

PLAT NO. 220081130

Stoney Springs

Located in the northeast quadrant of the intersection of West Offutt Road and Edwards Ferry Road

RDT zone; 2 lots

Private Well, Private Septic

Master Plan Area: Agriculture and Rural Open Space

Winchester Homes, Applicant

Staff recommends approval of this minor subdivision plat pursuant to Sections **50-35A(a)(2)** and **50-35A(a)(1)** of the Subdivision Regulations, which respectively state:

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.

Minor Lot line Adjustment. The sale or exchange of part of a lot between owners of adjacent lots for the purpose of small adjustments in boundaries; provided:

- a. The total area of the adjustment does not exceed five percent of the combined

- area of the lots affected by the adjustment;
- b. No additional lots are created;
- c. The adjusted lot line is approximately parallel with the original lot line or, if it is proposed to intersect with the original line, it does not significantly change the shape of the lots involved; and,
- d. The owner submits a sketch plan for review and approval by the Planning Board staff. The sketch plan may be a copy of the existing record plan and must contain the following information:
 - i. proposed lot line adjustment as a dashed line;
 - ii. any buildings, driveways, or other physical improvements located within fifteen feet of the proposed adjusted lot line;
 - iii. any minimum building setback that would be altered by the minor lot line adjustment; and
 - iv. the amount of lot area affected by the minor lot line adjustment.

The sketch plan must be approved, approved with revision or denied, in writing, within ten business days after the plan is submitted or the sketch plan is deemed approved, provided requirements i through iii, above, are met. A final record plat must be submitted to Planning Board staff within ninety days after sketch plan approval or the sketch plan is no longer valid.

- e. Any minor lot line adjustment between properties that occurred prior to May 19, 1997, remains an exception to platting as provided in Section 50-9(d)

Staff has applied both sets of criteria to this minor subdivision application. The first aspect of the subject application is a conversion of an outlot into a buildable lot, staff has reviewed this aspect and concludes that the proposed subdivision complies with the criteria of Section 50-35A(a)(2) of the subdivision regulations.

In addition, the submitted application also proposes a minor lot line adjustment between existing Lot 1, Block A (shown as Lot 3, Block A) and the existing Outlot A, Block A which is being converted to a buildable lot as described above (shown as Lot 2, Block A). Staff has reviewed this aspect of the subject plat and concludes that the proposed subdivision complies with the criteria of Section 50-35A(a)(1) of the subdivision regulations.

Staff review of the proposed minor subdivision concludes that the application complies with all applicable requirements of Section 50-35A of the subdivision regulations and supports this subdivision plat.

RECORD PLAT FOR MINOR SUBDIVISION REVIEW SHEET

(This form contains 3 pages)

Plat Name: Smiley Springs Plat Number: 220081130
 Plat Submission Date: 12-20-07
 DRD Plat Reviewer: S Smith
 DRD Prelim Plan Reviewer: C Carter

*For category of minor see pages 2 and 3

Initial DRD Review:

Pre-Preliminary Plan No. N/A Checked: Initial N/A Date N/A
 Preliminary Plan No. 120050290 Checked: Initial SOS Date 1-10-08
 Planning Board Opinion - Date --- Checked: Initial --- Date ---
 Site Plan Name if applicable: --- Site Plan Number: ---
 Planning Board Opinion - Date --- Checked: Initial --- Date ---

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

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	J. Penn	12/24/07	1-18-08	1-29-08	No Revisions
Research	Bobby Fleury			1-2-08	OK
SHA	Doug Mills				
PEPCO	Steve Baxter				
Parks	Doug Powell				
DRD	Nellie Carey			1-10-08	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 SOS Date 4/24/08
SOS 2-4-08
SOS 4-18-08

Board Approval of Plat:

Plat Agenda:
 Planning Board Approval:
 Chairman's Signature:

SOS 5-8-08

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. _____

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: _____ OK
- c) Adequate public facilities and AGP satisfied: _____ OK
- d) Any conditions/agreements of original subdivision: _____ 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: _____

(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: _____