



Limited Preliminary Plan Amendment, AB2016001, Green Acres Right-of-Way Abandonment

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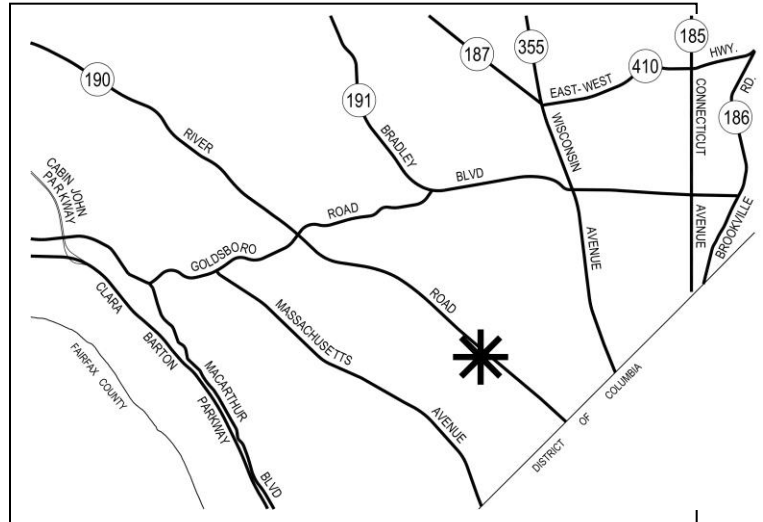
Robert

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Staff Report Date: 8/19/16

Description

- Limited Preliminary Plan Amendment to abandon a previously dedicated but unimproved right-of-way (Greenway Drive) within the Green Acres subdivision and create a new lot.
- Right-of-way area: 11,052 square feet or 0.2537 Acres; Lot 1 area: 6,675 square feet or 0.1532 acres
- Zoned R-60
- Located adjacent to 5332 Allandale Road
- Bethesda Chevy Chase Master Plan
- Submitted June 21, 2016
- Robert M. and Lynn M. Gottschalk
- Review Basis: Chapter 50 Subdivision Regulations; Chapter 49 Streets and Roads



Summary

- Staff recommends approval of the Limited Preliminary Plan Amendment to abandon the subject unimproved right-of-way (Greenway Drive) and resubdivision of the existing adjacent Lot 1 into a new Lot 3 comprised of the full extent of Lot 1 and the abandoned right-of-way.
- The proposed amendment would release the public interest in the Greenway Drive right-of-way. Abandonment of this right-of-way will not adversely impact the public interest because the right-of-way is not currently in use by the public and is not necessary for anticipated future public use.
- The application is a resubdivision, and a finding that the proposed lot is of the same character as existing lots in the neighborhood is necessary for approval.

RECOMMENDATION: Approval subject to the following conditions:

- 1) This Preliminary Plan Amendment is limited to the abandonment of the existing Greenway Drive and creation of one lot for one existing dwelling unit.
- 2) The Applicant must dedicate to M-NCPPC the 1,171-square-foot portion of the Subject Property identified as "Outlot A" on the approved Preliminary Plan for use as an addition to Little Falls Stream Valley Unit 1. The land must be dedicated to the Commission through notation on the plat and by conveyance at the time of record plat in a form of deed approved by the Office of General Counsel. At the time of conveyance, the property must be free of any trash and unnatural debris.
- 3) The record plat must show necessary easements.
- 4) Include the forest conservation exemption letter and Preliminary Plan Resolution on the approval or cover sheet(s) of the certified plan drawing.

Right-of-Way Abandonment AB2016001

SITE DESCRIPTION

The subject site comprises two distinct pieces of land: 1) a previously dedicated but unimproved public right-of-way, Greenway Drive, and 2) a previously platted lot, Lot 1, both of which are within the Green Acres subdivision in Bethesda. This subdivision was platted in 1941 through Plat 1437 and is generally bounded to the west by Little Falls Parkway, to the north by River Road (MD 190), to the east by Yorktown Road. The subject site is more specifically defined to the west by Little Falls Parkway and to the east by Allandale Road (Figure 1). The portion of public right-of-way subject to the abandonment request measures approximately 11,052 square feet or 0.2537 acres of land northwest of Allandale Road, and Lot 1 measures approximately 6,672 square feet or 0.1532 acres of land. The subject portion of Greenway Drive is currently unimproved and is covered by grass and other vegetation (Figures 2a and 2b) while Lot 1 is improved with a one family detached dwelling unit (Figure 3).



Figure 1: Site Vicinity



Figure 2a: Photo of Greenway Drive from Allendale Road (looking northwest)



Figure 2b: Photo of Greenway Drive from Little Falls Parkway (looking southeast)



Figure 3: Photo of 5332 Allandale Road (looking northwest)

A portion of the subject site is platted as public right-of-way and not shown to be subject to the Zoning Ordinance (Figure 4). However, staff notes that rights-of-way are subject to the Zoning Ordinance and

are designated in the following manner: adjacent property zoning designations carry-over to the centerline of the right-of-way (Sec. 59-2.2.4.A.1). If the site is abandoned through the subject limited amendment, the majority of the property underlying the right-of-way will be consolidated into a new Lot with Lot 1¹, and fall under the R-60 zoning designation. A small portion of the subject property underlying the area northwest of Lot 1 (proposed Outlot A) will be conveyed to the Maryland-National Capital Park and Planning Commission as part of the parkland associated with Little Falls Parkway (Figure 5).

The neighborhood surrounding the subject property and bounded to the west by Little Falls Parkway is generally single family residential dwellings, though the areas west of Little Falls Parkway and north of the Little Falls Parkway/River Road intersection contain both light industrial and higher density residential uses. The subject property is within the Bethesda Chevy Chase Master Plan area and is adjacent to, but outside of, the Westbard Sector Plan area. The subject property is within the Little Falls watershed.

¹ Adjacent property owners are considered to have an interest, up to the centerline, of all rights-of-way dedicated by the plat of subdivision that created their lot. In this instance, the owner of 5330 Allandale Road has released her interest in the subject right-of-way through a quit claim deed to the Applicant. If the Planning Board abandons the portion of right-of-way subject to this application, the Applicant will deed the portion of right-of-way northwest of his rear lot line to the M-NCPPC parkland associated with Little Falls Parkway.

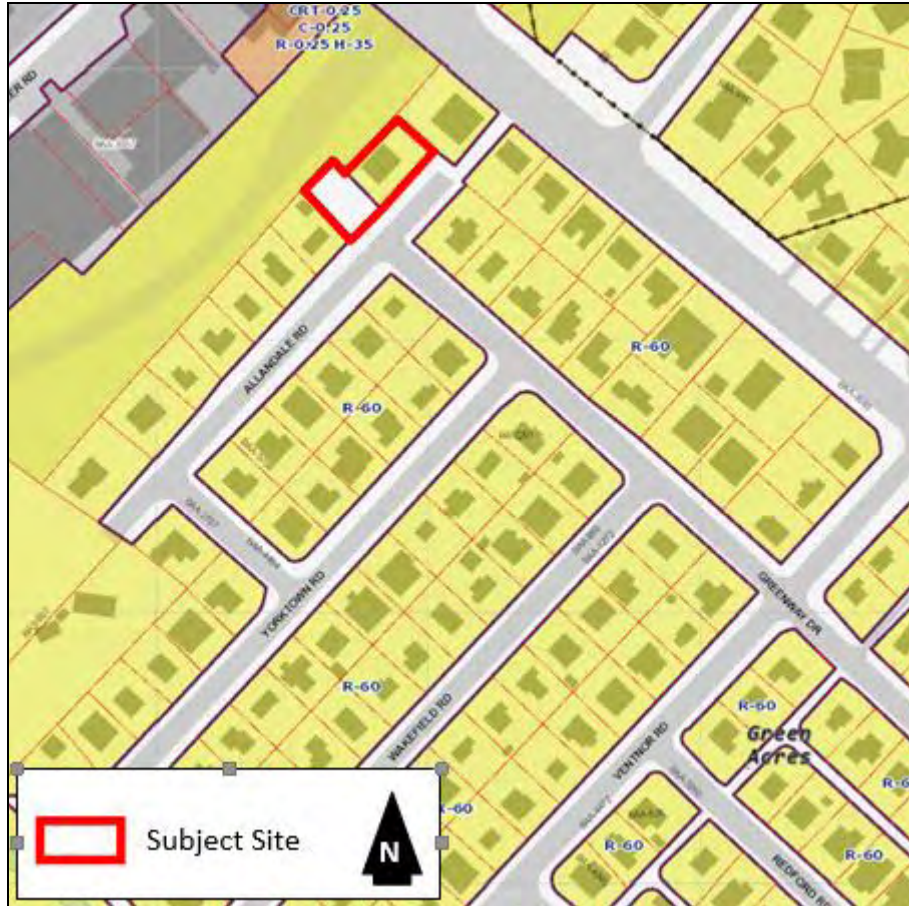


Figure 4: Zoning Map

PROJECT DESCRIPTION

The subject application seeks to abandon a previously dedicated but unbuilt public street, Greenway Drive, between Allandale Road and Little Falls Parkway and consolidate a portion of the abandoned right-of-way with the adjacent Lot 1 to record a single new lot measuring 9,881 square feet. The proposed amendment would release the public interest in the Greenway Drive right-of-way and permit the underlying property to be subdivided in the following manner: 1) the portion southeast of the rear property line of Lot 1 (approximately 3,206 square feet or 0.0735 acres) consolidated with the existing Lot 1 (5332 Allandale Road) into a new lot (Lot 3), and 2) the portion northwest of the rear property line of Lot 1 (approximately 1,171 square feet or 0.0269 acres) conveyed to the M-NCPPC parkland associated with Little Falls Parkway. The resulting area of the newly created Lot 3 will be approximately 9,881 square feet or 0.2268 acres. Abandonment of this right-of-way will not adversely impact the public interest because the right-of-way is not currently in use by the public and is not necessary for anticipated future public use.

Right-of-Way Abandonment

The Planning Board has the authority to abandon unimproved rights-of-way through Chapter 49 of the County Code. This authority and specific details of the action are described under the Findings section of

this staff report. Greenway Drive was originally dedicated in 1941 through the Green Acres subdivision (Plat 1437) as a secondary residential roadway within a 50-foot wide right-of-way. Although the portion of Greenway Drive northwest of Allandale Road is not improved for public use, the portion southeast of Allandale Road is improved as a 26-foot wide roadway, within the 50-foot wide right-of-way, and serves as one of the primary circulation routes within the neighborhood.

The portion of right-of-way subject to this limited amendment is no longer necessary for public use because it is unlikely the right-of-way could be improved as a safe vehicular connection with Little Falls Parkway due to the proximity of its point of intersection with Little Falls Parkway to the Little Falls Parkway/River Road intersection. In addition to the operational challenges presented by its close proximity to this intersection, any future improvement of the Allandale Road/Little Falls Parkway intersection would encourage cut-through traffic on Allandale Road (to River Road) as a function of the peak hour traffic congestion experienced at the Little Falls Parkway/ River Road intersection.

The potential to improve the connection of Greenway Drive with Little Falls Parkway for pedestrian and/or bicycle use is similarly challenged for two reasons: 1) pedestrian infrastructure does not currently exist (and is not proposed) on Little Falls Parkway, and 2) bicycles attempting to make either a left-turn onto an improved Greenway Drive from Little Falls Parkway or a left-turn onto Little Falls Parkway from Greenway Drive must cross oncoming traffic at a mid-block location where drivers may not expect or anticipate their presence. In addition to the constraints described above, there is currently an improved pedestrian path, between Allandale Road and River Road, that provides the neighborhood a pedestrian connection to the surrounding area. In short, any benefit to providing a mid-block pedestrian/ bicycle connection to Little Falls Parkway from the subject site is outweighed by the site's constraints.

Subdivision of Lot 1

Lot 1 (5332 Allandale Drive) was created through the same 1941 Greenway Acres plat (#1437) as the portion of Greenway Drive discussed above. This lot measures approximately 6,675 square feet or 0.1532 acres and is currently improved with a one family detached residential dwelling unit. If the portion of Greenway Drive subject to this application is abandoned, 3,206 square feet (0.0736 acres) will be added to Lot 1 to create a new Lot (Lot 3) measuring 9,881 square feet (0.2268 acres) (Figure 5).

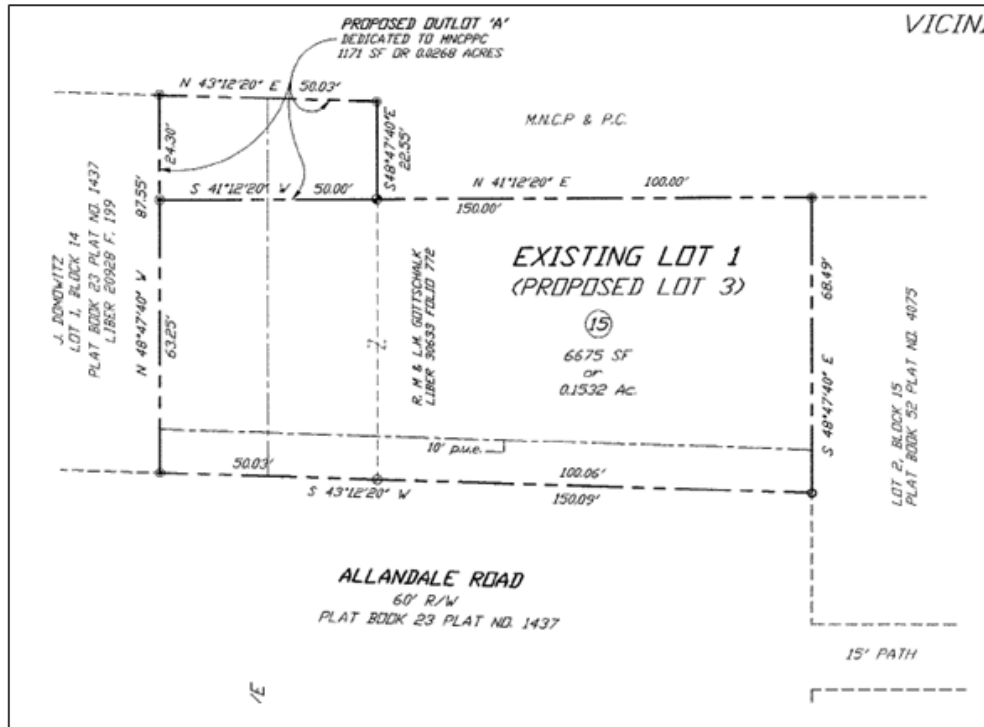


Figure 5: Proposed Resubdivision

ANALYSIS AND FINDINGS – Chapter 50

Conformance to the Master Plan

The Bethesda Chevy Chase Master Plan recommends retention of existing zoning throughout the Master Plan area in the absence of a specific recommendation for change on a particular property. The Master Plan does not specifically address the subject property, but does call for retention of the existing R-60 zoning. In the Master Plan, the subject property and surrounding development are identified as suitable for one-family detached housing. The application substantially conforms to the Master Plan because the application provides one-family detached housing consistent with the current density of the neighborhood and the current zoning designation. The lot is similar to surrounding existing lots with respect to dimensions, orientation, and shape, and the existing residence has a similar relationship to the public street and surrounding residences as do other existing residences in the area. The application will not alter the existing pattern of development or land use, which is in substantial conformance with the Master Plan recommendation to maintain the existing residential land use.

Public Facilities

Because the subdivision is not creating any additional lots, the application will not increase demand for public facilities. There will be no new burdens on schools, roads, or emergency services, therefore, no new impacts to public facilities will occur.

Environment

The site is not associated with any environmentally sensitive features such as steep slopes, highly erodible soils, streams, wetlands, floodplains or associated buffers. There are a number of trees on the

subject property which measure up to approximately 30” diameter at breast height (DBH). There is no clearing or grading associated with the resubdivision. The application is subject to the forest conservation law, however the proposal qualifies for an exemption which was confirmed by Staff on April 26, 2016 (Attachment B.) The requirements for a small property exemption under Sec. 22A-5.(s)(2) are met as an activity occurring on a tract less than 1 acre that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, and reforestation requirements would not exceed 10,000 square feet and any forest in any priority area on-site must be preserved.

Compliance with the Subdivision Regulations and Zoning Ordinance

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections, including the requirements for resubdivision as discussed below. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision taking into account the recommendations included in the applicable master plan, and for the type of development or use contemplated.

The lot was reviewed for compliance with the dimensional requirements for the R-60 zone as specified in the Zoning Ordinance. The lot as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is shown in Table 1 below. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

Table 1: Preliminary Plan Data Table

PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan
Minimum Lot Area	6,000 sq. ft.	9,881 sq. ft. minimum
Lot Width	60 ft.	150 ft. minimum
Lot Frontage	25 ft.	150 ft. minimum
Setbacks		
Front	25 ft. Min.	Must meet minimum
Side	8 ft. Min./18 ft. total	Must meet minimum
Rear	20 ft. Min.	Must meet minimum
Maximum Residential Dwelling Units	1	1
MPDUs	N/A	N/A
TDRs	N/A	N/A
Site Plan Required	N/A	N/A

Conformance with Section 50-29(b)(2)

A. Statutory Review Criteria

Proposed Lot 3 is comprised, in-part, of a previously recorded lot (Lot 1) created by Record Plat 1437. In order to create a new lot from an existing lot, Staff is required to analyze this Application for conformance with Section 50-29(b)(2) of the Subdivision Regulations. As a result of that analysis, and in

order for the Planning Board to approve an application for resubdivision, the Planning Board must find that each of the proposed lots complies with all seven of the resubdivision criteria, set forth in Section 50-29(b)(2) of the Subdivision Regulations, which states:

Resubdivision. Lots on a plat for the Resubdivision of any lot, tract or other parcel of land that is part of an existing subdivision previously recorded in a plat book shall be of the same character as to street frontage, alignment, size, shape, width, area and suitability for residential use as other lots within the existing block, neighborhood or subdivision.

B. Neighborhood Delineation

In administering Section 50-29(b)(2) of the Subdivision Regulations, the Planning Board must determine the appropriate “neighborhood” for evaluating the application. In this instance, the Neighborhood selected by the applicant, and agreed to by Staff, consists of 92 lots (Attachment C). The neighborhood includes platted lots in the R-60 zone in the vicinity of the subject property. The designated neighborhood provides an adequate sample of the lot and development pattern of the area. A tabular summary of the area based on the resubdivision criteria is included in Attachment D.

