April 26, 2006

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Daniel K. Hardy, Supervisor
Transportation Planning

FROM: Scott A. James, Planner / Coordinator
Transportation Planning

SUBJECT: DPWT Docket No. AB 677
Abandonment of a portion of unimproved Fraser Drive
Montgomery Hills Forest Subdivision
North and West Silver Spring Master Plan

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RECOMMENDATION

Staff recommends that the Planning Board support approval of the request to abandon the subject right-of-way in Silver Spring.

DISCUSSION

This abandonment, shown in Exhibit 1, is for a portion of Fraser Drive located in Silver Spring between Seminary Road and Birch Avenue. Fraser Drive is unimproved right-of-way initially dedicated for use as a public street within the Montgomery Hills Forest subdivision. The Department of Public Works and Transportation Docket No. AB 677 is included as Attachment 1.
FINDINGS

Per Section 49-63(e) of the Montgomery County Code, staff recommend approval of the request to abandon a portion of unimproved Fraser Drive. The staff finding is based upon the assessment that the subject right-of-way is not needed to maintain present and future public access to either the adjacent parcels or for the community at large, nor would its abandonment result in any landlocked parcels.

SAJ:gw
Attachments

mmo to MCBP re AB-677 Fraser
March 9, 2006

Mr. Derick Berlage, Chairman
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

RE: Request for Comments on Proposed Abandonment
AB677 – Abandonment of a portion of Unimproved Fraser Drive, Montgomery Hills Forest Subdivision
Silver Spring

Dear Mr. Berlage:

The purpose of this letter is to request M-NCPCC comments on the proposed abandonment of a portion of unimproved Fraser Drive at its intersection with Seminary Road, Montgomery Hills Forest subdivision, in Silver Spring. The abandonment request was made by Dennis J. Lawson, Carmen Murphy, and Sean P. Murphy, the Applicants, who are the adjoining property owners. This request is not associated with any development plan. For your reference I have enclosed a copy of the petitioners’ request along with other information concerning this matter.

If possible, please send your comments by May 8, 2006.

If either you or your staff need additional information or have questions, please call me at 240-777-7254.

Sincerely,

Michael S. Cassedy

Enclosures
Via First-Class Mail

Douglas M. Duncan
County Executive, Montgomery County Government
101 Monroe Street, 2nd Floor
Rockville, MD 20850

Re: Fraser Drive Right-of-Way Adjacent to 2406 and 2402 Seminary Road

Dear Mr. Duncan,

We are writing to you to request an abandonment of the public use of the referenced, unimproved right-of-way ("ROW") pursuant to Section 49-62 and Section 49-63 of the 2004 Montgomery County Code. A copy of the tax map showing our properties with the subject ROW highlighted is annexed hereto as Attachment A.

Also enclosed are two checks, each for $1,250, for a total of $2,500 (two thousand five hundred dollars), made payable to "Montgomery County Government" for the fee for processing this request. The original checks are included in the copy of this correspondence sent to Mr. Michael Cassedy.

If you require any further information, please do not hesitate to contact Carmen Murphy at (301) 674-7404 or Dennis Lawson at (301) 920-2131.

Sincerely,

[Signature]

Dennis J. Lawson
2402 Seminary Road
Silver Spring, MD 20910

[Signature]

Carmen Murphy
2406 Seminary Road
Silver Spring, MD 20910

[Signature]

Sean P Murphy
2406 Seminary Road
Silver Spring, MD 20910

Enclosures

cc: Michael Cassedy