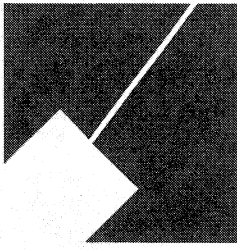


M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

MCPB
ITEM NO. 12
7-20-06

July 5, 2006

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Daniel K. Hardy, Supervisor *DKH*
Transportation Planning

FROM: Scott A. James, Planner/Coordinator *gaj*
Transportation Planning

SUBJECT: DPWT Docket No. AB 682
Abandonment of a portion of unimproved Burning Tree Road between Marywood
Road and Michaels Drive
Marywood subdivision in Bethesda, MD
Bethesda-Chevy Chase Master Plan

This memorandum is Transportation Planning staff's review of the request to abandon a portion of unimproved Burning Tree Road in the Marywood subdivision in Bethesda, Maryland.

RECOMMENDATION

Staff recommends that the Planning Board **support the request** to abandon the subject right-of-way, as it is not needed for current and future public use as a public street.

DISCUSSION

The subject abandonment comes under the review of the County Council since the public right-of-way is intended to serve as a roadway connection between Marywood Road and Michaels Drive in Bethesda, Maryland. The subject right-of-way, shown in Exhibit 1, is part of the original subdivision plat for the Marywood subdivision and is unimproved between Marywood Road and Michaels Drive. DPWT Docket No. AB 682, describing the proposed abandonment, is included as Attachment A.

The portion of Burning Tree Road proposed for abandonment is parallel to, and approximately 300 feet west of Fernwood Road, a primary residential street. Staff is therefore of the opinion that adequate and sufficient pedestrian and vehicular access can be maintained if the proposed portion of unimproved Burning Tree Road is abandoned.

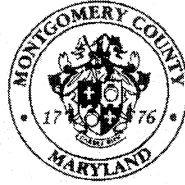
FINDINGS

Per Section 49-63(e) of the Montgomery County Code, staff recommends approval of the proposed abandonment of a portion of the public street, unimproved Burning Tree Road, in the Marywood subdivision, with the aforementioned condition. The staff finding is based upon the assessment that the subject right-of-way is not needed to maintain present and future vehicular access and that no landlocked parcels would result from its abandonment.

SAJ:gw
Attachment

cc: Michael Cassedy
Debra Daniel
Marilyn Clemens

mmo to MCPB re AB 682 Burning Tree Rd



OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Arthur Holmes, Jr.
Director

May 24, 2006

Mr. Derick Berlage, Chairman
Maryland-National Capital Park and
Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

RE: Request for Comments on Proposed Abandonment
AB682 – Abandonment of a Portion of Unimproved
Burning Tree Road at Intersection with Marywood Road
Marywood Subdivision, Bethesda

Dear Mr. Berlage:

The purpose of this letter is to request M-NCPPC comments on the proposed abandonment of a portion of unimproved Burning Tree Road in the Marywood subdivision in Bethesda. The abandonment request was made by Jonathan Binder and Myra Sklarew, the applicants. The applicants are owners of lots adjoining the right-of-way. For your reference I have enclosed a copy of the petitioner's request along with other information concerning this matter.

It would be appreciated if I could receive your comments by July 24, 2006.

If either you or your staff need additional information or have questions, please call me at 240-777-7254.

Sincerely,


Michael S. Cassidy

Enclosures



Property Acquisition

REQUEST FOR COMMENTS BY JULY 24, 2006

AB682

ABANDONMENT OF A PORTION OF UNIMPROVED

BURNING TREE ROAD AT ITS

INTERSECTION WITH MARYWOOD ROAD

BETHESDA

Pursuant to Section 49-62 of the Montgomery County Code 2004, the County Executive or his designee shall conduct a Public Hearing

**10:30 a.m. on Thursday July 20, 2006
101 Monroe Street, EOB Lobby Auditorium
Rockville, Maryland 20850**

to consider an application received from Jonathan Binder and Myra Sklarew, the applicants, seeking abandonment of a portion of unimproved Burning Tree Road at its intersection with Marywood Road in Bethesda. The portion of the right-of-way is adjoined by property belonging to the applicants.

