




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


MCPB
Item #
06/28/07

MEMORANDUM

DATE: June 14, 2007

TO: Montgomery County Planning Board

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

FROM: Stephen Smith 
Development Review Division
(301) 495-4522

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board
Agenda for June 28, 2007

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 plat drawings for the record plat. The following plats are included:

220062010 **The Landing**

PLAT NO. 220062010

The Landing

Located on the east side of Glen Mill Road directly across from Red Barn Lane.

RE-1 Zone; 2 Lots

Community Water, Community Sewer

Master Plan Area: Potomac

Deer Crossing, LLC, Applicant

The record plat has been reviewed by MNCPPC staff and other applicable agencies as documented on the attached Plat Review Checklist. Staff has determined that the plat complies with Preliminary Plan No. 120050710, as approved by the Board and that any minor modifications reflected on the plat do not alter the intent of the Board's previous approval of the preliminary plan.

RECORD PLAT REVIEW SHEET

Plan Name: Glen Mill Road Plan Number: 120050710
 Plat Name: The Landing Plat Number: 220062010
 Plat Submission Date: 3/28/06
 DRD Plat Reviewer: PW
 DRD Prelim Plan Reviewer: Rick Weaner RAW 4/25/06

Initial DRD Review:

Signed Preliminary Plan - Date 2/22/06 Checked: Initial PW Date 4/21/06
 Planning Board Opinion - Date 2/1/06 Checked: Initial PW Date 4/21/06
 Site Plan Req'd for Development? Yes No Verified By: SB (initial)
 Site Plan Name: _____ Site Plan Number: _____
 Planning Board Opinion - Date _____ Checked: Initial _____ Date _____
 Site Plan Signature Set - Date _____ Checked: Initial _____ Date _____
 Site Plan Reviewer Plat Approval: Checked: Initial _____ Date _____

Review Items: Lot # & Layout Lot Area Zoning Bearings & Distances
 Coordinates Plan # OK Road/Alley Widths Easements Open Space N/A
 Non-standard BRLs N/A Adjoining Land OK Vicinity Map OK Septic/Wells N/A
 TDR note N/A Child Lot note N/A Surveyor Cert OK Owner Cert OK Tax Map

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>Amy L.</u>	<u>4/3</u>	<u>4/21</u>	_____	_____
Research	Bobby Fleury	"	"	<input checked="" type="checkbox"/>	<u>OK</u>
SHA	Doug Mills	"	"	_____	_____
PEPCO	Jose Washington	"	"	_____	_____
Parks	Doug Powell	"	"	_____	_____
DRD	Steve Smith	"	"	<input checked="" type="checkbox"/>	<u>Red Bora Lane</u>

Final DRD Review:

DRD Review Complete: Initial SB Date 6-13-07
 (All comments rec'd and incorporated into mark-up)
 Engineer Notified (Pick up Mark-up): TBA/PW 4-26-06
 Final Mylar w/Mark-up & PDF Rec'd: SB 6-11-07
Board Approval of Plat:
 Plat Agenda: SB 6-28-07
 Planning Board Approval: _____
 Chairman's Signature: _____
DPS Approval of Plat:
 Engineer Pick-up for DPS Signature: _____
 Final Mylar for Reproduction Rec'd: _____
Plat Reproduction:
 Addressing: _____
 File Card Update: _____
 Final Zoning Book Check: _____
 Update Address Books with Plat #: _____
 Update Green Books for Resubdivision: _____
 Notify Engineer to Seal Plats: _____
 Engineer Seal Complete: _____
 Complete Reproduction: _____
 Sent to Courthouse for Recordation: _____

