



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


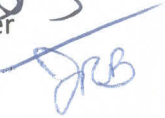
**MCPB  
Item # 1B  
4-7-2016**

**MEMORANDUM**

**DATE:** March 29, 2016

**TO:** Montgomery County Planning Board

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

**FROM:** Stephen Smith, Senior Planner   
Jay Beatty, Planner   
D.A.R.C. Division  
(301) 495-4522 & (301) 495-2178

**SUBJECT:** Informational Maps and Summary of Record Plats for the Planning Board  
Agenda for April 7, 2016

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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:

<b>220120220</b>	<b>Fairhill</b>
<b>220130590</b>	<b>Thomas Discovery</b>
<b>220150870, 220150880 and 220150920</b>	<b>Garnkirk Farms</b>
<b>220151280</b>	<b>Gertson Property</b>

**Plat Name:** Fairhill  
**Plat #:** 220120220

**Location:** Located on the west side of Ripplemead Drive approximately 1500 feet north of the intersection of Riggs Road  
**Master Plan:** Olney Master Plan  
**Plat Details:** AR zone; 1 lot  
**Applicants:** Jeffrey Daly

Staff recommends approval of this minor subdivision plat pursuant to **Section 50-35A(a)(2)** of the Subdivision Regulations, which state:

**50-35A(a)(2). Conversion of an Outlot into a Lot.** An outlot may be converted into a lot under the minor subdivision procedures provided:

- a. The outlot is not required open space or otherwise constrained so as to prevent it from being converted into a buildable lot;
- b. There is adequate sewerage and water service to the property, which may be either public service and/or approved private septic system/private well;
- c. All applicable requirements and/or agreements that may be relevant, in accordance with provisions for adequate public facilities, as contained in Section 50-35(k) and the Annual Growth Policy, are satisfied prior to the recordation of the plat;
- d. All applicable conditions and/or agreements applicable to the original subdivision approval creating the outlot will also apply to the new lot. The conditions and agreements may include, but are not limited to, any adequate public facilities agreement, conservation easement or building restriction lines; and
- e. If the outlot is located within a special protection area, as shown on an approved and adopted master plan, all applicable special protection areas requirements and guidelines, including approval of a water quality plan, are satisfied prior to recordation of the plat.

An outlot may be incorporated into an adjoining lot resulting in a larger lot without having to satisfy Subsections (a) and (b) above.

Staff applied the above-noted minor subdivision criteria for the property included in this application and concludes that the proposed subdivision complies with the requirements of Section 50-35A(a)(2) and supports this minor subdivision record plat.

OWNERS CERTIFICATION

THE UNDERSIGNED, OWNER OF THE PROPERTY SHOWN HEREON, HEREBY ADOPT THIS PLAT OF SUBDIVISION, CONFIRM THE CONSERVATION EASEMENT AS GRANTED TO THE PARTIES NAMED IN A DOCUMENT ENTITLED "CONSERVATION EASEMENT AGREEMENT, CATEGORY 1", AS RECORDED IN LIBER 14477 AT FOLIO 232 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, SUBJECT TO OTHER TERMS SET FORTH THEREIN. THE OWNER WILL CAUSE ALL PROPERTY CORNER MARKERS AND ANY OTHER REQUIRED MONUMENTATION TO BE SET BY A REGISTERED MARYLAND PROPERTY LAND SURVEYOR, IN ACCORDANCE WITH SECTION 96-24(b) OF THE MONTGOMERY COUNTY CODE.

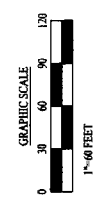
THERE ARE NO SITS, LIENS, MORTGAGES, OR TRUSTS, AFFECTING THE PROPERTY INCLUDED IN THIS PLAT OF SUBDIVISION.

