



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

MCPB
Item # 1B
9-28-2017

MEMORANDUM

DATE: September 20, 2017

TO: Montgomery County Planning Board

FROM: Stephen Smith, Senior Planner *SS*
Jay Beatty, Planner *JRB*
D.A.R.C. Division
(301) 495-4522 & (301) 495-2178

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board
Agenda for September 28, 2017

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:

220150540 **Hobsons Choice**

220161070 **Etchison**

220170880 **Palatine Subdivision**

Plat Name: Hobsons Choice
Plat #: 220150540

Location: Located on the west side of Peach Tree Road, approximately 2,500 feet south of Barnesville Road.

Master Plan: Agriculture and Rural Open Space Master Plan

Plat Details: AR zone; 1 lot

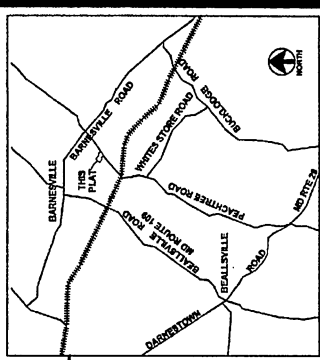
Owner: Walter M. Pritchard

Staff recommends approval of this minor subdivision submitted 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:

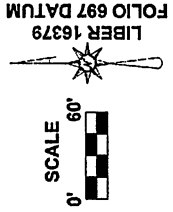
- a. Written approval for a proposed septic area must be received from the Montgomery County Department of Permitting Services, Well and Septic Section prior to recordation of the plat;
- b. Any required street dedications along the frontage of the proposed lots must be shown on the record plat;
- c. 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 5 acres in size unless approved by the Planning Board in the review of a pre-preliminary plan of subdivision and;
- 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) of the subdivision regulations (in effect at the time), and with Pre-Preliminary Plan No. 720110080 (MCPB Resolution No. 13-73) and supports this minor subdivision record plat.

