

Charles P. Johnson & Associates, Inc.

Planners Engineers Landscape Architects Surveyors

Silver Spring, MD

Frederick, MD

Fairfax, VA

CPJ

Associates

January 27, 2004

Ms. Wynn Witthams
Development Review Division
MNCPPC
8787 Georgia Avenue
Silver Spring, MD 20901

Re: Greenway Village
Phase 3-5

Dear Wynn:

On behalf of our client, Clarksburg Skylark, L.L.C., we are requesting waivers for the following sections of the Montgomery County Code, Chapter 50 from the Maryland National Capital Park and Planning Commission:

Section 50-26 (h) (3) which requires a sidewalk on both sides of a tertiary street. Because Sweet Flag Circle is a one way road serving only 4 lots, and we are in a special protection area, we are requesting a waiver of a sidewalk on both sides of the roadway.

Section 50-26 (e) (3) requires a 25' truncation at intersections. In this subdivision due to its neo-traditional traights we are utilizing a radius truncation which allows the homes to move closer to the right of way.

Section 50-29 (a) (2) which requires for single family detached lots to have frontage on public street. There are several areas throughout the development in which we have single family detached homes fronting on to Homeowner Association open spaces. The homes have pedestrian access from the HOA and have vehicular access via the alleys at the rear of the homes. Again, we are trying to employ some of the neo-traditional neighborhood design principals.

Section 50-26 (e) (1) which states that streets shall be laid out so as to intersect as nearly as possible at right angles. One of the design elements of neo-traditional developments are grid roadways. Due to environmental factors, such as stream valley buffers, the grid is violated with curvelinear roadways causing intersections to be less than 90°. Arora Hills Drive, north of Skylark Road has intersections with Inkberry, Serviceberry, Mistletoe, and Yellow Wood Drives and Meadow Sweet Road that are less than 90°.

We are also requesting that any previous variance request for waivers that may have been granted at the time of preliminary plan be maintained. These include, but are not limited to, section 50-32 (a-c) which is special controls for environmental sensitive areas. Furthermore, we would like a condition allowing grading prior to signature set due to timing constraints. I am also enclosing a copy of

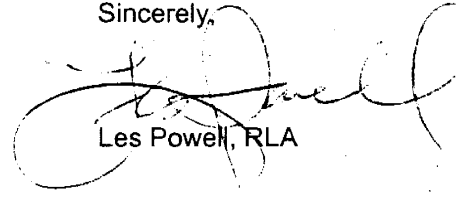


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the waivers that we are requesting from Montgomery County Department of Permitting Services and Department of Public Works and Transportation.

If you have any questions or comments please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Les Powell", written over the typed name below.

Les Powell, RLA

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ROWPT JS 6/2/03

Charles P. Johnson & Associates, Inc.

Planners Engineers Landscape Architects Surveyors



Silver Spring, MD

Frederick, MD

Fairfax, VA

May 30, 2003

Montgomery County
Department Permitting Services
255 Rockville Pike
Rockville, MD 208450

Attn: Mr. Joseph Y. Cheung

Re: Greenway Village at Clarksburg
Preliminary Plan # 1-02033
Site Plan # 8-02036

Dear Mr. Cheung:

On behalf of our client, Clarksburg Skylark, LLC, we hereby submit for a waiver of the open section road standard, as typically required in a special protection area. As part of the proposed neo-traditional layout, there will be a combination of open and closed section roads.

As part of processing the Preliminary Plan of subdivision (approved 2/7/02) and Preliminary Water Quality Plan (approved 1/30/02), the street cross sections were agreed to by MCDPS, MCDPW&T and the MNCPPC. The approved sections appear on sheet 7 of 7 of the Preliminary Plan.

During the site plan process, a couple of the sections were updated and once again approved as part of the final Site Plan (approved 9/12/02) and Final Water Quality Plan (approved 9/5/02).

Please find attached the previous correspondence and approvals related to the street sections and if in agreement, please sign below. Thanks again for all of your assistance throughout the whole process.

Sincerely,

Jeff Seidleck

Approved: _____

Joseph Y. Cheung
Manager - Right of Way Permitting and
Plan Review Section

cc: MNCPPC - Steve Federline
MCDPWT - Greg Leck

JJS/grw

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Approved for Phase I and II by us.
Seals 6/1/03