

PLAT NO. 220081680

Moxley Estates

Located on the north side of Bethesda Church Road, approximately 1,700 feet west of Purdum Road

RDT zone; 1 lot

Private Well, Private Septic

Master Plan Area: Damascus

Equistart, LLC, Applicant

Staff recommends approval of this minor subdivision plat pursuant to Section **50-35A (a)(8)** of the Subdivision Regulations, 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 this property and concludes that the proposed subdivision complies with the requirements of Section 50-35A(a)(8), and with Pre-Preliminary Plan No. 720080020, and supports this minor subdivision record plat.

OWNER'S CERTIFICATION

The undersigned, owners of the property shown hereon, hereby adopt this plan of subdivision. We further certify and grant 1.07 wide Public Utility Easement shown hereon as 10' P.U.E. to the parties named in the easement entitled "10' P.U.E. and Provision of Public Utility Easement" recorded in Liber 9334 at Folio 457. The owners 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 suits, liens, mortgages, or taxes, affecting the property including in this plat of subdivision, except for a deed of trust and the party in interest hereon has hereon indication their assent.

Sheryl A. Madbox
 Sheryl A. Madbox, Managing Member
 EQUICREST LLC
 Date: 8/18/08

Thomas A. Maddox
 Thomas A. Maddox
 Registered Professional Land Surveyor
 MD #10850
 Date: 8/18/08

SURVEYOR'S CERTIFICATION

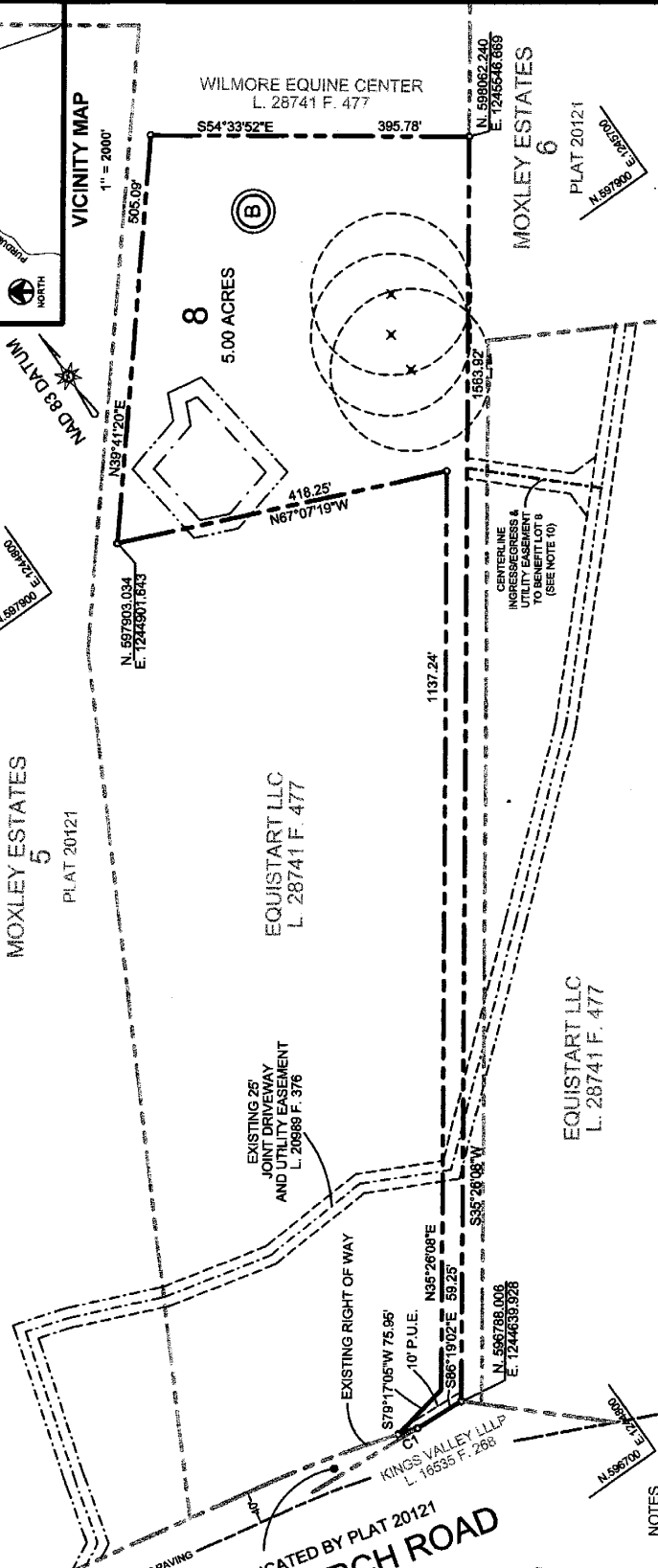
I hereby certify that the plat shown hereon is correct, that it is a subdivision of part of the land described in a deed from Wilmore Equine Center, LLC, to Equistart LLC, dated October 6, 2004 and recorded in Liber 28741 at Folio 477, and that the boundaries of the property shown hereon are in accordance with the provisions of Section 50-24(e) of the Montgomery County Code. The total area included on this plat is 5.00 acres of land. There is no new dedication by this plat.

Thomas A. Maddox
 Thomas A. Maddox
 Registered Professional Land Surveyor
 MD #10850
 Date: 8/18/08

MOXLEY ESTATES 5
 PLAT 20121

MOXLEY ESTATES 6
 PLAT 20121

BETHESDA CHURCH ROAD
 PREVIOUSLY DEDICATED BY PLAT 20121



NOTES

- PROPERTY ZONED R07 AT DATE OF RECORDATION. ALL EXISTING AND PROPOSED DEVELOPMENT ON THIS PROPERTY IS SUBJECT TO THE STANDARDS UNDER THE MONTGOMERY COUNTY ZONING ORDINANCE.
- LOT 8 TO BE SERVED BY PRIVATE WELL AND PRIVATE SEPTIC SYSTEM. EXISTING SEWER AND WATER CATEGORIES: S-6, W-6.
- THE PROPERTY SHOWN HEREON IS SUBJECT TO THE REQUIREMENTS OF THE MONTGOMERY COUNTY FOREST CONSERVATION LAW, INCLUDING APPROVAL OF A FINAL FOREST CONSERVATION PLAN AND APPROPRIATE AGREEMENTS PRIOR TO ISSUANCE OF A SEDIMENT CONTROL PERMIT.
- 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 AND NOT BE 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.

CURVE TABLE

RAD	ARC	BEARING	CHORD	DELTA	
C1	1738.38'	25.0°	N72°09'31"W	25.0°	0°49'25"

STATISTICS

NUMBER OF LOTS	1
AREA OF LOTS	5.00 ACS.
AREA OF DEDICATION	0.00 ACS.
TOTAL AREA SHOWN ON PLAT	5.00 ACS.

GRAPHIC SCALE

0 50 100 150 200

LEGEND

□ LIMIT OF TOTAL ABSORPTION SYSTEM
 ○ 20' SEPTIC FIELD 6 x L.

5. THIS PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING OR RESTRICTING THE OWNERSHIP AND USE OF THE PROPERTY. THIS PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEFECT OR NOTE ALL MATTERS AFFECTING TITLE.

6. PROPERTY FOUND ON MONTGOMERY COUNTY TAX MAP FY, W.8.S.C. 239NWT1.

7. SEPTIC FIELD BUILDING RESTRICTION LINE SUBJECT TO CHANGE UPON REAPPROVAL BY THE MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES WELL AND SEPTIC SECTION.

