



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


MCPB
Item # 1B
11-3-2016

MEMORANDUM

DATE: October 25, 2016

TO: Montgomery County Planning Board

VIA: Catherine Conlon, Supervisor
D.A.R.C. Division
(301) 495-4542

FROM: Stephen Smith, Senior Planner 
Jay Beatty, Planner
D.A.R.C. Division
(301) 495-4522 & (301) 495-2178

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board
Agenda for November 3, 2016

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:

220110630 Gotten's Good Luck
220151140 Cabin Branch

Plat Name: Gotten's Good Luck
Plat #: 220110630

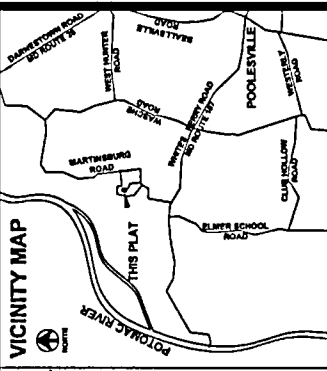
Location: Located on the west side of Martinsburg Road, approximately 3300 feet north of Whites Ferry Road (MD 107)
Master Plan: Agriculture and Rural Open Space Master Plan
Plat Details: AR zone; 2 lots
Applicants: John and Riley Jamison

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 the property included in this application and concludes that the proposed subdivision complies with the requirements of Section 50-35A(a)(8) and with Pre-Preliminary Plan No. 720090120 and supports this minor subdivision record plat.



MARYLAND STATE PLANE
NAD 83

PLAT NO.

OWNER'S CERTIFICATION

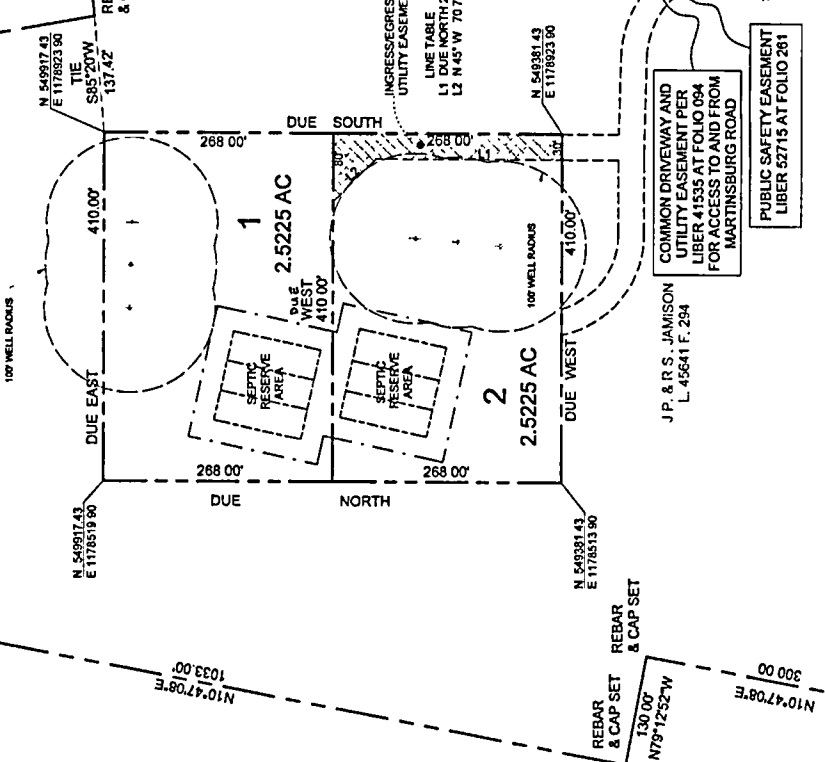
The undersigned, owner(s) of the property shown hereon, hereby adopt the plat of subdivision, establish and grant unto the owners, heirs and assigns of Lot 1 shown hereon, the Egress - Egress and Utility Easement crossing Lot 2 also shown. The owners will cause all property corner markers and any other 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 suits, liens, mortgages, or trusts, affecting the property

John P. Jamison
Date: 9/27/16
WITNESS

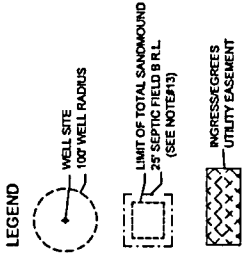
Riley S. Jamison
Date: 9/28/16
WITNESS

SANDBOUND NOTES: (non-assessment)
A. SAND BOUND NOTES:
The sand bound notes (if shown on the plan are intended for the initial and future use of the dwelling to be built on the lot. It is intended that the sand bound notes be protected from physical damage until such time, if any, that the lot is to be developed. The sand bound notes shall include, but not be limited to, construction, grading, cut or fill, etc. for the area of the records and the area within 25 feet of each mound. Any such disturbance may render the specific approval of the lot void, or may require the property owner, if able to expand the use of the property. Each sand mound site must be reestablished with an approved sand mound note. The sand mound note shall include the following information:
(a) A description of the sand mound, including the location, size, and depth of the mound.
(b) A description of the sand mound, including the location, size, and depth of the mound.
(c) A description of the sand mound, including the location, size, and depth of the mound.
(d) A description of the sand mound, including the location, size, and depth of the mound.
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(p) A description of the sand mound, including the location, size, and depth of the mound.
(q) A description of the sand mound, including the location, size, and depth of the mound.
(r) A description of the sand mound, including the location, size, and depth of the mound.
(s) A description of the sand mound, including the location, size, and depth of the mound.
(t) A description of the sand mound, including the location, size, and depth of the mound.
(u) A description of the sand mound, including the location, size, and depth of the mound.
(v) A description of the sand mound, including the location, size, and depth of the mound.
(w) A description of the sand mound, including the location, size, and depth of the mound.
(x) A description of the sand mound, including the location, size, and depth of the mound.
(y) A description of the sand mound, including the location, size, and depth of the mound.
(z) A description of the sand mound, including the location, size, and depth of the mound.