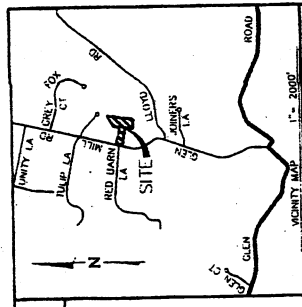
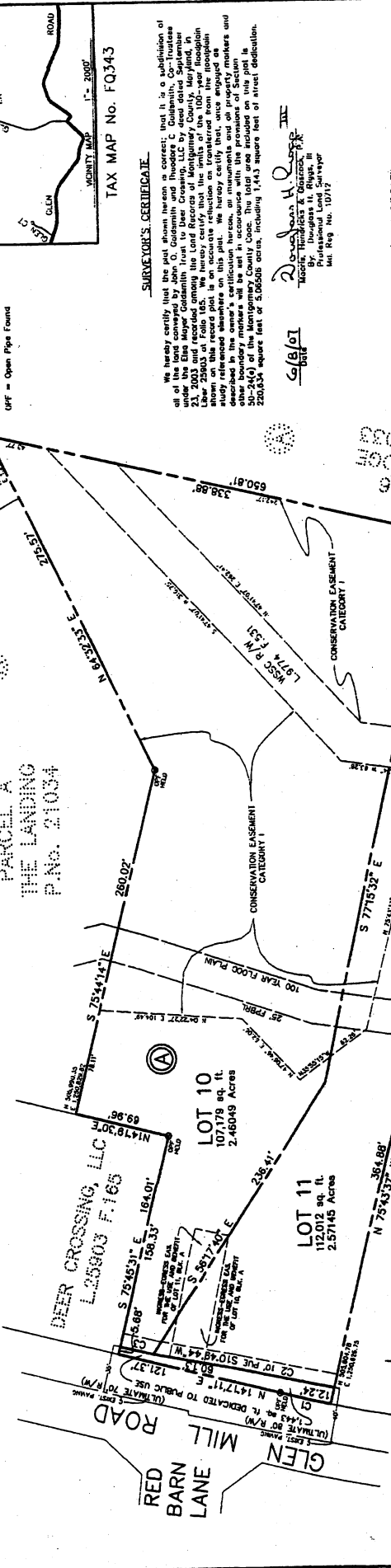
No. _____

PLAT NO.

PARCEL A
THE LANDING
P.NO. 21034

CURVE	RADIUS	LENGTH	DELTA	TANGENT	CURVED BEARING	CHORD
C1	974.53'	34.91'	2.3372°	17.47'	S 120°54' W	38.51'
C2	388.78'	24.83'	1.4411°	12.50'	S 133°01' W	25.00'
C3	1006.82'	49.68'	3.2616°	24.50'	S 133°01' W	25.00'

PLAT TABULATION
= 2 216,181 sq. ft.
Area of Lots = 1,443 sq. ft.
Area of Street = 220,833 square feet
TOTAL AREA = 218,411 square feet
or 5.00505 acres



TAX MAP NO. FQ343

SURVEYOR'S CERTIFICATE

We hereby certify that the plat shown herein is correct; that it is a subdivision of all of the lots shown on the plat of subdivision in the Montgomery County, Maryland, Public Use Case No. 2010-0119, as amended, and that the same is in compliance with the Montgomery County, Maryland, Law 2000-03 of July 18, 2000, which amended the Montgomery County, Maryland, Code, Title 25, Chapter 10, Section 10-201, which requires that any subdivision of land shown on the plat of subdivision be in accordance with the provisions of Section 50-24(a) of the Montgomery County, Maryland, Code, which requires that a minimum of 250,000 square feet of street frontage, including 1,443 square feet of street dedication,

5/16/01
Date
Sgt. Douglas H. Rapp, III
Professional Land Surveyor
Lic. Reg. No. 10717

OWNER'S CERTIFICATE

Deer Crossing, LLC, a Maryland limited liability company, owner of the property shown herein, hereby grant a Public Utility Commission Proceeding of Public Utility Customers' and Public Use Case No. 2010-0119, among the Lots Records of Montgomery County, Maryland, subject to all current and applicable regulations of all federal, state and local governing agencies, hereby approve this Conservation Easement Agreement, Category I, as required subject to the terms set forth therein: 1) to provide for a subject to lot together with the other lots shown on the plat of subdivision, 2) to provide for a subject to lot together with the other lots shown on the plat of subdivision, 3) to provide for a subject to lot together with the other lots shown on the plat of subdivision, 4) to provide for a subject to lot together with the other lots shown on the plat of subdivision, 5) to provide for a subject to lot together with the other lots shown on the plat of subdivision, 6) to provide for a subject to lot together with the other lots shown on the plat of subdivision, 7) to provide for a subject to lot together with the other lots shown on the plat of subdivision, 8) to provide for a subject to lot together with the other lots shown on the plat of subdivision, 9) to provide for a subject to lot together with the other lots shown on the plat of subdivision, 10) to provide for a subject to lot together with the other lots shown on the plat of subdivision.

There are no mortgages, liens, encumbrances, or trusts, affecting the property shown on this plat of subdivision, except a certain deed of trust and the purchase interest thereto have affirmed their signatures herein indicating their consent to this plat of subdivision.