C. Analysis

Comparison of the Character of Proposed Lot to Existing

In performing the analysis, the above-noted seven resubdivision criteria were applied to the delineated neighborhood. It should be noted that existing Lot 1 was originally platted to have a frontage on the portion of Greenway Drive that is subject to the concurrent abandonment petition. Since that portion of Greenway Drive was never improved, the residential building on lot 1 was oriented toward the side street of Allandale Road. The original plat and property configuration is shown in Figure 6 below. For the purposes of this analysis, the lot frontage and width is being reviewed based upon the Site’s Allandale Road frontage, which results in a substantially wider frontage (100-feet rather than 65-feet) than most of the other dwellings in the Neighborhood. After accounting for this detail and considering other lots within the designated neighborhood, Staff finds The proposed lot is of the same character with respect to the resubdivision criteria as other lots within the defined neighborhood. Therefore, the proposed resubdivision complies with the criteria of Section 50-29(b)(2). As set forth below, the attached tabular summary and graphical documentation support this conclusion:

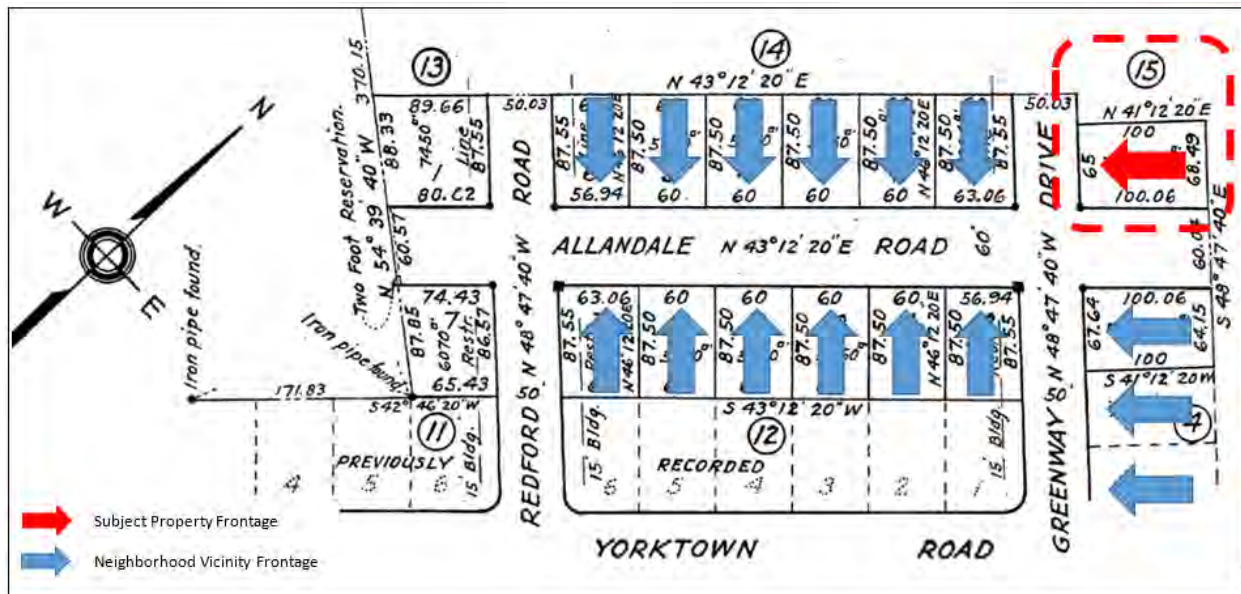


Figure 6: Green Acres Plat #1437 (dated, 1941)

Frontage:

In a neighborhood of 92 lots, lot frontages range from 42 feet to 145 feet. All of the lots within the designated neighborhood have frontages measuring less than the 150 feet of the proposed lot, and the proposed lot will have the largest frontage in the neighborhood.

Proposed Lot 3 is a perpendicular lot that incorporates a portion of right-of-way abandoned as part of the subject application. Half the land from the subject abandonment is being conveyed to Lot 3 by the owner of Lot 1, Block 14 (5330 Allandale Road) through a quit-claim deed because that property owner does not wish to take control of the land underlying the right-of-way adjacent to her property. As a result of the quit-claim deed, the proposed lot is 25-feet wider than it would be if the owner of 5330 Allandale Road took possession of the right-of-way adjacent to her property. If proposed Lot 3 were created with only the portion of abandoned right-of-way adjacent to existing Lot 1, the lot would measure 125 feet wide, which would be within the range (second largest frontage) of existing lots. Additionally, as described at the beginning of this section, the portion of the new lot comprised of original Lot 1 is perceived to have an abnormally long frontage because Lot 1 has double-frontage, on both Allandale Road and Greenway Drive. Even at the proposed 150-foot width, proposed Lot 3 will have a frontage of just over five feet longer than the largest existing frontage in the neighborhood (150 feet). The approximately five-foot difference between the largest existing frontage (145 feet) and the proposed frontage of proposed Lot 3 (150 feet) would be insignificant and unnoticeable in comparison to the overall frontage of the property. In addition, no physical change will be made to the property. The area of the street abandonment currently appears as though it is a part of the subject property, and no difference will be perceivable after the abandoned area is added to the subject property. **The proposed lot will be of the same character as existing lots in the neighborhood with respect to lot frontage.**

Alignment:

Seventy-seven of the 92 existing lots in the neighborhood are perpendicular in alignment, and the remaining 15 are corner lots. The proposed lot is perpendicular in alignment. **The proposed lot is of the same character as existing lots in the neighborhood with respect to the alignment criterion.**

Size:

The lots in the delineated neighborhood range from 5,072 square feet to 14,960 square feet. Seventy-four of the lots are smaller than 6,000 square feet, 15 are between 6,000 and 9,000 square feet, and three are larger than 9,000 square feet. The proposed lot will be 9,881 square feet in size. **The proposed lot size is in character with the size of existing lots in the neighborhood.**

Shape:

Seventy-six of the 92 existing lots in the neighborhood are rectangular, as is the proposed lot. **The shape of the proposed lot will be in character with shapes of the existing lots in the neighborhood.**

Width:

The lots in the delineated neighborhood range from 57 feet to 143 feet in width. All lots within the designated neighborhood have widths of less than 150 feet, though one other lot in the neighborhood is comparable to the proposed lot with a width of 143 feet. The proposed lot has a width of 150 feet.

Proposed Lot 3 is a perpendicular lot that incorporates a portion of right-of-way abandoned as part of the subject application. Half the land from the subject abandonment is being conveyed to Lot 3 by the owner of Lot 1, Block 14 (5330 Allandale Road) through a quit-claim deed because that property owner does not wish to take control of the land underlying the right-of-way adjacent to her property. As a result of the quit-claim deed, the proposed lot is 25-feet wider than it would be if the owner of 5330 Allandale Road took possession of the right-of-way adjacent to her property. If proposed Lot 3 were created with only the portion of abandoned right-of-way adjacent to existing Lot 1, the lot would measure 125 feet wide, which would be within the range (second largest frontage) of existing lots. Additionally, as described at the beginning of this section, the portion of the new lot comprised of original Lot 1 is perceived to have an abnormally long frontage because Lot 1 has double-frontage, on both Allandale Road and Greenway Drive. Even at the proposed 150-foot width, proposed Lot 3 will be just seven feet wider than the widest existing lot in the neighborhood (150 feet). The seven-foot difference between the widest existing lot (143 feet) and the proposed frontage of proposed Lot 3 (150 feet) would be insignificant and unnoticeable in comparison to the overall width of the property. In addition, no physical change will be made to the subject property. The area of the street abandonment currently appears as though it is a part of the subject property, and no difference will be perceivable after the abandoned area is added to the subject property. **The proposed lot will be in character with existing lots in the neighborhood with respect to width.**

Area:

The lots in the delineated neighborhood range from 1,062 square feet to 7,456 square feet in buildable area. Seventy-six of the lots have a buildable area less than 2,000 square feet, eleven

are between 2,000 and 3,000 square feet, and five are larger than 3,000 square feet. The proposed lot has a buildable area of 2,756 square feet, making it the seventh-largest by buildable area. **The proposed lot will be of the same character as existing lots in the neighborhood with respect to buildable area.**

Suitability for Residential Use: The existing and the proposed lots are zoned residential and the land is suitable for residential use.

ANALYSIS AND FINDINGS – Chapter 49

The Planning Board has the authority to abandon previously dedicated rights-of-way that are not improved or in use by the public, through Section 50-15(c)2 of the Subdivision Regulations. This process is governed by the procedures set forth in Section 49-68 of the Montgomery County Code. Greenway Drive, the subject right-of-way of the Applicant’s abandonment petition (the subject application), is an existing dedicated but unimproved 50-foot wide right-of-way on the southwest side of the subject property. Currently, this right-of-way is not in public use and is not planned to serve any future public use based on review of the Master Plan and coordination with the parties in interest described in Section 49-68 (b) of the Montgomery County Code.

Based on Section 49-68 (e) of the County Code, the Planning Board must find *“that the right-of-way of Is not necessary for anticipated future use public use or that an alternative alignment or location will not adversely affect the public interest, the Board may authorize the right-of-way to be abandoned by incorporating the abandoned land into an amended plat of subdivision.*

Review of the Master Plan indicates that the Greenway Drive right-of-way is not anticipated for future public use. Additionally, there are no utilities or indications of any public use within the right-of-way (Attachment E). The abandoned right-of-way will be incorporated into the record plat for Lot 3. Therefore, Staff supports the abandonment petition and recommends that the right-of-way be abandoned as part of the subject Limited Preliminary Plan Amendment.

