



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

MCPB
Item # 2
10/2/08

MEMORANDUM

DATE: September 18, 2008

TO: Montgomery County Planning Board

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

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

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board
Agenda for October 2, 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:

220081790 **Sumner Park**

PLAT NO. 220081790

Sumner Park

Located on the west side of Falmouth Road at the intersection of Cammack Drive

R-60 zone; 2 lots

Community Water, Community Sewer

Master Plan Area: Bethesda-Chevy Chase

Alan Paller, Applicant

Staff recommends approval of this minor subdivision plat pursuant to Section **50-35A (a)(3)** and Section **50-35A(a)(1)** of the Subdivision Regulations, which respectively state as follows:

Consolidation of Two or More Lots or a Part of a lot into One Lot. Consolidating more than one lot into a single lot is permitted under the minor subdivision procedure provided:

- a. Any conditions applicable to the original subdivision remain in full force and effect and the number of trips generated on the new lot do not exceed those permitted for the original lots or as limited by an Adequate Public Facilities agreement.
- b. Any consolidation involving a part of a lot may occur under the minor subdivision process if the part of a lot was created by deed recorded prior to June 1, 1958

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.

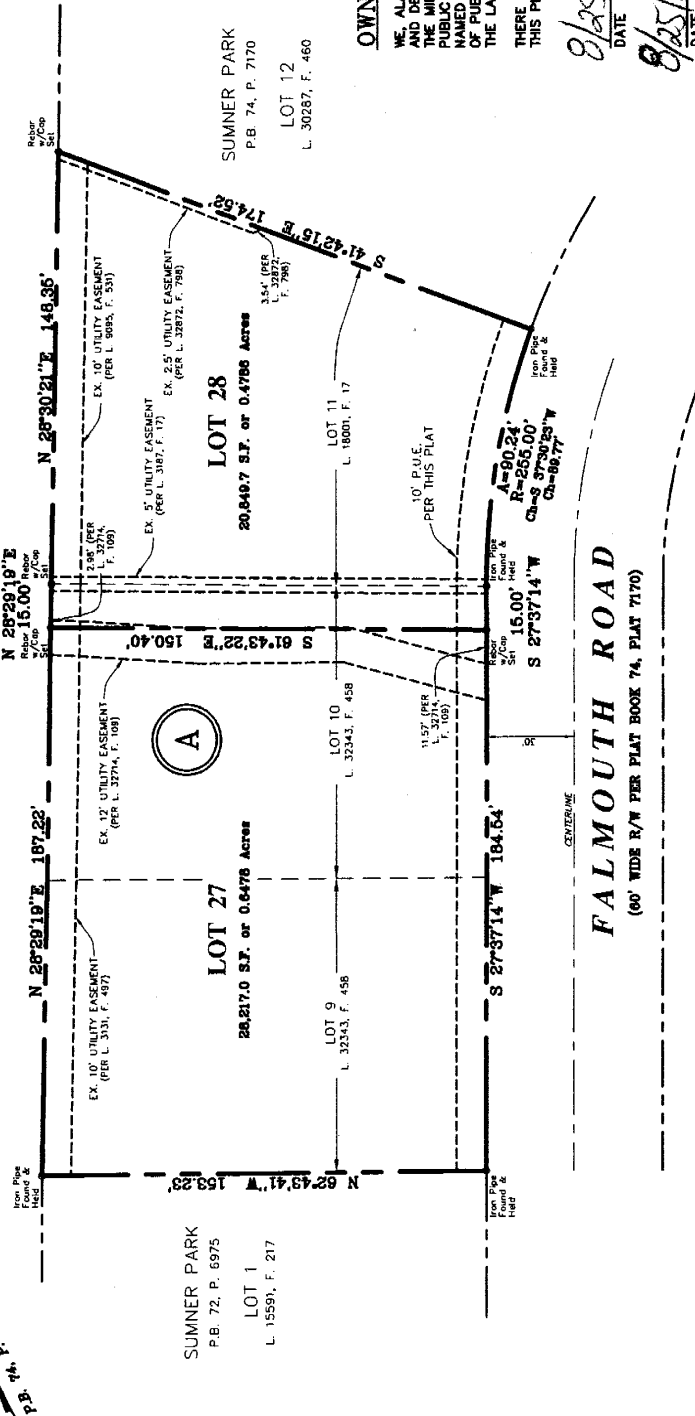
- e. Any minor lot line adjustment between properties that occurred prior to May 19, 1997, remains an exception to platting as provided in Section 50-9(d)

Staff has applied the above-noted minor subdivision criteria for this application which is proposing to consolidate 2 lots existing lots into 1 lot (Proposed Lot 27) and perform a minor lot line adjustment between the aforesaid lot and the neighboring lot (Proposed Lot 28). Staff concludes that the proposed subdivision complies with the requirements of Sections 50-35A(a)(3) and 50-35A(a)(1), respectively, and supports this minor subdivision record plat.

PLAT NO.

M. N. C. P. & P. C.

PARCEL 935
L. 1967, F. 21



SUMNER PARK
P.B. 72, P. 6975
LOT 1
L. 15591, F. 217

SUMNER PARK
P.B. 74, P. 7170
LOT 12
L. 30287, F. 460

FALMOUTH ROAD
(60' WIDE R/W PER PLAT BOOK 74, PLAT 7170)

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT IT IS A RESUBDIVISION OF ALL OF THE LANDS CONVEYED TO ALAN T. AND MARSHA M. PALLER, KNOWN AS LOT 9, LOT 10 AND LOT 11, BLOCK A AS SHOWN ON A PLAT OF SUBDIVISION OF SUMNER PARK AND BEING RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN PLAT BOOK 74, PLAT NO. 7170. SAID LOT 9 AND LOT 10 HAVING BEEN CONVEYED BY PETER G. AND DIANE M. PAPPAS BY DEED DATED MAY 8, 2006, AS RECORDED IN LIBER 32343, FOLIO 458; AND SAID LOT 11 HAVING BEEN CONVEYED BY SHELDON J. LIPTZ, SOLE ACTING TRUSTEE OF THE WILLS NEW GENERATION TRUST BY DEED DATED MARCH 29, 2000, AS RECORDED IN LIBER 18001, FOLIO 017; AND THAT PROPERTY CORNERS MARKED HEREIN ARE IN PLACE AS SHOWN HEREON. THE TOTAL AREA INCLUDED ON THIS PLAT OF SUBDIVISION IS 49,066.7 SQUARE FEET, NONE OF WHICH IS DEDICATED FOR PUBLIC USE.

8/15/2008
DATE

Joseph E. Snider
JOSEPH E. SNIDER
PROFESSIONAL LAND SURVEYOR
MARYLAND REG. #21229

M-NCPPC Record File No.:

Department of Permitting Services Montgomery County, Maryland	Recorded: _____ Plat No: _____	Drafted: <u>ALLW</u> Checked: <u>J.E.S.</u>
Director: _____	Date: _____	Job No.: <u>04-78508P</u>
Approved: _____	Chairman: _____	Asst. Secretary - Treasurer: _____

Lot 27	=	28,217.0 S.F. or 0.6478 Acres
Lot 28	=	20,849.7 S.F. or 0.4788 Acres
Dedication Area	=	N/A
Total Area	=	49,066.7 S.F. or 1.1284 Acres

GRAPHIC SCALE



OWNERS' CERTIFICATE

WE, ALAN T. AND MARSHA M. PALLER, OWNERS OF THE PROPERTY, SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND ESTABLISH THE TEN (10) FOOT PUBLIC UTILITY EASEMENT SHOWN HEREON AS 10' P.U.E. FOR THE PARTIES NAMED IN THE DOCUMENT ENTITLED "DECLARATION OF TERMS AND PROVISIONS OF PUBLIC UTILITY EASEMENTS" RECORDED IN LIBER 3834 AT FOLIO 457 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.

THERE ARE NO LEASES, LENS OR TRUSTS ON THE PROPERTY INCLUDED ON THIS PLAN OF SUBDIVISION.

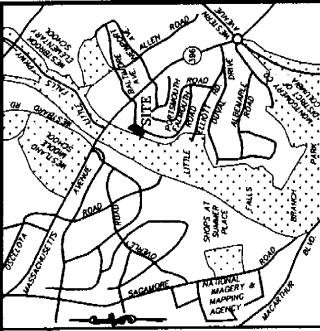
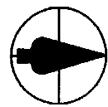
8/25/08 *Alan T. Paller* ALAN T. PALLER, OWNER
8/25/08 *Marsha M. Paller* MARSHA M. PALLER, OWNER
WITNESS: *Neil J. Garcia* NEIL J. GARCIA, WITNESS
WITNESS: *Neil J. Garcia* NEIL J. GARCIA, WITNESS

SUBDIVISION RECORD PLAT
LOT 27 and LOT 28
BLOCK A
SUMNER PARK

BETHESDA (7th) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 30' MAY 2008

Prepared by
SNIDER & ASSOCIATES
LAND SURVEYORS

20270 Goldenrod Lane, Suite 110
Germantown, Maryland 20878
301/948-5100 Fax 301/948-1286



VICINITY MAP
ADC MAP PAGE 40, GRID J-4
SCALE: 1" = 2000'

GENERAL NOTES

- 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 UNLESS MODIFIED BY FURTHER ACTIONS BY THE BOARD. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND ARE AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
- THIS PLAT CONFORMS WITH REQUIREMENTS FOR MINOR SUBDIVISION APPROVALS COMPLETED IN SECTION 50-35A OF THE MONTGOMERY COUNTY SUBDIVISION REGULATIONS, INCLUDING THE REQUIREMENTS FOR THE PROVISION OF PUBLIC UTILITY EASEMENTS, TRUNK OR MAIN LOTS OR PARTS OF LOTS, AND ONE LOT AS PROVIDED FOR IN SECTION 50-35A(a)(3) AND A MINOR LOT LINE ADJUSTMENT AS PROVIDED FOR IN SECTION 50-35A(a)(1).
- 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 THIS PROPERTY. THE SUBDIVISION RECORD PLAT IS NOT INTENDED TO REPLACE THE EXAMINATION OF TITLE OR TO DEPICT OR NOTE ALL MATTERS AFFECTING TITLE.
- THE APPROVAL OF THIS PLAT IS PREDICATED ON THE ADEQUACY AND AVAILABILITY OF PUBLIC WATER AND SEWER.
- THIS PROPERTY IS CURRENTLY ZONED R-60.
- ALL EXISTING AND PROPOSED DEVELOPMENT ON THIS PROPERTY IS SUBJECT TO THE STANDARDS UNDER MONTGOMERY COUNTY ZONING ORDINANCE R-60 ZONE.
- LOTS SHOWN HEREON APPEAR ON MONTGOMERY COUNTY TAX MAP HM 122 AND HM 123 AND W.S.S.C. SHEET #206 NW 05.

RECORD PLAT FOR MINOR SUBDIVISION REVIEW SHEET

(This form contains 3 pages)

Plat Name: SUMNER PARK Plat Number: 220081790
 Plat Submission Date: 5-15-08
 DRD Plat Reviewer: S. Smith
 DRD Prelim Plan Reviewer: N/A
 *For category of minor see pages 2 and 3

Initial DRD Review:

Pre-Preliminary Plan No. _____ Checked: Initial _____ Date _____
 Preliminary Plan No. _____ Checked: Initial _____ Date _____
 Planning Board Opinion - Date _____ Checked: Initial _____ Date _____
 Site Plan Name if applicable: _____ Site Plan Number: _____
 Planning Board Opinion - Date _____ Checked: Initial _____ Date _____

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

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>M. Foster</u>	<u>5/21/08</u>	<u>6-4-08</u>	<u>5-23-08</u>	<u>Remove FC Law Note</u>
Research	<u>Bobby Fleury</u>			<u>5-22-08</u>	<u>OK</u>
SHA	<u>Doug Mills</u>				
PEPCO	<u>Steve Baxter</u>				
Parks	<u>Doug Powell</u>				
DRD	<u>Nellie Carey</u>			<u>6-6-08</u>	<u>No Comments</u>

Final DRD Review:

DRD Review Complete:	<u>SOS</u>	<u>9/18/08</u>
(All comments rec'd and incorporated into mark-up)		
Engineer Notified (Pick up Mark-up):	<u>SOS</u>	<u>8/12/08</u>
Final Mylar w/Mark-up & PDF Rec'd:	<u>SOS</u>	<u>9/14/08</u>
Board Approval of Plat:		
Plat Agenda:	<u>SOS</u>	<u>10/2/08</u>
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. _____

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: OK
- b) No additional lots created: OK
- c) Adjusted line is approximately parallel/does not significantly change shape of the lots: OK
- d) Date sketch plan submitted: 4/3/08
- e) Sketch plan revised or denied within 10 business days: Approved 4/10/08
- f) Final record plat submitted within ninety days: yes
- g) Sketch shows following information:
 - i. proposed lot adjustment: yes
 - ii. physical improvements within 15 feet of adjusted line: yes
 - iii. alteration to building setback: yes
 - iv. amount of lot area affected: OK

(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: OK
- b) Part of lot created by deed prior to June 1 1958: N/A

(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:
