

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

**MCPB
Item # 14
10/10/05**

MEMORANDUM

DATE: October 6, 2005

TO: Montgomery County Planning Board

FROM: Catherine Conlon, Supervisor
Development Review Division
(301) 495-4542

SUBJECT: Informational Maps and Summary of Record Plat for the Planning Board
Agenda for October 10, 2005

Attached are staff recommendations and copies of plat drawings for record plats being presented for Planning Board conditional approval on October 10, 2005. All plats depict creation of lots through the minor subdivision process. As such, there are no associated preliminary or site plans.

PLAT NO. 220060410

Brookmont

Southeast quadrant, intersection of Broad Street and 64th Street

R-60 Zone, 2 Lots

Community Water, Community Sewer

Planning Area: Bethesda-Chevy Chase

William T. and Linda Eggbeer Revocable Trusts, Applicant

Staff Recommendation:

Pursuant to section 50-35A, the following minor subdivision plat is recommended for conditional 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 as will be determined during detailed agency review of the record plats prior to signature.

Staff recommends approval of this minor subdivision plat pursuant to section 50-35A (a)(3) of the Subdivision Regulations, which states:

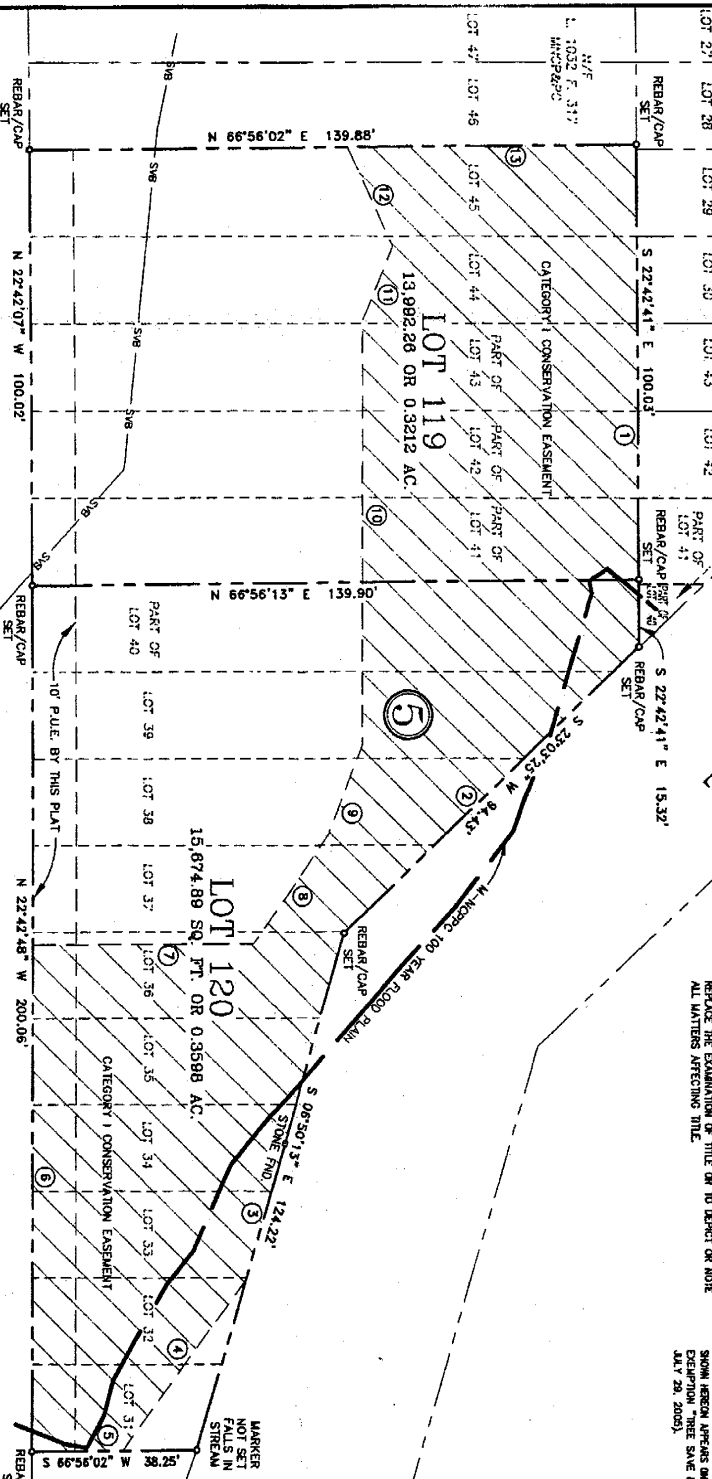
Consolidation of Two or More Lots or a Part of a lot into One Lot. Consolidating more than one lot into a single lot is permitted under the minor subdivision procedure provided:

- a. Any conditions applicable to the original subdivision remain in full force and effect and the number of trips generated on the new lot do not exceed those permitted for the original lots or as limited by an Adequate Public Facilities agreement.
- b. Any consolidation involving a part of a lot may occur under the minor subdivision process if the part of a lot was created by deed recorded prior to June 1, 1958.

Staff applied the above-noted minor subdivision criteria for the fifteen lots (presently platted as lots 31-39, parts of lots 40-43 and lots 44-45) and concludes that the proposed minor subdivision to combine them into two lots complies with the criteria of Section 50-35A (a)(3) of the subdivision regulations and recommends approval of this minor subdivision record plat.

LINE	BEARING	DISTANCE
1	S 22°42'41" E	115.35'
2	S 28°03'25" E	84.43'
3	S 09°50'13" E	83.16'
4	S 15°06'46" W	48.83'
5	S 68°56'02" W	20.81'
6	N 22°42'48" E	117.32'
7	N 67°17'09" E	51.08'
8	N 12°04'03" E	50.85'
9	N 01°52'23" W	21.72'
10	N 22°23'50" W	97.57'
11	N 07°18'41" W	18.54'
12	N 48°48'21" W	25.03'
13	N 68°56'02" E	68.13'

COLUMBIA DRIVE
(50' R/W PER P.B. 4 P. 305)
(CURRENTLY UNIMPROVED)



GENERAL NOTES

1. 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 SUBDIVISION REGULATIONS TO SURVIVE UNLESS MODIFIED BY FURTHER ACTIONS BY THE BOARD. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND ARE AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
2. THIS PLAT CONFORMS WITH REQUIREMENTS FOR MINOR SUBDIVISION APPROVALS CONTAINED IN SECTION 50-53-A OF THE MONTGOMERY COUNTY SUBDIVISION REGULATIONS, A CONSOLIDATION OF TWO OR MORE LOTS OR PARTS OF LOTS INTO ONE LOT AS PROVIDED FOR IN SECTION 50-53-A (G)(3).
3. THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND USE OF THE PROPERTY. THE SUBDIVISION RECORD PLAT IS NOT INTENDED TO REFLECT THE EXAMINATION OF TITLE OR TO DERECT OR VOICE ALL MATTERS AFFECTING TITLE.
4. THERE IS NO ADDITIONAL DEDICATION TO PUBLIC USE PER THIS PLAN.
5. THIS PROPERTY IS CURRENTLY ZONED R-60.
6. THE APPROVAL OF THIS PLAT IS PREDICATED ON THE ADEQUACY AND AVAILABILITY OF PUBLIC WATER AND SEWER.
7. ALL EXISTING AND PROPOSED DEVELOPMENT ON THIS PROPERTY IS SUBJECT TO THE STANDARDS UNDER MONTGOMERY COUNTY ZONING ORDINANCE R-60 ZONE.
8. LOTS SHOWN HEREON APPEAR ON MONTGOMERY COUNTY MAP G-8-1, W.S.S.C. SHEET # 205 NW 06.
9. THE PROPERTY SHOWN HEREON IS SUBJECT TO THE MONTGOMERY COUNTY FOREST CONSERVATION LAW OF 1982 INCLUDING APPROVAL OF A FINAL FOREST CONSERVATION PLAN AND APPROVED AGREEMENT FROM THE MONTGOMERY COUNTY FOREST CONSERVATION DEPARTMENT. THE SAME PLAN (RESUBDIVISION NO. 4-062466, DATED JULY 28, 2005).
10. THE 4-062466, 100 YEAR SLUDG PUMP LINE AND STREAM VALLEY BRIDGE SHOWN HEREON APPEAR ON MONTGOMERY COUNTY MAP G-8-1, W.S.S.C. SHEET # 205 NW 06. (EXPIRATION NO. 4-062466, DATED JULY 28, 2005).

