



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

MCPB
Item No.
1-3-08

December 19, 2007

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Daniel K. Hardy, Supervisor *DKH*
Transportation Planning

FROM: Ki H. Kim, Planner *KHK*
Transportation Planning

SUBJECT: DPWT Docket No. AB-693
Abandonment of Portion of Unimproved Fox Meadow Lane
Potomac

RECOMMENDATION

Staff recommends approval of the subject abandonment with the following condition.

- 1. The proposed abandonment does not take effect until plat recordation to redefine Part of Lot 14 and Lot 6 of the applicant's property and Lot 2 and Part of Lot 1 of the William's property to ensure that the abandonment creates no landlocked parcels.**

DISCUSSION

This abandonment is for a portion of the dedicated right-of-way of unimproved Fox Meadow Lane located north of Persimmon Tree Road and east of Durham Drive as shown on the general location map (Attachment "A") and the detailed drawing (Attachment "B"). This abandonment of a paper street is requested by one abutting property owner to the paper street. The portion of Fox Meadow Lane proposed for abandonment is approximately 600 feet long within a 60-foot wide right-of-way along the applicant's property and approximately 300 feet long within a generally 30-foot wide right-of-way east of the applicant's property as shown on Attachment "B".

Staff's review of the subject abandonment application indicates that the right-of-way being abandoned is not necessary for present or future public use but is currently needed to provide access to Part of Lot 1 of the Williams property (Circle 2 as shown on the Attachment "B") and to Part of Lot 6 of the applicant's property (Circle 4 as shown on the Attachment "B"). Currently, Part of Lot 1 and Part of Lot 6 are vacant lots but these lots require access from the Fox Meadow lane being abandoned. Section 49-63(f) of the County Code states that "A right-of-way which is the sole means of access to any property must not be abandoned or closed." It is staff's recommendation that prior to the proposed abandonment taking effective, a record plat must be recorded for Lot 2 (circle 1 as shown on the Attachment B") and Part of Lot 1 (circle 2) of the William's property to ensure that abandonment creates no landlocked parcel. The same recommendation applies for Part of Lot 14 (circle 3) and Part of Lot 6 (circle 4) of the applicant's property.

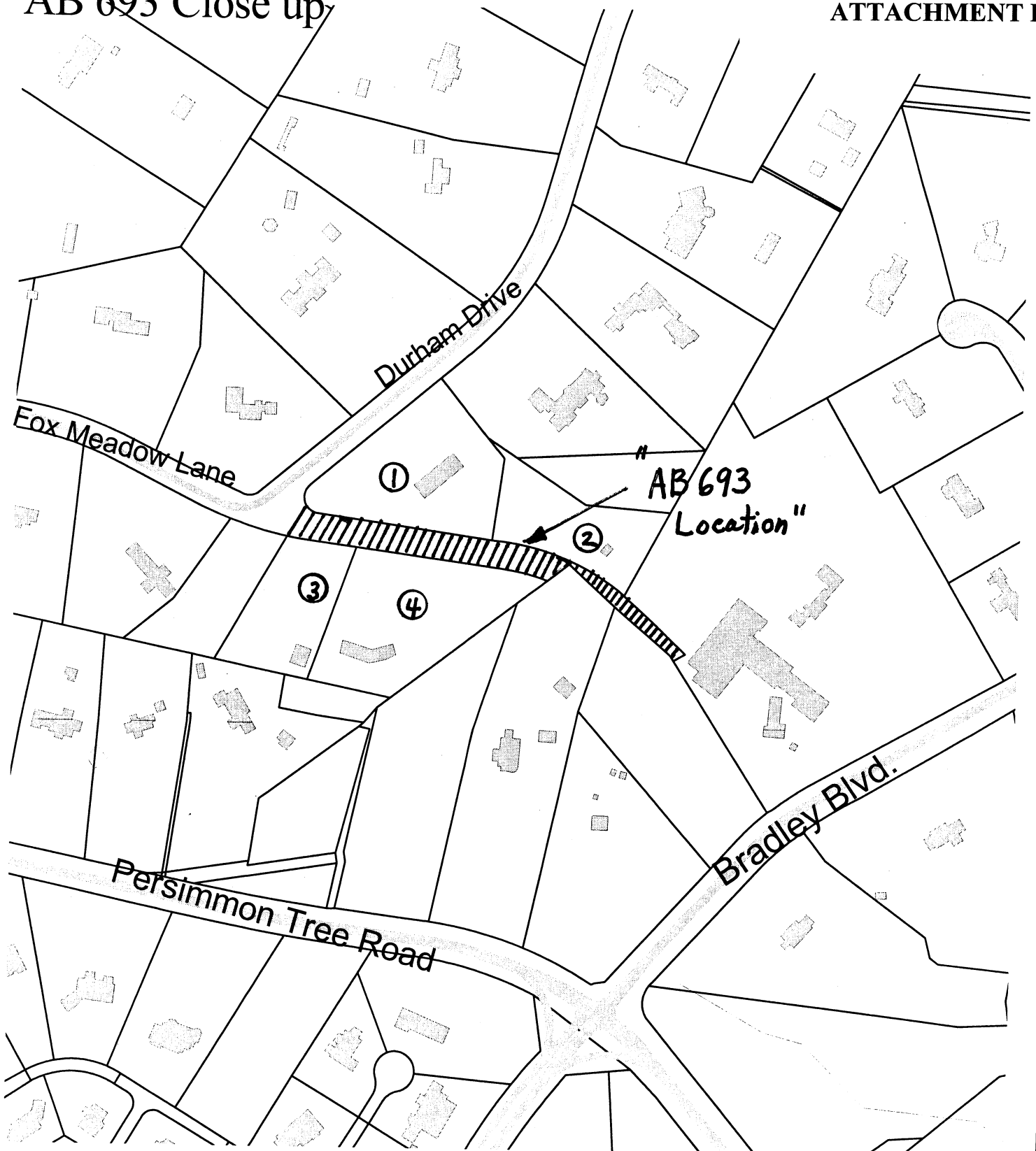
Fox Meadow Lane west of Durham Drive is not a master planned roadway but is built as a secondary residential street with a 60-foot wide right-of-way connecting to River Road. The portion of Fox Meadow Lane proposed for abandonment was dedicated for public use as a part of the 1940 Bradley Farms Subdivision but the right-of-way has never been used by vehicles or pedestrians. Changes in the orientation of roads in the area due to the Avenel development have made the connection of Fox Meadow Lane to Bradley Boulevard unnecessary. Thus, staff finds that the proposed abandonment will not adversely affect the surrounding area except access issue to be addressed via recordation of the plat.