Dear Guardians, LLC
Louis S. Brown, Senior Manager
Date

Atty. Andrew Vitantonio
Attorney at Law
Montgomery County, Maryland

SUBDIVISION RECORD PLAT
LOTS 10 & 11, BLOCK A
THE LANDING
ELECTION DISTRICT NO. 10
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 50'
JUNE, 2007

MHG Macris, Hendricks & Glascock, P.A.
Engineers, Surveyors
Landscape Architects



Note:
1. This property is zoned RE-1.
2. The location of this plat is predicted on the availability of public water and sewer prior to the construction of homes.
3. This plat is limited to use and conditions as required by Preliminary Plan No. 1-05071 entitled 'GLEN MILL ROAD'.
4. The source of the 100 year floodplain shown herein was taken from floodplain information from FEMA Panel 24030101000000000 and referred to as PINEY BRANCH, and is subject to a 25' building restriction line (FRBL).
5. The property shown herein is subject to the requirements of the Montgomery County Forest Conservation Act, and all other applicable laws and regulations governing the use of forested land, and is subject to the requirements of the Montgomery County Planning Board and appropriate agreements prior to the construction of a residential development.
6. Unless expressly contemplated by the plan as approved, all terms, conditions, agreements, limitations, covenants, conditions and restrictions associated with any preliminary plan, site plan, project plan, subdivision agreement or other instrument pertaining to the property, or any portion thereof, shall remain in full force and effect and shall not be null and void, and shall not be subject to modification or amendment by any instrument executed after the date of the recording of this plat. The official public files for any such plan are maintained by the Planning Board and available for public review during normal business hours.
7. This Plat is not intended to show any notice affecting or restricting the ownership and use of the property shown herein, and is not intended to replace an examination of title or to depict or note all matters affecting title.
8. Coordinates shown herein are based on the Maryland State NAD 83/91 Datum as projected by NGS one line for Geographical Information Services (GIS) only. Station used are the GAT utility grid system station North 534457.25 feet and East 1248651.22 feet, for this also is 0.999984025. Station used are North 534457.25 feet and East 1248651.22 feet. The combined scale factor for this also is 0.999984025. The combined scale factor for this also is 0.999984025.
9. To convert the grid coordinates to ground/surface coordinates, divide the grid coordinates by the combined scale factor.
10. The distances shown on this plat are as measured on the ground/surface. To convert the ground/surface distances to grid distances, multiply the ground/surface distances by the combined scale factor.

DEER CROSSING, LLC
L25303 F.165

LOT 10
107,179 sq. ft.
2.46048 Acres

LOT 11
112,012 sq. ft.
2.57145 Acres

R.A. WARREN, et ux
L21777 F.203

R.A. WARREN, et ux
L17341 F.260

APPROVED: _____
CHAIRMAN
M.N.C.P. & P.C. RECORD FILE NO. _____

APPROVED: _____
SECRETARY-TREASURER

APPROVED: _____
DIRECTOR

DATE: _____
PLAT NO. 21034

MONTGOMERY COUNTY, MARYLAND
DEPARTMENT OF PERMITTING SERVICES

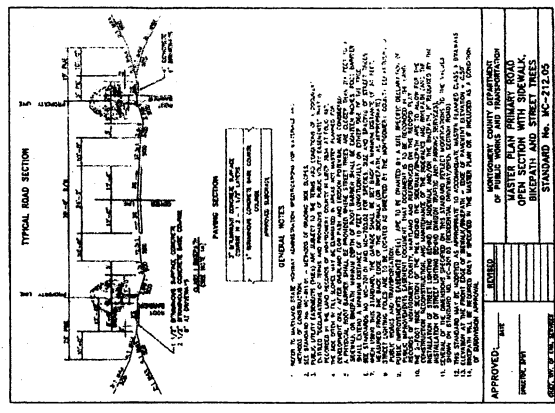
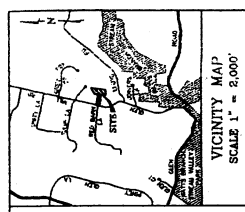
THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION
MONTGOMERY COUNTY PLANNING BOARD