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

**Please send your comments by July 24, 2006, to
Mike Cassedy
Real Estate
Department of Public Works and Transportation
101 Monroe Street – 10th Floor
Rockville, Maryland 20850**

If you have any questions concerning this matter, please call me at 240-777-7254 or e-mail me at michael.cassedy@montgomerycountymd.gov



MONTGOMERY COUNTY EXECUTIVE ORDER

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

Subject: Abandonment of Portion of Burning Tree Road Marywood Subdivision, Bethesda, Maryland	Executive Order No. 169-06	Subject Suffix PA
Originating Department of Public Works and Transportation	Department Number	Effective Date 5/18/06

AB682

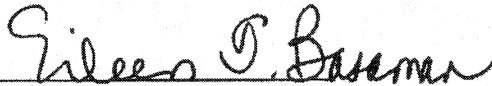
1. Pursuant to Section 49-62 of the Montgomery County Code 2004, the County Executive or his Designee shall conduct a Public Hearing

at 10:30 a.m. on Thursday July 20, 2006
101 Monroe Street, EOB Lobby Auditorium
Rockville, Maryland 20850


to consider an application received from Jonathan Binder and Myra Sklarew, the applicants, seeking abandonment of a portion of unimproved Burning Tree Road, Marywood subdivision, in Bethesda

2. After the aforesaid Hearing, the Hearing Officer shall report his 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: 
Eileen T. Basaman
Associate County Attorney

APPROVED

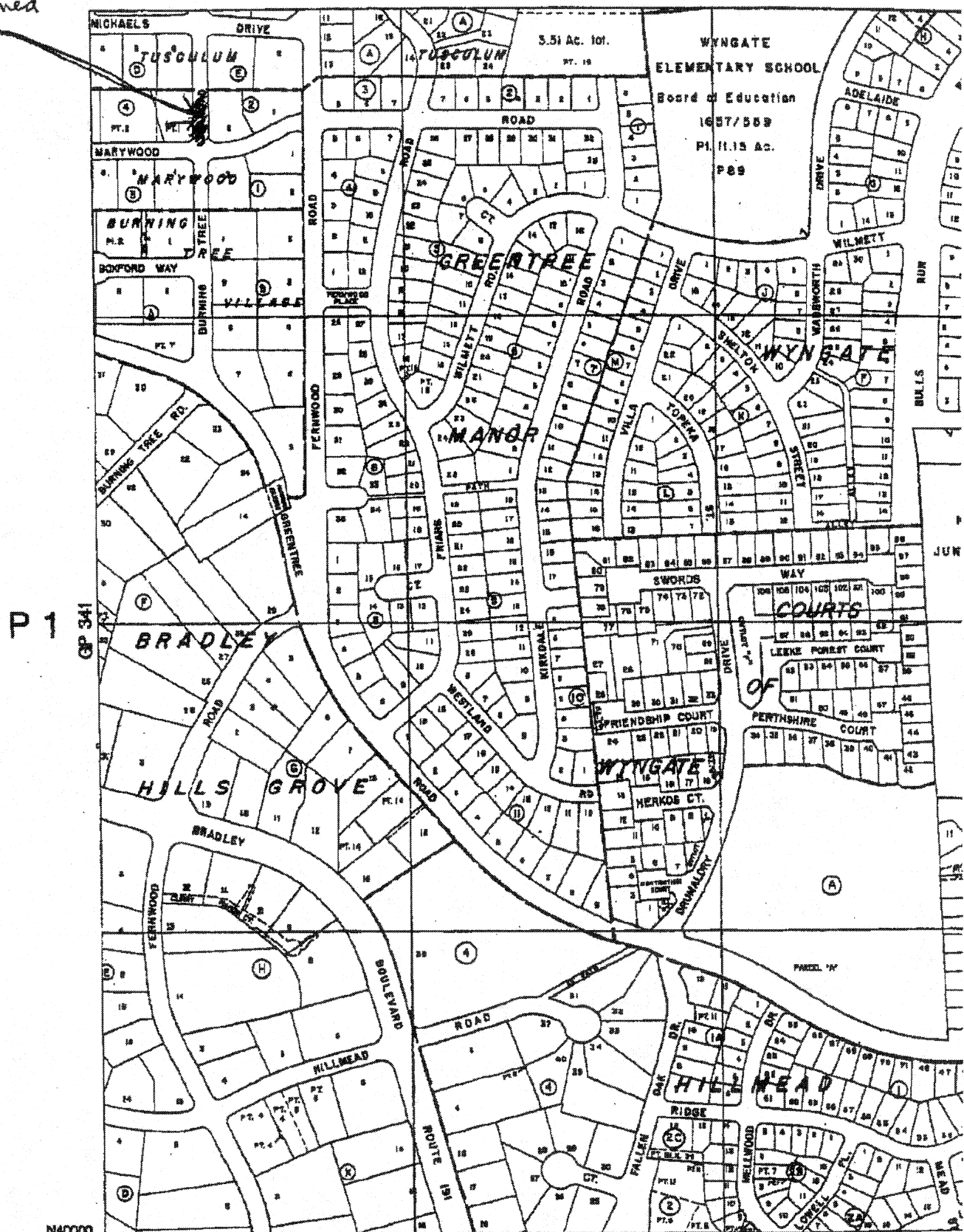

Scott W. Reilly
Assistant Chief Administrative Officer

Distribution:
Department of Public Works and Transportation
Department of Finance

Tax Map GP 51

G 5

Area to be abandoned

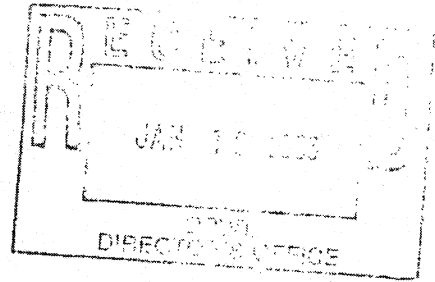


P 1
GP 341

N40000

20837

Mr. Douglas M. Duncan
Montgomery County Executive
101 Monroe Street, 2nd Floor
Rockville, Maryland 20850



Dear Mr. Duncan,

Pursuant to Montgomery County Code, Chapter 49, Sections 49-63 (Article v. Abandonment and Closing of Roads and Drainage Rights-of-Way), we are requesting the abandonment of the portion of the unimproved right-of-way adjoining our houses/properties as shown on the enclosed tax map—Lot 2 in Block 2 (Sklarew), Lot Pt. 1 in Block 4 (Binder), Burning Tree Road in the Marywood subdivision. We are enclosing copies of checks for a total of \$2,500 which have been sent directly to Mike Cassidy in the Department of Public Works and Transportation, Property Acquisition. We would appreciate any information that pertains to procedures required to accomplish this.