Staff concludes that the right-of-way being abandoned is not necessary for present public use or anticipated for public use in the foreseeable future with the condition as recommended in this memorandum. We therefore recommend approval of the subject abandonment with the recommended condition.

Attachments

AB 693 Close up

ATTACHMENT B



Map Compiled On 12-13-2007 at 03:46 PM
Map Scale: 1 inch = 300 feet or 1:3600

0 300 Feet



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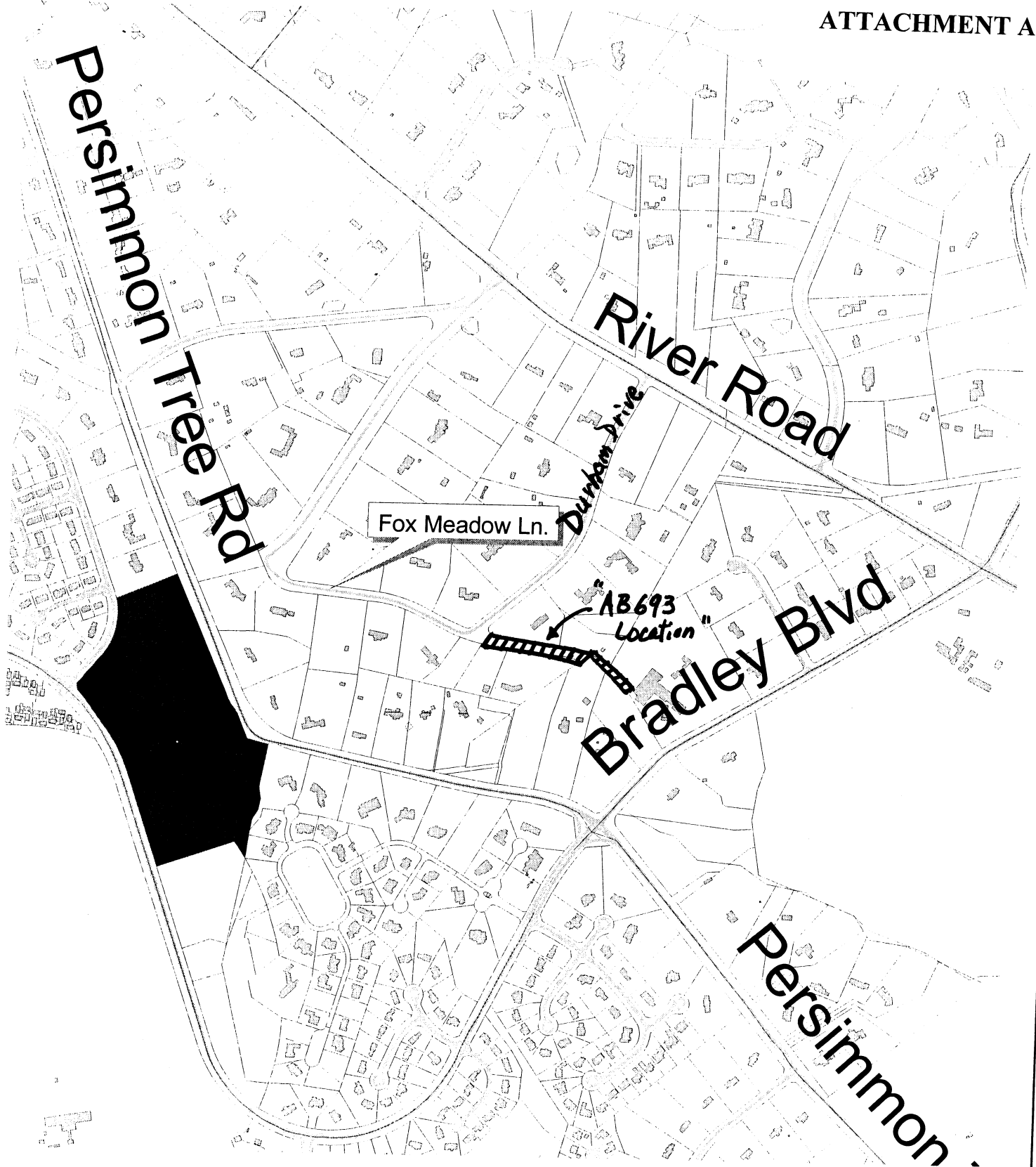
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Map Scale: 1 inch = 800 feet or 1:9600



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Streams
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