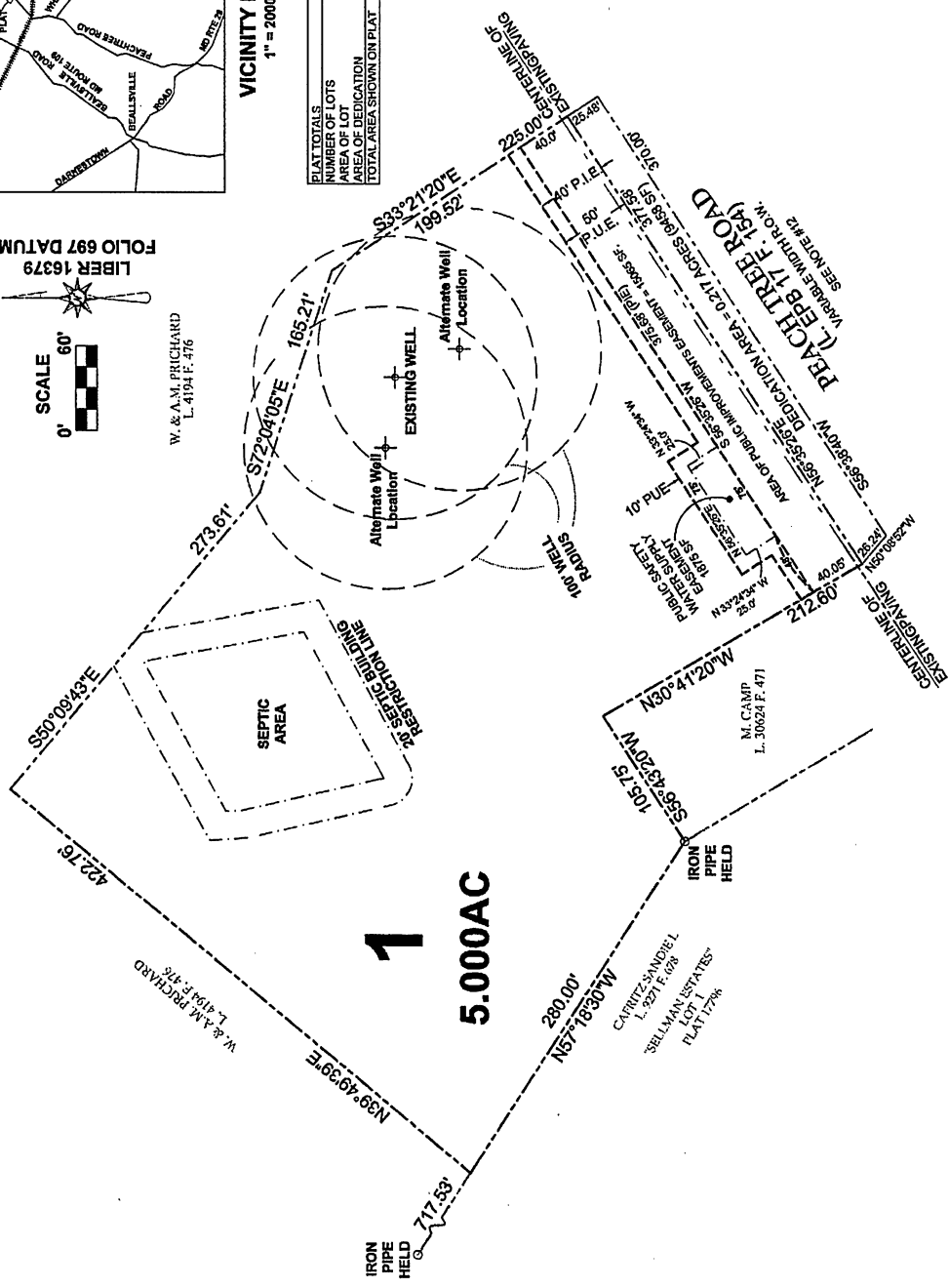


VICINITY MAP
1" = 2000'

| | |
|---------------------------|-----------|
| PLAT TOTALS | 1 |
| NUMBER OF LOTS | 1 |
| AREA OF LOT | 5.000 ACS |
| AREA OF DEDICATION | 0.217 ACS |
| TOTAL AREAS SHOWN ON PLAT | 5.217 ACS |



W. & A.M. PRICHARD
L. 4194 F. 476



1
5.000AC

NOTES

1. PROPERTY SHOWN AS FORMERLY BIDD 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 USER IN THE A8 ZONE. ALL AGRICULTURAL OPERATIONS SHALL BE PERMITTED AT ANY TIME, INCLUDING THE OPERATION OF FARM MACHINERY AND NO AGRICULTURE USE SHALL BE SUBJECT TO RESTRICTION BECAUSE IT INTERFERES WITH OTHER USES PERMITTED IN THE ZONE.

2. THIS PROPERTY IS SERVED BY PRIVATE WATER AND SEWER SYSTEMS ONLY. EXISTING SEWER AND WATER CATEGORIES: S-4, W-4.

3. THIS PLAT IS LIMITED TO THE USES AND CONDITIONS AS REQUIRED BY THE PRELIMINARY PLAN NO. ZONING, ENTITLED, "HOBSON'S CHOICE", ACROSS SECTION NO. 12, DATED MAY 2012, AND PROPOSED CHANGES IN USE WILL REQUIRE FURTHER PLANNING BOARD REVIEW AND APPROVAL.

4. THE PROPERTY SHOWN HEREON IS SUBJECT TO THE REQUIREMENTS OF THE MONTGOMERY COUNTY FOREST CONSERVATION LAW, AND THE TERMS AND CONDITIONS OF APPROVED PRIVATE FOREST CONSERVATION PLAN SCHEMATA.

5. 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 APPLY TO THIS PROPERTY. ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND SHALL BE AVAILABLE FOR PUBLIC VIEWING DURING NORMAL BUSINESS HOURS.

6. THIS PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING OR RESTRICTING THE TITLE AND USE OF THE PROPERTY. THIS PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF THE RECORD TO THE EFFECT ON THE WHOLE OF ALL MATTERS AFFECTING THE TITLE.

