



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

MCPB
Item #
11/30//06

MEMORANDUM

DATE: November 13, 2006

TO: Montgomery County Planning Board

FROM: Catherine Conlon, Supervisor *CC*
Development Review Division
(301) 495-4542

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board
Agenda for November 30, 2006

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

220070120 Avenel (1)
220070250 Estates at Greenbriar Preserve (1)

PLAT No. 220070120

Avenel

Located in northwest quadrant, intersection of Natelli Woods Lane and New London Drive RE-2 Zone, 2 Lots and 1 Parcel

Community Water, Community Sewer

Master Plan Area: Potomac

Ronald D. Abramson, Applicant

This record plat has been reviewed by MNCPPC staff and other applicable agencies as documented on the attached Record Plat Review Sheet. Staff has determined that the plat complies with Preliminary Plan No. 120060880, as approved by the Board; and that any minor modifications reflected on the plat do not alter the intent of the Board's previous approval of the preliminary plan.

RECORD PLAT REVIEW SHEET

Plan Name: Avenel Plan Number: 120060880
 Plat Name: Avenel Plat Number: 220070120
 Plat Submission Date: 7/21/06
 DRD Plat Reviewer: PW
 DRD Prelim Plan Reviewer: Samy Ganton Rich Weisen

Initial DRD Review:

Signed Preliminary Plan - Date 7/19/06 Checked: Initial RAW Date 8/17/06
 Planning Board Opinion - Date 6/29/06 Checked: Initial PW Date 8/3/06
 Site Plan Req'd for Development? Yes No Verified By: (initial)
 Site Plan Name: Site Plan Number:
 Planning Board Opinion - Date Checked: Initial Date
 Site Plan Signature Set - Date Checked: Initial Date
 Site Plan Reviewer Plat Approval: Checked: Initial Date

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

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	M. Pfefferle	7/27/06	8/11/06	8/3/06	OK
Research	Bobby Fleury	↓	↓	7/28/06	OK
SHA	Doug Mills	↓	↓	NC	NC
PEPCO	Steve Baxter	↓	↓	NC	OK
Parks	Doug Powell	↓	↓	NC	OK
DRD	Steve Smith	↓	↓	8/3/06	OK

Final DRD Review:

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

Initial

TA

Date

11/3/06TA8/21/06TA11/1/06**Board Approval of Plat:**

Plat Agenda:

TA11/30/06

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:

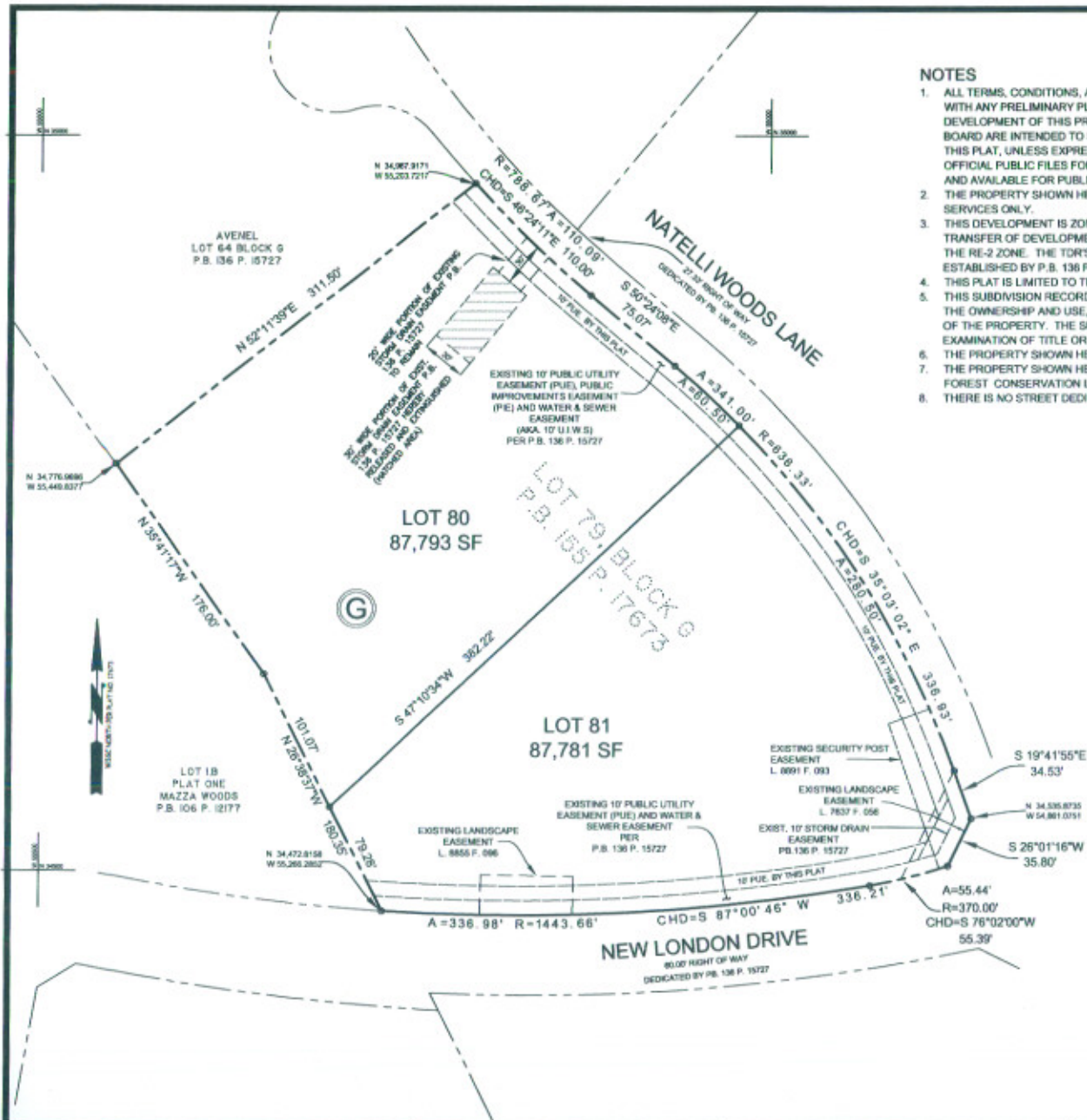
Notify Engineer to Seal Plats:

Engineer Seal Complete:

Complete Reproduction:

Sent to Courthouse for Recordation:

No.



PLAT NO.

NOTES

1. ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE 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, UNLESS EXPRESSLY CONTEMPLATED BY THE PLAN AS APPROVED. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
2. THE PROPERTY SHOWN HEREON IS TO BE SERVED BY PUBLIC WATER AND SEWER SERVICES ONLY.
3. THIS DEVELOPMENT IS ZONED RE-2C/TDR AND WAS PREVIOUSLY DEVELOPED UNDER THE TRANSFER OF DEVELOPMENT RIGHTS ORDINANCE (TDR-2) USING THE STANDARDS OF THE RE-2 ZONE. THE TDR'S FOR THIS PORTION OF THIS SUBDIVISION WERE PREVIOUSLY ESTABLISHED BY P.B. 136 P.15727.
4. THIS PLAT IS LIMITED TO THE USES AND CONDITIONS OF PRELIMINARY PLAN 1-08088.
5. THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND USE, NOR EVERY MATTER RESTRICTING THE OWNERSHIP AND USE OF THE PROPERTY. THE SUBDIVISION RECORD PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPICT OR NOTE ALL MATTERS AFFECTING TITLE.
6. THE PROPERTY SHOWN HEREON IS IDENTIFIED ON TAX MAP FN342.
7. THE PROPERTY SHOWN HEREON IS SUBJECT TO THE 1992 MONTGOMERY COUNTY FOREST CONSERVATION LAW.
8. THERE IS NO STREET DEDICATION BY THIS PLAT.



OWNER'S CERTIFICATE

WE, THE UNDERSIGNED, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION AND ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES. WE HEREBY GRANT TO THOSE PARTIES LISTED IN THAT CERTAIN DECLARATION RECORDED IN LIBER 3834 AT FOLIO 457 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, PUBLIC UTILITY EASEMENTS, DESIGNATED HEREON AS "P.U.E.", SUBJECT TO THE TERMS AND PROVISIONS FOR PUBLIC UTILITY EASEMENTS INDICATED WITHIN SAID DECLARATION. AS OWNERS OF THIS SUBDIVISION, WE, OUR SUCCESSORS AND ASSIGNS, SHALL CAUSE PROPERTY CORNER MARKERS TO BE SET BY A REGISTERED MARYLAND LAND SURVEYOR, IN ACCORDANCE WITH SECTION 80-24(h)(2) OF THE MONTGOMERY COUNTY CODE. THERE ARE NO SUITS, ACTIONS AT LAW, LEASES, LIENS OR TRUSTS ON THIS PROPERTY.

RONALD D. ABRAMSON OWNER DATE _____ WITNESS _____

ANNE E. ABRAMSON, OWNER DATE _____ WITNESS _____

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF AND INFORMATION AND THAT THE PROPERTY SHOWN HEREON IS ALL OF THE LAND CONVEYED BY DONALD NEEDLE, TRUSTEE, TO RONALD D. ABRAMSON AND ANNE E. ABRAMSON BY DEED DATED NOVEMBER 14TH 1990, RECORDED IN LIBER 2990 AT FOLIO 50A, ALSO BEING A RE-SUBDIVISION OF LOT 79, BLOCK G AVENEL, RECORDED IN PLAT BOOK 155 AT PLAT 17673, ALL FOUND AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND. I FURTHER CERTIFY THAT, ONCE ENGAGED AS DESCRIBED IN THE OWNERS DEDICATION HEREON, ALL PROPERTY CORNER MARKERS WILL BE SET IN ACCORDANCE WITH SECTION 80-24 (a)(2) OF THE MONTGOMERY COUNTY CODE. THE TOTAL AREA OF THIS PLAT IS 175,574 SQUARE FEET OR 4.008 ACRES OF LAND, NONE OF WHICH ARE DEDICATED TO PUBLIC USE BY THIS PLAT.

ERIC V. DAY
PROFESSIONAL LAND SURVEYOR
MARYLAND REGISTRATION NO. 10771

October 5, 2006
DATE

SUBDIVISION RECORD PLAT

AVENEL

LOTS 80 & 81, BLOCK G

(RESUBDIVISION OF LOT 79, BLOCK G, AVENEL)

POTOMAC (10th) ELECTION DISTRICT - MONTGOMERY COUNTY, MARYLAND

SCALE: 1" = 50' DATE: JUNE 2006

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

APPROVED: _____

CHAIRMAN ASST. SECRETARY TREASURER

M-NCP&PC RECORD PLAT FILE NO.

MONTGOMERY COUNTY, MARYLAND
DEPARTMENT OF PERMITTING SERVICES

APPROVED: _____

DATE

DIRECTOR

RECORDED

DATE

PLAT NO.



Dewberry

203 Perry Parkway, Suite 1
Gaithersburg, MD 20877-2169
(301) 948-8300 Fax: (301) 258-7607



Date Mailed: JUN 29 2006

Hearing Date: June 1, 2006

Action: Approved Staff Recommendation

Motion of Commissioner Bryant, seconded by
Commissioner Perdue, with a vote of 5-0;
Chairman Berlage and Commissioners Bryant,
Perdue, Robinson and Wellington voting in
favor.

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 120060880
NAME OF PLAN: Avenel

The date of this written opinion is JUN 29 2006 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

INTRODUCTION

On 3/03/06, the applicant, Buchanan Ingersol, PC, submitted an application for the approval of a preliminary plan of subdivision of property in the RE-2C zone. The application proposed to create 2 lots on 4.03 acres of land located at located in the northwest quadrant of the intersection of Natelli Woods Lane and New London Drive, in the Potomac master plan area. The application was designated Preliminary Plan 120060880 ("Preliminary Plan"). On 6/1/06, the Preliminary Plan was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Planning Board heard testimony and received evidence submitted in the record on the application.

The record for this application ("Record") closed at the conclusion of the public hearing, upon the taking of an action by the Planning Board. The Record includes: the

information on the Preliminary Plan Application Form; the Planning Board staff-generated minutes of the Subdivision Review Committee meeting(s) on the application; all correspondence and any other written or graphic information concerning the application received by the Planning Board or its staff following submission of the application and prior to the Board's action at the conclusion of the public hearing, from the applicant, public agencies, and private individuals or entities; all correspondence and any other written or graphic information issued by Planning Board staff concerning the application, prior to the Board's action following the public hearing; all evidence, including written and oral testimony and any graphic exhibits, presented to the Planning Board at the public hearing.

SITE DESCRIPTION

The 4.03-acre property is zoned RE-2C and is located at the corner of New London Drive and Natelli Woods Lane in the Potomac Master Plan area. The property was platted in 1986 under the original Planning Board approval for the Avenel subdivision as two lots (Lots 65 and 66, Block G, Avenel). In 1990 the two lots were combined into one as it exists today (Lot 79). Currently the property has one existing single-family house on the southern half of the lot. There are twenty-four trees on the property which are 24 inches in diameter (specimen) and greater. Fourteen of these trees are in poor condition. The property is within the Rock Run watershed, a Use Class I stream.

PROJECT DESCRIPTION

This application proposes to resubdivide the existing lot back to its original configuration. The plan proposes locating a new residence on the northern portion of the site and keeping the existing residential structure on the southern half. The original plat recorded in 1986 was for two lots on the property. This plan proposed returning the property back to the exact lot configuration of the 1986 plat for two lots that will be 87,781 square feet and 87,793 square feet.

The lot new lot and will have frontage on Natelli Woods Lane; the proposed house is to be served by a single driveway connection. Public water and sewer is available in the street. Placement of the house will require relocation of the present storm drain system. The new storm drain system has been reviewed and approved as part of the stormwater management concept plan.

The new lot will have forest on it and specimen trees will need to be removed to accommodate the grading for the prototypical house shown on the plan. Staff has reviewed and approved a Preliminary Tree Save Plan to show protection measures for those trees that can be saved through the construction period. The intent is to have the requirements of the forest conservation law met off-site.

CONFORMANCE TO THE MASTER PLAN

The 2004 Potomac Master Plan reconfirmed the RE-2C zoning for the Avenel subdivision, otherwise the plan does not make specific recommendations on this property. The development shown on the plan is consistent with the RE-2C (RE-2) zone as recommended in the master plan.

RESUBDIVISION CRITERIA

In order to approve an application for resubdivision, the Planning Board must find that the proposed lots comply with all seven of the resubdivision criteria, set forth in Section 50-29(b)(2) of the Subdivision Regulations, which states:

Resubdivision. Lots on a plat for the Resubdivision of any lot, tract or other parcel of land that is part of an existing subdivision previously recorded in a plat book shall be of the same character as to street frontage, alignment, size, shape, width, area and suitability for residential use as other lots within the existing block, neighborhood or subdivision.

Neighborhood Delineation

In administering the Resubdivision section, the Planning Board must determine the appropriate "neighborhood" for evaluating the application. For this application, the applicant has proposed a neighborhood delineation of thirteen lots for analysis purposes (Attachment 3). The neighborhood generally includes all lots that are contiguous to the subject property and those that front on the same cul-de-sac as the subject property. All lots in the neighborhood are zoned RE-2C.

Analysis of Resubdivision Criteria

Staff has reviewed the submitted application for compliance with the Resubdivision Criteria pursuant to Section 50-29 (b) (2) and has the following analysis:

Size

Lots in the neighborhood range in size from 21,670 square feet to 130,680 square feet. This application proposes lots at 87,781 and 87,793 square feet (Lot 80 and 81 respectively). The proposed lots are well within the range of lot sizes. The proposed lots are of the same character with respect to size as all lots in the neighborhood.

Area

The buildable areas of lots in the defined neighborhood range from 8,600 square feet to 74,095 square feet. The proposed lots are at 43,471 and 53,461 square feet. Although the useable areas for the proposed lots fall higher in the overall range, there are five lots larger in area than proposed Lot 80 and 3 lots larger in area than Lot 81. Staff finds that the larger useable areas of the proposed lots are very much related to their regular shapes. Generally rectangular or triangular lots have larger buildable areas when compared to narrow or irregularly shaped lots. The proposed lots are of the same character with respect to area as the lots in the neighborhood.

Shape

The neighborhood has a wide variety of lot shapes. The proposed lots are best described as rectangular and triangular. The proposed lots are of the character to the shape of lots in the neighborhood.

Width

The range of lot widths at the front building line in the neighborhood are from 73 feet to 419 feet. The lot widths in the neighborhood are evenly distributed throughout this range. The proposed lots are at 301 and 253 feet in width. The proposed lots are of the same character with respect to width as the other lots in the neighborhood.

Alignment

The nature of the neighborhood is that there are many different lot alignments at the street line. There are existing angled lot lines, perpendicular lot lines, and radial lot lines along the cul-de-sacs. The proposed lots are generally perpendicular to the street with one lot line on Lot 81 described as angled. The proposed lots are of the same character with respect to alignment as all lots in the neighborhood.

Frontage

The ranges of lot frontages in the neighborhood are from 25 feet to 457 feet. The proposed lot frontages are 332 feet and 246 feet respectively for Lots 80 and 81. The proposed lots tend to be wider with respect to frontage than the majority of lots in the neighborhood. This is due to the fact that many of the lots in the neighborhood are either pipestems or have frontages on the cul-de-sac bulb. The proposed lots compare favorably with the non-pipestem and non-radial lots in the neighborhood. The proposed lots are of the same character with respect to frontage as the lots in the neighborhood.

Suitability for Residential Use

There do not appear to be any impediments either natural or man-made to the construction of a one family residence on the subject property. All other lots within the neighborhood have secured building permits. The proposed lots are suitable for residential development as are all other lots in the neighborhood.

ENVIRONMENTAL

Forest Conservation

There are 1.93 acres of existing forest on the property. The applicant is proposing to classify all forest on the subject property as cleared, for forest conservation purposes, but is not proposing to remove all the forest. Therefore, the applicant has an off-site planting requirement of 2.25 acres of forest.

Environmental Planning does not object to the applicant meeting all their forest conservation requirements off-site. The 1.93-acre forest is an immature upland hardwood forest of yellow poplar, red oaks, and hickory trees and has a moderate priority for retention. The longest forest edge is less than 300 feet and does not qualify as habitat for interior dwelling birds. The majority of the existing forest is found on the proposed new lot. The forest is not contiguous to any other protected forest and is surrounded by homes and accessory structures. The applicant is proposing to retain trees on the northern property line, at the rear of the proposed lot, and near the existing house.

There is an existing drainage swale that runs through the middle of the forest stand and connects to an existing storm drain easement near Natelli Woods Lane. The drainage swale channels stormwater flows from the adjacent properties to the public storm drain system along Natelli Woods Lane. The applicant is proposing to abandon a portion of the existing storm drain easement and construct a private storm drain to convey the water around the proposed house location. In order for this to be effective, a back portion of the lot must be regraded to create a swale to channel the stormwater run-on from the adjoining properties into the private storm drain inlet. The grade difference between the top and bottom of the swale is four feet making it unsuitable for accessory structures.

As part of the forest conservation plan, the applicant has drawn a limit of disturbance that shows the forest/trees to remain. The tree save plan is for construction purposes only. There are twenty-four trees 24 inches in diameter and greater on the property. 14 of these trees are in poor condition. The applicant is proposing to retain 6 of the 10 trees in good condition. The 4 trees in good condition to be removed are all located within 25 feet of the proposed building foundation and the species, yellow polar, is highly susceptible to construction impacts. Environmental Planning recommends that

the applicant also remove trees #13 and #16. The trees are yellow poplar, in poor condition, and, based on the preliminary limits of disturbance, are losing more than 1/3 of their critical root zone. Retaining these trees has the potential to create a hazardous condition.

Environmental Guidelines

The applicant submitted a Natural Resource Inventory/Forest Stand Delineation to Environmental Planning for review and approval. Environmental Planning staff approved NRI/FSD 4-06207 on March 1, 2006. There are no streams, wetlands, floodplains, or associated buffers on the subject property. There are limited areas of slopes in excess of 25 percent but these areas are associated with past land development practices. There are no highly erodible soils on the property.

STORMWATER MANAGEMENT

The applicant has secured a stormwater management concept approval from the Montgomery County Department of Permitting Services (MCDPS). The concept requires water quality control through the use of dry wells. As part of this plan the developer proposes to modify the storm drain inlet presently located adjacent to Natelli Woods Lane on what would be Lot 80. A new inlet will be located to the rear of the proposed house and the stormwater will be piped around the house. All off-site runoff will continue to be received by the new inlet system. This modification was included on the stormwater management concept that has been reviewed and approved by MCDPS.