Citizen Correspondence and Issues

The Applicant has complied with all submittal and noticing requirements. As of the date of this staff report, Staff has not received any substantive correspondence regarding the application.

CONCLUSION

The proposed lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conform to the recommendations of the Bethesda Chevy Chase Master Plan. Access and public facilities will be adequate to serve the proposed lot, and the application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

Section 50-29(b)(2) of the Subdivision Regulations specifies seven criteria with which resubdivided lots must comply: street frontage, alignment, size, shape, width, area and suitability for residential use within the existing block, neighborhood or subdivision. As set forth above, the proposed lot is of the

same character as the existing lots in the defined neighborhood with respect to each of the resubdivision criteria, and therefore, comply with Section 50-29(b)(2) of the Subdivision Regulations.

Attachments

Attachment A – Limited Preliminary Plan Drawing

Attachment B – Forest Conservation Exemption

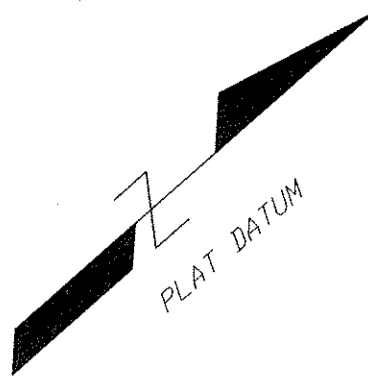
Attachment C – Neighborhood Map

Attachment D – Neighborhood Table

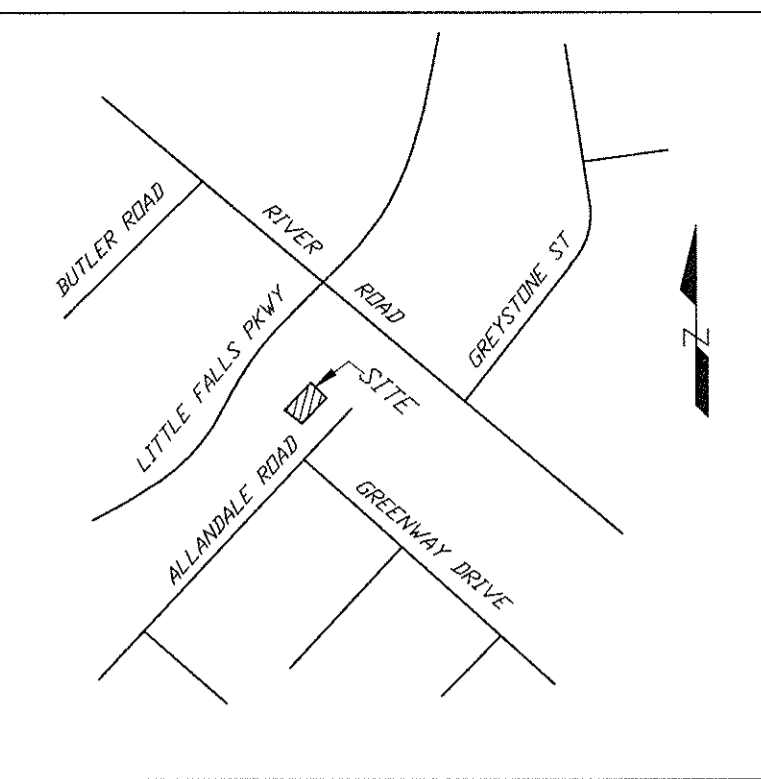
Attachment E – Surveyor’s Certificate

GENERAL 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 AND NOT BE EXTINGUISHED BY RECORDATION OF THIS PLAT, UNLESS EXPRESSLY CONTEMPLATED BY THE PLANS APPROVED. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
- ALL PROPERTY CORNERS HAVE BEEN SET.
- THIS RECORD PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND USE, NOR EVERY MATTER RESTRICTING THE OWNERSHIP AND USE OF THE PROPERTY. THE SUBDIVISION RECORD PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE REPORT OR TO DEPICT OR NOTE ALL MATTERS AFFECTING TITLE.
- THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER SYSTEMS ONLY.
- THIS PROPERTY IS ZONED R60 AND IS SHOWN ON TAX MAP HM123.
- THIS PROPERTY IS SHOWN ON WSSC 200 SHEET 207NW05.
- THIS PROPERTY LIES WITHIN ZONE X PER FEMA FLOOD MAPS, COMMUNITY PANEL NO. 24031C0453D, EFFECTIVE DATE 9/29/2006
- BEARINGS AS SHOWN HEREON ARE BASED UPON THE PLAT OF SUBDIVISION RECORDED IN PLAT BOOK 23 PLAT 1437
- THE PROPERTY IS BEING SUBDIVIDED AS A MINOR SUBDIVISION IN COMPLIANCE WITH MONTGOMERY COUNTY CODE SUB-SECTION 50-35A(a) 10, THE COMBINING OF A LOT AND ADJOINING PARCEL OF LAND.

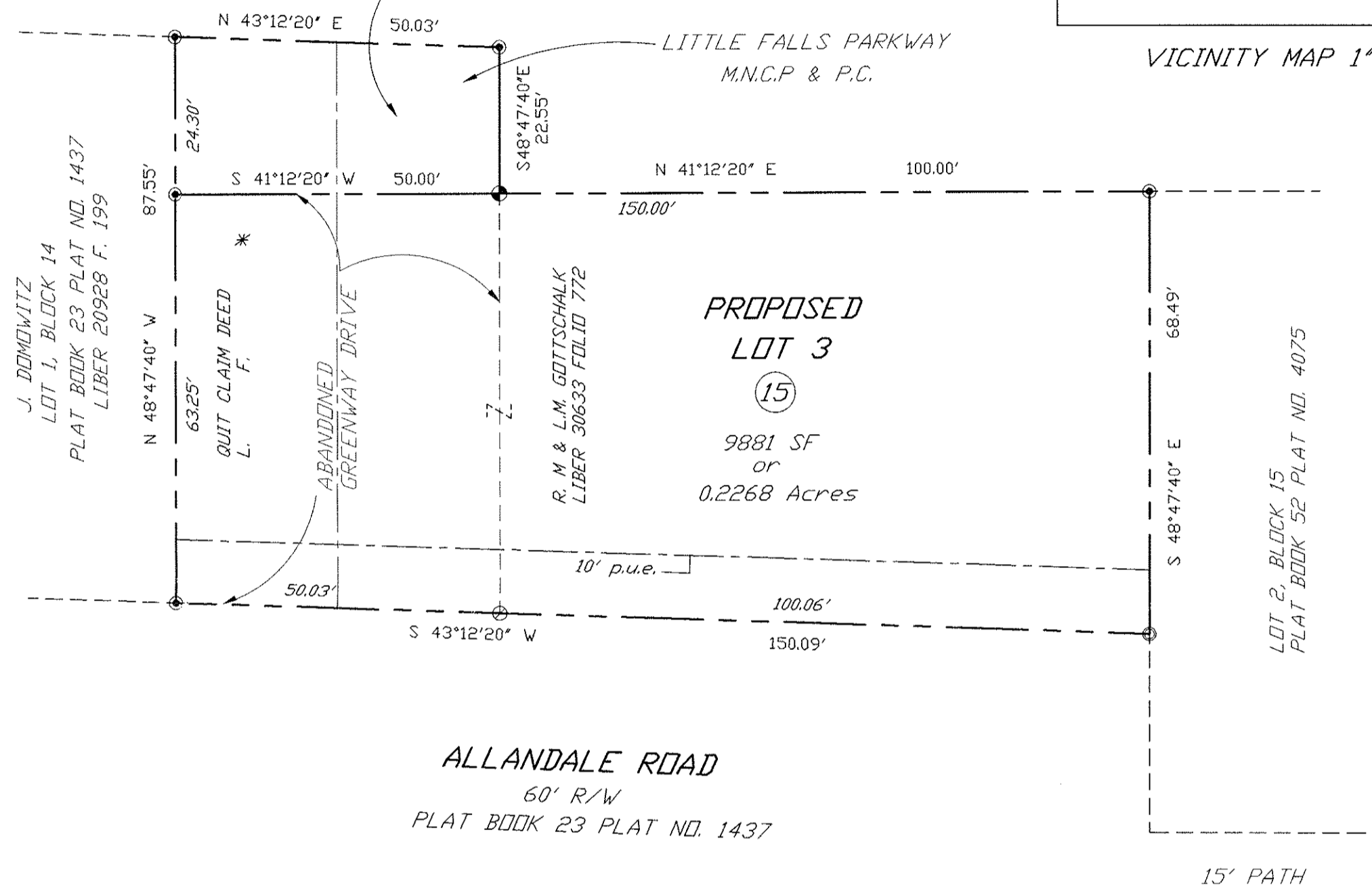


PLAT NO.



* OWNER OF PROPOSED LOT 3 IS INCORPORATING A PART OF THE AREA COVERED BY THE QUIT CLAIM DEED RECORDED IN LIBER FOLIO INTO THE NEW LOT AND A PORTION INTO THE PROPOSED OUTLOT WHICH IS TO BE DEDICATED TO MNCPPC.

PROPOSED OUTLOT 'A'
DEDICATED TO MNCPPC
1171 SF OR 0.0268 ACRES



OWNER'S CERTIFICATE

ROBERT M. GOTTSCHALK AND LYNN M. GOTTSCHALK, HUSBAND AND WIFE, AND THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION, OWNERS OF THE PROPERTY SHOWN HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION AND ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND DEDICATE THE AREA TO PUBLIC USE AS SHOWN HEREON. THE OWNERS FURTHER GRANT A PUBLIC UTILITY EASEMENT (P.U.E.) AS SHOWN HEREON TO THE PARTIES NAMED IN THAT CERTAIN DOCUMENT ENTITLED "TERMS AND PROVISIONS OF PUBLIC UTILITY EASEMENTS" AS RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN LIBER 3834 AT FOLIO 457. SUBJECT TO ALL CURRENT AND APPLICABLE REGULATIONS OF ALL FEDERAL, STATE, AND LOCAL GOVERNMENT AGENCIES. FURTHER THE OWNERS HAVE CAUSED ALL PROPERTY CORNER MARKERS TO BE SET BY A REGISTERED MARYLAND LAND SURVEYOR IN ACCORDANCE WITH SECTION 50-24(e) OF THE MONTGOMERY COUNTY CODE.

THERE ARE NO SUITS, ACTIONS, TRUST, LIENS OR LEASES AFFECTING HE PROPERTY INCLUDED IN THIS PLAT OF SUBDIVISION, EXCEPT FOR CERTAIN DEEDS OF TRUST RECORDED IN LIBER 47812 AT FOLIO 302, AND AT LIBER 38869 AT FOLIO 452, AND THE PARTIES HEREBY ASSENT TO THIS PLAT OF SUBDIVISION.

OWNERS:

DATE _____	ATTEST _____	ROBERT M. GOTTSCHALK
DATE _____	ATTEST _____	LYNN M. GOTTSCHALK

WELLS FARGO:

DATE _____	ATTEST _____	_____, TRUSTEE
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SANDY SPRING BANK:

DATE _____	ATTEST _____	_____, TRUSTEE
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SURVEYOR'S CERTIFICATE

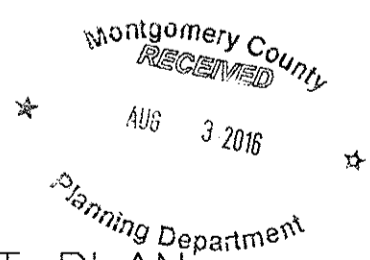
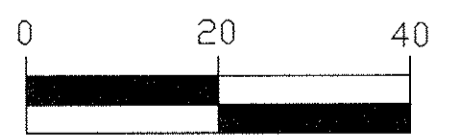
I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF THAT THE PLAT SHOWN HEREON IS CORRECT: THAT IT IS A SUBDIVISION OF THE LAND ACQUIRED BY ROBERT M. GOTTSCHALK AND LYNN M. GOTTSCHALK, HUSBAND AND WIFE, BY DEED DATED AUGUST 15, 2005 AS RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN LIBER 30633 AT FOLIO 772, AND ALL OF THAT LAND ACQUIRED BY ROBERT M. GOTTSCHALK AND LYNN M. GOTTSCHALK, HUSBAND AND WIFE, BY QUIT CLAIM DEED DATED _____, AS RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN LIBER _____, AT FOLIO _____, AND WE FURTHER CERTIFY THAT ALL PROPERTY CORNERS HAVE BEEN SET AS DELINEATED HEREON IN ACCORDANCE WITH THE PROVISIONS OF SECTION 50-24(e) OF THE MONTGOMERY COUNTY CODE. THE TOTAL AREA OF THIS PLAT IS 11,052 SQUARE FEET OR 0.2537 ACRES OF LAND OF WHICH 1,171 SQUARE FEET OR 0.0269 ACRES IS DEDICATED TO PUBLIC USE.

DATE _____ MERIDIAN SURVEYS, INC
STEPHEN J. WENTHOLD
PROFESSIONAL LAND SURVEYOR
MARYLAND REG. NO. 10767
EXPIRES 2-10-2018

LOT 12
BLOCK 15
PLAT BOOK 23
PLAT NO. 1437

LOT 8, BLOCK 15
PLAT BOOK 23 PLAT NO. 1437

LOT 9, BLOCK 4
PLAT BOOK 52
PLAT NO. 4075



ABANDONMENT PLAN
(FUTURE SUBDIVISION PLAT)
LOT 3 & OUTLOT A
BLOCK 15
GREEN ACRES
A RESUBDIVISION OF LOT 1, BLOCK 15
GREEN ACRES
PLAT BOOK 23 PLAT NO. 1437
ELECTION DISTRICT NO. 7
MONTGOMERY COUNTY, MARYLAND
SCALE: 1"=20' APRIL 2016
PAGE 1 OF 2

DEPARTMENT OF PERMITTING SERVICES
MONTGOMERY COUNTY, MARYLAND

DIRECTOR: _____

DATE: _____

LEGEND

- ⊙ REBAR & CAP SET
- ⊕ IRON PIPE FOUND, HELD
- ⊕ CONC NAIL FOUND, HELD
- ⊙ REBAR & CAP FOUND, HELD

PREPARED BY:
MERIDIAN SURVEYS, INC.

P.O. BOX 549
FREDERICK, MARYLAND 21704
(301) 721-9400
EMAIL: steve@meridiansurveys.com
MSI NO. 16-1103

MARLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MONTGOMERY COUNTY PLANNING BOARD

APPROVED: _____
DATE _____ CHAIRMAN

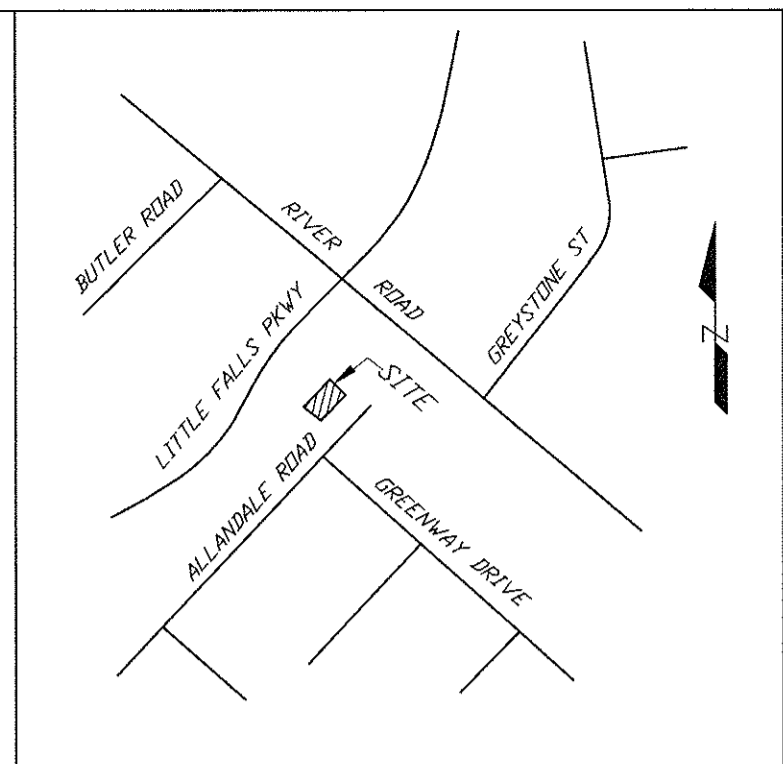
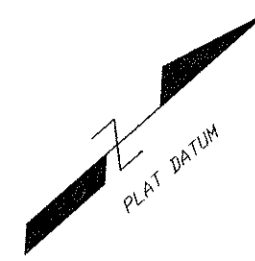
ASST. SECRETARY TREASURER

