



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

MCPB
Item # 1B
7/8/10

MEMORANDUM

DATE: June 28, 2010

TO: Montgomery County Planning Board

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

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

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board
Agenda for July 8, 2010

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:

220100430 **Fairhill**
220100770 **Avery Village**
220100780 **Buffington at Clarksburg**
220101000 **Village Center - Montgomery Village**

Plat Name: Fairhill
Plat #: 220100430

Location: Located on the west side of Ripplemead Drive, approximately 2,000 feet north of Riggs Road
Master Plan: Olney
Plat Details: RDT zone
Community Water, Private Septic
Applicant: Kent Mayne

Staff recommends approval of this minor subdivision plat pursuant to Section **50-35A(a)(2)** of the Subdivision Regulations, which states:

Conversion of an Outlot into a Lot. An outlot may be converted into a lot under the minor subdivision procedures provided:

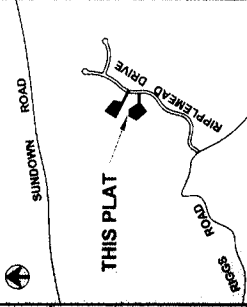
- a. The outlot is not required open space or otherwise constrained so as to prevent it from being converted into a buildable lot;
- b. There is adequate sewerage and water service to the property, which may be either public service and/or approved private septic system/private well;
- c. All applicable requirements and/or agreements that may be relevant, in accordance with provisions for adequate public facilities, as contained in Section 50-35(k) and the Annual Growth Policy, are satisfied prior to the recordation of the plat;
- d. All applicable conditions and/or agreements applicable to the original subdivision approval creating the outlot will also apply to the new lot. The conditions and agreements may include, but are not limited to, any adequate public facilities agreement, conservation easement or building restriction lines; and
- e. If the outlot is located within a special protection area, as shown on an approved and adopted master plan, all applicable special protection areas requirements and guidelines, including approval of a water quality plan, are satisfied prior to recordation of the plat.

An outlot may be incorporated into an adjoining lot resulting in a larger lot without having to satisfy Subsections (a) and (b) above.

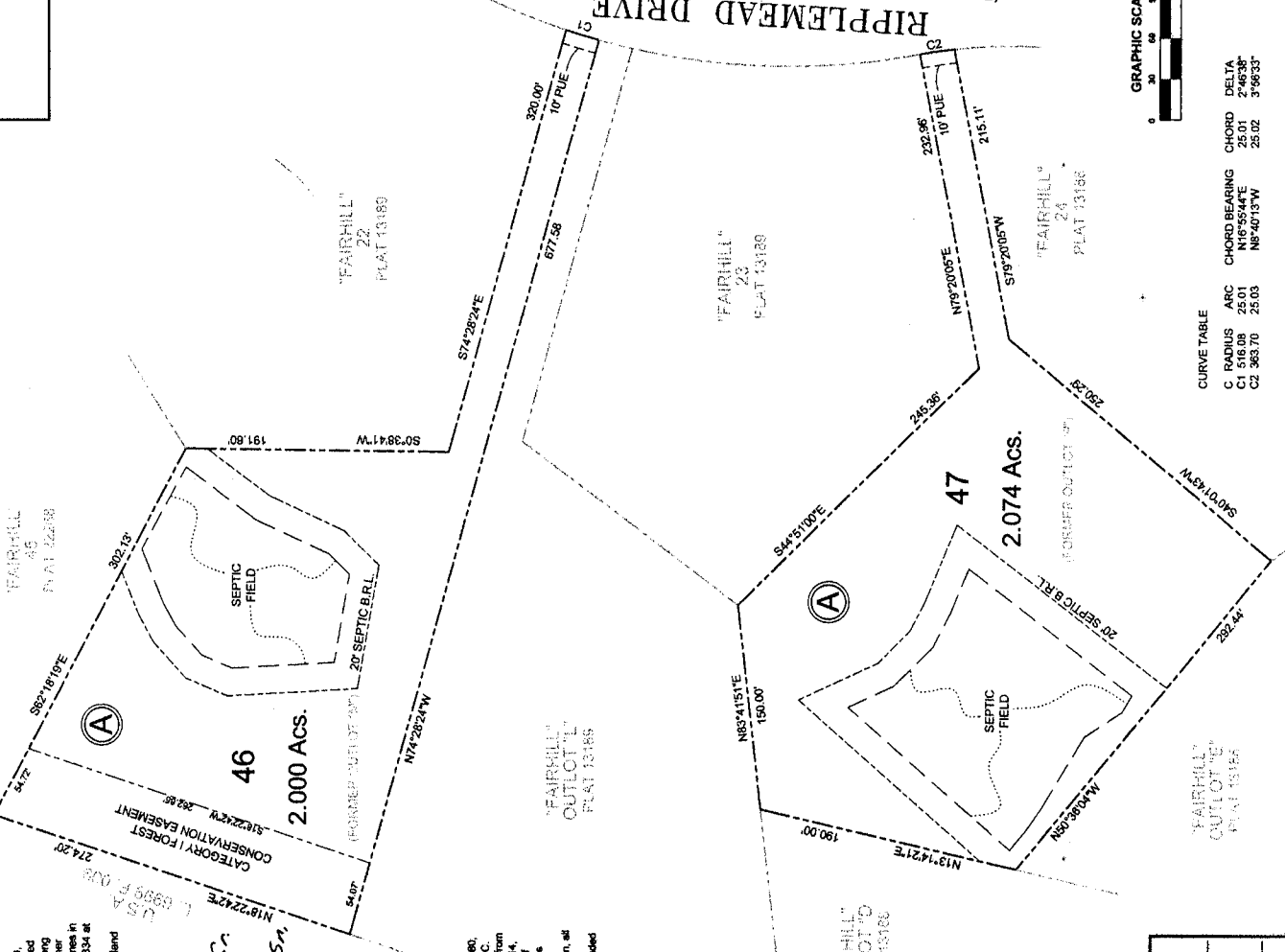
Staff applied the above-noted minor subdivision criteria for this application, which is converting 2 outlots into 2 record lots, and concludes that the proposed subdivision complies with the criteria of Section 50-35A(a)(2) of the subdivision regulations and supports this minor subdivision record plat.

PLAT NO.

VICINITY MAP
SCALE: 1" = 2,000'



PLATS 13188 & 13189 MERIDIAN



OWNERS CERTIFICATION
The undersigned, owner of the property shown hereon, hereby adopts this plat of subdivision, grants the Conservation Easement as shown hereon to the parties named in a document entitled "Conservation Easement" and agrees to sign and record the same in the land records of Montgomery County, Maryland, subject to the terms set forth therein. Further, the undersigned agrees to execute and record a Public Utility Easement shown hereon as (10' P.U.E.) to the parties named in a document entitled "Terms and Provisions of Public Utility Easement" as recorded in Liber 3834 at Folio 457 among the land records of Montgomery County, Maryland. The owner will cause all property corner markers and any other required monumentation to be set by a registered Maryland Land Surveyor, in accordance with Section 50-24(e) of the Montgomery County Code.

There are no subs, liens, mortgages, or trusts, affecting the property included in this plat of subdivision.
Kent C. Mayne, Sr. 5/12/2010
Kent C. Mayne, Sr. 5/12/2010
Witnesses
Michael M. ...
Michael M. ...

SURVEYORS CERTIFICATION
I hereby certify that the plat shown hereon is correct, that it is a subdivision of part or all of the land described in the following deeds (1) from Patricia L. Mayne, to Kent C. Mayne, dated October 20, 1980, and recorded in Liber 0808 at Folio 278, 23; from Edward F. Mayne and Josephine L. Mayne to Kent C. Mayne, Sr. and Marjri F. Mayne dated March 14, 2002 and recorded in Liber 20816 at Folio 379, 33; from Edward F. Mayne and Josephine L. Mayne to Kent C. Mayne, Sr. and Marjri F. Mayne dated March 14, 2002 and recorded in Liber 20816 at Folio 382 respectively, also being a redivision of Outlot N of FAIRHILL, as shown on a plat recorded in Plat Book 112 at Page 13189, and Outlot P of FAIRHILL, as shown on a plat recorded in Plat Book 112 at Page 13190, all among the land records of Montgomery County, Maryland. All property markers and other boundary markers will be set as delineated hereon in accordance with the provisions of Section 50-24(e) of Montgomery County Code. The total area included on this plat is 4.974 acres of land of which none is dedicated to the public use.

Thomas A. Maddox
THOMAS A. MADDOX - Registered Professional Land Surveyor
DATE: 5-17-2010
Land Surveyor MD #10850

STATISTICS

PLAT TOTALS	2
AREA OF LOTS	4.074 ACS
AREA OF EASEMENT	0.900 ACS
TOTAL AREA SHOWN ON PLAT	4.074 ACS

MONTGOMERY COUNTY
DEPARTMENT OF PERMITTING SERVICES
APPROVED: _____
DATE: _____

DIRECTOR
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
MONTGOMERY COUNTY PLANNING BOARD
APPROVED: _____
DATE: _____