FOR PUBLIC WATER AND SEWER ONLY

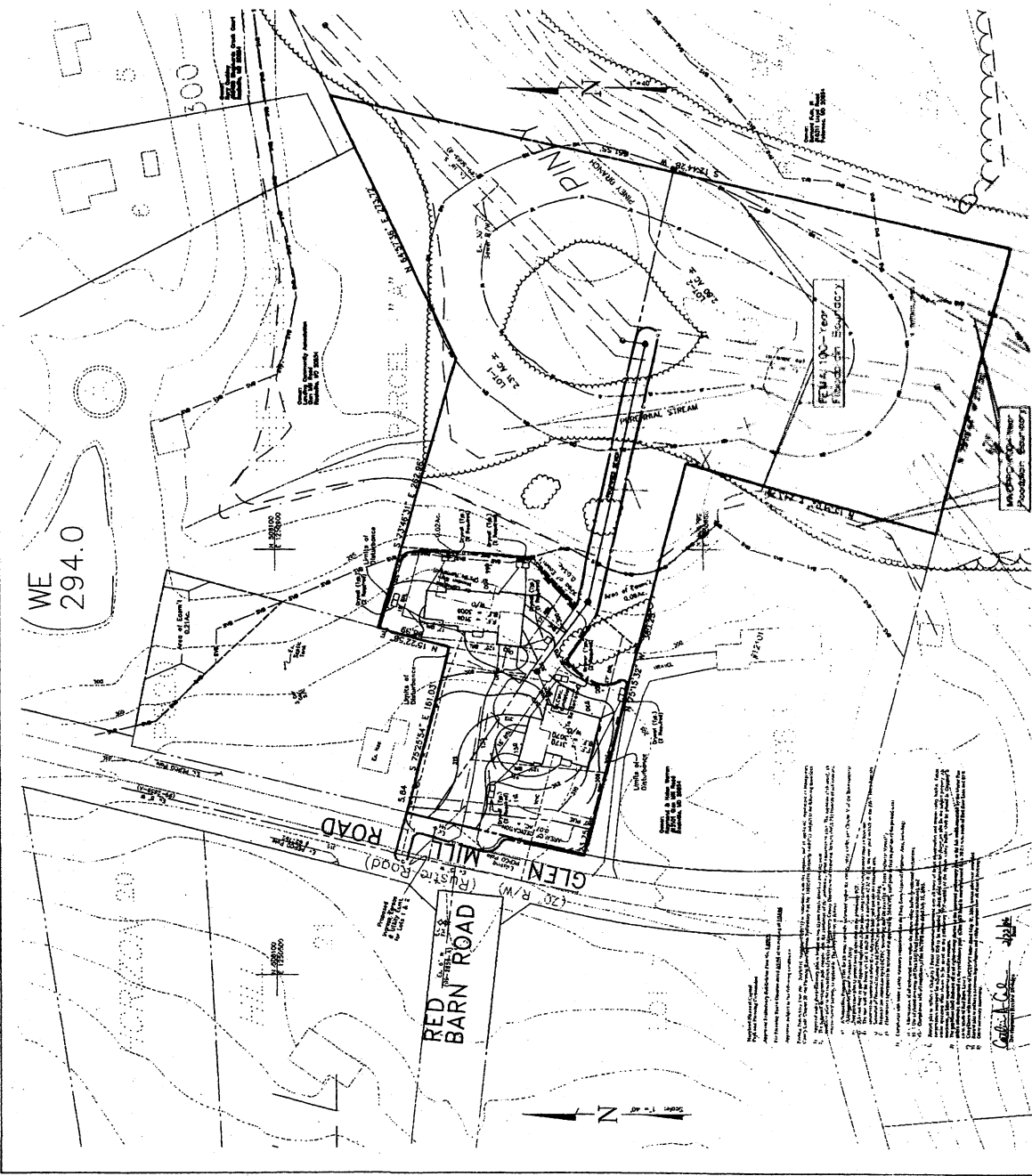
DEVELOPMENT STANDARDS, REC-1
 Minimum lot area: 10,000 sq. ft.
 Minimum lot width: 50 ft.
 Minimum lot depth: 100 ft.
 Minimum front yard setback: 10 ft.
 Minimum side yard setback: 5 ft.
 Minimum rear yard setback: 10 ft.
 Minimum front setback from street: 10 ft.
 Minimum rear setback from street: 10 ft.
 Minimum side setback from street: 5 ft.
 Minimum front setback from driveway: 5 ft.
 Minimum rear setback from driveway: 5 ft.
 Minimum side setback from driveway: 5 ft.
 Minimum front setback from utility line: 5 ft.
 Minimum rear setback from utility line: 5 ft.
 Minimum side setback from utility line: 5 ft.