Sincerely,

Jonathan Binder
6601 Marywood Road
Bethesda, Maryland 20817
301/ 365-3806

Myra Sklarew

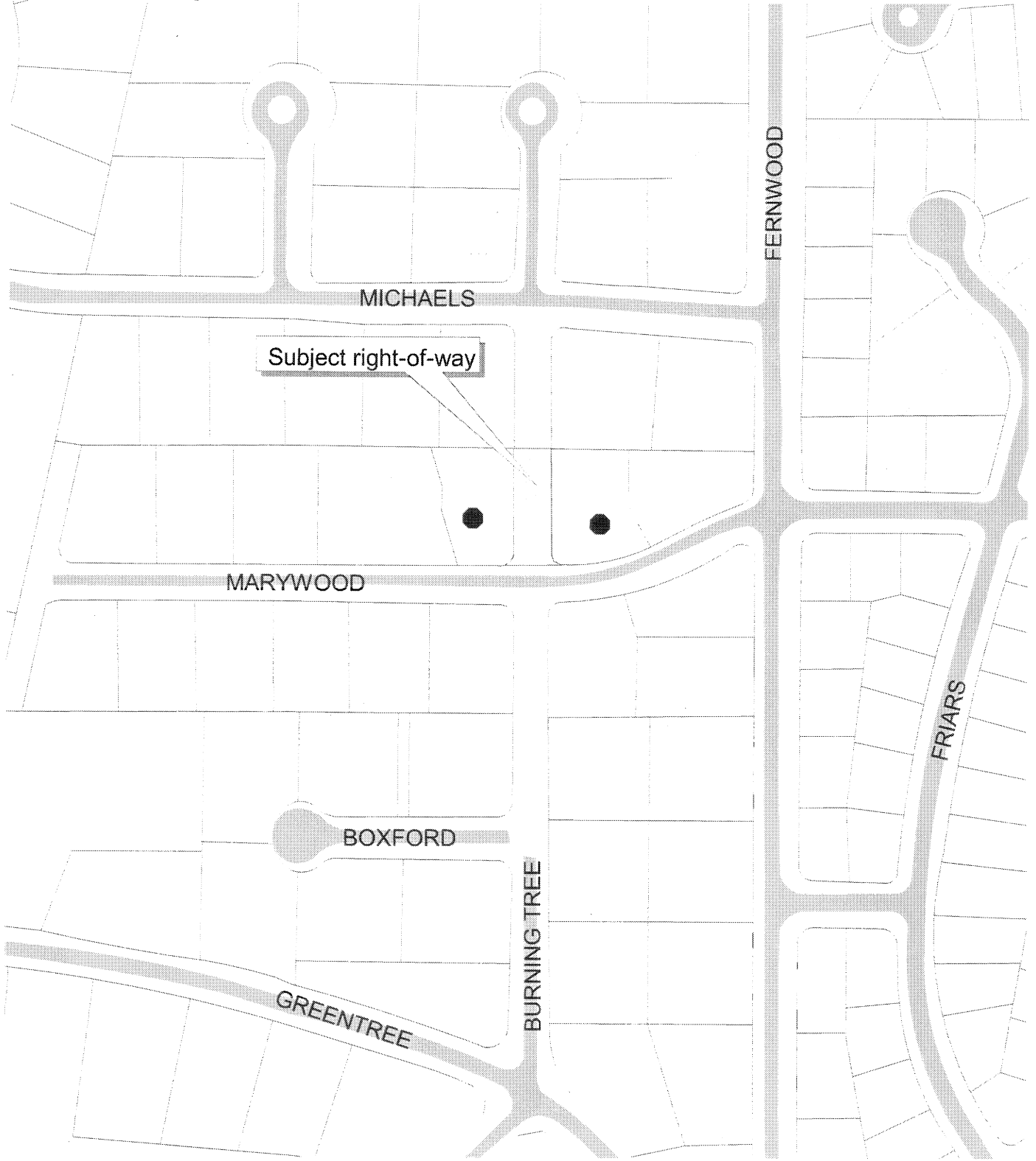
6521 Marywood Road
Bethesda, Maryland 20817
301/365-4938

December 8, 2005

JAN 17 2006

PROPERTY
ACQUISITION

AB 682 - Burning Tree Road







Map Compiled On 06-27-2006 at 03:34 PM
 Map Scale: 1 inch = 200 feet or 1:2400

0 200 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>

-  Street Pavement
-  Property
-  Montgomery County
-  Petitioning Properties

NOTICE

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Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods. All planimetric and property-based features are collected at 1:2400 scale and are +/- 2.5 feet of their true location.

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