RECORDED: _____

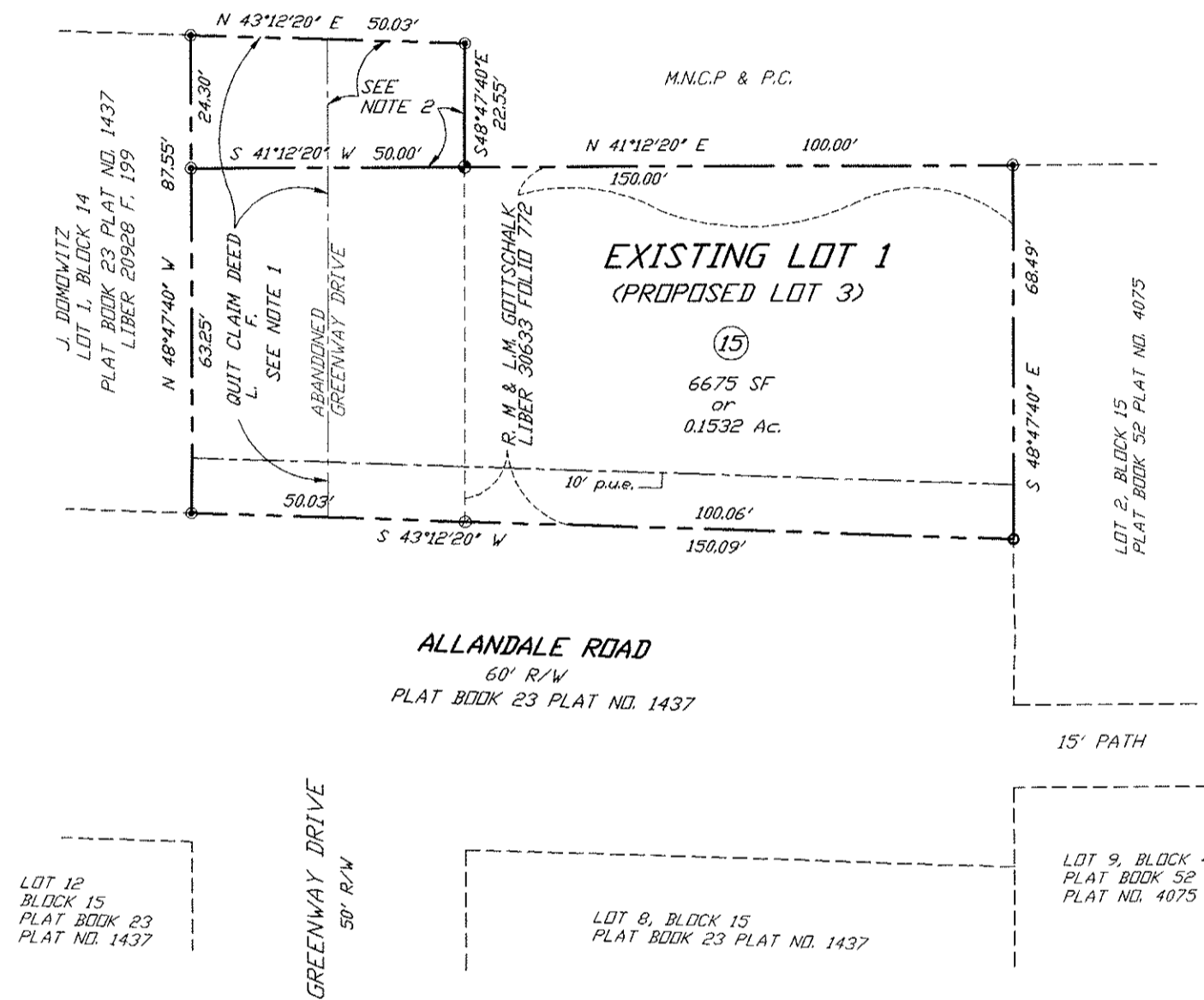
PLAT NUMBER: _____

REVISIONS			
NO.	DESCRIPTION	DATE	APRVD
△			

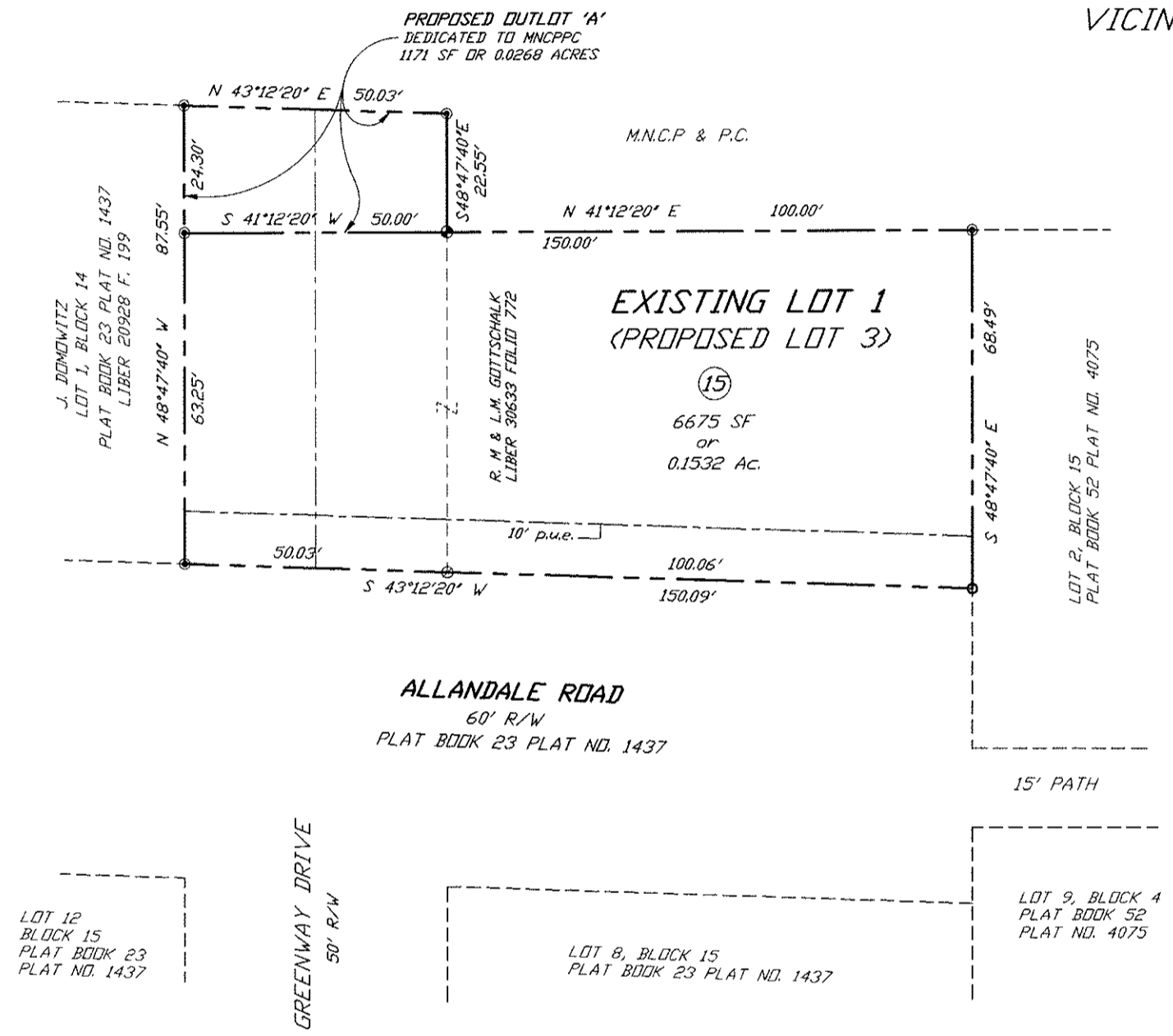
AREA TABULATION	LAND AREA
FULL AREA OF ABANDONMENT	4,377 SF (0.1004 AC)
ABANDONMENT AREA TO BE CONVEYED TO LOT 1	3,206 SF (0.0736 AC)
AREA OF PROPOSED OUTLOT A	1,171 SF (0.0268 AC)



ABANDONMENT



OUTLOT CREATION



- NOTES:
- 1.) OWNER OF LOT 1, BLOCK 15, GREEN ACRES QUIT CLAIMS INTEREST TO OWNER OF PROPOSED LOT 3.
 - 2.) OWNER OF LOT 1, BLOCK 15 TO QUIT CLAIM INTEREST TO MNCPPC.

SURVEYOR'S CERTIFICATION

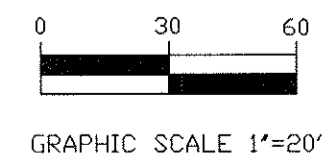
I HEREBY CERTIFY THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT THE DRAWING WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT

DATE 7/28/16

Stephen J. Wenthold
 MERIDIAN SURVEYS, INC
 STEPHEN J. WENTHOLD
 PROFESSIONAL LAND SURVEYOR
 MARYLAND REG. NO. 10767
 EXPIRES 2-10-2018



LEGEND	PREPARED BY: MERIDIAN SURVEYS, INC.
● REBAR & CAP SET	P.O. BOX 549
○ IRON PIPE FOUND, HELD	FREDERICK, MARYLAND 21704
⊕ CONC NAIL FOUND, HELD	(301) 721-9400
○ REBAR & CAP FOUND, HELD	EMAIL: steve@meridiansurveys.com
	MSI NO. 16-1103



Montgomery County
 RECEIVED
 AUG 3 2016
 Planning Department

ABANDONMENT PLAN
(FUTURE SUBDIVISION PLAT)
LOT 3 & OUTLOT A
BLOCK 15
GREEN ACRES
 A RESUBDIVISION OF LOT 1, BLOCK 15
 GREEN ACRES
 PLAT BOOK 23 PLAT NO. 1437
 ELECTION DISTRICT NO. 7
 MONTGOMERY COUNTY, MARYLAND
 SCALE: 1"=30' APRIL 2016
 PAGE 2 OF 2



Forest Conservation Law Applicability for Properties with No Land Disturbance

*** 22A-5(s) Exemption ***

Property Information

5332 Allandale Road Bethesda
Address City
Green Acres 1437 1 15
Subdivision Name Plots/Lots Block(s)
07-00562103 Adjoining Greenway Drive Right of Way to be abandoned HM23
Property Tax ID 1 Property Tax ID 2 Property Tax ID 3 Property Tax ID 4

Applicant (Owner, Contract Purchaser, or Owner's Representative)

Robert M. & Lynn M. Gottschalk
Name Company
5332 Allandale Road
Street Address
Bethesda MD 20816
City State Zip Code
703-591-0345 ext 133 bgottschalk@adler-financial.com
Phone Number Email Address

Total Area of Property: .227 acres 9,881 square feet

Applicant attests that the following statements apply to the requested exemption:

- The property is not subject to a previously approved forest conservation plan.
The applicant does not propose any land disturbing activities on the site.
There would be no planting requirement under the Forest Conservation Law.
The applicant is requesting the "small property" Forest Conservation exemption:
(s)(1) and meets all criteria for the (s)(1) exemption (for properties less than 1.5 acres which contain no existing forest, specimen, or champion trees);
OR
(s)(2) and meets all criteria for the (s)(2) exemption (for properties less than 1 acre).