DENSITY TABULATION
 GFA 5.18 acres
 Total Area 100.00 acres
 Total GFA 5.18 acres
 Density 5.18%

- NOTICE
1. Property owner(s) shall be responsible for obtaining all necessary permits, including but not limited to:
 2. A preliminary subdivision map from the Department of Planning and Zoning.
 3. A subdivision map from the Department of Planning and Zoning.
 4. A subdivision plat from the Department of Planning and Zoning.
 5. A subdivision plat from the Department of Planning and Zoning.
 6. A subdivision plat from the Department of Planning and Zoning.
 7. A subdivision plat from the Department of Planning and Zoning.
 8. A subdivision plat from the Department of Planning and Zoning.
 9. A subdivision plat from the Department of Planning and Zoning.
 10. A subdivision plat from the Department of Planning and Zoning.
 11. A subdivision plat from the Department of Planning and Zoning.
 12. A subdivision plat from the Department of Planning and Zoning.
 13. A subdivision plat from the Department of Planning and Zoning.
 14. A subdivision plat from the Department of Planning and Zoning.
 15. A subdivision plat from the Department of Planning and Zoning.
 16. A subdivision plat from the Department of Planning and Zoning.
 17. A subdivision plat from the Department of Planning and Zoning.
 18. A subdivision plat from the Department of Planning and Zoning.
 19. A subdivision plat from the Department of Planning and Zoning.
 20. A subdivision plat from the Department of Planning and Zoning.



APPROVED: [Signature]
 DATE: [Date]
 PROJECT: [Project Name]
 STANDARD NO. MC-312.05



APPROVED:	DATE:
PROJECT:	STANDARD NO. MC-312.05

PRELIMINARY SUBDIVISION PLAN
 LOTS 1 & 2
 GLEN MILLS ROAD
 PARCEL 3027

10TH ELECTOR DISTRICT - WASHINGTON COUNTY - MARYLAND
EMHG
 ENGINEERING & ARCHITECTURE
 4411 WINDY HILL DRIVE
 SUITE 200
 GREENBELT, MD 20886
 TEL: (301) 771-1000

GRAPHIC SCALE
 1" = 100' ±

BUILDER'S CERTIFICATE
 I hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief, and that the same conform to the requirements of the laws of the State of Maryland.

[Signature]
 [Date]



Board Approval Date: Oct. 10, 2005

Date Mailed: FEB 01 2006

Action: Approved Staff Recommendation
Motion of Commissioner Perdue, seconded by
Commissioner Wellington, with a vote of 4-0;
Chairman Berlage and Commissioners Perdue,
Wellington and Robinson voting in favor.
Commissioner Bryant absent.

MONTGOMERY COUNTY PLANNING BOARD**OPINION**

Preliminary Plan 120050710 (formerly 1-05071)
NAME OF PLAN: Glen Mill Road

The date of this written opinion is FEB 01 2006 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules of Court - State).

On 2/08/05, Mr. Lewie Bloom ("Applicant") submitted an application for the approval of a preliminary plan of subdivision of property in the RE-1 zone. The application proposed to create 2 lots on 5.18 acres of land located at on the east side of Glen Mill Road (Lane) opposite the intersection with Red Barn Lane, in the Potomac master plan area. The application was designated Preliminary Plan 120050710 (formerly 1-05071). On 10/10/05, Preliminary Plan 120050710 (formerly 1-05071) was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application.

The record for this application ("Record") closed at the conclusion of the public hearing, upon the taking of an action by the Planning Board. The Record includes: the

information on the Preliminary Plan Application Form; the Planning Board staff-generated minutes of the Subdivision Review Committee meeting(s) on the application; all correspondence and any other written or graphic information concerning the application received by the Planning Board or its staff following submission of the application and prior to the Board's action at the conclusion of the public hearing, from the applicant, public agencies, and private individuals or entities; all correspondence and any other written or graphic information issued by Planning Board staff concerning the application, prior to the Board's action following the public hearing; all evidence, including written and oral testimony and any graphic exhibits, presented to the Planning Board at the public hearing.

PUBLIC HEARING

Staff appeared and testified, summarizing its staff report and recommending approval of the plan, subject to conditions. The Applicant appeared and testified in support of staff's recommendation and the conditions of approval. Nobody testified or submitted evidence in opposition to the proposed preliminary plan.