8. LOT 8 APPROVED FOR 4 BEDROOM HOUSE.

9. LOT 8 IS BEING CREATED IN ACCORDANCE WITH SECTION 50-36A(8) OF THE MONTGOMERY COUNTY SUBDIVISION REGULATIONS, BEING A RESIDENTIAL LOT CREATED IN THE R07 ZONE. THIS PLAT CONFORMS TO PRE-PRELIMINARY PLAN NO. 720080028, ENTITLED "MOXLEY ESTATES", APPROVED ON 4/15/2008.

10. INGRESS/EGRESS AND UTILITY EASEMENT TO SERVE LOT 8 RECORDED IN LIBER AT FOLIO

11. THIS SUBDIVISION IS SUBJECT TO A RESTRICTIVE COVENANT RELATING TO DENSITY FROM THE PARENT PARCEL RECORDED AMONG THE LAND RECORDS MONTGOMERY COUNTY IN LIBER AT FOLIO

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

APPROVED: _____ DATE: _____

RECORDED: _____ DATE: _____

CHAIRMAN: _____ ASST. SECRETARY-TREASURER: _____

M.A.C.P. & P.C. RECORD FILE NO.

MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES

APPROVED: _____ DATE: _____

RECORDED: _____ DATE: _____

DIRECTOR: _____

SUBDIVISION RECORD PLAT
LOT 8, BLOCK B
MOXLEY ESTATES
 ELECTION DISTRICT 12
 MONTGOMERY COUNTY, MARYLAND
 SCALE 1" = 100' MARCH 2008

THOMAS A. MADDOX
 PROFESSIONAL LAND SURVEYOR
 8959 SHADY GROVE COURT
 GAITHERSBURG, MARYLAND 20877
 (301) 964-9604

RECORD PLAT FOR MINOR SUBDIVISION REVIEW SHEET

(This form contains 3 pages)

Plat Name: Maxley Estates Plat Number: 220081680
 Plat Submission Date: 4-22-08
 DRD Plat Reviewer: S. Smith
 DRD Prelim Plan Reviewer: R. Weaver

*For category of minor see pages 2 and 3

Initial DRD Review:

Pre-Preliminary Plan No. 720080020 Checked: Initial SJS Date 7/15/08
 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 ok Zoning Bearings & Distances Coordinates
 Plan # Road/Alley Widths Easements Open Space N/A Non-standard
 BRLs N/A Adjoining Land ok Vicinity Map Septic/Wells ok
 TDR note ok Child Lot note N/A Surveyor Cert Owner Cert Tax Map
 SPA N/A

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	J. Pann	4/23/08	5-7-08	4-24-08	FC Easement at Sect. Control
Research	Bobby Fleury			4-28-08	ok
SHA	Doug Mills				
PEPCO	Steve Baxter			5-7-08	PVE
Parks	Doug Powell				
DRD	Nellie Carey			5-8-08	ok

Final DRD Review:

DRD Review Complete: Initial SJS Date 9/11/08
 (All comments rec'd and incorporated into mark-up)
 Engineer Notified (Pick up Mark-up): Initial SJS Date 7/15/08
 Final Mylar w/Mark-up & PDF Rec'd: Initial SJS Date 8/18/08

Board Approval of Plat:

Plat Agenda: Initial SJS Date 9/25/08

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: _____
- b) No additional lots created: _____
- c) Adjusted line is approximately parallel/does not significantly change shape of the lots: _____
- d) Date sketch plan submitted: _____
- e) Sketch plan revised or denied within 10 business days: _____
- 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: _____
- 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: _____
- 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: _____

(8) *Plats for Certain Residential Lots in the RDT Zone; 5 Lot Maximum*

- a) Number of Lots: _____
1
- b) Written MCDPS approval of proposed septic area: _____
yes
- c) Required street dedication: _____
✓
- d) Easement for balance of property noting density and TDRS: _____
✓
- e) Average lot size of 5 acres: _____
OK
- f) Forest Conservation requirements met: _____
yes