



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

MCPB
Item # 2
9/11/08

MEMORANDUM

DATE: August 29, 2008

TO: Montgomery County Planning Board

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

FROM: Stephen Smith *SSS*
Development Review Division
(301) 495-4522

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board
Agenda for September 11, 2008

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:

220061950 **Moxley Estates**
220080070 **Montgomery Hills Forest**
220081990 **Section 1, Garrett Park**

PLAT NO. 220061950

Moxley Estates

Located on the east side of Clarksburg Road, approximately 2,200 feet north of Moxley Road

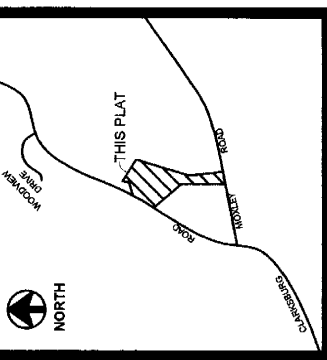
RDT zone; 1 lot, 1 outlot

Private Well, Private Septic

Master Plan Area: Damascus

Oscar Fuster, Applicant

The record plat has been reviewed by MNCPPC staff and other applicable agencies as documented on the attached Plat Review Checklist. Staff has determined that the plat complies with Preliminary Plan No. 12005063A (MCPB Resolution 07-90), 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 aforesaid plan.



VICINITY MAP
1" = 2000'

PLAT TOTALS	F.0687	RADIUS	ARC	DELTA
C1	589.291017W	288.37	298.32	06-4031"
C2	483.37	14.82	14.10	10-5304"
C3	N15129.191E	144.20	2318.88	41-1307"
C4	N29-401.97E	288.73	2318.88	298.83 07-2300"
TOTAL AREA SUBDIVISIONED 14,551.55 ACRES				

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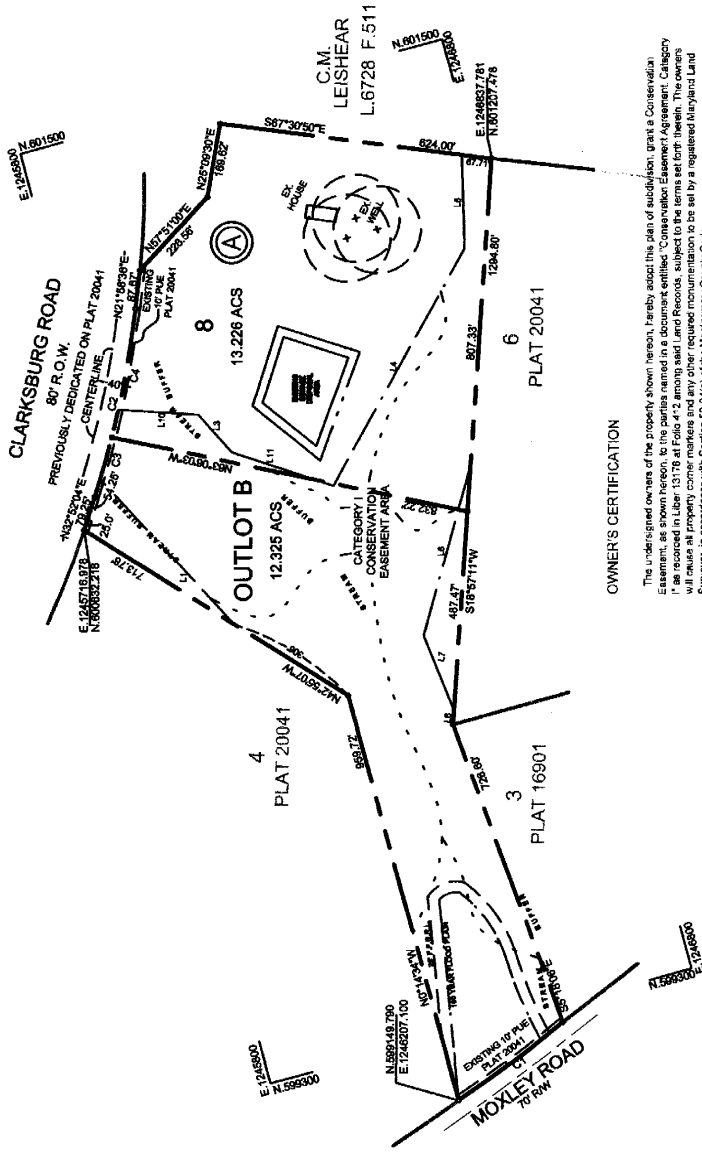


PLAT NO.