FINDINGS

Having given full consideration to the recommendations of its Staff; the recommendations of the applicable public agencies¹; the applicant's position; and other evidence contained in the Record, which is hereby incorporated in its entirety into this Opinion, based upon the uncontested evidence of record as detailed in the staff report and incorporated herein by reference, the Montgomery County Planning Board finds that:

- a) The Preliminary Plan No. 120050710 (formerly 1-05071) substantially conforms to the Potomac master plan.
- b) Public facilities will be adequate to support and service the area of the proposed subdivision.
- c) The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.
- d) The application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A. This finding is subject to the applicable condition(s) of approval.

¹ The application was referred to outside agencies for comment and review, including the Washington Suburban Sanitary Commission, the Department of Public Works and Transportation, the Department of Permitting Services and the various public utilities. All of these agencies recommended approval of the application.

- e) The application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the Montgomery County Department of Permitting Services ("MCDPS") that the Stormwater Management Concept Plan meets MCDPS' standards.
- f) The Record of this application does not contain any contested issues; and, therefore, the Planning Board finds that any future objection, which may be raised concerning a substantive issue in this application, is waived.

CONDITIONS OF APPROVAL

Finding Preliminary Plan No. 120050710 (formerly 1-05071) in accordance with the purposes and all applicable regulations of Montgomery County Code Chapter 50, the Planning Board approves Preliminary Plan No. 120050710 (formerly 1-05071), subject to the following conditions:

- 1) Approval under this preliminary plan is limited to two (2) one-family detached dwelling units.
- 2) The proposed development shall comply with the conditions of the preliminary forest conservation plan. The applicant shall satisfy all condition prior to the recordation of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits, as applicable. The conditions are as follows:
 - a) Afforestation Planting Plan for all areas currently unforested within the stream valley buffer, per Chapter V of the Environmental Guidelines for Special Protection Areas.
 - b) Tree protection plan to protect trees as specified on the preliminary FCP.
 - c) Split rail fence or staff approved equivalent shall be place along conservation easement limit on both lots.
 - d) The rear wall of the house on Lot 1 shall be setback a minimum of 35 ft. (e.g. the rear yard setback in the RE-1 zone) from the conservation easement to allow for a fully useable back yard outside the easement area.
 - e) Submittal of financial security to M-NCPPC prior to clearing or grading.
 - f) Required site inspection by M-NCPPC monitoring staff (as specified in "Trees Technical Manual").

- g) Maintenance agreement to be reviewed and approved by M-NCPPC staff prior to first inspection of the planted areas.
- 3) Compliance with water quality inventory requirements for the Piney Branch Special Protection Area, including:
 - a) Afforestation of all unforested areas within the stream valley buffer (accelerated forestation);
 - b) Use of shared driveway off Glen Mill Road (imperviousness reduction); and
 - c) Compliance with all conditions of the MCDPS memo dated July 15, 2005.
- 4) Record plat to reflect a Category I forest conservation easement over all areas of forest conservation and stream valley buffers. Forest conservation easement on adjacent Parcel 820 to be recorded by deed; deed reference to be shown on plat for the subject property. All onsite specimen trees shown to be saved on the preliminary FCP outside of the stream valley buffer shall be placed in Category II easements, or other equivalent protection measure.
- 5) The applicant shall dedicate all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Master Plan unless otherwise designated on the preliminary plan. (Glen Mill Road is master planned for a 70 ft r.o.w. north of Red Barn Lane and 80 ft. r.o.w. south of Red Barn Lane.)
- 6) Compliance with conditions of MCDPWT letter dated May 12, 2005, unless otherwise amended.
- 7) Record plat to reflect a common ingress/egress and utility easement over all shared driveways.
- 8) Other necessary easements.

This Preliminary Plan will remain valid for 36 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed.

* * * * *

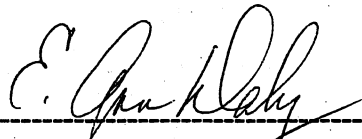
[CERTIFICATION OF BOARD VOTE ADOPTING OPINION ON FOLLOWING PAGE]

MC 11/19/06

Approved for legal sufficiency
M-NCPPC Office of General Counsel

CERTIFICATION OF BOARD ADOPTION OF OPINION

At its regular meeting, held on **Thursday, January 26, 2006**, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, by unanimous consent **ADOPTED** the above Opinion which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for **Preliminary Plan 120050710 formerly 1-05071, Glen Mill Road**. Vice Chair Perdue was temporarily absent. Commissioner Bryant abstained.



Certification As To Vote of Adoption
E, Ann Daly, Technical Writer