



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

January 17, 2008

MCPB
Item No. 14
1-24-08

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Daniel K. Hardy, Acting Chief *DKH*
Transportation Planning

FROM: Cherian Eapen, Planner/Coordinator *CE*
Transportation Planning
301-495-4525

SUBJECT: Abandonment Request No. AB-708
Request to abandon approximately 280 feet of unimproved Kenneth Road with a
60-foot right-of-way
East of Kruhm Road, North of Spencerville Road (MD 198)
Rusty Acres Subdivision, Burtonsville
Fairland Master Plan; Fairland/White Oak Policy Area

RECOMMENDATION

Staff recommends that the Planning Board approve transmittal of a recommendation of denial for the subject abandonment request to the Montgomery County Department of Public Works and Transportation (DPWT) for the following reason:

The Kenneth Road right-of-way should be preserved for potential future local connection between Winifred Drive (Burtonsville Manor Subdivision) and Kruhm Road that could:

- Provide redundancy in access to MD 198 for communities in the immediate area to the north of MD 198,
- Improve traffic safety at the intersection of MD 198 and Kruhm Road, and
- Provide recreational opportunities for residents in the area, including enjoyment of the rustic features of Kruhm Road without using MD 198.

DISCUSSION

This memorandum presents staff's review of the subject request to abandon approximately 280 feet of unimproved, 60 feet wide Kenneth Road right-of-way to the east of Kruhm Road, between Lot 1, Block C and Lot 12, Block B of the Rusty Acres Subdivision, within the Fairland Master Plan area and the Fairland/White Oak Policy Area. Most properties in the general area are currently zoned RC. The Kenneth Road right-of-way continues to the east of the right-of-way described above and terminates at Winifred Drive. This section of Kenneth Road (approximately 200 feet long) is adjacent to Lot 10, Block 2 of the Burtonsville Manor Subdivision and has a right-of-way width of only 30 feet (since right-of-way from the unrecorded parcel immediately to the north of this lot is not yet dedicated).

The purpose of this review is to present the Planning Board with staff recommendations on the requested abandonment and to formulate Planning Board comments to be transmitted to DPWT for a Public Hearing to be held by the County Executive's office on Monday, January 28, 2008.

The referral from the County Executive's office for abandonment request AB-708, per Section 49-62 of the Montgomery County Code, detailing the proposed request is included as Attachment 1. The Code requires that the County Executive solicit comments from public agencies including M-NCPPC, and hold a public hearing before forwarding a recommendation on the proposed abandonment request to the County Council.

A street network map for the area near Kenneth Road is presented as Attachment 2. Kruhm Road is a low-volume, narrow two-lane road to the north of MD 198, and has a mix of homes, farms, wooded areas, and views. The Duvall/Kruhm House historic site is also located along Kruhm Road. Kenneth Road, as described earlier, exists as an east-west residential "paper street" between Kruhm Road and Winifred Drive. A 250-foot long stub of Kenneth Road exists to the west side of Kruhm Road as well. Winifred Drive is connected to Burtonsville Drive, which is connected to Spencerville Road (MD 198). While Kenneth Road is not a master-planned street, dedication for 30' of Kenneth Road right-of-way is included on the 1993 record plat for Lot 1, Block C.

Staff notes that the section of Kenneth Road requested to be abandoned is not required for access to any individual property. Both Lot 1, Block C and Lot 12, Block B, to the north and south of Kenneth Road right-of-way currently have access to Kruhm Road. This abandonment is being requested by the owners of these two lots.

In April 2003, as part of the MD 28/MD 198 Corridor Improvement Study, Maryland State Highway Administration (SHA) presented to the community a potential road connection between Kruhm Road and Winifred Drive using the Kenneth Road right-of-way. The purpose of the connection was to improve safety at the MD 198/Kruhm Road intersection by relocating eastbound MD 198 left turns from Kruhm Road to Burtonsville Drive. SHA, at that time, received public comments opposing the road connection and did not pursue it further. This option is currently not shown in any of the MD 28/MD 198 alternatives documents.

FINDINGS

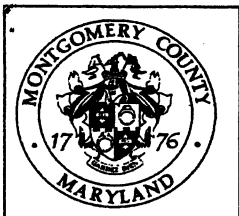
Staff finds that the Kenneth Road right-of-way requested for abandonment should be preserved for potential future local connection between Winifred Drive and Kruhm Road. The subject right-of-way could provide redundancy in access to MD 198 for communities to the north of MD 198 located along Kruhm Road, Burtonsville Drive, Winifred Drive, and Winifred Court. The connection could also improve safety at the intersection of MD 198 and Kruhm Road and could increase recreational opportunities for residents in the area by connecting them to Kruhm Road without using MD 198. Staff therefore recommends that the Planning Board approve transmittal of a recommendation of denial for the subject abandonment request to DPWT.

DKH:CE:tc

Attachments

cc: Mike Cassedy
Piera Weiss
Cathy Conlon
Tanya Schmieler
Larry Cole
Greg Leck
Gerry Karst
Stephanie Popovici
Chuck Kines
Shawn Burnett

AB-708 Staff Memo.doc



MONTGOMERY COUNTY EXECUTIVE ORDER

Attachment No. 1

COPY

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject: Abandonment of a Portion of Unimproved Kenneth Road Rusty Acres Subdivision, Burtonsville	Executive Order No. 350-07	Subject Suffix AB
Originating Department: Public Works and Transportation	Department Number AB 23-07	Effective Date 11/26/07

AB708

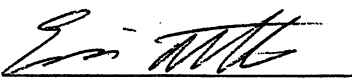
1. Pursuant to Section 49-62 of the Montgomery County Code (2004) as amended, the County Executive or his Designee shall conduct a Public Hearing

at 3:30 p.m. on Monday January 28, 2008
101 Monroe Street, EOB Lobby Conference Room
Rockville, Maryland 20850


to consider an application received from Ms. Stephanie Popovici and Mr. Gerry Karst, the applicants, seeking abandonment of a portion of unimproved Kenneth Road, Burtonsville Manor subdivision, in Burtonsville.

2. After the aforesaid Hearing, the Hearing Officer shall report his or her findings and recommendations to the County Executive for further consideration as prescribed by County Code.

Approved as to Form and Legality
Office of the County Attorney

By: 
Eric Willis
Assistant County Attorney

APPROVED


Thomas J. Street
Assistant Chief Administrative Officer

Distribution:
Department of Public Works and Transportation
Department of Finance



20868

20866

20905

Kenneth Road
X

SPENCERVILLE

SPENCERVILLE

Branch Park

FAIRLAND

Upper Paint Branch Park

SPENCERVILLE

Paint

MONTGOMERY AUTO PK

Tax Map KS 42

K 4

E18000
N84000

43

Montgomery Co.
4028/275
38.07 Ac.
P115

OURSLER ROAD
OURSLER HILLS (5-001)
PT. 1 N 39
PT. 2 N 69
6 N 95
7 N 148
PT. 4 N 202
5 N 230

15.80 Ac.
P022

5.35 Ac.
P128

N.H. Kruhm et al
4668/621
22.04 Ac.

5.66 Ac.
P197

P220
4.13 Ac.

M. N. C. P. & P. C.
3348 / 307
33.09 Ac.
P375

P315

P303

PAR. 2

P355

DAILEY

5.00 Ac.
P397

BELLE COTE DRIVE

TRACT
PARCEL 3

P400

P411

P454

6.24 Ac.
N 407

5.86 Ac.
P417

P505

F.N. & J.E. Kruhm

4213/464

5.06 Ac.

P511

N. H. & B. Kruhm

1612/153

9.94 Ac.

P570

P662
16.59 Ac.

P627

P625

P624

P675

KENNETH ROAD

WINFRED DRIVE

WINFRED COURT

WINFRED COURT

WINFRED COURT

WINFRED COURT

WINFRED COURT

WINFRED COURT

WINFRED COURT

WINFRED COURT

WINFRED COURT

WINFRED COURT

WINFRED COURT

WINFRED COURT

WINFRED COURT

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WINFRED COURT

WINFRED COURT

WINFRED COURT

FAIRVIEW (5-001)

ALLNUTT LANE

(5-001)
POOLE'S SUB.

(5-001)
BURTONSVILLE MANOR

ACRES

P860

N817

N818

198

N878

P879

12.59 Ac.
P968

10.05 Ac.
P963

3151/635
5.33 Ac.
P986

Union of Cemetary
of Montg. Co.
2060/8
3.32 Ac.
P990

Assoc. MD.
5.00 Ac.
P937

P998



KS 562 S 2

AB 708 Cherian

August 2nd, 2007

Isiah Leggett
101 Monroe Street, 2nd floor
Rockville, MD 20850

Pursuant to Montgomery County code, we request the abandonment of the unimproved "paper street", Kenneth Road, adjoining our properties (Lot 12 Block B, Lot 1 Block C). You will find enclosed a copy of the tax map (KS 562) indicating Kenneth Road, which has no current public use and is not intended for public use in the future.