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 David E. Fuster and Roxana M. Fuster, to William M. Pizzano and Lucrezia Pizzano, recorded August 8, 2002, in Liber 21894 at Folio 74 also being a resubdivision of Lot 5 Block A of Moxley Estates as shown on a plat recorded in plat book 180 at plat 20041 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 Montgomery County Code Section 50-24(e). I further certify that the 100 year flood plain shown on this plat is an accurate representation of the flood plain shown and flood plain study referenced on plat 20041. The total area included on this plat is 25.551 acres of land. There is no dedication to the public use.

DATE: 8/04/2008
 THOMAS A. MADDOX - Registered Professional Land Surveyor MD #10850



OWNER'S CERTIFICATION

The undersigned owners of the property shown hereon, hereby adopt the plan of subdivision, grant a Conservation Easement and a Category I Conservation Easement, as shown hereon, to the Registered Professional Land Surveyor, as recorded in Liber 13178 at Folio 412 among said Land Records, subject to the terms set forth here. The undersigned owners will release 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 easements, mortgages, liens or trusts affecting the property. Except for a certain trust recorded March 25, 2004, and recorded at folio 132 of the in the Montgomery County Land Records and the party in interest thereto has hereon indicated their assent.

Witness: *William M. Pizzano* William M. Pizzano
 Witness: *Lucrezia Pizzano* Lucrezia Pizzano

U.S. Bank N.A. as Trustee for the Registered Holders of Asset Backed Pass Through Certificates Series 2007-AMC2 By US Mortgage in Sec. Open Loan Servicing, L.L.C.

Witness: *Scott W. Anderson* Scott W. Anderson
 Sr. Vice President of Residential Loan Servicing of Cowan Loan Servicing

- NOTES**
- EXISTING ZONING - RDT
 - EXISTING SEWER & WATER SERVICE CATEGORIES: S-6, W-6
 - THIS PLAT IS LIMITED TO THE USES AND CONDITIONS AS REQUIRED BY PRELIMINARY PLAN NO. 15989 DOTTLED MOXLEY ESTATES APPROVED BY MONTGOMERY COUNTY PLANNING BOARD ON 04/27/07. ANY CHANGES TO THIS PLAN MUST BE APPROVED BY MONTGOMERY COUNTY PLANNING BOARD ON 04/27/07 AT ITS MEETING OF 02/16/07. ANY PROPOSED CHANGES IN USE WILL REQUIRE FURTHER PLANNING BOARD REVIEW AND APPROVAL.
 - THE PROPERTY SHOWN HEREON IS SUBJECT TO THE REQUIREMENTS OF THE MONTGOMERY COUNTY FOREST CONSERVATION LAW, INCLUDING THE REQUIREMENTS FOR FOREST CONSERVATION AND FOREST MANAGEMENT AGREEMENTS PRIOR TO USUANCE OF A FOREST MANAGEMENT PLAN.
 - ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND RESTRICTIONS ASSOCIATED WITH ANY INSTRUMENTS THAT ARE A PART OF THIS PROPERTY, APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD, ARE INTENDED TO SURVIVE UNLESS MODIFIED BY FURTHER ACTION BY THE BOARD. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE AVAILABLE DURING NORMAL BUSINESS HOURS.
 - THIS PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING OR AFFECTED BY THE PROPERTY SHOWN HEREON. THE SURVEYOR IS NOT INTENDING TO REPLACE AN EXAMINATION OF TITLE OR TO DEFLECT OR NOTE ALL MATTERS AFFECTING TITLE.
 - PROPERTY FOUND ON MONTGOMERY COUNTY TAX MAP FY12, 165C GRID SHEET 239N01.
 - CATEGORY I CONSERVATION EASEMENT AREAS INCLUDE REQUIRED FOREST CONSERVATION AREAS AND STREAM BUFFERS.
 - SEPTIC FIELD BUILDING RESTRICTION LINE SUBJECT TO CHANGE UPON REAPPROVAL BY THE MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES WELL AND SEPTIC SECTION.
 - LOT 8 TO BE SERVED BY INDIVIDUAL WELL AND ON-SITE SEPTIC SYSTEM.
 - LOT 8 IS APPROVED FOR A 4 BEDROOM HOUSE.
 - OUTLOT B, CREATED HEREIN IS TO REMAIN UNBUILDABLE AND ITS USE AND OCCUPANCY CANNOT BE COMBINED WITH ADJACENT LOTS TO CREATE A BUILDABLE LOT UNDER THE MINOR SUBDIVISION PROCESS.
 - THE 100 YEAR FLOOD PLAIN SHOWN ON THIS PLAT IS AN ACCURATE REPRESENTATION OF THE FLOOD PLAIN SHOWN AND FLOOD PLAIN STUDY REFERENCED ON PLAT 20041 ENTITLED "MOXLEY ESTATES LOTS 4 & 5 BLOCK A."



CATEGORY I CONSERVATION EASEMENT LINE TABLE

LINE	BEARING	HORIZ DIST	VERT DIST
1	S28-32.27W	115.00	0.00
2	N44-00.00E	517.00	0.00
3	S00-27.50W	420.00	0.00
4	S19-57.11E	371.00	0.00
5	S89-43.71E	254.87	0.00

MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES

APPROVED: _____ DATE: _____ DIRECTOR

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

APPROVED: _____ DATE: _____ SECRETARY-TREASURER

SUBDIVISION RECORD PLAT LOT 8 & OUTLOT B BLOCK A MOXLEY ESTATES

RESUBDIVISION OF LOT 5 BLOCK A ELECTION DISTRICT 12 MONTGOMERY COUNTY, MARYLAND SCALE 1" = 200' MARCH 2008

THOMAS A. MADDOX
 PROFESSIONAL LAND SURVEYOR
 8635 BEADY GROVE COURT
 GAITHERSBURG, MARYLAND 20877
 (901) 964-5904

80001-1000-PLAT

RECORD PLAT REVIEW SHEET

Plan Name: Moxley Estates Plan Number: 12005063A
 Plat Name: Moxley Estates Plat Number: 220061950
 Plat Submission Date: 3-24-06
 DRD Plat Reviewer: P. Weiss / T. Alam
 DRD Prelim Plan Reviewer: R. Weaver

Initial DRD Review:

Signed Preliminary Plan - Date 9/27/07 Checked: Initial RW Date 10/23/07
 Planning Board Opinion - Date 8/1/07 Checked: Initial SJS Date 10/18/07
 Site Plan Req'd for Development? Yes No Verified By: SJS (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
 TDR note N/A Child Lot note N/A Surveyor Cert Owner Cert Tax Map

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>M. Puffale</u>	<u>4-3-06</u>	<u>4-20-06</u>	<u>4-19-06</u>	<u>Revisions Needed</u> ✓
Research	Bobby Fleury	↓	↓	<u>4-4-06</u>	<u>OK</u>
SHA	Doug Mills	↓	↓	—	—
PEPCO	Steve Baxter	↓	↓	—	—
Parks	Doug Powell	↓	↓	—	—
DRD	<u>Nellie Carey</u> <u>SJS mtl</u>	↓	↓	<u>4-20-06</u>	<u>See Plat; Lot #</u>

Final DRD Review:

DRD Review Complete: Initial SJS Date 8/28/08
 (All comments rec'd and incorporated into mark-up)
 Engineer Notified (Pick up Mark-up): SJS 10/23/07
 Final Mylar w/Mark-up & PDF Rec'd: SJS 8-18-08

Board Approval of Plat:

Plat Agenda: SJS 9-11-08
 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. _____

DATE	December 2004
SCALE	1" = 100'



date: December 2004
 scale: 1" = 100'

BPA
 Engineering & Associates, Inc.
 800 Maryland Drive
 Frederick, MD 21701
 (301) 745-4200

PRELIMINARY PLAN AMENDMENT
MOXLEY ESTATES (LOT 5, B.L.A.)
 Montgomery County, Maryland

- NOTES:**
1. AREA OF PROPERTY - 28.6 ACRES
 2. EXISTING ZONING - RDT
 3. NUMBER OF LOTS PERMITTED - 1
 4. NUMBER OF LOTS SHOWN - 1 + 1 OUTLOT
 5. SITE IS SERVED BY WELL & ON-SITE SEPTIC SYSTEMS
 6. SITE IS SERVED BY WELL & WATER SERVICE CATEGORIES: S-6, W-4
 7. LOCATED IN BENNETT CREEK WATERSHED
 8. DEVELOPMENT STANDARDS:
 - Frontyards - 60'
 - Sideyards - 20'
 - Rearyards - 35'
 - Minimum Lot Size - 40,000 sq ft
 9. PROPERTY LOCATED ON TAX MAP FY122; WSSC GRID SHEET 239NW11
 10. UTILITIES TO BE PROVIDED BY: Washington Gas, Verizon, Allegheny Power

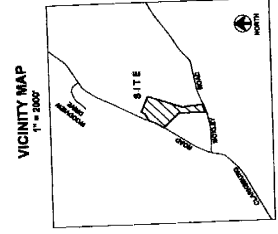
THE PURPOSE OF THIS PLAN IS TO RESUBDIVIDE THE SUBJECT LOT INTO ONE LOT AND ONE OUTLOT. THE OUTLOT IS TO BE CONVEYED TO AN ADJACENT PROPERTY OWNER FOR OPEN SPACE AND EQUESTRIAN USES.

