



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

MCPB
Item # 2
7/10/08

MEMORANDUM

DATE: June 30, 2008

TO: Montgomery County Planning Board

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

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

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board
Agenda for July 10, 2008

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:

220071180 **Whites Store Estates**
220081230 **Edgemoor**

PLAT NO. 220071180

Whites Store Estates

Located in the northeast quadrant of the intersection of Whites Store Road and Peach Tree Road

RDT zone; 1 lot

Private Well, Private Septic

Master Plan Area: Agriculture and Rural Open Space

Michael Rubin, Applicant

Staff recommends approval of this minor subdivision plat pursuant to Section **50-35A (a)(8)** of the Subdivision Regulations, which states:

Plats for Certain Residential Lots located in the Rural Density Transfer Zone. Up to five lots are permitted under the minor subdivision procedure in the RDT zone provided that a pre-preliminary plan is submitted and approved by either the Planning Board or Planning Board staff, in accordance with the procedures for submission and approval of a pre-preliminary plan of subdivision. In addition:

- a. Written approval for a proposed septic area must be received from the Montgomery County Department of Permitting Services, Well and Septic Section prior to recordation of the plat;
- b. Any required street dedications along the frontage of the proposed lots must be shown on the record plat;
- c. An easement must be recorded for the balance of the property noting that density and TDRs have been utilized for the new lots. Reference to this easement must be reflected on the record plat for the lots; and
- d. Lots created in the RDT Zone through the minor subdivision procedure must not exceed an average lot size of five (5) acres in size unless approved by the Planning Board in the review of a pre-preliminary plan of subdivision.
- e. Forest conservation requirements must be satisfied prior to recording the plat

Staff applied the above-noted minor subdivision criteria for this property and concludes that the proposed subdivision complies with the requirements of Section 50-35A(a)(8) and supports this minor subdivision record plat.

PLAT No.

NOTES

- All terms, conditions, agreements, limitations, and requirements associated with any preliminary plan, site plan, project plan or other plan, showing development of this property and approved by the Montgomery County Planning Board are intended to be incorporated into this plat. The applicant shall be responsible for the maintenance of the plat as approved. This office public fee for any such plan or plat is non-refundable. The applicant shall be responsible for the maintenance of the plat as approved by the Montgomery County Planning Board and are available for public review during normal business hours.
- The Subdivision Record Plat is not intended to show any matter affecting the easement and use, nor any matter affecting the ownership and use, of the property or its appurtenances, which may be shown on a subdivision of this or to depict or note all matters affecting title.
- The property that is the subject of this record plat is in 60T zone, as of the date of plat recordation.
- This property is shown on Tax Map CV 61 as part of Parcel 375.
- This plan is limited to the uses and conditions as required by Pre-Preliminary Plan Review. Any other use or condition not shown on this plan is subject to the provisions of the proposed concept. In use will require further Montgomery County Planning Board review and approval.
- This property is served by private water and private sewer systems.
- The property shown hereon is subject to the requirements of The Chapter 92A, Montgomery County Conservation Law. Forest conservation requirements are being met through establishment of a Category I Conservation Easement on the residue of parcel 375, recorded among the Land Records of Montgomery County, Maryland in Liber 5855 of Folio 44.
- Septic Building Restriction Lines (SBR/L) are subject to change upon approval by the Montgomery County Department of Permitting Services and Septic Section.
- Septic areas are approved for a maximum of six (6) bedroom houses.
- This plat conforms to the requirements for Minor Subdivision approvals contained in Section 30-25A of Montgomery County Subdivision Regulations, Chapter 92A of the County Code. This plat includes one (1) lot as provided for in Section 30-25-3A (C)(8).
- One Transient Development Right (TDR) portion for the subject parcel lot shown hereon is being conveyed to the public. The TDR has been assigned for development of this lot has been recorded in Liber 34881 of Folio 41.