NOTES

1. PROPERTY ZONED R1 (FORMERLY R1) AT DATE OF RECORDATION. ALL EXISTING AND PROPOSED DEVELOPMENT ON THIS PROPERTY IS SUBJECT TO THE STANDARDS UNDER MONTGOMERY COUNTY ZONING ORDINANCE. AGRICULTURE IS THE PREFERRED USE IN THE R1 ZONE. ALL AGRICULTURAL OPERATIONS SHALL BE PERMITTED AT ANY TIME, INCLUDING THE OPERATION OF FARM MACHINERY AND NO AGRICULTURAL USE SHALL BE SUBJECT TO RESTRICTION BECAUSE IT INTERFERES WITH OTHER USES PERMITTED IN THE ZONE.
2. THE LOTS ON THIS PLAT AND PREAPPLICATION FILE NO. Z090028L CONFORM WITH THE MINOR SUBDIVISION REGULATIONS IN SECTION 50-24(a)(8) OF THE MONTGOMERY COUNTY CODE. PLATS FOR CERTAIN RESIDENTIAL LOTS LOCATED IN THE RURAL DENSITY TRANSFER ZONE.
3. LOTS SERVED BY PRIVATE WELL AND PRIVATE ON SITE SEWAGE DISPOSAL SYSTEM, S & W 4.
4. THE PROPERTY SHOWN HEREON IS SUBJECT TO THE REQUIREMENTS OF THE MONTGOMERY COUNTY FOREST CONSERVATION LAW, INCLUDING APPROVAL OF A FINAL FOREST CONSERVATION PLAN AND APPROPRIATE AGREEMENTS PRIOR TO ISSUANCE OF A SEDIMENT CONTROL PERMIT.
5. ALL TERMS, CONDITIONS, AGREEMENTS, AND RESERVATIONS ASSOCIATED WITH ANY PRELIMINARY PLAN, STATE PLAN, PROJECT PLAN, OR OTHER PLAN, ALLOWING DEVELOPMENT OF THIS PROPERTY, APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD ARE INTENDED TO SURVIVE AND NOT BE EXTINGUISHED BY THE RECORDATION OF THIS PLAT. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND ARE AVAILABLE FOR PUBLIC VIEWING DURING NORMAL BUSINESS HOURS.
6. THIS PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING OR RESTRICTING THE OWNERSHIP AND USE OF THE PROPERTY. THIS PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPECT OR NOTE ALL MATTERS AFFECTING TITLE.
7. PROPERTY FOUND ON MONTGOMERY COUNTY TAX MAP RL, W.S.S.C. 28ANW22 & 27N4W22.
8. TWO TIES (TRANSFERABLE DEVELOPMENT RIGHTS) EXIST FOR THE LOTS SHOWN ON THIS PLAT PER AFFIDAVIT DATED MAY 14, 2016.
9. THIS PROPERTY IS SUBJECT TO AN OFF SITE CONSERVATION EASEMENT WHICH IS FURTHER DESCRIBED IN LIBER 30689 AT FOLIO 289 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.
10. THE PROPERTY INCLUDED IN PREAPPLICATION PLAN Z090028L IS SUBJECT TO A DECLARATION OF RESTRICTIVE COVENANT RELATING TO DENSITY FROM THIS PARENT PARCEL (LIBER 4582, FOLIO 623) RECORDED IN LIBER 51875 FOLIO 362.
11. LOTS 1 & 2 APPROVED FOR 3 BEDROOM HOUSES.
12. SETBACK BUILDING RESTRICTIONS LINE AS SUBJECT TO CHANGE WITH MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES APPROVAL.
13. THIS PROPERTY IS SUBJECT TO A RIGHT OF WAY (10' WIDE) GRANTED TO ALLEGHENY POWER RECORDED IN LIBER 2979 AT FOLIO 511 AND CANNOT BE GRAPHICALLY SHOWN DUE TO INSUFFICIENT INFORMATION IN THE DEED TO LOCATE IT. NO PHYSICAL EVIDENCE WAS AVAILABLE TO SHOW ITS APPROXIMATE LOCATION.



SURVEYOR'S CERTIFICATION

I hereby certify that the plat shown hereon is correct, that it is a subdivision of part of the land described in a deed from Robert P. Jamison and Susan S. Jamison to John P. Jamison and Riley S. Jamison dated December 10, 2013 and recorded in Liber 45841 at Folio 294 among the land records of Montgomery County, Maryland. I further certify that, once engaged as described in the owner's certification hereon, all monuments and 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 5.045 acres of land, there is no dedication to the public use by this plat.

Thomas A. Maddox
Date: 9/28/16
Registered Professional Land Surveyor
MD #10650 Expires 04-03-2018



PLAT TOTALS	2
NUMBER OF LOTS	5.045 ACRES
AREA OF LOTS	NONE
AREA OF DEDICATION	NONE
TOTAL AREA SHOWN ON PLAT	5.045 ACRES

APPROVED: *Diane Schwartz* DATE: _____

CHAIRMAN ASST.-SECRETARY-TREASURER
M.N.C.P. & P.C. RECORD FILE NO.

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

RECORDED DATE: _____

MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES

