



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

JUN 19 2012

MCPB No. 12-43
 Site Plan No. 82010007A
 Project Name: Darnestown at Travilah
 Date of Hearing: March 22, 2012

RESOLUTION

WHEREAS, under Montgomery County Code Division 59-E-3, the Montgomery County Planning Board is required to review certain amendments to approved site plans; and

WHEREAS, on January 4, 2011, the Planning Board, by Resolution MCPB No. 10-112 approved Site Plan No. 820100070, for thirty-nine townhouse units, including five moderately priced dwelling units ("MPDUs"), on 5.24 acres of RT-8 zoned-land, located on the north side of Darnestown Road midway between the intersections with Key West Avenue and Great Seneca Highway "Subject Property"), in the Great Seneca Science Corridor Sector Plan ("Master Plan") area; and

WHEREAS, on February 7, 2012, NV Homes, ("Applicant") filed an application for approval of an amendment to the previously approved site plan to:

1. change from a peaked roof to a flat roof; and
2. allow for minor modifications of door and window placement and façade design.

WHEREAS, Applicant's application to amend the site plan was designated Site Plan No. 82010007A ("Amendment"); and

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated March 2, 2012 setting forth its analysis of, and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on March 22, 2012, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Amendment; and

Approved as to
 Legal Sufficiency:

[Handwritten Signature] 6/7/12

8787 Georgia Avenue, N.C. Legal Department 10 Chairman's Office: 301.495.4605 Fax: 301.495.1320

www.MCParkandPlanning.org E-Mail: mcp-chairman@mncpc.org

WHEREAS, on March 22, 2012, the Planning Board voted to approve the Amendment, on the motion of Commissioner Dreyfuss, seconded by Commissioner Anderson, with a vote of 4-0; Commissioners Anderson, Carrier, Dreyfuss, and Wells-Harley voting in favor. Commissioner Presley was absent from the proceeding.

NOW, THEREFORE, BE IT RESOLVED that, the Planning Board APPROVES Site Plan No. 82012007A for thirty-nine townhouse units, including five MPDU-equivalent dwelling units.

BE IT FURTHER RESOLVED, that all site development elements as shown on the Darnestown at Travilah drawings stamped by the M-NCPPC on January 18, 2012, shall be required; and

BE IT FURTHER RESOLVED, that all other site plan conditions of approval for this project remain valid, unchanged and in full force and effect; and

BE IT FURTHER RESOLVED, that having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference, and upon consideration of the entire record, the Planning Board FINDS that:

Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan in any manner that would affect the Board's original findings, and therefore, all findings not specifically addressed remain in effect.

BE IT FURTHER RESOLVED, that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

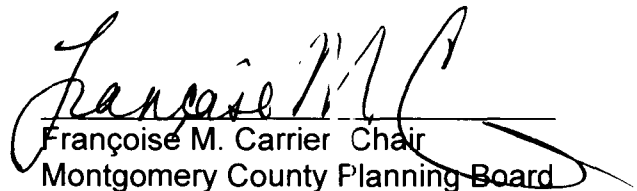
BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is JUN 19 2012 (which is the date that this resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Vice Chair Wells-Harley, seconded by Commissioner Dreyfuss, with Chair Carrier, Vice Chair Wells-Harley and Commissioner Dreyfuss voting in favor of the motion, and with Commissioner Presley abstaining, and Commissioner Anderson absent, at its regular meeting held on Thursday, June 14, 2012, in Silver Spring, Maryland.


Françoise M. Carrier Chair
Montgomery County Planning Board