OWNER'S CERTIFICATE

We, MICHAEL D. RUBIN and JENNIFER L. SWANSON, of the property shown hereon, hereby adopt this plan of subdivision, dedicate the streets to public use, establish the minimum building restriction lines and grant to Montgomery County and the public the right to use the easement shown hereon for the purposes stated hereon and to the public streets, and we agree to be bound by the terms and conditions of this plat. Further, we hereby grant a Public Utility Easement, designated hereon as "P.U.E.", to those parties named in the document entitled "Declaration of Terms and Provisions of Public Utility Easement" and recorded among the Land Records of Montgomery County, Maryland in Liber 5855 of Folio 45, all terms and provisions being incorporated herein by this reference.

As owners of this subdivision, we, our successors, agents and assigns will defend, maintain, protect and preserve the easement shown hereon as set by a Maryland Registered Surveyor, in accordance with Section 30-24(a) (2) of the Montgomery County Code. There are no recorded suits, actions of law, liens, leases, mortgages or trusts affecting the property included in this plat of subdivision.

Witness my hand and seal this 14th day of June 2008 at Rockville, Maryland.

By: *[Signature]* Date: 14 June 2008
[Signature] Date: 14 June 2008
 Michael D. Rubin, Owner
 Jennifer L. Swanson, Owner

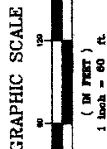
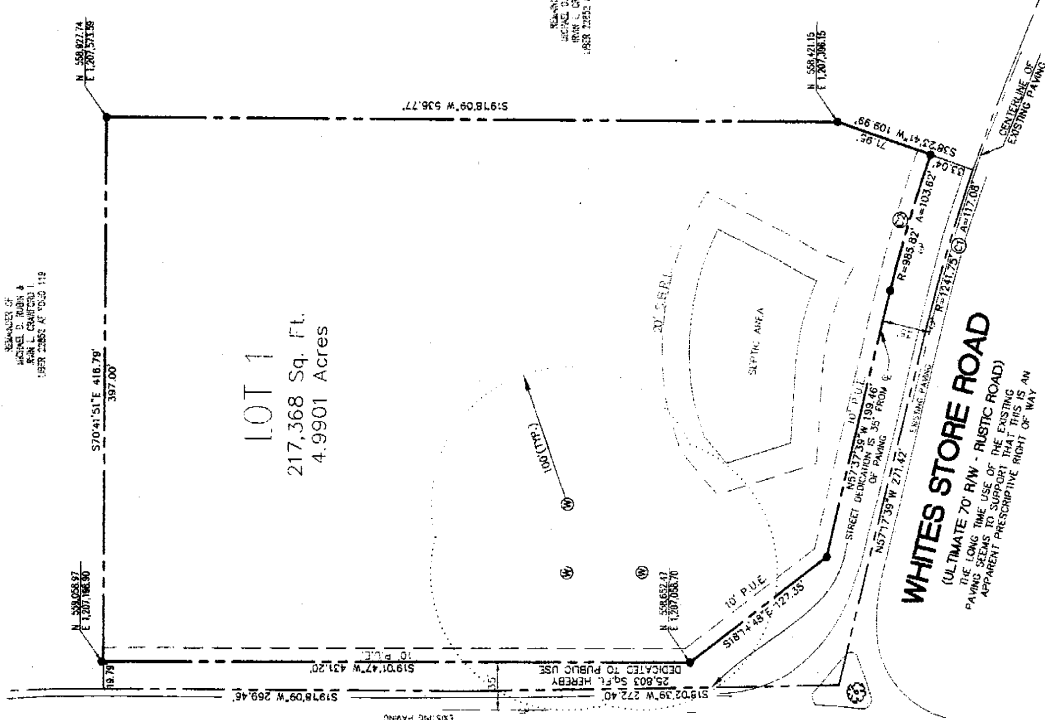
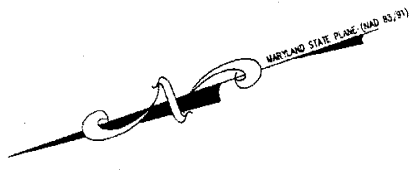
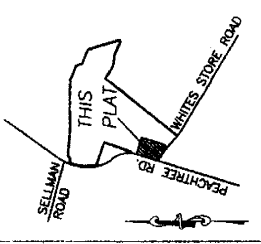
SURVEYOR'S CERTIFICATE

I hereby certify to the best of my professional knowledge, information and belief, that this plat conforms to the requirements of the Montgomery County Code, and that the plat has been prepared in accordance with the provisions of the Montgomery County Code. The total area of this plat is 24,171 square feet or 5.5824 Acres of which 25,803 square feet or 5.9523 Acres are dedicated to public use.

Witness my hand and seal this 14th day of June 2008 at Rockville, Maryland.

By: *[Signature]* Date: June 19, 2008
 Donald F. Remmers
 Professional Land Surveyor
 Maryland Registration No. 10688

NO.	RADIUS	ARC	DELTA	TANGENT	CHORD	BEARING
C1	1741.75	117.08	05°21'08"	56.59	117.03	N54°35'35"W
C2	953.92	103.67	06°01'20"	51.85	103.57	N54°36'59"W



AREA TABULATION

TOTAL LOT	217,368 Sq. Ft. OR 4.9901 Acres
STREET DEDICATION	25,803 Sq. Ft. OR 0.5923 Acres
PLAT TOTAL	243,171 Sq. Ft. OR 5.5824 Acres

SUBDIVISION RECORD PLAT
 LOT 1
 WHITES STORE ESTATES
 11TH ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND
 SCALE: 1" = 60'
 June 2008
 Patton Harris Rust & Associates
 Engineers, Surveyors, Planners, Landscape Architects
 12850 Middlebrook Road, Germantown, MD 20874
 T 301.528.4300 F 301.528.0419

702118
 MONTGOMERY COUNTY MARYLAND DEPARTMENT OF PERMITTING SERVICES

APPROVED: _____ DATE _____
 CHAIRMAN SECRETARY-TREASURER
 M.A.C.P. & P.C. RECORD NO. _____

RECORDED: _____ DATE _____
 PLAT NO. _____ DIRECTOR

RECORD PLAT FOR MINOR SUBDIVISION REVIEW SHEET

(This form contains 3 pages)

Plat Name: White Stone Estates Plat Number: 220071180
 Plat Submission Date: 3/23/07
 DRD Plat Reviewer: Taslima Akem
 DRD Prelim Plan Reviewer: C. Conlon

*For category of minor see pages 2 and 3

Initial DRD Review:

Pre-Preliminary Plan No. 720050650 Checked: Initial SOS Date 4/26/07
 Preliminary Plan No. N/A Checked: Initial --- Date ---
 Planning Board Opinion - Date N/A Checked: Initial --- Date ---
 Site Plan Name if applicable: NA Site Plan Number: ---
 Planning Board Opinion - Date NA Checked: Initial --- Date ---

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

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment Research	<u>M. H. Fleury</u> Bobby Fleury	<u>4/6/07</u>	<u>4/24/07</u>	<u>12-7-07</u> <u>4-24-08</u>	<u>offset Easement by Dead</u> <u>OK</u>
SHA	Doug Mills				
PEPCO	Steve Baxter				
Parks	Doug Powell				
DRD	Steve Smith			<u>4-23-07</u>	<u>Change to White's Stone Rd</u>

Final DRD Review:

DRD Review Complete: SOS 6/30/08
 (All comments rec'd and incorporated into mark-up)
 Engineer Notified (Pick up Mark-up): SOS 11/29/08
 Final Mylar w/Mark-up & PDF Rec'd: SOS 6-20-08

Board Approval of Plat:

Plat Agenda: SOS 7-10-08
 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: _____

(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: 1 ~~OK~~
- b) Written MCDPS approval of proposed septic area: OK
- c) Required street dedication: N/A
- d) Easement for balance of property noting density and TDRS: OK ✓ ~~NEED~~
- e) Average lot size of 5 acres: OK
- f) Forest Conservation requirements met: OK ✓ ~~NEED~~