

Agenda for Montgomery County Planning Board Meeting

Thursday, July 7, 2005, 9:00 A.M.

8787 Georgia Avenue
Silver Spring, MD 20910-3760

Board Action

Roll Call
Approval of Minutes: March 10, 2005, March 17, 2005,
March 31, 2005
Commissioners' Reports
Directors' Reports
Reconsideration Requests
Adoption of Opinions

GENERAL MEETING (*Third Floor Conference Room, 8787 Georgia Avenue, Silver Spring*)

- A. *Closed Session pursuant to Maryland State Government Code Annotated Section (10-508) (a) (8) (consult with counsel to obtain legal advice, potential litigation) (Subject: Clarksburg Town Center)*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

NOTE: The Board will make a decision on Items 1 and 2 before making a decision on Item 3. Speakers may combine their testimony for Items 1, 2 and 3 during their initial presentation. Speakers who testify about Item 3 during Items 1 and 2 may not sign up again for Item 3.

1. Reconsideration of failure to comply (building height)

With respect to Site Plan No. 8-98001 (Phase I) and Amendments, and Site Plan No. 8-02014 (Phase II) and Amendments, Clarksburg Town Center, RMX-2 zone; located at the northeast quadrant of the intersection of Stringtown Road and Frederick Road (MD 355); Clarksburg

Staff Recommendation: Finding of violations

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. Threshold Hearing: Failure to Comply (building setback)

With respect to Site Plan No. 8-98001 (Phase I) and Amendments, and Site Plan No. 8-02014 (Phase II) and Amendments, Clarksburg Town Center, RMX-2 zone; located at the northeast quadrant of the intersection of Stringtown Road and Frederick Road (MD 355); Clarksburg

Staff Recommendation: Finding of violations

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. **Enforcement and Plan of Compliance Hearing**

(In the event that violations are found in either 1 or 2 above) with respect to Site Plan No. 8-98001 (Phase I) and Amendments, and Site Plan No. 8-02014 (Phase II) and Amendments, Clarksburg Town Center, RMX-2 zone; located at the northeast quadrant of the intersection of Stringtown Road and Frederick Road (MD 355); Clarksburg

Staff Recommendation: Issue citation with fines; adopt plan of compliance

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

4. **Preliminary Plan No. 1-05091 Post Subdivision (Child Lot)**

RC Zone; 7.29 acres; 2 lots requested; 2 one-family detached dwelling units

Private well and septic

Located on the west side of Berryville Road, approximately 300 feet south of the intersection with Poplar Hill Road

Applicant: Thomas Post

Engineer: Dewberry and Davis

Planning Area: Potomac

Staff recommendation: Approval with conditions

4. Preliminary Plan No. 1-05091 Post Subdivision (Child Lot) (continued)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. Preliminary Plan No. 1-05102 Kakar Property w/site plan #8-05039

RE-2/TDR Zone; 1.31 acres; 2 lots requested; 2 one-family detached residential units

Community water and community sewer

Located on the southwest side of Bailey's Lane approximately 370 feet southeast of the intersection with Norbeck Road (MD 28)

Applicant: Nasirul Islam

Engineer: Dewberry and Davis

Attorney: Dufour and Orens

Planning Area: Aspen Hill

Staff recommendation: Approval with conditions

******* See Staff Memorandum for Discussion *******

5. Preliminary Plan No. 1-05102 Kakar Property w/site plan #8-05039 (continued)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

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6. **Site Plan Review No. 8-05039 - Kakar Property:** RE-2/TDR Zone; 1.31 acres; 2 lots requested; 2 single-family detached dwelling units; located on the southwest side of Bailey's Lane approximately 370 feet southeast of Norbeck Road; Aspen Hill

Staff Recommendation: Approval with conditions

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

7.

POSTPONED

Preliminary Plan No. 1-02032A Jones Property (Amendment to conditions)

RDT Zone; 250.10 acres; 1 additional lot requested, 9 previously approved

Private well and private septic

Located on the north side of Brink Road approximately 2,150 feet west of Laytonsville Road (MD 108)

Applicant: Elm Street Development

Engineer: Charles P. Johnson and Associates

Planning Area: Agricultural and Rural Open Space

Staff recommendation: Approval with conditions

******* See Staff Memorandum for Discussion *******

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. Record Plats

The following record plats are recommended for APPROVAL, subject to the appropriate conditions of approval of the preliminary plans and site plans if applicable, and conditioned on conformance with all requirements of Chapter 50 of the Montgomery County Code.

- 2-05239 Oakridge Estates

 West side of Clarksburg Road (MD 121), opposite Ascot Square Ct
 RE-2 Zone, 2 Lots
 Community Water, Community Sewer
 Planning Area: Clarksburg & Vicinity
 Andrew & Norma Lopatin, Applicant

- 2-05241 Willerburn Acres
 North side of Mary Cassatt Drive, approximately 900' east of Seven Locks Road
 R-90 Zone, 2 Lots
 Community Water, Community Sewer
 Planning Area: Potomac
 Michael Jakobowski, Applicant

- 2-05242 Chevy Chase
 East side of Brookville Road, across from Underwood Street
 R-60 Zone, 2 Lots
 Community Water, Community Sewer
 Planning Area: Bethesda- Chevy Chase
 Mr. & Mrs. Thomas E. Conley, Applicant

Staff Recommendation:
 Pursuant to section 50-35A, the following minor subdivision plat is recommended for approval subject to any applicable conditions of previous preliminary plans approvals and conditioned on conformance with all requirements of Chapter 50 of the Montgomery County Code.

- 2-05240 Woodhaven
 Northwest corner of Thoreau Drive and Whittier Blvd
 R-90 Zone, 2 Lots
 Community Water, Community Sewer
 Planning Area: Bethesda Chevy Chase
 Surinder K. Arora, Applicant

8. **Record Plats** (continued)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

9. **Forest Conservation Plan for Facility Plan for Renovation of Takoma Piney Branch Local Park**

Staff Recommendation: Approval with conditions

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

10. **Facility Plan for Renovation of Takoma Piney Branch Local Park**

Staff Recommendation: Approve facility plan and cost estimate, preliminary forest conservation plan, and determine schedule for design and construction during review of the FY 07-12 CIP

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

11. **Board of Appeals No. S-2641**

Special exception request by the Rock Creek Day-Care Club, Inc., and the Rock Creek Council, No. 2797 Knights of Columbus, applicant, requests a special exception to permit parking of motor vehicles, off-street in connection with commercial uses; R-60 Zone; located at 5417 West Cedar Lane, Bethesda

Staff Recommendation: Approval

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

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12. **Board of Appeals No. CBA-143-A:** Special exception modification to an existing private club and service organization; R-60 Zone; located at 5417 West Cedar Lane, Bethesda

Staff Recommendation: Approval

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

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13. **Planning Board Worksession and Action - Draft Amendment to Master Plan of Historic Preservation:** COMSAT Laboratories, 22300 Comsat Drive, Clarksburg

Staff Recommendation: Designate on Master Plan

(No public testimony will be taken at this time, although persons in the audience may be asked to respond to questions.)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

14. Local Map Amendment No. G-834

Porten Companies, Inc., applicant, requests reclassification of 5.28 acres of land from the R-200/TDR Zone to the RT-8 Zone for 39 town house units; located at 12024 Darnestown Road, Gaithersburg Potomac Subregion Master Plan

Staff Recommendation: Approval

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: