




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


MCPB
Item # 1B
5/6/10

MEMORANDUM

DATE: April 28, 2010

TO: Montgomery County Planning Board

VIA: Catherine Conlon, Subdivision Supervisor 
Development Review Division
(301) 495-4542

FROM: Stephen Smith 
Development Review Division
(301) 495-4522

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board
Agenda for May 6, 2010

The following record plats are recommended for APPROVAL, subject to the appropriate conditions of approval of the preliminary plan and site plan, if applicable, and conditioned on conformance with all requirements of Chapter 50 of the Montgomery County Code. Attached are specific recommendations and copies of plan drawings for the record plat. The following plats are included:

220081580 **Marwood**
220100600 **Michael C. Zetts Subdivision – Shady Grove**
220100660 **B.F. Leighton's addition to Woodside**

Plat Name: Marwood
Plat #: 220081580

Location: Located on the west side of Rivers Bend Lane, 1000 feet south of Marwood Hill Court
Master Plan: Potomac
Plat Details: RE-2C; 1 lot, 1 parcel
Community Water, Community Sewer
Applicant: Toll MD IV Limited Partnership

Background

This subdivision plat was previously approved by the Planning Board on July 3, 2008. At that time, the plat contained 2 lots and 2 parcels which were being re-platted to accommodate 2 lot line adjustments.

Revision

In the interim period since this original approval, the applicant, in conjunction with the owner of Lot 19, re-oriented the house location on the aforementioned lot, rendering the proposed lot line adjustment unnecessary. The plat has been revised to remove Lot 19 and the adjoining Parcel A which share the common lot line which was to be adjusted. The revised plat now reflects only the lot line adjustment for Lot 44 (now shown as Lot 84 and Parcel R). The following pages contain a copy of the revised plat and the previously approved plat.

Staff recommends approval of the this minor subdivision plat pursuant to Section **50-35A(a)(5)**, which states as follows:

Plat of Correction. A plat may be recorded under the minor subdivision procedure to correct inaccurate or incomplete information shown on a previously recorded subdivision plat. The plat may correct drafting or dimensional errors on the drawing; failure to include a required note, dedication, easement or other restriction; incorrect or omitted signatures; and/or other information normally required to be shown on a recorded plat. All owners and trustees or the land affected by the correction must sign the revised plat. In addition, the plat of correction must clearly identify the original plat that is being replaced and contain a note identifying the nature of the correction.

Staff applied the above-noted minor subdivision criteria for this property and concludes that the proposed subdivision complies with the criteria of Section 50-35A(a)(5) of the subdivision regulations, and with the conditions required by Site Plan No. 81990071B (MCPB Resolution 07-116, dated September 20, 2007), as approved by the Board, and supports this minor subdivision record plat.

RECORD PLAT FOR MINOR SUBDIVISION REVIEW SHEET

(This form contains 3 pages)

Plat Name: Marwood Plat Number: 220081580
 Plat Submission Date: 4-9-08
 DRD Plat Reviewer: S. Smith
 DRD Prelim Plan Reviewer: N/A
 *For category of minor 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: Marwood Site Plan Number: 81990071B
 Planning Board Opinion - Date 11-2-07 Checked: Initial SJS Date 5-13-08

Lot # & Layout Lot Area OK Zoning OK Bearings & Distances Coordinates
 Plan # OK Road/Alley Widths Easements Open Space OK Non-standard
 BRLs N/A Adjoining Land Vicinity Map Septic/Wells N/A
 TDR note N/A Child Lot note N/A Surveyor Cert Owner Cert Tax Map
 SPA

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>M. Foster</u>	<u>4-9-08</u>	<u>4-23-08</u>	<u>5-16-08</u>	<u>Add Adjoining Easements</u>
Research	<u>Bobby Fleury</u>			<u>4-15-08</u>	<u>OK</u>
SHA	<u>Doug Mills</u>				
PEPCO	<u>Steve Baxter</u>				
Parks	<u>Doug Powell</u>				
DRD	<u>Nellie Carey</u>			<u>4-11-08</u>	<u>OK</u>

Final DRD Review:

DRD Review Complete:	Initial <u>SJS</u>	Date <u>6/19/08</u>	
(All comments rec'd and incorporated into mark-up)			
Engineer Notified (Pick up Mark-up):	<u>SJS</u>	<u>5/13/08</u>	<u>REVISION</u>
Final Mylar w/Mark-up & PDF Rec'd:	<u>SJS</u>	<u>6-12-08</u>	<u>4/23/10</u>
Board Approval of Plat:			
Plat Agenda:	<u>SJS</u>	<u>7/3/08</u>	<u>5-6-10</u>
Planning Board Approval:	<u>SJS</u>	<u>7-3-08</u>	
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 #:	_____	_____	No. _____
Update Green Books for Resubdivision:	_____	_____	
Notify Engineer to Seal Plats:	_____	_____	
Engineer Seal Complete:	_____	_____	
Complete Reproduction:	_____	_____	
Sent to Courthouse for Recordation:	_____	_____	

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: _____

b) Written MCDPS approval of proposed septic area: _____

c) Required street dedication: _____

d) Easement for balance of property noting density and TDRS: _____

e) Average lot size of 5 acres: _____

f) Forest Conservation requirements met: _____

REVISED PLAT



OWNER'S CERTIFICATE

We, the undersigned owners of the property described herein, hereby adopt this plan of subdivision and all other provisions hereof, and we, our successors, agents and assigns, will cause all property corner markers and any other required monuments to be set by a registered surveyor in accordance with section 50-24 (b) (2) of the Montgomery County Code.

There are no recorded suits, actions at law, liens, leases, mortgages, or trusts affecting the property included in this plan of subdivision.

TOOL MD IV LIMITED PARTNERSHIP, a Maryland limited partnership
By: TOLLAND CORP., NO. 43, a Delaware corporation
General Partner (of 44)

By: *[Signature]*
John Harris
Vice President

Date: 4/16/2008

PLAT NO.

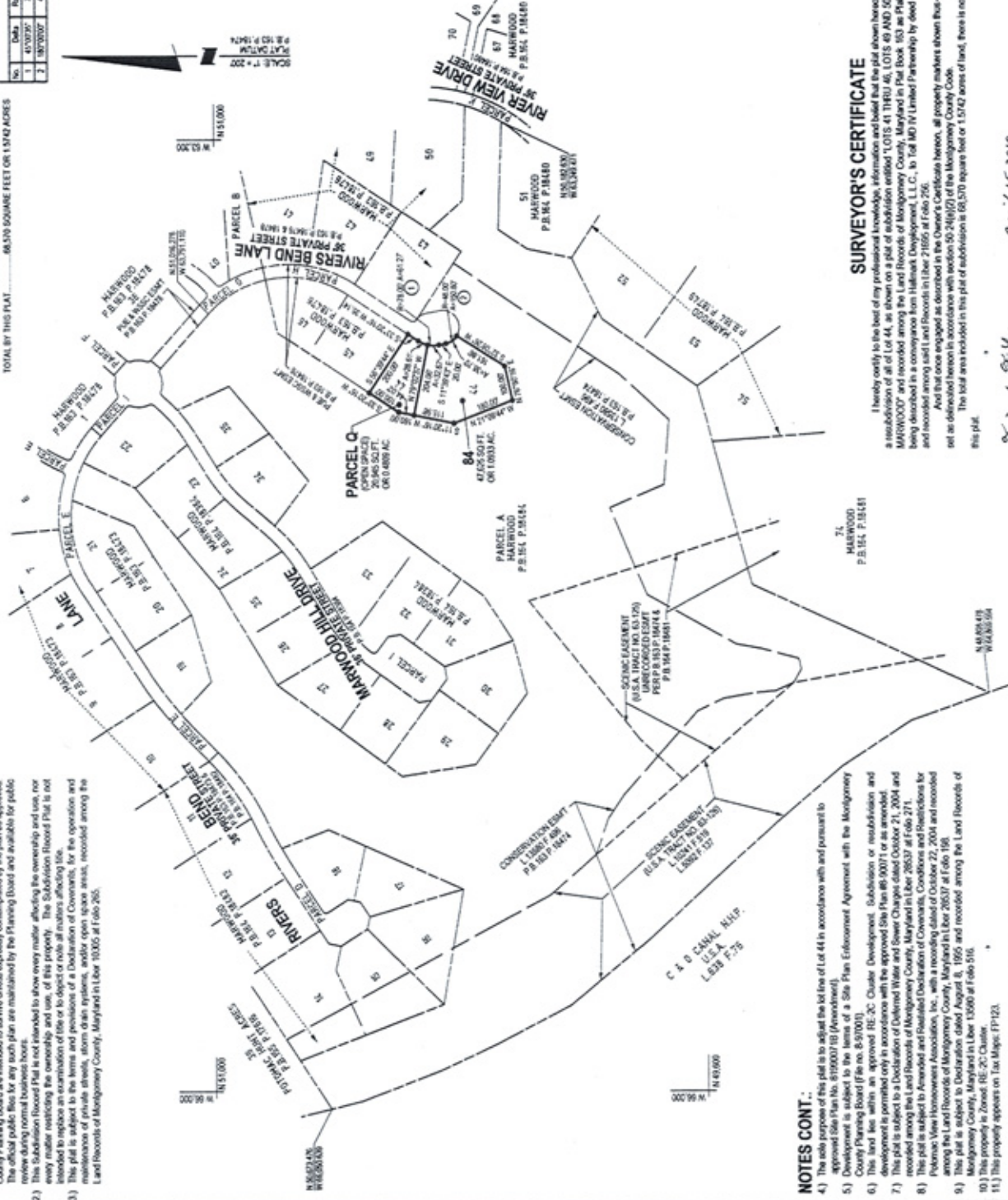
CURVE TABLE

No.	Data	Radius	Arc	Chord	Bearing	Chord
1	43°20'00"	70.00	41.37	30.32	S 17°20'30" W	30.17
2	130°20'00"	40.00	150.80	NA	N 17°20'17" E	26.50

AREA TABULATION

1 LOT: 47,650 SQUARE FEET OR 1.0933 ACRES
PARCEL: 20,940 SQUARE FEET OR 0.4800 ACRES

TOTAL BY THIS PLAT: 46,590 SQUARE FEET OR 1.5742 ACRES



SURVEYOR'S CERTIFICATE

I hereby certify to the best of my professional knowledge, information and belief that the plat shown hereon is correct, that it is a resubdivision of all of Lot 44, as shown on a plat of subdivision entitled "LOTS 41 THRU 46, LOTS 49 AND 50, AND PARCEL 17, MARWOOD" and recorded among the Land Records of Montgomery County, Maryland in Plat Book 553 as Plat 18476, said Lot 44 being described in a conveyance from Hallmark Development, L.L.C., to Tool MD IV Limited Partnership by deed dated July 19, 2007 and recorded among said Land Records in Liber 21655 of Folio 256.

And that once engaged as described in the Owner's Certificate hereon, all property markers shown thereon shall be set as delineated hereon in accordance with section 50-24(b)(2) of the Montgomery County Code.

The total area included in this plat of subdivision is 46,590 square feet or 1.5742 acres of land; there is no other dedication by this plat.

[Signature]
Timothy J. Lee
Professional Land Surveyor
Maryland Reg. No. 21509

Date: April 15, 2008

NOTES:

- All terms, conditions, agreements, limitations, and requirements associated with any preliminary plan, site plan, project plan or other plan, showing development of this property, approved by Montgomery County Planning Board are intended to remain in force unless otherwise stated.
- The owner of this property is responsible for any and all utility easements and for any and all utility encroachments. The utility easements and encroachments shown hereon are for information only and do not constitute a declaration of easements or encroachments.
- This Subdivision Record Plat is not intended to show every matter affecting the ownership and use, nor every matter restricting the ownership and use, of this property. The Subdivision Record Plat is not intended to replace an examination of title or to depict or rule on matters affecting title.
- This plat is subject to the terms and provisions of a Declaration of Covenants, for the operation and maintenance of private streets, storm drain systems, and/or open space areas, recorded among the Land Records of Montgomery County, Maryland in Liber 10305 of Folio 265.

NOTES CONT.

- The sole purpose of this plat is to adjust the lot line of Lot 44 in accordance with and pursuant to approved Site Plan No. 819500719 (Amendment).
- Development is subject to the terms of a Site Plan Enforcement Agreement with the Montgomery County Planning Board (File no. 8-57001).
- This land lies within an approved RE-ZC Cluster Development. Subdivision or resubdivision and development is permitted only in accordance with the approved Site Plan 819500719 or its amendment.
- This plat is subject to a Declaration of Delineated Water and Sewer Charges dated October 21, 2004 and recorded among the Land Records of Montgomery County, Maryland in Liber 26537 of Folio 271.
- This plat is subject to Amended and Restated Declaration of Covenants, Condition 22, 2004 and recorded in Public View records of Montgomery County, Maryland in Liber 29537 of Folio 109.
- This plat is subject to Declaration of Covenants, Condition 22, 2004 and recorded among the Land Records of Montgomery County, Maryland in Liber 10305 of Folio 516.
- This property appears on Tax Maps FP123.

FOR PUBLIC SEWER AND WATER SYSTEMS ONLY: *[Signature]*

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

APPROVED: _____ DATE: _____

SECRETARY: THE AGURER

CHURMAN

M.N.C.P. & P.C. RECORD FILE NO. _____

RECORDED PLAT: _____

PIA #92-021

PLAT NO.

AREA TABULATION

1 LOTS: 11,805 SQUARE FEET OR 1.8734 ACRES
 2 PARCELS: 2,405,307 SQUARE FEET OR 55,220.1 ACRES
 TOTAL BY THIS PLAT: 2,486,992 SQUARE FEET OR 57,093.1 ACRES

CURVE TABLE

No.	Circle	Radius	Chord	Chord Bearing	Offset
1	7°30'00"	100.74'	18.57'	N 81°10'17" E	82.39'
2	17°30'00"	254.30'	118.32'	N 34°20'57" E	235.97'
3	11°30'12"	160.50'	72.47'	N 54°19'59" E	147.03'
4	17°30'00"	254.30'	118.32'	N 34°20'57" E	235.97'
5	17°30'00"	254.30'	118.32'	N 34°20'57" E	235.97'
6	17°30'00"	254.30'	118.32'	N 34°20'57" E	235.97'
7	17°30'00"	254.30'	118.32'	N 34°20'57" E	235.97'
8	17°30'00"	254.30'	118.32'	N 34°20'57" E	235.97'
9	17°30'00"	254.30'	118.32'	N 34°20'57" E	235.97'
10	17°30'00"	254.30'	118.32'	N 34°20'57" E	235.97'
11	17°30'00"	254.30'	118.32'	N 34°20'57" E	235.97'
12	17°30'00"	254.30'	118.32'	N 34°20'57" E	235.97'
13	17°30'00"	254.30'	118.32'	N 34°20'57" E	235.97'
14	17°30'00"	254.30'	118.32'	N 34°20'57" E	235.97'

OWNER'S CERTIFICATE

We, the undersigned owners of the property described herein, hereby adopt this plan of subdivision, establish the minimum building restriction lines, As owners of this subdivision, we, our successors, agents and assigns will cause all property corner markers and any other required monumentation to be set by a registered surveyor in accordance with section 50-24 (e) (2) of the Montgomery County Code.

There are no recorded subs, actions at law, liens, leases, mortgages, or trusts affecting the property included in this plan of subdivision, except a certain deed of trust, and all parties in interest, thereto have indicated their assent.

POTOMAC VIEW HOMEOWNERS ASSOCIATION, INC.,
 a Maryland non-profit corporation
 (Parcel A)

By: David K. Sadler, Date: _____
 Vice President

Witness/Agent: _____

We, the undersigned owners of the property described herein, hereby adopt this plan of subdivision, establish the minimum building restriction lines, As owners of this subdivision, we, our successors, agents and assigns will cause all property corner markers and any other required monumentation to be set by a registered surveyor in accordance with section 50-24 (e) (2) of the Montgomery County Code.

There are no recorded subs, actions at law, liens, leases, mortgages, or trusts affecting the property included in this plan of subdivision, except a certain deed of trust, and all parties in interest, thereto have indicated their assent.

POTOMAC VIEW HOMEOWNERS ASSOCIATION, INC.,
 a Maryland non-profit corporation
 (Parcel A)

By: David K. Sadler, Date: _____
 Vice President

Witness/Agent: _____

SURVEYOR'S CERTIFICATE

I hereby certify to the best of my professional knowledge, information and belief that the plat shown hereon is correct, that it is a resubdivision of all of Lots 19 and 44 and Parcel A as shown on the following three (3) plats of subdivision the first (1st) being entitled "LOTS 5 THRU 10, LOTS 19 THRU 21, AND PARCEL 'E', MARWOOD" and recorded in Plat Book 163 as Plat 18473, the second (2nd) being entitled "LOTS 46, LOTS 49 AND 50, AND PARCEL 'Y', MARWOOD" and recorded in Plat Book 163 as Plat 18476, and the third (3rd) being entitled "PARCEL 'A', MARWOOD" and recorded in Plat Book 163 as Plat 18474, respectively, said Lot 19 being described in a conveyance from Tol M IV Limited Partnership to Madeline L. Anora and Dimple Anora by deed dated March 26, 2007 and recorded in Liber 34118 at Folio 27, said Lot 44 being described in a conveyance from Hallmark Development, L.L.C. to Tol M IV Limited Partnership by deed dated July 19, 2002 and recorded in Liber 21655 at Folio 225, said Parcel A being described in a conveyance from Hallmark Development, L.L.C. to Potomac View Homeowners Association, Inc., by deed dated September 1, 2004 and recorded in Liber 28248 at Folio 705 all among the Land Records of Montgomery County, Maryland.

And that once engaged as described in the Owner's Certificate hereon, all property markers shown thereon shall be set as delineated hereon in accordance with section 50-24(e)(2) of the Montgomery County Code.

The total area included in this plat of resubdivision is 2,486,992 square feet or 57,093.1 acres of land, there is no theft dedication by this plat.

Michael B. Davis
 Professional Land Surveyor
 Maryland Reg. No. 21103

Date: _____

I hereby certify to the best of my professional knowledge, information and belief that the plat shown hereon is correct, that it is a resubdivision of all of Lots 19 and 44 and Parcel A as shown on the following three (3) plats of subdivision the first (1st) being entitled "LOTS 5 THRU 10, LOTS 19 THRU 21, AND PARCEL 'E', MARWOOD" and recorded in Plat Book 163 as Plat 18473, the second (2nd) being entitled "LOTS 46, LOTS 49 AND 50, AND PARCEL 'Y', MARWOOD" and recorded in Plat Book 163 as Plat 18476, and the third (3rd) being entitled "PARCEL 'A', MARWOOD" and recorded in Plat Book 163 as Plat 18474, respectively, said Lot 19 being described in a conveyance from Tol M IV Limited Partnership to Madeline L. Anora and Dimple Anora by deed dated March 26, 2007 and recorded in Liber 34118 at Folio 27, said Lot 44 being described in a conveyance from Hallmark Development, L.L.C. to Tol M IV Limited Partnership by deed dated July 19, 2002 and recorded in Liber 21655 at Folio 225, said Parcel A being described in a conveyance from Hallmark Development, L.L.C. to Potomac View Homeowners Association, Inc., by deed dated September 1, 2004 and recorded in Liber 28248 at Folio 705 all among the Land Records of Montgomery County, Maryland.

And that once engaged as described in the Owner's Certificate hereon, all property markers shown thereon shall be set as delineated hereon in accordance with section 50-24(e)(2) of the Montgomery County Code.

The total area included in this plat of resubdivision is 2,486,992 square feet or 57,093.1 acres of land, there is no theft dedication by this plat.

Michael B. Davis
 Professional Land Surveyor
 Maryland Reg. No. 21103

Date: _____

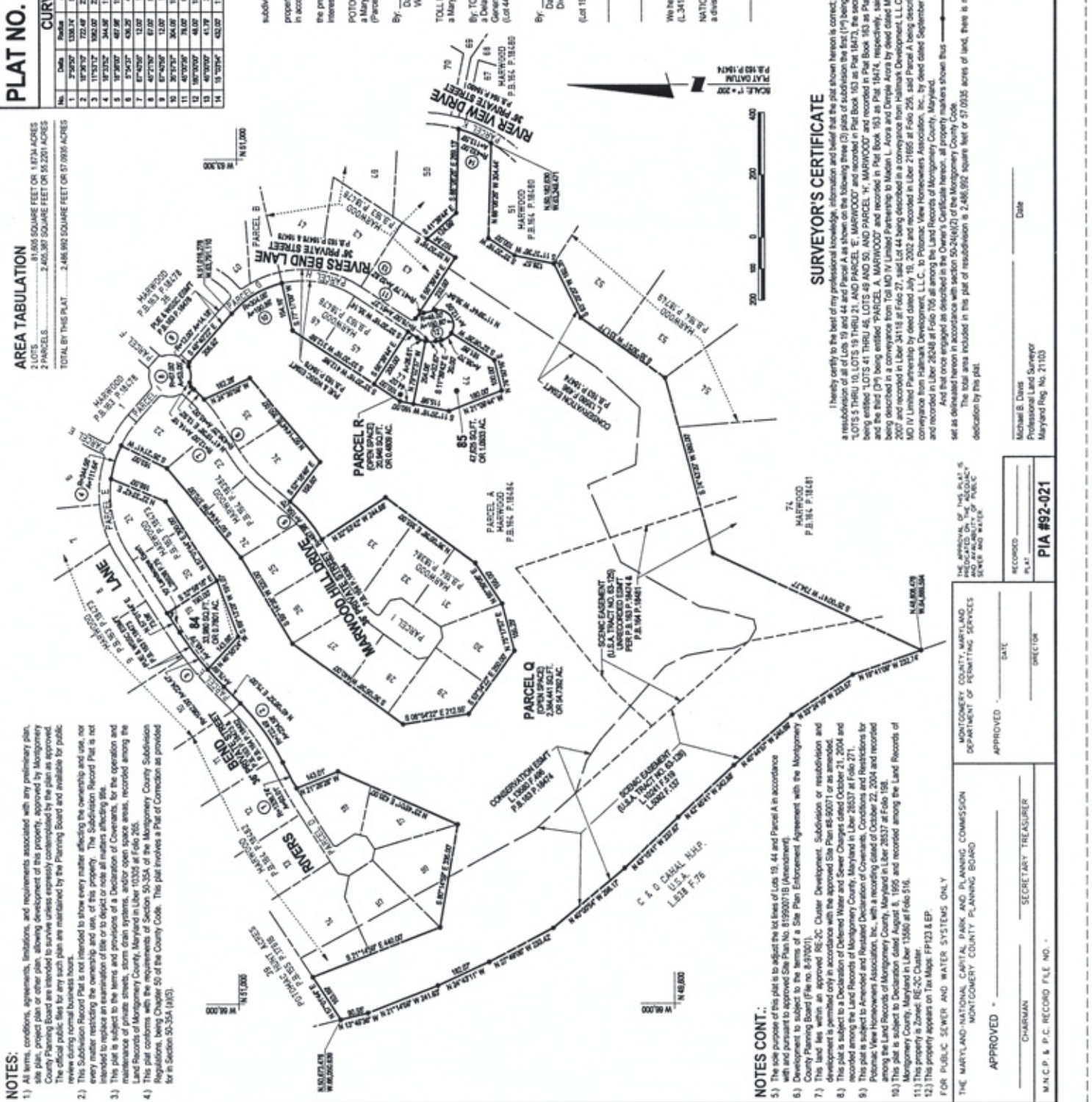
NOTES CONT.

- 1) The top portion of this plat is to adjust the lot lines of Lots 19, 44 and Parcel A in accordance with and pursuant to approved Site Plan No. 81590071B (Amendment).
- 2) Development to be subject to the terms of a Site Plan Enforcement Agreement with the Montgomery County Planning Board (File no. 8/9/2011).
- 3) This land, with an approved REC-C Cluster Development, Subdivision or resubdivision and development is permitted only in accordance with the approved Site Plan 85-90071 or as amended.
- 4) This plat is subject to a Declaration of Dedicated Water and Sewer Charges dated October 21, 2004 and recorded among the Land Records of Montgomery County, Maryland in Liber 26537 at Folio 271.
- 5) This plat is subject to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Potomac View Homeowners Association, Inc., with a recording date of October 22, 2004 and recorded among the Land Records of Montgomery County, Maryland in Liber 26537 at Folio 158.
- 6) This plat is subject to Declaration dated August 8, 1992 and recorded among the Land Records of Montgomery County, Maryland in Liber 15560 at Folio 516.
- 7) This property is zoned REC-C Cluster Development.
- 8) FOR PUBLIC SEWER AND WATER SYSTEMS ONLY FOR PFC23 & EP.

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

APPROVED: _____ DATE: _____
 CHAIRMAN SECRETARY/TREASURER

RECORDED: _____
 P.L.A.T. PIA #92-021



SUBDIVISION RECORD PLAT
PLAT OF CORRECTION
LOTS 84 & 85 AND PARCELS Q & R
MARWOOD
 (Being a resubdivision of Lots 19 & 44
 and Parcel A Marwood
 P.B. 163 P. 18473, 18474 & 18476)
 POTOMAC (10TH) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND
 SCALE 1" = 200' DATE: MARCH, 2008

RECOGNIZED
 ENGINEERING, PLANNING, SURVEYING, ENVIRONMENTAL SCIENCE

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