fact that it connects Black Rock Road (a rustic road) and Schaeffer Road (a rustic road). The road is a small rural road with houses on small lots on the west side and South Germantown Recreational Park on the east side.

Figure 24



Location Map 1



Roadway Characteristics:

Length: .45 miles  
Width: 16 feet paved  
Lanes: no center line or edge markings  
Shoulders: none

MANOPPC