PLEASE NOTE: If regulated activities occur on the property other than what is being attested to, the exemption immediately terminates without action by the Planning Board. The Planning Director may require the submission and approval of a Natural Resources Inventory/Forest Stand Delineation and a Forest Conservation Plan, and may also issue a fine of up to \$1,000 per day.

Applicant's Signature: Robert M. Gottschalk
Date: 4/17/2016
Printed Name: Robert M. Gottschalk

For Staff Use Only Plan Name: 5332 Allandale Road Plan Number: 4 2016181E

- M-NCPPC acknowledges that the above property is exempt from the Forest Conservation Plan requirements under Section 22A-5(s)(1) of the Forest Conservation Law.
M-NCPPC acknowledges that the above property is exempt from the Forest Conservation Plan requirements under Section 22A-5(s)(2) of the Forest Conservation Law.

M-NCPPC Signature: Jaminy Pratt
Date: 2016-04-26
Printed Name: Jaminy Pratt

GENERAL NOTES:

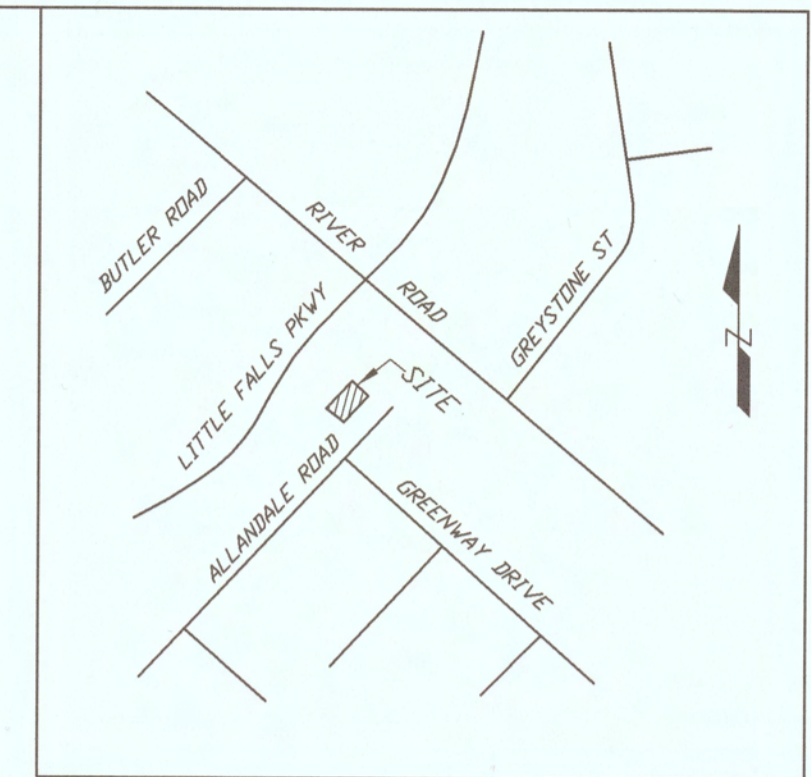
- 1) ZONING: R-60
 MIN. LOT AREA = 6,000 SQ FT
 MIN. LOT WIDTH AT R/W = 25 FT
 MIN. LOT WIDTH AT B.R.L. = 60 FT
 FRONT B.R.L. = 25 FT (OR ESTABLISHED)
 REAR B.R.L. = 20 FT
 SIDE B.R.L. = 8 FT MIN. EACH SIDE,
 18 FT MIN. TOTAL
- 2) WATER CATEGORY - 1 SEWER CATEGORY - 1
- 3) BOUNDARY INFORMATION BASED ON BOUNDARY SURVEY BY MERIDIAN SURVEYS, APRIL 1, 2016
- 4) TOTAL LOT AREA LOT, BLOCK 15, GREEN ACRES, 6675 SQ FT OR 0.1532 ACRES
- 5) PROPERTY SHOWN ON TAX MAP HM23
- 6) PROPERTY SHOWN ON WSSC 200' SHEETS 207 NW 05.
- 7) SITE IS LOCATED IN THE LITTLE FALLS BRANCH
- 8) LOCAL UTILITIES INCLUDE:
 WATER & SEWER - WASHINGTON SUBURBAN SANITARY COMMISSION
 ELECTRIC - PEPCO
 GAS - WASHINGTON GAS

LEGEND

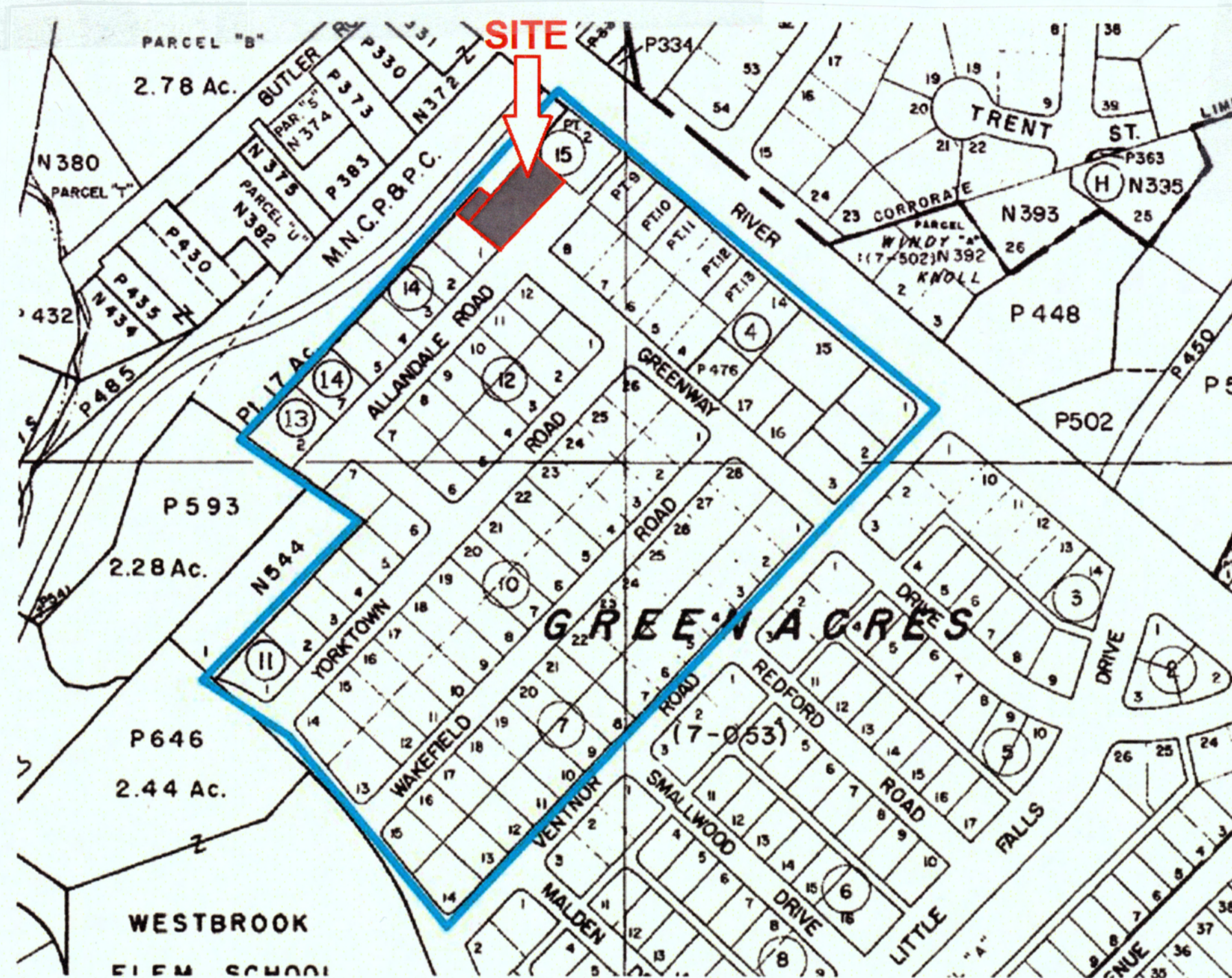
- SUBJECT PROPERTY LINE
- ADJOINER PROPERTY LINE
- SUBDIVISION BOUNDARY

TABULATION OF AREAS

FULL AREA OF ABANDONMENT: 4,377 SQ FT OR 0.1004 ACRES
 ABANDONMENT AREA TO BE CONVEYED TO LOT 1: 3,206 SQ FT OR 0.0736 ACRES
 AREA OF PROPOSED OUTLOT A: 1,171 SQ FT OR 0.0265 ACRES



VICINITY MAP 1"=2000'



5332 Allendale Road
 MNCPPC File No. AB2016001
 Neighborhood Delineation

NOT TO SCALE

NOTE: THIS NEIGHBORHOOD MAP IS FOR GRAPHICAL REPRESENTATION ONLY. ALL LOT STATISTICS TAKEN FROM AVAILABLE RECORD PLATS.