1. The Planning Commission shall approve the preliminary plan and the final plan.
2. The Planning Commission shall approve the final plan and the final plat.
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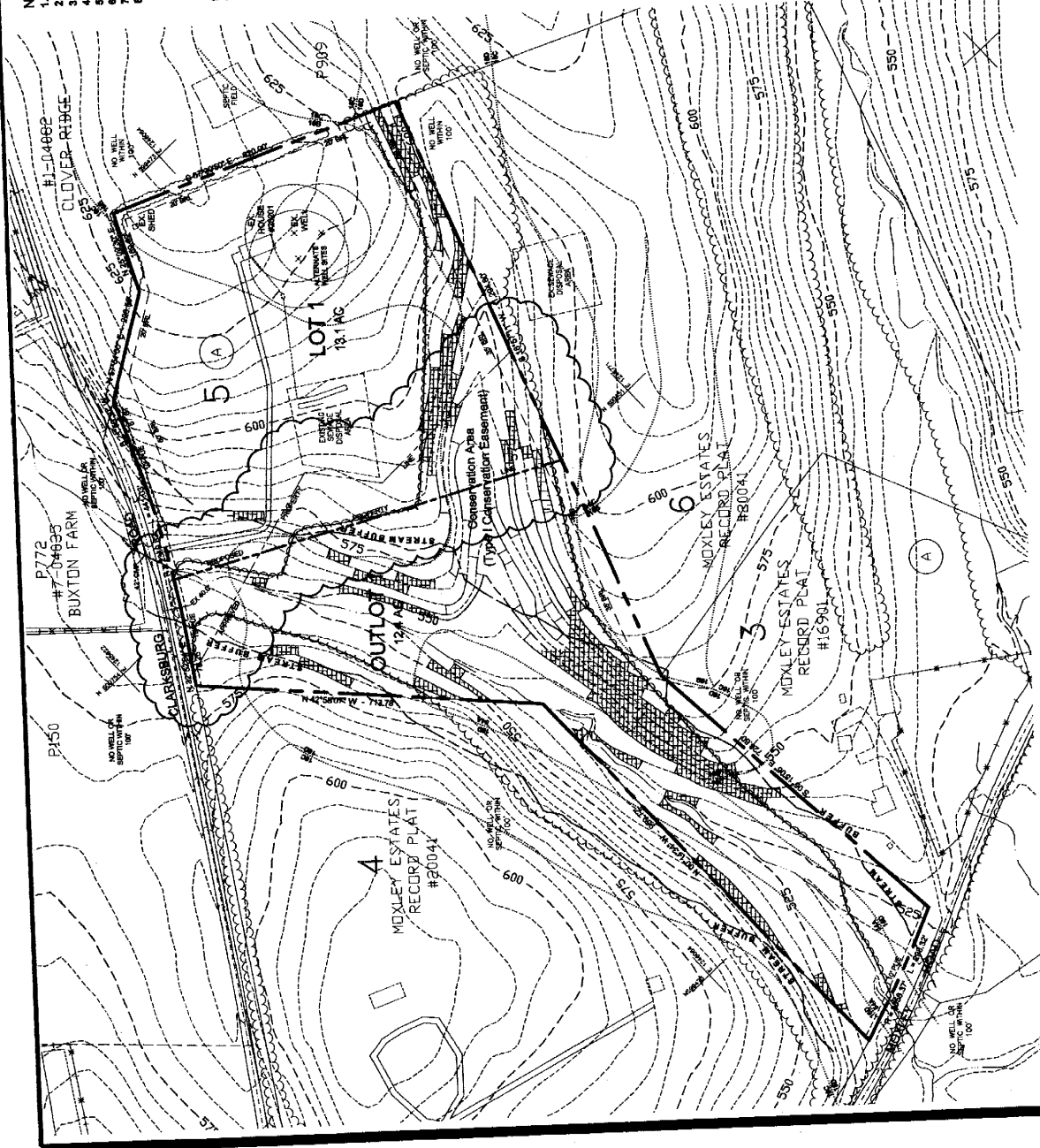
CONTROLLED PRELIMINARY PLAN
 The Planning Commission shall approve the preliminary plan and the final plan.

THE PURPOSE OF THIS AMENDMENT IS TO REVISE THE LOT LINE WHICH SEPARATES THE ONE LOT FROM THE OUTLOT.

STAFF EXHIBIT #
 MOXLEY ESTATES
 Hearing Date: 02/15/07
 MNCPPC File #: 12000083A



PREPARED FOR:
OSCAR FUSTER
 28501 RIDGE ROAD
 DAMASCUS, MARYLAND 20872
 301-285-4500



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