

**Plat Name:** Griffith Estates  
**Plat #:** 220130460

**Location:** Located at the terminus of Wiley Court, approximately 450 feet south of Dorsey Road.  
**Master Plan:** Upper Rock Creek  
**Plat Details:** RE-1 zone; 2 lots  
Community Water, Private Septic  
**Owner:** Paulo Docouto

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:

**50-35A(a)(2). 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.

**50-35A(a)(1). 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 applied the above-noted minor subdivision criteria for this property and concludes that the proposed subdivision complies with the requirements of Section 50-35A(a)(2) and Section 50-35A(a)(1) of the subdivision regulations and supports this subdivision record plat.

**OLNEY - LAYTONSVILLE ROAD**  
Maryland Route. 106

**OWNER'S CERTIFICATION**

We, Paulo C. DoCouto and Kallio K. DoCouto, as tenants by the entirety, owners of the property shown and included hereon, hereby adopt this plan of subdivision;

hereby establish the minimum building restriction lines;

hereby establish the septic easement across Lot 13, Block A for the benefit of the owners of Lot 12, Block A their successors and assigns;

We or our successors and assigns will cause property corner markers to be set by a Maryland Licensed Land Surveyor. In accordance with Section 90-24(e) of the Montgomery County Code (Subdivision Regulations); and

There are no suits, liens, leases, mortgages or trusts affecting the property included in this plan of subdivision, except a certain Deed of Trust recorded in the Land Records of Montgomery County, Maryland in Liber 38190 at Folio 489, involving Lot 7 (Lot 11 hereon) and the parcels in interest thereto have been below indicated their assent to this subdivision.

Date: **2-1-13**  
 By: *Paulo C. DoCouto*  
 PAULO C. DOCOUTO  
*Kallio K. DoCouto*  
 KALLIO K. DOCOUTO

We hereby assent to the subdivision of the property included hereon:

Date: **2/1/13**  
 By: *Dennis H. Lippert*  
 DENNIS H. LIPPERT  
*Tasha M. American Bank*  
 TASHA M. AMERICAN BANK

**SURVEYOR'S CERTIFICATION**

I hereby certify that the survey information shown hereon is correct; that this plat of subdivision has been prepared in accordance with the Subdivision Regulations of Montgomery County, Maryland

and that this plat is a subdivision of that real property conveyed by O.K. LC, to Paulo C. DoCouto and Kallio K. DoCouto as follows:

all of that tract or parcel of land, described in a Deed recorded, November 10, 2008, among the Land Records of Montgomery County, Maryland in Liber 35486 at Folio 131, said parcel being Lot 7, Block A, as shown and included, on a Subdivision Record Plat of Griffith Estates, recorded among said Land Records, February 06, 2007, as Plat 23586, and also

all of that tract or parcel of land described in a Deed recorded, March 26, 2008, among said Land Records in Liber 35486 at Folio 131, said parcel being Outlot 12, Block A, as shown and included on a Subdivision Record Plat of Griffith Estates, recorded among said Land Records, June 23, 2005, as Plat 23183;

that property corner markers will be set in accordance with Section 50-24(e) of the Montgomery County Code (Subdivision Regulations), if so engaged.

The total area included in this plat of subdivision is 110,011 square feet or 2.5255 acres. There is no roadstead dedication included or required by this plat.

Date: **2/01/2013**  
 By: *John R. Witmer*  
 JOHN R. WITMER  
 Professional Land Surveyor  
 Maryland No. 10088  
 Exp. 12/31/2017

**NOTES**

The property included on this subdivision plat is currently zoned RE-1.

The property included in this subdivision is served by public water and private septic systems.

This subdivision record plat is not intended to show every matter affecting or restricting the ownership and use of the subject property. A subdivision record plat is not intended to replace an examination of title or to note all matters affecting title.

All terms, conditions, agreements, limitations, and requirements associated with any preliminary plan, site plan, zoning plan or other plan affecting development of the property included on this plat, as approved by the Montgomery County Planning Board, are intended to survive and not be extinguished by the recording of this plat, unless expressly contemplated by the plan as approved.

The official public files for any such plans are maintained by the Planning Board and are available for public review during normal business hours.

The property included hereon is subject to the requirements of Chapter 22A, Montgomery County Forest Conservation Regulations, including the approval of a Final Forest Conservation Plan and appropriate easements prior to issuance of a subdivision control permit.

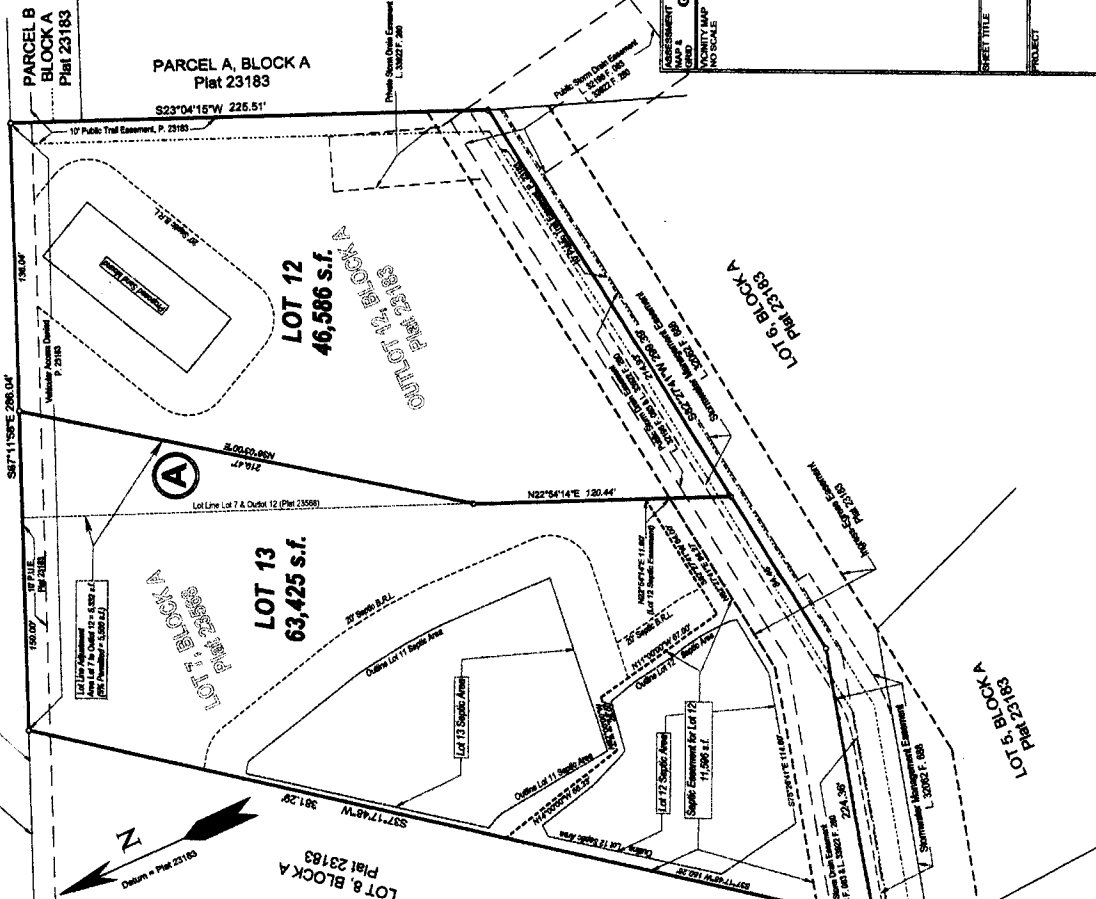
This plat is limited to the uses and conditions of Preliminary Plan No. 120031020.

This plat is in conformance with the requirements of: Section 50-35A(1) of the Montgomery County Code (Subdivision Regulations) which provides for a minor lot line adjustment between two adjacent lots; and

Section 50-35A(2) of the Montgomery County Code (Subdivision Regulations) which provides for the conversion of an Outlot to a Lot.

Lot 12a septic area is approved for a 6 bedroom home.

Lot 13a septic area is approved for a 6 bedroom home.



APPROVED: \_\_\_\_\_  
 CHAIRPERSON SECRETARY-TREASURER  
 M.N.C.P. & P.C. RECORD FILE NUMBER: \_\_\_\_\_

APPROVED: \_\_\_\_\_  
 BY: \_\_\_\_\_  
 DIRECTOR

PLAT AREA TABULATION  
 110,011 square feet or 2.5255 acres  
 0 square feet or 0.00 acres  
 Area of street/road dedication:  
 Total area included: 110,011 square feet or 2.5255 acres

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hereby establish the minimum building restriction lines;

hereby establish the septic easement across Lot 13, Block A for the benefit of the owners of Lot 12, Block A their successors and assigns;

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 By: *Dennis H. Lippert*  
 DENNIS H. LIPPERT  
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Date: **2/01/2013**  
 By: *John R. Witmer*  
 JOHN R. WITMER  
 Professional Land Surveyor  
 Maryland No. 10088  
 Exp. 12/31/2017

**WITMER ASSOCIATES, LLC**  
 10400 Rockville Pike, Suite 1000, Rockville, MD 20850  
 Tel: (301) 740-1400 Fax: (301) 740-3055 E-Mail: wass@wassoc.com

DATE: **AUGUST, 2012** SHEET NO. **1** of **1**

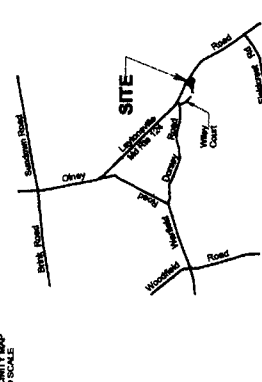
SCALE: **1" = 40'**

PROJECT: **WITMER ASSOCIATES, LLC**  
 a Resubdivision of Lot 7 & Outlot 12, Block A  
**GRIFFITH ESTATES**  
 FIRST (1st) ELECTION DISTRICT  
 MONTGOMERY COUNTY, MARYLAND

SHEET TITLE: **SUBDIVISION RECORD PLAT**

MAP NO. **GU 503** SHEET NO. **228 NW 06** MAP DATE **11 SEP 07** F-12

APPROVED: \_\_\_\_\_  
 CHAIRPERSON SECRETARY-TREASURER  
 M.N.C.P. & P.C. RECORD FILE NUMBER: \_\_\_\_\_



# MINOR SUBDIVISION PLAT REVIEW SHEET

(This form contains 3 pages)

Plat Name: GRIFFITH ESTATES Plat Number: 220130460

Plat Submission Date: 10-1-2012

DRD Plat Reviewer: W. MYRAN

DRD Prelim Plan Reviewer: N/A

\*For category of minor subdivision 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 #  Road/Alley Widths  Easements  Open Space  Non-standard  
 BRLs  Adjoining Land  Vicinity Map  Septic/Wells   
 TDR note  Child Lot note  Surveyor Cert  Owner Cert  Tax Map   
 SPA

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	Evelyn Gibson	10-15-12	11-2-12	10-31-12	NO REVISIONS ADD N-ARROW
Research	Bobby Fleury			10-18-12	
SHA	Corren Giles				
PEPCO	Bobbie Dickey				
Parks	Doug Powell				
DRD	Keiona Clark				

## Final DRD Review:

Consultant Notified (Final Mark-up): WM 1-23-13  
 Final Mylar & DXF/DWG Received: WM 2-6-13  
 Final Mylar Review Complete: WM 2-12-13

## Board Approval of Plat:

Plat Agenda: WM/SOS 2-21-13  
 Planning Board Approval: \_\_\_\_\_  
 Chairman's Signature: \_\_\_\_\_

## MCDPS Approval of Plat:

Consultant 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: \_\_\_\_\_  
 Complete Reproduction: \_\_\_\_\_  
 Notify Consultant to Seal Plats: \_\_\_\_\_  
 Surveyor's Seal Complete: \_\_\_\_\_  
 Sent to Courthouse for Recordation: \_\_\_\_\_  
 Recordation Info Entered into Hansen \_\_\_\_\_

No. \_\_\_\_\_

**MINOR SUBDIVISION SECTION 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: yes
- d) Date sketch plan submitted: 4-30-12
- e) Sketch plan revised or denied within 10 business days: OK
- 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: OK
- b) Adequate sewerage and water service/public or private: Septic (6-6-12)
- 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: \_\_\_\_\_