WITNESS  
*Michael J. Boyle*  
 DATE: 02/20/16  
 JEFFREY A. DALY

**SURVEYOR'S CERTIFICATION**

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS CORRECT; THAT IT IS A SUBDIVISION OF THE LAND DESCRIBED IN THE DEED DATED 26TH DAY OF JULY, 2006, BY AND BETWEEN KENT C. MAYNE SR. AND MERILL F. MAYNE GRANTY, AND JEFFREY A. DALY, GRANTEE AS RECORDED IN THE LAND RECORDS OF MONTGOMERY COUNTY AND LIBER 3179 FOLIO 428, ALSO BEING A RESUBDIVISION OF OUTLOT L OF FAIRHILL, AS SHOWN ON A PLAT RECORDED IN PLAT BOOK 112 AT PLAT 13189. ALL AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND. I FURTHER CERTIFY THAT, ONCE ENGAGED AS DESCRIBED IN THE OWNERS CERTIFICATION HEREON, ALL MONUMENTS AND ALL PROPERTY MARKERS WERE SET BY A REGISTERED MARYLAND PROPERTY LAND SURVEYOR IN ACCORDANCE WITH THE PROVISIONS OF SECTION 96-24(b) OF MONTGOMERY COUNTY CODE. THE TOTAL AREA INCLUDED ON THIS PLAT IS 2.471 ACRES OF LAND OF WHICH NONE IS DEDICATED TO THE PUBLIC USE.

*Michael J. Boyle*  
 MICHAEL J. BOYLE - REGISTERED PROFESSIONAL LAND SURVEYOR  
 LICENSE #01228 EXP. 01/08/17  
 DATE: 02/20/16



PLAT TOTALS	
NUMBER OF LOTS	1
AREA OF LOTS	2.347 AC.
AREA OF DEDICATION	0.000 AC.
TOTAL AREA SHOWN ON PLAT	2.347 AC.

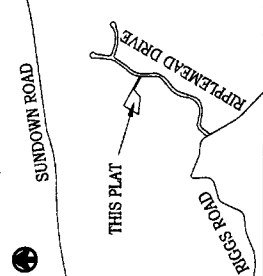
MONTGOMERY COUNTY  
 DEPARTMENT OF PERMITTING SERVICES  
 APPROVED: March 9, 2016  
*Elaine R. St. John*  
 DIRECTOR

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. \_\_\_\_\_

PLAT NO. \_\_\_\_\_  
 DATE: \_\_\_\_\_

PLAT NO.

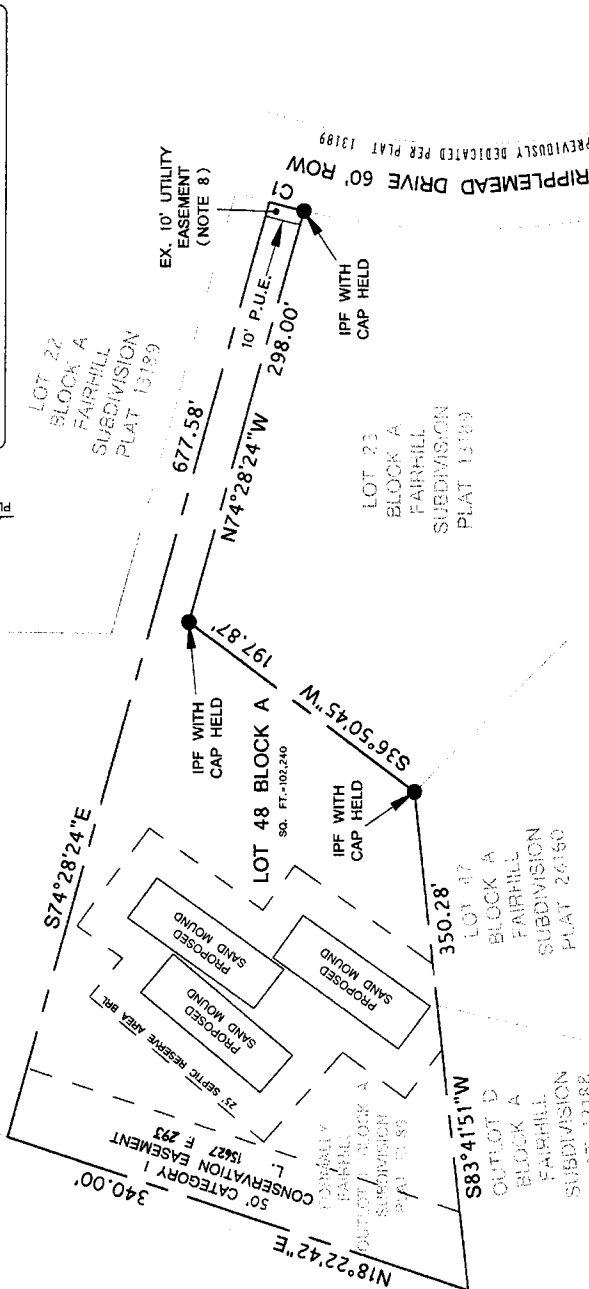
VICINITY MAP  
 SCALE: 1"=2,000'



**CURVE TABLE**

CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE	DELTA
CI	516.08'	25.01'	S74°08'11"W	25.01'	7°46'36"

PLAT No. 13189



**NOTES**

- PROPERTY ZONED AR (PREVIOUSLY RDT).
- THE PROPERTY IS SERVED BY PUBLIC WATER AND INDIVIDUAL SEPTIC SYSTEMS ONLY.
- THE PROPERTY SHOWN HEREON IS SUBJECT TO THE REQUIREMENTS OF THE MONTGOMERY COUNTY FOREST CONSERVATION LAW OF 1992, INCLUDING THE REQUIREMENTS OF THE FOREST CONSERVATION BOARD AND ANY AGREEMENTS MADE PRIOR TO THE ISSUANCE OF A SEPTIC CONTROL PERMIT. FOREST CONSERVATION PLAN REFERENCE NO. 1-9671.
- 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 AND NOT BE ESTINGUISHED BY THE RECORDATION OF THIS PLAT. THE OFFICIAL PUBLIC RECORD OF THIS PLAT SHALL BE THE RECORDATION OF THIS PLAT AND NOT ANY AVAILABLE FOR PUBLIC VIEWING DURING NORMAL BUSINESS HOURS.
- THIS PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING OR RESTRICTING THE OWNERSHIP AND USE OF THE PROPERTY. THIS PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPECT OR NOTE ALL MATTERS AFFECTING TITLE.
- PROPERTY FOUND ON MONTGOMERY COUNTY TAX MAP 17V.
- THIS PLAT OF RESUBDIVISION IS APPROVED PURSUANT TO THE PROVISIONS FOR MINOR SUBDIVISIONS IN SECTION 96-24(a)(2) OF THE SUBDIVISION REGULATIONS (CONVERSION OF AN OUTLOT INTO A LOT).
- THE 10' UTILITY EASEMENT SHOWN HEREON WAS PREVIOUSLY ESTABLISHED BY THE PLAT ENTITLED "FAIRHILL" RECORDED IN PLAT BOOK 112 AT PLAT 13189 AND DEFINED IN A DEED DATED OCT. 12, 1989, RECORDED IN LIBER 9654, AT FOLIO 415.
- SEPTIC BUILDING RESTRICTION LINES ARE SUBJECT TO CHANGE WITH MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES APPROVAL.
- SEPTIC AREAS ARE DESIGNED FOR A 1 BEDROOM HOUSE ON LOT 46.
- THE LOT SHOWN HEREON IS SUBJECT TO THE CONDITIONS AND RESTRICTIONS OF A DECLARATION OF COVENANTS DATED AUGUST 24, 1997 AND RECORDED IN LIBER 15141, AT FOLIO 700 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.
- THIS LOT IS SUBJECT TO A DECLARATION OF COVENANTS FOR MAINTENANCE AND LIABILITY PER LIBER 13341 FOLIO 720.

SUBDIVISION RECORD PLAT  
 LOT 48, BLOCK A  
**FAIRHILL**  
 A RESUBDIVISION OF  
 OUTLOT L, BLOCK A  
 MONTGOMERY COUNTY, MARYLAND

**KMB SURVEY**  
 16338 SHINHAM ROAD  
 HAGERSTOWN, MD 21740  
 410-365-4475  
 BOYZE@MICHAELBOYLEM.COM

DATE- DECEMBER 06, 2015 SCALE- P"= 60'  
 DRAWN BY- MJB