STAFF RECOMMENDATION

Staff found that the Preliminary Plan meets all applicable requirements of the Subdivision Regulations, Potomac Master Plan, and the Zoning Ordinance. As such, Staff recommended approval of the preliminary plan, subject to conditions.

PLANNING BOARD FINDINGS

Having given full consideration to the recommendations of its Staff; the recommendations of the applicable public agencies¹; the applicant's position; and other evidence contained in the Record, which is hereby incorporated in its entirety into this Opinion, the Montgomery County Planning Board finds, based on the uncontested evidence of record, that with the conditions of approval:

¹The application was referred to outside agencies for comment and review, including the Washington Suburban Sanitary Commission, the Department of Public Works and Transportation, the Department of Permitting Services and the various public utilities. All of these agencies recommended approval of the application.

- a) The Preliminary Plan No. 120060880 substantially conforms to the Potomac Master Plan.
- b) Public facilities will be adequate to support and service the area of the proposed subdivision.
- c) The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision. The Planning Board further finds that this Preliminary Plan meets all of the Resubdivision Criteria and hereby expressly adopts the analysis of staff as set forth in detail above.
- d) The application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.
- e) The application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the Montgomery County Department of Permitting Services ("MCDPS") that the Stormwater Management Concept Plan meets MCDPS' standards.
- f) The Record of this application does not contain any contested issues; and, therefore, the Planning Board finds that any future objection, which may be raised concerning a substantive issue in this application, is waived.

CONDITIONS OF APPROVAL

Finding Preliminary Plan No. 120060880 in accordance with the purposes and all applicable regulations of Montgomery County Code Chapter 50, the Planning Board approves Preliminary Plan No. 120060880, subject to the following conditions:

- 1) Approval under this preliminary plan application is limited to two (2) one-family detached residential lots.
- 2) Compliance with the conditions of approval for the preliminary forest conservation plan, including preparation of a detailed tree save plan to be incorporated into the final forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.
- 3) Compliance with conditions of MCDPWT letter dated May 15, 2006, unless otherwise amended.

- 4) Compliance with the conditions of approval of the MCDPS stormwater management approval dated April 4, 2006.
- 5) Other necessary easements.

This Preliminary Plan will remain valid for 36 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed.

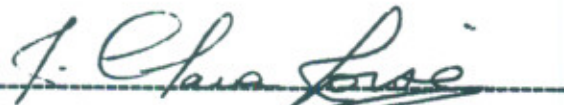
* * * * *

[CERTIFICATION OF BOARD VOTE ADOPTING OPINION ON FOLLOWING PAGE]

APPROVED AS TO LEGAL SUFFICIENCY
DYD/df
ENCPPC LEGAL DEPARTMENT

CERTIFICATION OF BOARD VOTE ADOPTING OPINION

At its regular meeting, held on **Thursday June 22, 2006**, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commission Bryant seconded by Commissioner Robinson, by a vote of 4-0, with Vice Chair Perdue necessarily absent, and Commissioners Berlage, Bryant, Wellington, and Robinson present, **ADOPTED** the above Opinion which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for **Preliminary Plan No. 120060880, Avenel.**



Certification As To Vote of Adoption
M. Clara Moise, Technical Writer

PLAT No. 220070250

The Estates at Greenbriar Preserve
Located Wood Thrush Lane, approximately 500 feet northeast of Glen Road
RNC Zone, 1 Parcel
Community Water, Community Sewer
Master Plan Area: Potomac
Greenbriar Rose, LLC, Applicant

Staff recommends approval of this minor subdivision plat pursuant to section **50-35A (a)(5)** of the Subdivision Regulations, which states:

Plat of Correction. A plat may be recorded under the minor subdivision procedure to correct inaccurate or incomplete information shown on a previously recorded subdivision plat. The plat may correct drafting or dimensional errors on the drawing; failure to include a required note, dedication, easement or other restriction; incorrect or omitted signatures; and/or other information normally required to be shown on a recorded plat. All owners and trustees of the land affected by the correction must sign the revised plat. In addition, the plat of correction must clearly identify the original plat that is being replaced and contain a note identifying the nature of the correction. In this case, the plat is being corrected to show the accurate forest conservation easement.

