

Plat Name: Stella's Dream
Plat #: 220170300

Location: Located on the south side of Barnesville Road, approximately 1 mile east of Mount Ephraim Road
Master Plan: Agriculture and Rural Open Space Master Plan
Plat Details: AR (formerly RDT) zone; 1 lot
Owner: Stellas Dream Limited Partnership

Staff recommends approval of this minor subdivision plat pursuant to **Section 50-35A(a)(8)** of the Subdivision Regulations, in effect at the time of application submittal and review, which states:

Plats for Certain Residential Lots located in the Rural Density Transfer Zone. Up to five lots are permitted under the minor subdivision procedure in the RDT zone provided that a pre-preliminary plan is submitted and approved by either the Planning Board or Planning Board staff, in accordance with the procedures for submission and approval of a pre-preliminary plan of subdivision. In addition:

- a) Written approval for a proposed septic area must be received from the Montgomery County Department of Permitting Services, Well and Septic Section prior to recordation of the plat;
- b) Any required street dedications along the frontage of the proposed lots must be shown on the record plat;
- c) An easement must be recorded for the balance of the property noting that density and TDRs have been utilized for the new lots. Reference to this easement must be reflected on the record plat for the lots; and
- d) Lots created in the RDT Zone through the minor subdivision procedure must not exceed an average lot size of five (5) acres in size unless approved by the Planning Board in the review of a pre-preliminary plan of subdivision.
- e) Forest conservation requirements must be satisfied prior to recording the plat.

Staff applied the above-noted minor subdivision criteria for the property included in this application and concludes that the proposed subdivision complies with the requirements of Section 50-35A(a)(8) and with Pre-Preliminary Plan No. 720150170 (MCPB Resolution No. 16-081) and supports this minor subdivision record plat.

SURVYOR'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 conveyed from Joachim Bregger and Barbara S. Bregger to Stella's Dream Limited Partnership, dated 30th day of January, 1990, and recorded in Liber 9159 at Folio 292, and that the same is a subdivision of the land described in Liber 9159 at Folio 292. I further certify that, once engaged as described in the owner's certification hereon, all monuments and all property markers and other boundary markers not previously found and held, will be set in accordance with the provisions of Section 50-24(e) of Montgomery County Code. The total area included on this plat is 4.200 acres of land. There is no land to be dedicated to the public use.

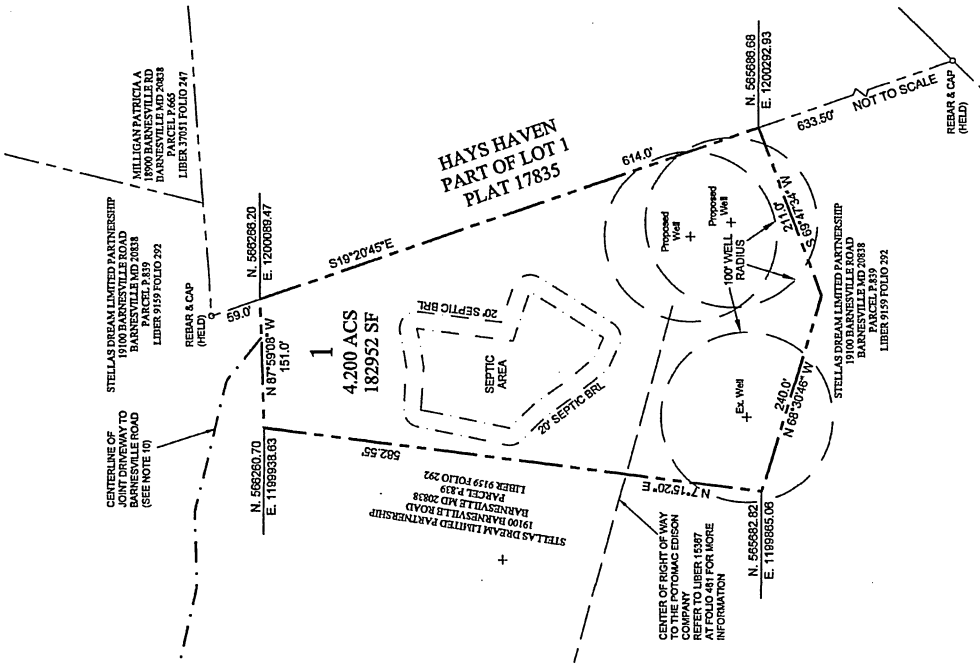
Thomas A. Maddox
Thomas A. Maddox
Registered Professional Land Surveyor
MD #10850
EXPIRES 4/5/2020
Date
4/10/2018

PLAT NO.

PLAT TOTALS
NUMBER OF LOTS
AREA OF LOTS
TOTAL AREA OF DEDICATION
TOTAL AREA SHOWN ON PLAT



SCALE
1" = 100'
0 100'



- NOTES**
1. PROPERTY ZONED AS (FORMERLY R01) AT DATE OF RECORDATION. ALL EXISTING AND PROPOSED DEVELOPMENT ON THIS PROPERTY IS SUBJECT TO THE STANDARDS UNDER THE MONTGOMERY COUNTY ZONING ORDINANCE. AGRICULTURE IS THE PREFERRED USE IN THE AZONE. ALL AGRICULTURE OPERATIONS SHALL BE PERMITTED AT ANY TIME INCLUDING THE OPERATION OF FARM MACHINERY AND NO AGRICULTURE USE SHALL BE SUBJECT TO RESTRICTION REGARDING INTERFERENCE WITH OTHER USES PERMITTED IN THE ZONE.
 2. THIS PROPERTY IS SERVED BY PRIVATE WELLS AND PRIVATE SEPTIC SYSTEMS. EXISTING SEWER AND WATER CATEGORIES: S-A, W-4. LOT 1 SEPTIC SYSTEM IS APPROVED FOR A 6 BEDROOM HOUSE.
 3. THIS PLAT IS LIMITED TO THE USES AND CONDITIONS AS REQUIRED BY PRELIMINARY PLAN NO. ZPW19A, ENTITLED, STELLA'S DREAM FARM, ADOPTED RESOLUTION NO. 16481 DATED JULY 26, 2016. ANY PROPOSED CHANGES IN USE WILL REQUIRE FURTHER PLANNING BOARD REVIEW AND APPROVAL.
 4. ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, OR OTHER INSTRUMENTS WHICH ARE NOT EXTINGUISHED BY THE RECORDATION OF THIS PLAT, THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND ARE AVAILABLE FOR PUBLIC VIEWING DURING NORMAL BUSINESS HOURS.
 5. THIS PLAT IS NOT INTENDED TO SHOW EJECTMENT MATTER, AFFECTING OR RESTRICTING THE OWNERSHIP AND USE OF THE PROPERTY. THIS PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DETECT OR NOTE ALL MATTERS AFFECTING TITLE.
 6. PROPERTY FOUND ON MONTGOMERY COUNTY TAX MAP 'CV, W.S.S.C. 231N1919 & 20N1919.
 7. SEPTIC BUILDING RESTRICTION LINE SUBJECT TO CHANGE UPON REMOVAL BY THE MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES WELL AND SEPTIC SECTION.
 8. THIS PLAT OF SUBDIVISION IS APPROVED PURSUANT TO THE PROVISIONS FOR MINOR SUBDIVISIONS IN SECTION 50-5A OF THE SUBDIVISION REGULATIONS, BEING CHAPTER 50 OF THE MONTGOMERY COUNTY CODE. THIS PLAT INVOLVES THE CREATION OF LOT WITHIN THE RURAL DENSITY TRANSFER (RDT) ZONE AS PROVIDED FOR IN SECTION 50-5A(b)(6).
 9. THE PARENT PARCEL REMAINDER OF LIBER 9159 AT FOLIO 292, IS THE SUBJECT OF A DECLARATION OF RESTRICTIVE COVENANT / EASEMENT RELATING TO DENSITY AND DEVELOPMENT RIGHTS AS RECORDED IN BOOK 5556 AT PAGE 81 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.
 10. ACCESS FOR LOT 1 VIA EXISTING DRIVEWAY DEPENDS UPON DECLARATION OF JOINT DRIVEWAY AND COMMON MAINTENANCE COVENANT RECORDED IN BOOK 5597 AT PAGE 75 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.
 11. PARENT PARCEL P89 IS SUBJECT TO TWO (2) RIGHTS OF WAY TO THE POTOMAC EDISON COMPANY AND TO A RIGHT OF WAY TO THE MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES. THE LOCATION OF THESE RIGHTS OF WAY (A) A RIGHT OF WAY RECORDED IN LIBER 1857 AT FOLIO 461 AFFECTS LOT 1 AND THE GENERAL LOCATION IS SHOWN HEREON.

OWNER'S CERTIFICATION
We, the undersigned, owners of the property shown hereon, hereby adopt this plat of subdivision. The owner will cause 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 adults, liens, mortgages, trusts or actions at law affecting the property included in this plat of subdivision.

For Stella's Dream Limited Partnership:
[Signature]
Witness
[Signature]
Linda P. Pepe - General Partner
Date: 4/10/18

SUBDIVISION RECORD PLAT
LOT 1
STELLA'S DREAM
ELECTION DISTRICT 11
MONTGOMERY COUNTY, MARYLAND
SCALE 1" = 100' APRIL 2017

THOMAS A. MADDOX
PROFESSIONAL LAND SURVEYOR
8933 SHADY GROVE COURT
GAITHERSBURG, MARYLAND 20877
(301) 984-5804

THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION MONTGOMERY COUNTY PLANNING BOARD	MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES	FLAT
APPROVED _____	APPROVED May 3, 2018 DATE	DATE
CHAIRMAN ASST. SECRETARY-TREASURER	<i>Rhonda L. Pope</i> DIRECTOR	
M.N.C.P. & P.C. RECORD FILE NO.		