PLAT	DATE

- NOTES**
1. PROPERTY ZONED RPT.
 2. ALL LOTS ARE TO BE SERVED BY PUBLIC WATER AND INDIVIDUAL SEPTIC SYSTEMS.
 3. THE PROPERTY SHOWN HEREON IS SUBJECT TO THE REQUIREMENTS OF THE MONTGOMERY COUNTY FOREST CONSERVATION LAW OF 1982, INCLUDING APPROVAL OF A FINAL FOREST CONSERVATION PLAN AND APPROPRIATE AGREEMENTS PRIOR TO ISSUANCE OF A FOREST CONTROL PERMIT, FOREST CONSERVATION PLAN REFERENCE NO. 198071.
 4. ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS OF THE FOREST CONSERVATION PLAN AND APPROPRIATE AGREEMENTS SHALL BE ALLOWED TO REMAIN IN FULL FORCE AND EFFECT AND SHALL NOT BE EXTINGUISHED BY THE PLANNING BOARD OR REFERRED TO SURVIVE AND NOT BE EXTINGUISHED BY THE REVISION OF THIS PLAT. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE AVAILABLE FOR REVIEW AND ARE AVAILABLE FOR PUBLIC VIEWING DURING NORMAL BUSINESS HOURS.
 5. THIS PLAT IS NOT INTENDED TO DISPLACE ANY RIGHTS OR RESTRICTIONS ON THE OWNERSHIP AND USE OF THE PROPERTY. THIS PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPEND ON OR NOTE ALL MATTERS AFFECTING TITLE.
 6. PROPERTY FOUND ON MONTGOMERY COUNTY TAX MAP XV.
 7. THE PLAT OF REVISIONS IS APPROVED PURSUANT TO THE PROVISIONS FOR MINOR REVISIONS OF THE SUBDIVISION REGULATIONS (CONVERSION OF AN OUTLOT TO A LOT).
 8. THE LOT BOUNDARIES SHOWN HEREON WERE PREVIOUSLY ESTABLISHED BY THE PLATS ENTITLED "FAIRHILL" RECORDED IN PLAT BOOK 112 AT PAGES 13189 AND 13190.
 9. SEPTIC BOUNDARIES SHOWN HEREON ARE SUBJECT TO CHANGE WITH MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES APPROVAL.
 10. SEPTIC AREAS ARE DESIGNED FOR A 6 BEDROOM HOUSE ON LOT 46 AND A 6 BEDROOM HOUSE ON LOT 47.
 11. THE LOTS SHOWN HEREON COMPLY WITH THE GRANDFATHER PROVISIONS OF THE RPT ZONE AS SPECIFIED IN THE MONTGOMERY COUNTY ZONING ORDINANCE, SECTION 50-24C.

PREVIOUSLY DEDICATED BY PLATS 13188 & 13189



CURVE TABLE

C	RADIUS	ARC	CHORD BEARING	CHORD	DELTA
1	65.00	25.01	N65°40'13"W	25.02	3°36'33"
2	326.70	25.00	N6°40'13"W	25.02	3°36'33"

THOMAS A. MADDOX
PROFESSIONAL LAND SURVEYOR
8633 SHADY GROVE COURT
GAITHERSBURG, MARYLAND 20877
(301) 984-5804
06858-PL12000

SUBDIVISION RECORD PLAT
LOTS 46 & 47
BLOCK A
FAIRHILL
A RESUBDIVISION OF
OUTLOT M & OUTLOT P
BLOCK A
ELECTION DISTRICT 8
MONTGOMERY COUNTY, MARYLAND
SCALE 1" = 60' JANUARY 2010

MINOR SUBDIVISION PLAT REVIEW SHEET

(This form contains 3 pages)

Plat Name: Fair Hill Plat Number: 220100430
 Plat Submission Date: 12-9-09
 DRD Plat Reviewer: S. Smith
 DRD Prelim Plan Reviewer: _____

*For category of minor subdivision 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 GF Bearings & Distances ok Coordinates ok
 Plan # ok Road/Alley Widths ok Easements ok Open Space N/A Non-standard
 BRLs N/A Adjoining Land ok Vicinity Map ok Septic/Wells ok
 TDR note N/A Child Lot note N/A Surveyor Cert Owner Cert Tax Map ok
 SPA N/A

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	Evelyn Gibson	12/10/09	12/28/09	12/28/09	Revise NOTES
Research	Bobby Fleury			12-15-09	OK
SHA	Corren Giles				
PEPCO	Bobbie Dickey				
Parks	Doug Powell				
DRD	Keiona Clark				

Final DRD Review:

	Initial	Date
Consultant Notified (Final Mark-up):	<u>SJS</u>	<u>1-4-10</u>
Final Mylar & DXF/DWG Received:	<u>SJS</u>	<u>5/29/10</u>
Final Mylar Review Complete:	<u>SJS</u>	<u>6/21/10</u>
Board Approval of Plat:		
Plat Agenda:	<u>SJS</u>	<u>7/8/10</u>
Planning Board Approval:	_____	_____
Chairman's Signature:	_____	_____
MCDPS Approval of Plat:		
Consultant 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:	_____	_____
Complete Reproduction:	_____	_____
Notify Consultant to Seal Plats:	_____	_____
Surveyor's Seal Complete:	_____	_____
Sent to Courthouse for Recordation:	_____	_____
Recordation Info Entered into Hansen	_____	_____

No. _____

MINOR SUBDIVISION SECTION 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: N/A
- b) Adequate sewerage and water service/public or private: *Septic Approved*
- c) Adequate public facilities and AGP satisfied: *OK*
- d) Any conditions/agreements of original subdivision: *FCP OK*
- e) Special Protection Area, Water Quality Plan required: N/A

(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: _____