



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

MCPB  
Item # 2  
12/13/07

**MEMORANDUM**

**DATE:** November 29, 2007

**TO:** Montgomery County Planning Board

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

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

**SUBJECT:** Informational Maps and Summary of Record Plats for the Planning Board  
Agenda for December 13, 2007

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

220080580 **Somerset Heights**

**PLAT NO. 220080580**

**Somerset Heights**

Located on the south side of Dorset Avenue, 200 feet west of Surrey Street

R-60 zone; 1 lot

Community Water, Community Sewer

Master Plan Area: Bethesda-Chevy Chase

Matthew Zaft, Applicant

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 this property and concludes that the proposed subdivision complies with the criteria of Section 50-35A (a)(3) of the subdivision regulations and supports this minor subdivision record plat.

**RECORD PLAT FOR MINOR SUBDIVISION REVIEW SHEET**

(This form contains 3 pages)

Plat Name: Somerset Heights Plat Number: 220080580  
 Plat Submission Date: 9-26-07  
 DRD Plat Reviewer: S. Smith  
 DRD Prelim Plan Reviewer: N/A

\*For category of minor see pages 2 and 3

**Initial DRD Review:**

Pre-Preliminary Plan No. \_\_\_\_\_ Checked: Initial \_\_\_\_\_ Date \_\_\_\_\_  
 Preliminary Plan No. \_\_\_\_\_ Checked: Initial \_\_\_\_\_ Date \_\_\_\_\_  
 Planning Board Opinion - Date \_\_\_\_\_ Checked: Initial \_\_\_\_\_ Date \_\_\_\_\_  
 Site Plan Name if applicable: \_\_\_\_\_ Site Plan Number: \_\_\_\_\_  
 Planning Board Opinion - Date \_\_\_\_\_ Checked: Initial \_\_\_\_\_ Date \_\_\_\_\_

Lot # & Layout  Lot Area  Zoning  Bearings & Distances ok Coordinates ok  
 Plan # N/A Road/Alley Widths ok 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 ok  
 SPA N/A

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>A. Lindsey</u>	<u>10-1-07</u>	<u>10-17-07</u>	—	<u>N/A</u>
Research	Bobby Fleury	↓	↓	<u>10-3-07</u>	<u>OK</u>
SHA	Doug Mills	↓	↓	—	—
PEPCO	Steve Baxter	↓	↓	—	—
Parks	Doug Powell	↓	↓	—	—
DRD	Steve Smith	↓	↓	<u>10-3-07</u>	<u>OK</u>

**Final DRD Review:**

DRD Review Complete: SJS 11/20/07  
 (All comments rec'd and incorporated into mark-up)  
 Engineer Notified (Pick up Mark-up): SJS 10/26/07  
 Final Mylar w/Mark-up & PDF Rec'd: SJS 11-19-07  
**Board Approval of Plat:**  
 Plat Agenda: SJS 12-13-07  
 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. \_\_\_\_\_

**RECORD PLAT REVIEW SHEET – MINOR SUBDIVISION SEC-50-35A**

**Select which Category of Minor Subdivision and fill information as required**

**Requirements under Sec 50-35A (A)**

**(1) Minor Lot Adjustment**

- a) Total area does not exceed 5% of combined area affected: \_\_\_\_\_
- b) No additional lots created: \_\_\_\_\_
- c) Adjusted line is approximately parallel/does not significantly change shape of the lots: \_\_\_\_\_
- d) Date sketch plan submitted: \_\_\_\_\_
- e) Sketch plan revised or denied within 10 business days: \_\_\_\_\_
- f) Final record plat submitted within ninety days: \_\_\_\_\_
- g) Sketch shows following information:
  - i. proposed lot adjustment: \_\_\_\_\_
  - ii. physical improvements within 15 feet of adjusted line: \_\_\_\_\_
  - iii. alteration to building setback: \_\_\_\_\_
  - iv. amount of lot area affected: \_\_\_\_\_

**(2) Conversion of Outlot into a Lot**

- a) Outlot not required for open space or otherwise constrained: \_\_\_\_\_
- b) Adequate sewerage and water service/public or private: \_\_\_\_\_
- c) Adequate public facilities and AGP satisfied: \_\_\_\_\_
- d) Any conditions/agreements of original subdivision: \_\_\_\_\_
- e) Special Protection Area, Water Quality Plan required: \_\_\_\_\_

**(3) Consolidation Of Two of More Lots**

- a) Any prior subdivision conditions: \_\_\_\_\_
- b) Part of lot created by deed prior to June 1 1958: OK ✓

**(4) Further Subdivision of Commercial/Industrial/Multi-Family Lot**

Any subdivision/conditions; APF agreement satisfied: \_\_\_\_\_

**(5) Plat of Correction**

- a) All owners and trustees signed: \_\_\_\_\_
- b) Original Plat identified: \_\_\_\_\_

**(6) Plats for Residentially Zoned Parcels Created by Deed prior to June 1958**

- a) Deed(s) submitted: \_\_\_\_\_
- b) Developable with only one single family detached unit: \_\_\_\_\_

**(7) Plat for Existing Places of Worship, Private Schools, Country Club, Private Institution, and Similar Uses located on Unplatted Parcels**

- a) Adequate Public Facilities satisfied: \_\_\_\_\_
- b) Street dedication required: \_\_\_\_\_
- c) Forest conservation: \_\_\_\_\_
- d) Storm water management: \_\_\_\_\_
- e) Special Protection Area/Water Quality Plan: \_\_\_\_\_
- f) Landscaping and lighting plan including parking lot layout: \_\_\_\_\_

g) Approved Special Exception:

\_\_\_\_\_

**(8) Plats for Certain Residential Lots in the RDT Zone; 5 Lot Maximum**

a) Number of Lots:

\_\_\_\_\_

b) Written MCDPS approval of proposed septic area:

\_\_\_\_\_

c) Required street dedication:

\_\_\_\_\_

d) Easement for balance of property noting density and TDRS:

\_\_\_\_\_

e) Average lot size of 5 acres:

\_\_\_\_\_

f) Forest Conservation requirements met:

\_\_\_\_\_

**NOTES**

1. WATER CATEGORY: 1 - SEWER CATEGORY: 1
2. THE PROPERTY THAT IS THE SUBJECT OF THIS RECORD PLAT IS IN THE 1-40 ZONE AS OF THE DATE OF PLAT RECORDATION.
3. PERMITS - NONE FOUND  
 PERMITS - NONE FOUND  
 PERMITS - NONE FOUND
4. THE APPROVAL OF THIS PLAT IS PREDICATED ON THE AVAILABILITY OF PUBLIC WATER AND SEWER.
5. THIS PROPERTY IS SHOWN ON TAX MAP 141 1B.
6. THIS PROPERTY IS SHOWN ON M.A.S.C. 200-FOOT GRID 208 141 0A.
7. ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND RESTRICTIONS ASSOCIATED WITH ANY PREVIOUS PLAT, DEED, EASEMENT, OR OTHER INSTRUMENT AFFECTING THIS PROPERTY ARE HEREBY INCORPORATED BY REFERENCE INTO THIS PLAT. ANY INSTRUMENT AFFECTING THIS PROPERTY THAT IS NOT INCORPORATED BY REFERENCE INTO THIS PLAT IS HEREBY SUPERSEDED AND VOID AS TO THIS PROPERTY.
8. THIS PLAT CONFORMS TO THE REQUIREMENTS FOR THE SUBDIVISION OF LAND CONTAINED IN SECTION 20 OF THE MONTGOMERY COUNTY ZONING AND SUBDIVISION ACT, AND THE PLAT IS SUBJECT TO THE JURISDICTION OF THE MONTGOMERY COUNTY BOARD OF PLANNING AND ZONING ADJUSTMENT. THIS PLAT IS SUBJECT TO THE JURISDICTION OF THE MONTGOMERY COUNTY BOARD OF PLANNING AND ZONING ADJUSTMENT AND THE MONTGOMERY COUNTY BOARD OF PUBLIC WORKS AND THE MONTGOMERY COUNTY BOARD OF HEALTH.
9. THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO AFFECT ANY RIGHTS OR INTERESTS IN THE PROPERTY AND DOES NOT CONSTITUTE A WAIVER OF ANY RIGHTS OR INTERESTS IN THE PROPERTY. THE SUBDIVISION RECORD PLAT IS NOT INTENDED TO AFFECT THE OPERATION AND USE OF THIS PROPERTY, THE DETERMINATION OF TITLE OR TO DEPEND ON ANY MATTERS AFFECTING TITLE.