RECORD PLAT FOR MINOR SUBDIVISION REVIEW SHEET

(This form contains 3 pages)

Plat Name: Estate of Jeanma Plat Number: 220070250
 Plat Submission Date: 8/8/06
 DRD Plat Reviewer: pw
 DRD Prelim Plan Reviewer: M. Shanahan

*For category of minor see pages 2 and 3

Initial DRD Review:

Pre-Preliminary Plan No. _____ Checked: Initial _____ Date _____
 Preliminary Plan No. 1-20030450 Checked: Initial _____ Date _____
 Planning Board Opinion - Date 5/22/03 Checked: Initial TA Date 11/3/06
 Site Plan Name if applicable: 820030290 Site Plan Number: NA
 Planning Board Opinion - Date 12/11/03 Checked: Initial pw Date 11/3/06

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

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>S. Federline</u>	<u>8/9/06</u>	<u>8/25/06</u>	<u>11/14/06</u>	<u>OK</u>
Research	Bobby Fleury			<u>8/16/06</u>	<u>OK</u>
SHA	Doug Mills			<u>NC</u>	<u>OK</u>
PEPCO	Steve Baxter			<u>NC</u>	<u>OK</u>
Parks	Doug Powell			<u>NC</u>	<u>OK</u>
DRD	Steve Smith			<u>8/23/06</u>	<u>See plat</u>

Final DRD Review:

DRD Review Complete:

(All comments rec'd and incorporated into mark-up)

Engineer Notified (Pick up Mark-up):

Final Mylar w/Mark-up & PDF Rec'd:

Board Approval of Plat:

Plat Agenda:

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:

Initial

TA

Date

11/3/069/5/0611/1/0611/30/0611/30/0611/30/0611/30/0611/30/0611/30/0611/30/0611/30/0611/30/0611/30/0611/30/0611/30/0611/30/0611/30/0611/30/0611/30/0611/30/06

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:

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:

CURVE TABULATION

CURVE	RADIUS	CHORD	BEARING	DELTA
1	11.46.50"	56.31'	S 47°02'17" E	37°33'13"
2	36.15'	30.78'	S 82°52'10" E	1°22'28"
3	36.15'	30.78'	S 82°52'10" E	1°22'28"
4	36.15'	30.78'	S 82°52'10" E	1°22'28"
5	36.15'	30.78'	S 82°52'10" E	1°22'28"
6	36.15'	30.78'	S 82°52'10" E	1°22'28"
7	36.15'	30.78'	S 82°52'10" E	1°22'28"
8	36.15'	30.78'	S 82°52'10" E	1°22'28"
9	36.15'	30.78'	S 82°52'10" E	1°22'28"

100 Yr. FLOODPLAIN

LINE	BEARING	DIST.
1	S 74°55'15" E	55.50'
2	S 74°55'15" E	55.50'
3	S 74°55'15" E	55.50'
4	S 74°55'15" E	55.50'
5	S 74°55'15" E	55.50'
6	S 74°55'15" E	55.50'
7	S 74°55'15" E	55.50'
8	S 74°55'15" E	55.50'
9	S 74°55'15" E	55.50'

FOREST CONSERVATION EASEMENT (FCE)

LINE	BEARING	DIST.
1	S 74°55'15" E	55.50'
2	S 74°55'15" E	55.50'
3	S 74°55'15" E	55.50'
4	S 74°55'15" E	55.50'
5	S 74°55'15" E	55.50'
6	S 74°55'15" E	55.50'
7	S 74°55'15" E	55.50'
8	S 74°55'15" E	55.50'
9	S 74°55'15" E	55.50'



OWNER'S CERTIFICATE

I, **GREENBRIAR PRESERVE, LLC**, OWNER OF THE PROPERTY SHOWN HEREON, HEREBY CERTIFY THAT THE PLAT OF SUBDIVISION IS CORRECT AND ACCORDS WITH THE RECORDS OF THE MARYLAND STATE ARCHIVES, THE RECORDS OF THE MARYLAND COUNTY OF MONTGOMERY, AND THE RECORDS OF THE MARYLAND COUNTY OF MONTGOMERY. I HEREBY CERTIFY THAT THE PLAT OF SUBDIVISION IS CORRECT AND ACCORDS WITH THE RECORDS OF THE MARYLAND STATE ARCHIVES, THE RECORDS OF THE MARYLAND COUNTY OF MONTGOMERY, AND THE RECORDS OF THE MARYLAND COUNTY OF MONTGOMERY.