PREPARED BY:
 MERIDIAN SURVEYS, INC.

P.O. BOX 549
 FREDERICK, MARYLAND 21704
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 EMAIL: steve@meridiansurveys.com
 MSI NO. 16-1103

REVISIONS			
NO.	DESCRIPTION	DATE	APRVD
△			

APPLICANT

ROBERT & LYNN GOTTSCHALK
 5332 ALLANDALE ROAD
 BETHESDA, MD. 20816-2801
 703-591-0345
 bgottschalk@alderfinancial.com

5332 ALLANDALE ROAD
 PROPOSED LOT3, BLOCK 15, GREEN ACRES
 NEIGHBORHOOD MAP
 (P.P. AB 2016001)

5332 Allandale Road
Neighborhood Lot Data Table

PROPOSED AND ADJOINING LOTS DATA TABLE							
Block No:	Lot No:	Lot Area (sq.ft.):*	Lot Shape:	Lot Width (ft.):**	Lot Frontage (ft.):***	Lot Alignment	Lot Build. Area (sq.ft.):****
12	6	5,072	Irregular	59	42.45	Corner	1,147
12	12	5,116	Irregular	58	56.94	Corner	1,083
11	2	5,183	Rectangular	60	60	Perpendicular	1,738
11	3	5,210	Rectangular	60	60	Perpendicular	1,776
11	4	5,237	Rectangular	60	60	Perpendicular	1,776
7	2	5,250	Rectangular	60	60	Perpendicular	1,785
7	3	5,250	Rectangular	60	60	Perpendicular	1,785
7	4	5,250	Rectangular	60	60	Perpendicular	1,785
7	5	5,250	Rectangular	60	60	Perpendicular	1,785
7	6	5,250	Rectangular	60	60	Perpendicular	1,785
7	7	5,250	Rectangular	60	60	Perpendicular	1,785
7	8	5,250	Rectangular	60	60	Perpendicular	1,785
7	9	5,250	Rectangular	60	60	Perpendicular	1,785
7	10	5,250	Rectangular	60	60	Perpendicular	1,785
7	11	5,250	Rectangular	60	60	Perpendicular	1,785
7	12	5,250	Rectangular	60	60	Perpendicular	1,785
7	13	5,250	Rectangular	60	60	Perpendicular	1,785
7	16	5,250	Rectangular	60	60	Perpendicular	1,785
7	17	5,250	Rectangular	60	60	Perpendicular	1,785
7	18	5,250	Rectangular	60	60	Perpendicular	1,785
7	19	5,250	Rectangular	60	60	Perpendicular	1,785
7	20	5,250	Rectangular	60	60	Perpendicular	1,785
7	21	5,250	Rectangular	60	60	Perpendicular	1,785
7	22	5,250	Rectangular	60	60	Perpendicular	1,785

5332 Allandale Road
Neighborhood Lot Data Table

Block No:	Lot No:	Lot Area (sq.ft.):*	Lot Shape:	Lot Width (ft.):**	Lot Frontage (ft.):***	Lot Alignment	Lot Build. Area (sq.ft.):****
7	23	5,250	Rectangular	60	60	Perpendicular	1,785
7	24	5,250	Rectangular	60	60	Perpendicular	1,785
7	25	5,250	Rectangular	60	60	Perpendicular	1,785
7	26	5,250	Rectangular	60	60	Perpendicular	1,785
7	27	5,250	Rectangular	60	60	Perpendicular	1,785
10	2	5,250	Rectangular	60	60	Perpendicular	1,785
10	3	5,250	Rectangular	60	60	Perpendicular	1,785
10	4	5,250	Rectangular	60	60	Perpendicular	1,785
10	5	5,250	Rectangular	60	60	Perpendicular	1,785
10	6	5,250	Rectangular	60	60	Perpendicular	1,785
10	7	5,250	Rectangular	60	60	Perpendicular	1,785
10	8	5,250	Rectangular	60	60	Perpendicular	1,785
10	9	5,250	Rectangular	60	60	Perpendicular	1,785
10	10	5,250	Rectangular	60	60	Perpendicular	1,785
10	11	5,250	Rectangular	60	60	Perpendicular	1,785
10	12	5,250	Rectangular	60	60	Perpendicular	1,785
10	15	5,250	Rectangular	60	60	Perpendicular	1,785
10	16	5,250	Rectangular	60	60	Perpendicular	1,785
10	17	5,250	Rectangular	60	60	Perpendicular	1,785
10	18	5,250	Rectangular	60	60	Perpendicular	1,785
10	19	5,250	Rectangular	60	60	Perpendicular	1,785
10	20	5,250	Rectangular	60	60	Perpendicular	1,785
10	21	5,250	Rectangular	60	60	Perpendicular	1,785
10	22	5,250	Rectangular	60	60	Perpendicular	1,785
10	23	5,250	Rectangular	60	60	Perpendicular	1,785

5332 Allandale Road
Neighborhood Lot Data Table

Block No:	Lot No:	Lot Area (sq.ft.):*	Lot Shape:	Lot Width (ft.):**	Lot Frontage (ft.):***	Lot Alignment	Lot Build. Area (sq.ft.):****
10	24	5,250	Rectangular	60	60	Perpendicular	1,785
10	25	5,250	Rectangular	60	60	Perpendicular	1,785
12	2	5,250	Rectangular	60	60	Perpendicular	1,785
12	3	5,250	Rectangular	60	60	Perpendicular	1,785
12	4	5,250	Rectangular	60	60	Perpendicular	1,785
12	5	5,250	Rectangular	60	60	Perpendicular	1,785
12	8	5,250	Rectangular	60	60	Perpendicular	1,785
12	9	5,250	Rectangular	60	60	Perpendicular	1,785
12	10	5,250	Rectangular	60	60	Perpendicular	1,785
12	11	5,250	Rectangular	60	60	Perpendicular	1,785
14	2	5,250	Rectangular	60	60	Perpendicular	1,785
14	3	5,250	Rectangular	60	60	Perpendicular	1,785
14	4	5,250	Rectangular	60	60	Perpendicular	1,785
14	5	5,250	Rectangular	60	60	Perpendicular	1,785
11	5	5,265	Rectangular	60	60	Perpendicular	1,795
12	1	5,332	Rectangular	60	48	Corner	1,062
12	7	5,382	Irregular	62	63.06	Corner	1,128
14	1	5,384	Irregular	60	63.06	Perpendicular	1,638
7	15	5,481	Irregular	62.00	43.57	Corner	1,863
7	28	5,726	Irregular	66	50	Corner	1,746
4	5	5,800	Rectangular	58	58	Perpendicular	2,200
4	6	5,800	Rectangular	58	58	Perpendicular	2,200
4	7	5,800	Rectangular	58	58	Perpendicular	2,200
4	4	5,818	Rectangular	58	58	Perpendicular	2,209
7	1	5,852	Rectangular	66.88	66.88	Corner	1,439

5332 Allandale Road
Neighborhood Lot Data Table

Block No:	Lot No:	Lot Area (sq.ft.):*	Lot Shape:	Lot Width (ft.):**	Lot Frontage (ft.):***	Lot Alignment	Lot Build. Area (sq.ft.):****
11	6	6,040	Rectangular	57	54	Corner	1,457
11	7	6,070	Irregular	69	74	Corner	1,558
10	26	6,214	Irregular	73	55.51	Corner	1,702
4	2	6,450	Rectangular	60	60	Perpendicular	2,625
10	1	6,474	Irregular	73	60.58	Perpendicular	1,702
4	16	6,475	Rectangular	62	63	Perpendicular	2,572
4	8	6,590	Irregular	67	67.64	Perpendicular	1,699
7	14	6,592	Irregular	70.00	65.24	Corner	2,010
10	14	6,662	Irregular	73	58.27	Corner	2,021
4	3	6,987	Rectangular	65	65	Corner	2,000
14	7	7,304	Irregular	83	81.96	Perpendicular	2,947
4	17	7,519	Rectangular	73	75.40	Perpendicular	3,145
10	13	7,729	Irregular	92	78.24	Perpendicular	2,021
11	1	7,942	Irregular	72	71.10	Corner	1,871
4	1	8,948	Rectangular	84	85	Corner	3,015
13	2	9,638	Irregular	107	105.64	Perpendicular	3,957
15	3	9,881	Rectangular	150	150	Perpendicular	2,756
4	14	10,126	Rectangular	80	79.35	Perpendicular	5,099
4	15	14,960	Rectangular	143	144.79	Perpendicular	7,456

Proposed Lots:

* Based upon SDAT information Property Land Area.

** Determined by best available online tools.

*** Based upon record plats and deeds.

**** Determined based upon plats, deeds, and setbacks.

Green Acres
M-NCPPC Plan No. AB2016001

CERTIFICATE OF USE OF RIGHT-OF-WAY

I do hereby certify, to the best of my knowledge, information, and reasonable belief, that the Greenway Drive right-of-way (extended), as shown on Plat 1437, to be abandoned by this Preliminary Plan and Abandonment Application, No. AB2016001, is not serving any public use. There are no public utilities located in the right-of-way. There is no evidence of pedestrian use within the right-of-way.

Stephen Wentz 2/2/16
Signature Date

STEPHEN WENTZ
Print Name

MERIDIAN SURVEYS, INC.
Print Company

President, owner, PLS
Print Title