Please contact Stephanie Popovici with questions, address provided below, either by cell phone 202-439-3435, home phone 301-421-1287, or e-mail rmidsouth73@hotmail.com

Stephanie Popovici
15521 Kruhm Road
Burtonsville, MD 20866

Gerry Karst
15601 Kruhm Road
Burtonsville, MD 20866

x S. Popovici

x Gerry Karst

Cc: Michael Cassidy, 101 Monroe Street, 10th Floor, Rockville, MD 20850

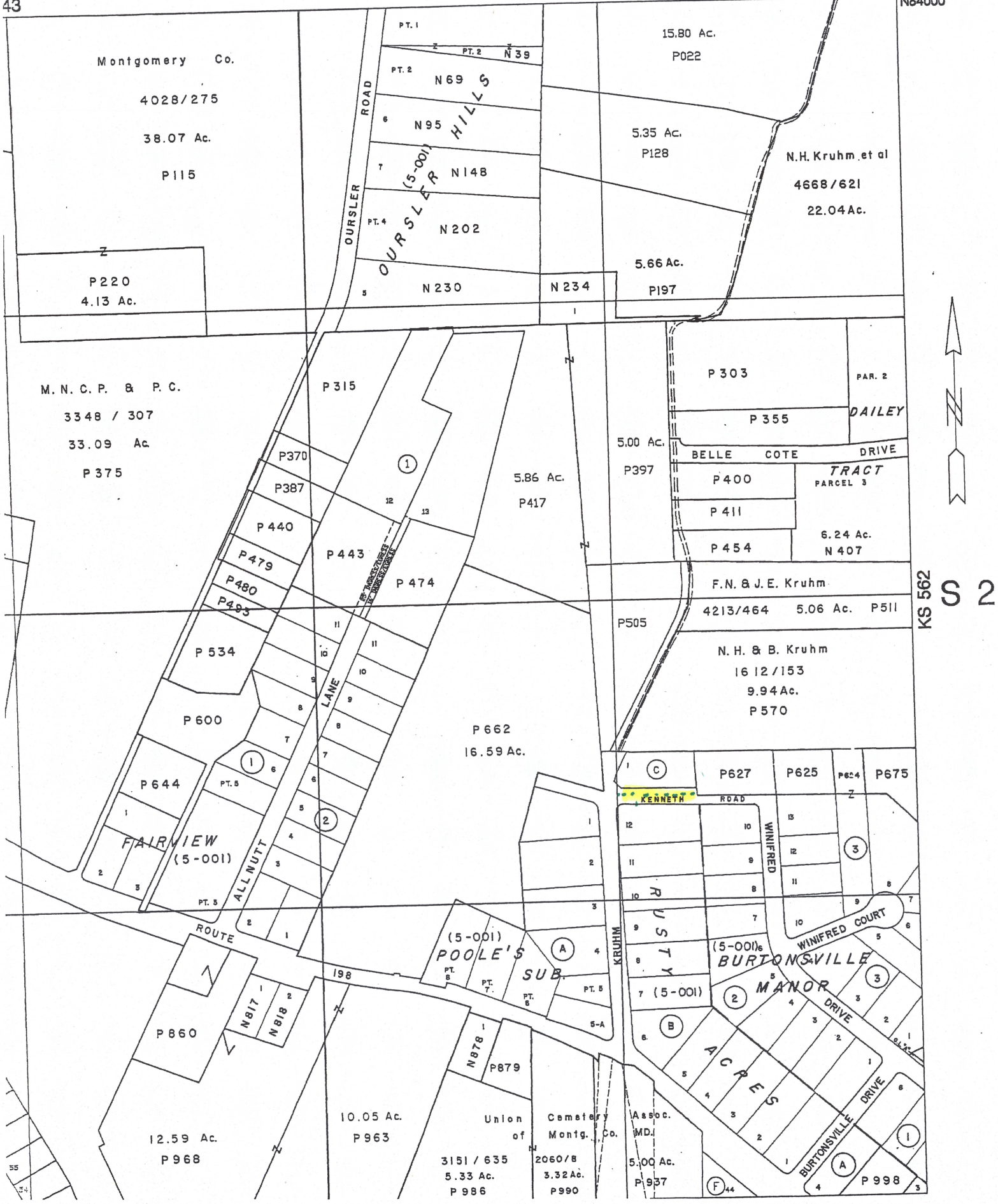
Plat No. 3779
Plat No. 18973

K 4

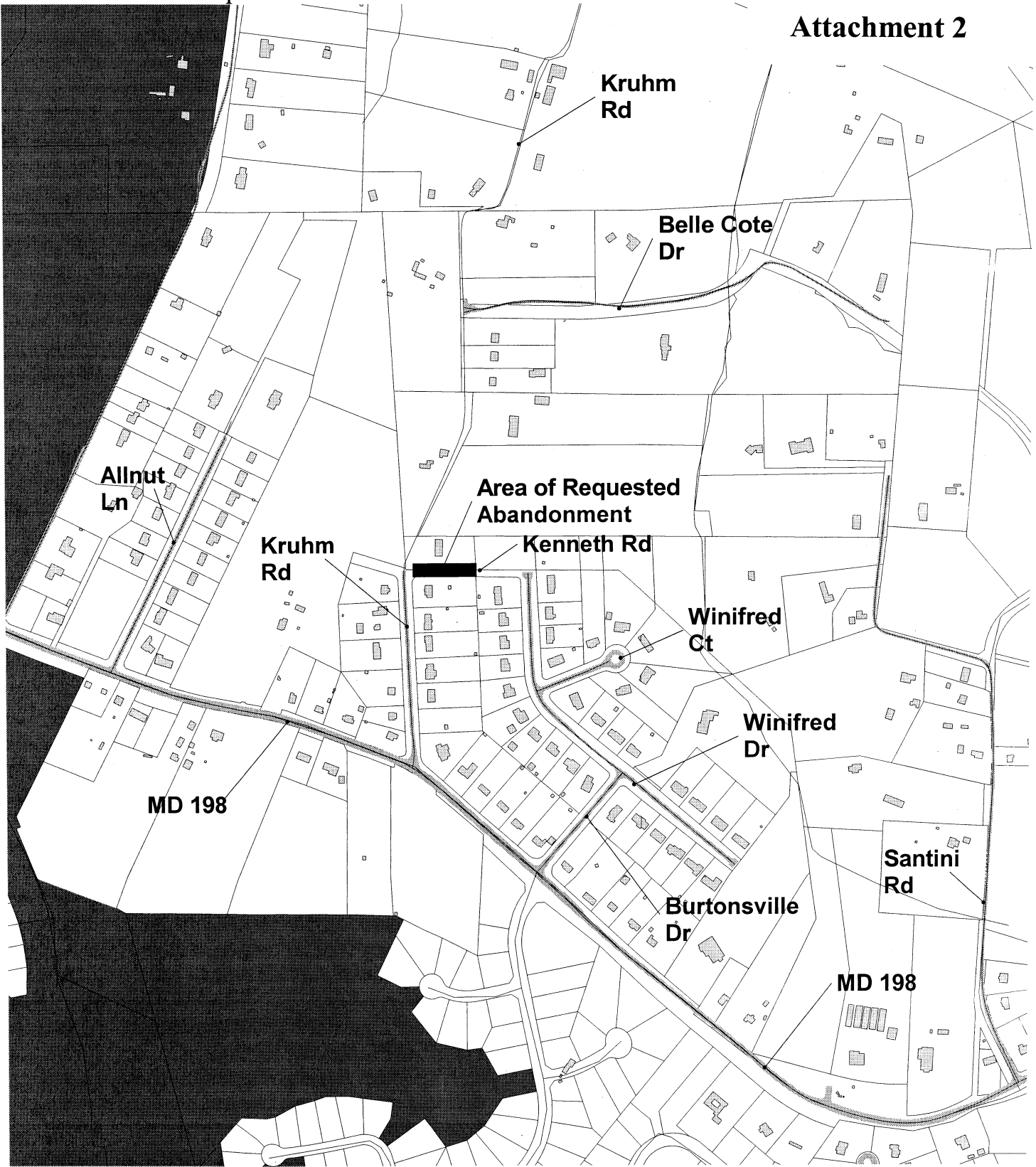
E18000

N84000

43



KS 562 S 2



Map Compiled On 01-04-2008 at 12:02 PM
 Map Scale: 1 inch = 600 feet or 1:7200

0 600 Feet



The Maryland-National Capital Park and Planning Commission
 Montgomery County Department of Park and Planning
 Transportation Planning Unit
 8787 Georgia Avenue | Silver Spring, Maryland 20910
 301.495.4525 voice | 301.495.1302 fax | <http://www.mc-mncppc.org>

- Master Plan of Highways Centerline 2
- DPWT DIME 2000 Street Centerlines
- Streams
- Street Pavement
- Buildings
- Property
- All Parks
- Municipalities
- Montgomery County

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