DATE: 5/24/2016 **ATTEST:** William D. Lukacs

FOR GREENBRIAR PRESERVE, LLC

DATE: 5/24/2016 **ATTEST:** William D. Lukacs

FOR GREENBRIAR PRESERVE, LLC

SURVEYOR'S CERTIFICATE

I, **DAVID S. LITTLE & WEIBER, P.A.**, SURVEYOR, HEREBY CERTIFY THAT THE PLAT OF SUBDIVISION IS CORRECT AND ACCORDS WITH THE RECORDS OF THE MARYLAND STATE ARCHIVES, THE RECORDS OF THE MARYLAND COUNTY OF MONTGOMERY, AND THE RECORDS OF THE MARYLAND COUNTY OF MONTGOMERY. I HEREBY CERTIFY THAT THE PLAT OF SUBDIVISION IS CORRECT AND ACCORDS WITH THE RECORDS OF THE MARYLAND STATE ARCHIVES, THE RECORDS OF THE MARYLAND COUNTY OF MONTGOMERY, AND THE RECORDS OF THE MARYLAND COUNTY OF MONTGOMERY.

DATE: 5/24/2016 **ATTEST:** David S. Little & Weber, P.A.

FOR DAVID S. LITTLE & WEIBER, P.A.

DATE: 5/24/2016 **ATTEST:** David S. Little & Weber, P.A.

FOR DAVID S. LITTLE & WEIBER, P.A.

PLAT OF CORRECTION

SUBDIVISION RECORD PLAT

PARCEL 'E', BLOCK 'A'

THE ESTATES AT GREENBRIAR PRESERVE

PREVIOUSLY RECORDED AS PLAT NO. 23073

BEING IN PART, A RESUBDIVISION OF PART OF LOT 1 BLOCK 'B' 'PINE GROVE', PLAT NO. 2728

DARNTON TOWN ELECTRIC DISTRICT NO. 6

MONTGOMERY COUNTY, MARYLAND

SCALE: 1"=100'

GLW GUTSCHICK LITTLE & WEBER, P.A.

ONE HUNDREDS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS

300 WILSON AVE. SUITE 200 BETHESDA, MARYLAND 20814

TEL: 301-461-4000 FAX: 301-461-4001



Date Mailed: May 22, 2003

Action: Approved Staff Recommendation

**Motion of Comm. Bryant, seconded by
Comm. Wellington with a vote of 5-0;**

**Comms. Berlage, Bryant, Perdue,
Robinson and Wellington voting
in favor**

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-03045

NAME OF PLAN: ESTATES AT GREENBRIAR PRESERVE

On 12/24/02, MTR LAND L.L.C submitted an application for the approval of a preliminary plan of subdivision of property in the RNC zone. The application proposed to create 31 lots on 71.32 acres of land. The application was designated Preliminary Plan 1-03045. On 04/10/03, Preliminary Plan 1-03045 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form, attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-03045 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-03045.

Approval, Subject to the Following Conditions:

- 1) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits
- 2) As part of Site Plan review layout of area containing Lots 4 through 10 shall be reconfigured to minimize disturbance in revised stream buffer. Final approval of revised buffer by staff shall consider supplementary analysis from applicant
- 3) Record plat to reflect a 35 ft. Category I conservation easement along the rear of Lots 4, 5 and 6. Should a Category I easement become infeasible due to adjustments to the location of units as per condition #2, provide a supplemental planting plan as part of Site Plan along the rear of Lots 4, 5 and 6 with plantings to be located on-site, or with permission of neighbors, on adjoining properties
- 4) At Site Plan provide a supplemental planting plan to M-NCPPC technical staff for review and approval, for the rear of Lots 1, 2 and 3 to provided screening
- 5) All road rights-of-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the Potomac River, but not less than otherwise designated on the preliminary plan
- 6) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation
- 7) Record plat to reflect common ingress/egress and utility easements over all shared driveways