PLAT NO.

WE, WILLIAM T. EGGEBER AND LINDA EGGEBER, TRUSTEES OF THE WILLIAM T. EGGEBER REVOCABLE TRUST AND LINDA EGGEBER REVOCABLE TRUST, HEREBY ADOPT THIS PLAN OF SUBDIVISION, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND SETBACKS, AND THE PARTS HANDLED IN THE DOCUMENT ENTITLED "DECLARATION OF TERMS AND PROVISIONS OF PUBLIC UTILITY EASEMENTS" RECORDED IN LIBER 3834 AT FOLIO 457 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND AND FURTHER GRANT A CONSERVATION EASEMENT AS SHOWN TO THE PARTIES HANDLED IN THE DOCUMENT ENTITLED "CONSERVATION EASEMENT AGREEMENT CATEGORY I" AS RECORDED IN LIBER 1578 AT FOLIO 42 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND AND AFFIDAVIT REGULATIONS TO ALL FEDERAL, STATE, AND LOCAL GOVERNING AGENCIES.

THESE ARE NOT EASES OR LIENS AFFECTING THE PROPERTY INCLUDED IN THIS PLAN OF SUBDIVISION, EXCEPT FOR TWO SEPARATE MORTGAGES, AND THE PARTIES IN INTEREST THEREIN HAVE HEREBY ASSENTED THEREIN.

OWNERS' CERTIFICATE

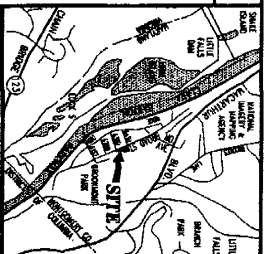
DATE: _____ WITNESS: _____
WILLIAM T. EGGEBER, TRUSTEE

DATE: _____ WITNESS: _____
LINDA EGGEBER, TRUSTEE

WE HEREBY ASSENT TO THIS PLAN OF SUBDIVISION

DATE: _____ WITNESS: _____
(BANK REP. NAME & TITLE)
WASHINGTON MUTUAL BANK, FA

DATE: _____ WITNESS: _____
JOSEPH T. MARCELLO
FOR UNITED BANK



VICINITY MAP
AFC MAP PAGE 40 GRID G-6
SCALE: 1" = 2000'

BROAD STREET
(120' WIDE R/W PER P.B. 4 P. 305)

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THE PARTS HANDLED IN THE DOCUMENT ENTITLED "DECLARATION OF TERMS AND PROVISIONS OF PUBLIC UTILITY EASEMENTS" RECORDED IN LIBER 3834 AT FOLIO 457 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND AND FURTHER GRANT A CONSERVATION EASEMENT AS SHOWN TO THE PARTIES HANDLED IN THE DOCUMENT ENTITLED "CONSERVATION EASEMENT AGREEMENT CATEGORY I" AS RECORDED IN LIBER 1578 AT FOLIO 42 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND AND AFFIDAVIT REGULATIONS TO ALL FEDERAL, STATE, AND LOCAL GOVERNING AGENCIES.

9-2-2005
DATE

Deborah A. Foster
DEBORAH A. FOSTER
MONTGOMERY COUNTY, MARYLAND
SURVEYOR REG. NO. 587

SNIDER & ASSOCIATES
SURVEYORS • ENGINEERS
LAND PLANNING CONSULTANTS

2 Professional Drive, Suite 216
Gaithersburg, Maryland 20879
301 948-6100

BETHESDA ELECTION DISTRICT No. 7
MONTGOMERY COUNTY, MARYLAND
AUGUST 2005
SCALE: 1" = 20'

BROOKMONT

SECTION NO. 1
PARTS OF LOTS 40-43, BLOCK 5

LOTS 119 & 120, BLOCK 5

206041

M.N.C.P. & P.C. Record File No. _____

Department of Permitting Services
Montgomery County, Maryland

Approved: _____ Date: _____

Director: _____

Recorded: _____ Plat No. _____

Drafted: _____ M.A.S. J.A.F.
Checked: _____ Job No. 04-8035

Maryland National Capital Park and Planning Commission
Montgomery County Planning Board

Approved: _____ Date: _____

Chairman: _____ Assistant Secretary - Treasurer: _____

Area	Tabulation	OR	Area
Lot 119	=	OR	0.3212 AC.
Lot 120	=	OR	0.3598 AC.
Dedication Area	=	N/A	
Total Area	=		29,657.15 S.F. OR 0.6810 AC.

PLAT NO. 220060270

Chevy Chase Gardens, Sec. 3
Southwest corner of Morgan Drive and Wisconsin Avenue
R-60 Zone, 1 Lot
Community Water, Community Sewer
Planning Area: Bethesda-Chevy Chase
Shelley Kay, Applicant

Staff Recommendation:

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Staff recommends approval of this minor subdivision plat pursuant to section 50-35A (a)(3) of the Subdivision Regulations, which states:

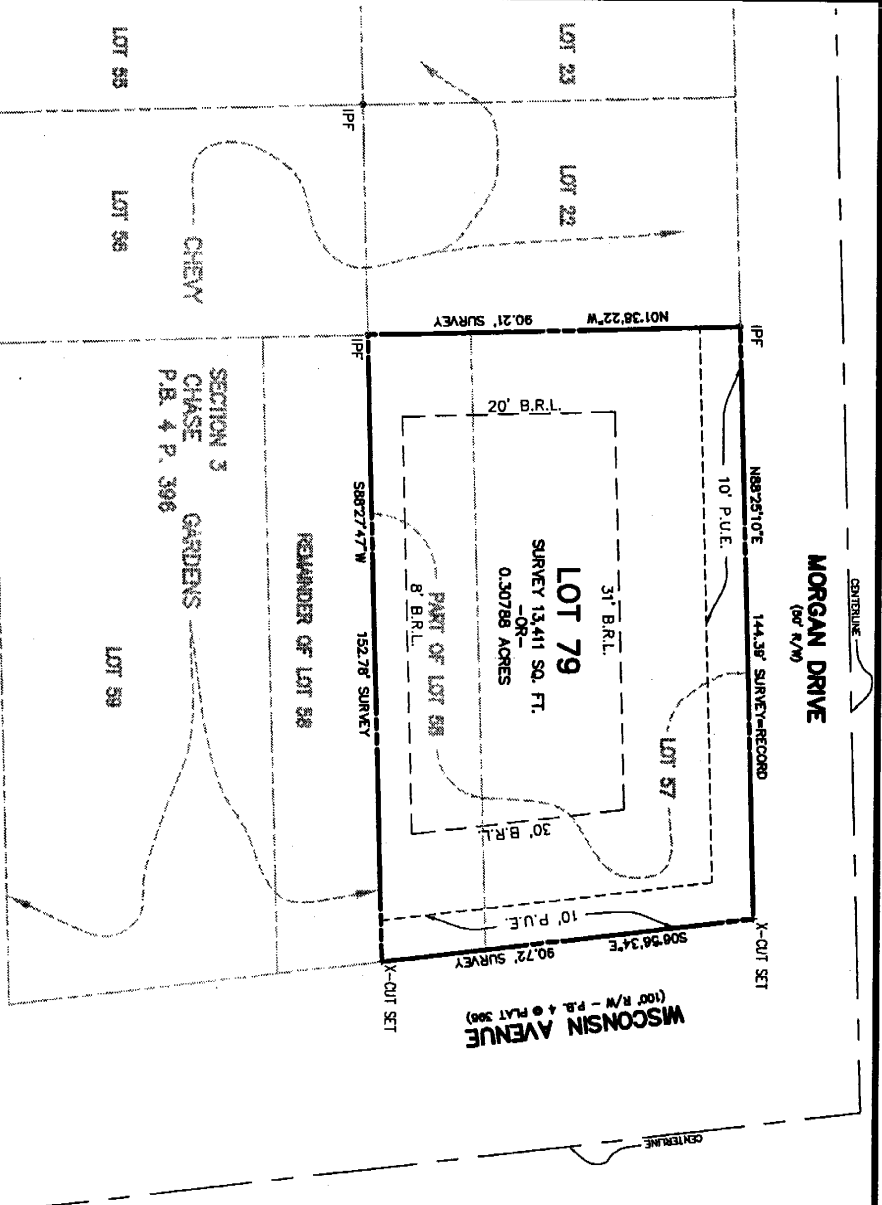
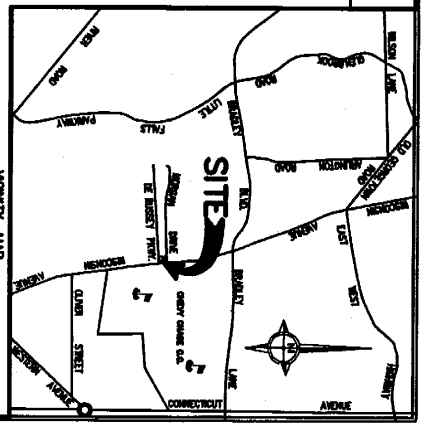
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- c. Any conditions applicable to the original subdivision remain in full force and effect and the number of trips generated on the new lot do not exceed those permitted for the original lots or as limited by an Adequate Public Facilities agreement.
- d. Any consolidation involving a part of a lot may occur under the minor subdivision process if the part of a lot was created by deed recorded prior to June 1, 1958.

Staff applied the above-noted minor subdivision criteria for the 2 lots (previously known as lot 57, and part of lot 58) and concludes that the proposed minor subdivision to combine them into 1 lot complies with the criteria of Section 50-35A (a)(3) of the subdivision regulations and recommends approval of this minor subdivision record plat.

MORGAN DRIVE
(or R/W)

PLAT NO.



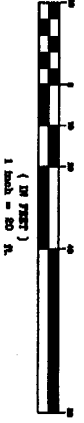
De RUSSEY PARKWAY
(or R/W)

NOTES:

1. THERE IS NO STREET DIMENSION BY THIS PLAT.
2. THE PROPERTY IS SHOWN ON THE MAP FOR THE TOWN AND IS CURRENTLY ZONED R-40.
3. THE PROPERTY IS SHOWN ON THE MAP FOR THE TOWN AND IS CURRENTLY ZONED R-40.
4. ALL EXISTING AND PROPOSED DEVELOPMENT ON THIS PROPERTY ARE SUBJECT TO THE STANDARDS AND REGULATIONS OF THE MONTGOMERY COUNTY PLANNING BOARD AND THE MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND ENGINEERING.
5. THE PROPERTY IS SHOWN ON THE MAP FOR THE TOWN AND IS CURRENTLY ZONED R-40.
6. THE PROPERTY IS SHOWN ON THE MAP FOR THE TOWN AND IS CURRENTLY ZONED R-40.
7. THE PROPERTY IS SHOWN ON THE MAP FOR THE TOWN AND IS CURRENTLY ZONED R-40.
8. THE PROPERTY IS SHOWN ON THE MAP FOR THE TOWN AND IS CURRENTLY ZONED R-40.
9. THE PROPERTY IS SHOWN ON THE MAP FOR THE TOWN AND IS CURRENTLY ZONED R-40.
10. THE PROPERTY IS SHOWN ON THE MAP FOR THE TOWN AND IS CURRENTLY ZONED R-40.

LEGEND:
 LOT 79 - THIS PLAT
 LOT 57 - REMAINING PORTION
 P.U.E. - PUBLIC UTILITY EASEMENT

GRAPHIC SCALE



SUBDIVISION'S GENERAL

THESE ARE NO SITS, ACTIONS AT LAW, LEASES, LIENS, MORTGAGES OR TRUSTS AFFECTING THE PROPERTY SHOWN HEREIN.

OWNER'S CERTIFICATE

I, **SHIRLEY KAY, SOLE OWNER** OF THE PROPERTY SHOWN AND DESCRIBED HEREIN, HEREBY ADOPT THIS PLAN OF SUBDIVISION AND ESTABLISH THE NECESSARY RECORDING LIENS.

SUBDIVISION RECORD PLAT

SECTION 3
CHEW CHASE GARDENS
 A RESUBDIVISION OF
 LOT 57 AND PART OF LOT 58, SECTION 3
 7TH ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND
 SCALE: 1" = 20'
 DATE: AUGUST 01, 2005

Bowman
CONSULTING

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 Rockville, Maryland 20850
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 www.bowmanconsulting.com