**OWNER'S CERTIFICATE**

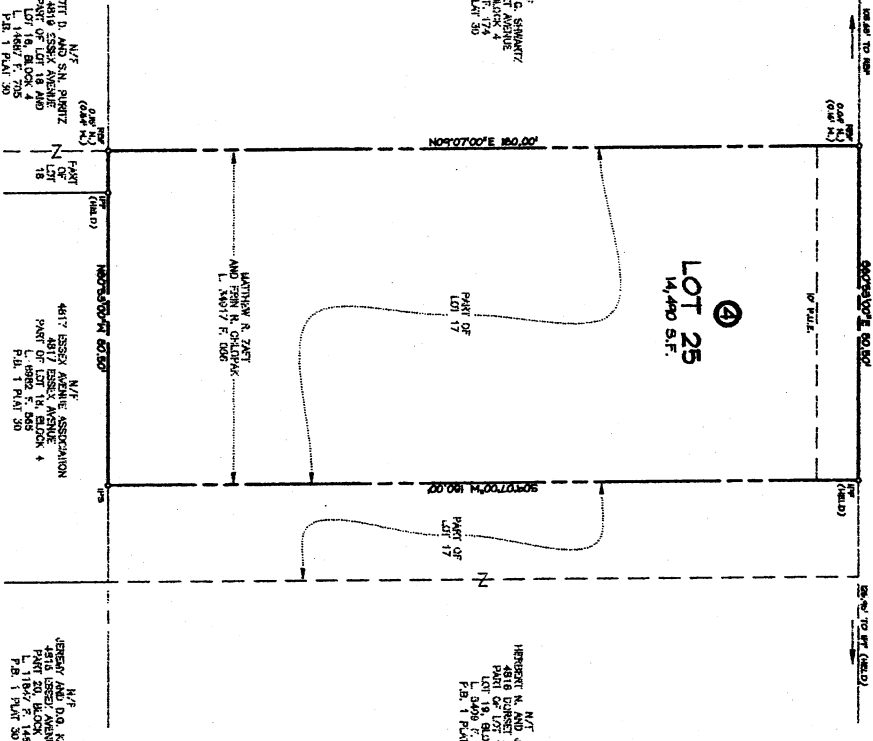
WE, THE UNDERSIGNED, HAVE BEEN THE SOLE AND SOLE PROPRIETORS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND WE HEREBY CERTIFY THAT THE PLAT OF SUBDIVISION OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH WE HEREBY CERTIFY TO BE THE PROPERTY SHOWN AND DESCRIBED HEREON, WAS PREPARED BY US OR UNDER OUR CLOSE PERSONAL SUPERVISION AND TO OUR KNOWLEDGE AND BELIEF ACCURATELY REPRESENTS THE ACTUAL SITUATION OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND WE HEREBY CERTIFY THAT WE HAVE NOT BEEN ADVISED OF ANY MATTERS AFFECTING THE OPERATION AND USE OF THIS PROPERTY, THE DETERMINATION OF TITLE OR TO DEPEND ON ANY MATTERS AFFECTING TITLE.

DATE: 11/19/07 M. J. Z. [Signature]  
 NAME: MATTHEW R. ZYET  
 DATE: 11/19/07 E. [Signature]  
 NAME: EMER R. OLFERAK

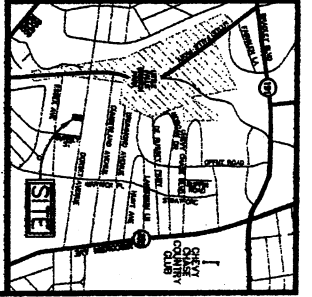
HE, HERSEAL LYNDI CREDIT CORPORATION, HEREBY CONSENTS TO THIS PLAN OF SUBDIVISION.

DATE: 11/19/07 [Signature]  
 NAME: [Signature]  
 TITLE: Witness

**DORSET AVENUE**  
 (60' R/W)  
 (PER P.B. 1, PLAT 30)



PLAT No.



**SURVEYOR'S CERTIFICATE**

I, HERSEAL LYNDI CREDIT CORPORATION, HEREBY CONSENT TO THIS PLAN OF SUBDIVISION OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH WE HEREBY CERTIFY TO BE THE PROPERTY SHOWN AND DESCRIBED HEREON, WAS PREPARED BY US OR UNDER OUR CLOSE PERSONAL SUPERVISION AND TO OUR KNOWLEDGE AND BELIEF ACCURATELY REPRESENTS THE ACTUAL SITUATION OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND WE HEREBY CERTIFY THAT WE HAVE NOT BEEN ADVISED OF ANY MATTERS AFFECTING THE OPERATION AND USE OF THIS PROPERTY, THE DETERMINATION OF TITLE OR TO DEPEND ON ANY MATTERS AFFECTING TITLE.

DATE: 11/19/07 [Signature]  
 NAME: HERSEAL LYNDI CREDIT CORPORATION  
 TITLE: Witness

**SOMERSET HEIGHTS**  
 A RESUBDIVISION OF PART OF LOT 17, BLOCK 4  
 SUBDIVISION RECORD PLAT  
 LOT 25, BLOCK 4

**BETHESDA (7TH) ELECTION DISTRICT**  
 MONTGOMERY COUNTY, MARYLAND  
 SCALE: 1" = 20' NOVEMBER, 2007

**Department of Permitting Services**  
 Montgomery County, Maryland

**PLAT TABULATION**

NUMBER OF LOTS	1
AREA OF LOTS (SQ. FT.)	14,450
AREA OF PARCELS (SQ. FT.)	14,450
AREA OF STREETS (SQ. FT.)	0
TOTAL AREA (SQ. FT.)	14,450

**The Maryland National Capital Park and Planning Commission**  
 Montgomery County Planning Board

Approved: \_\_\_\_\_  
 Name: \_\_\_\_\_

M.N.C.P. & P.C. Record File No. \_\_\_\_\_

**GRAPHIC SCALE**  
 1 INCH = 20 FEET

**Recorded**  
 Plat No. \_\_\_\_\_

**EAS ENGINEERING**  
 CIVIL & SURVEYING & LAND PLANNING  
 A Division of eas engineering, inc.  
 108 Hunt Ridgeville, Bethesda, MD 20814  
 Tel: (301) 291-1100 Fax: (301) 291-1101