7. PROPERTY FOUND ON MONTGOMERY COUNTY TAX MAP DV, W.S.S.C. 20XWV17.

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

9. LOT 1 SEPTIC SYSTEM APPROVED FOR A 6 BEDROOM HOUSE.

10. THIS PLAT OF SUBDIVISION IS APPROVED PURSUANT TO THE PROVISIONS FOR MINOR CHANGES TO THE MONTGOMERY COUNTY CODE. THIS PLAT INVOLVES THE CREATION OF 1 LOT WITHIN THE RURAL DENSITY TRANSFER (RUT) ZONE AS PROVIDED FOR IN SECTION 50-24(a)(6).

11. ONE (1) DEVELOPMENT RIGHT REMAINS AVAILABLE FOR THE LOT 1 SHOWN HEREON PER ANALYSIS DATED FEBRUARY 11, 2016.

12. THE PORTION OF THE DEDICATION WITHIN PEACH TREE ROAD IS SUBJECT TO WHATEVER RIGHTS MONTGOMERY COUNTY OBTAINED BY AN ACT OF THE GENERAL ASSEMBLY AND RECORDED THE 30TH OF JANUARY, 1874 IN LIBER BPP 17 FOLIO 154 AND 159.

SURVEYOR'S CERTIFICATION

I hereby certify that the plat shown herein is correct; that it is a subdivision of the land described in a deed from James W. Wood and Carol A. Wood to Walter M. Pritchard and Audrey M. Pritchard, dated October 18, 1998, and recorded in Liber 16379 at Folio 697, among the land records of Montgomery County, Maryland. I further certify that, once engaged as described in the owner's certification herein, all monuments and all property markers and other boundary markers are noted as found or 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 5.217 acres of land, of which 0.217 acres or 9468 square feet is dedicated to the public use.

Thomas A. Maddox
Registered Professional L and Surveyor
MD #10880
EXPIRES 4/9/2018

Date: 8/17/2017

OWNER'S CERTIFICATION

The undersigned, owners of the property shown herein, hereby adopt this plat of subdivision, dedicate the area shown hereon to public use, Grant a 40' Public Improvements Easement shown hereon and designated as 40' P.I.E. to Montgomery County, Maryland, its successors and assigns, the terms and provisions being set forth in a certain document entitled "Declaration of Public Improvements Easement(s)", and recorded among the land records of Montgomery County, Maryland in Liber 54726 at Folio 147, which said terms and provisions are incorporated by this reference. The undersigned also grants the Public Utility Easements (P.U.E.) as shown hereon to the parties named in a document entitled "Terms and Provisions of Public Utility Easements" as recorded in Liber 3834 at Folio 457 among the land records of Montgomery County, Maryland. Grant to Montgomery County, Maryland the Public Safety Water Supply Easement as shown hereon. 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 suits, mortgages, leases, liens or trust affecting the subject property.

Walter M. Pritchard Date: 5/23/17
Audrey M. Pritchard Date: 6/13/17
Walter M. Pritchard
Audrey M. Pritchard

MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES

APPROVED: August 29, 2017
Director

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

APPROVED: _____ DATE: _____

CHAIRMAN ASST.-SECRETARY-TREASURER
M.N.C.P. & P.C. RECORD FILE NO. _____

PLAT: _____ DATE: _____

SUBDIVISION RECORD PLAT
LOT 1
HOBSON'S CHOICE
ELECTION DISTRICT 11
MONTGOMERY COUNTY, MARYLAND
SCALE 1" = 60' SEPTEMBER 2015

THOMAS A. MADDOX
PROFESSIONAL LAND SURVEYOR
6933 SHADY GROVE COURT
GAITHERSBURG, MARYLAND 20877
(301) 984-5804

| | |
|------------|----------------------|
| DATE | 1/14/11 |
| SCALE | 1" = 50' |
| PROJECT | PRE-APPLICATION PLAN |
| CLIENT | WALTER M. PRICHARD |
| DRAWN BY | THOMAS A. MADDOCK |
| CHECKED BY | THOMAS A. MADDOCK |
| DATE | 1/14/11 |



date: 1/14/11
scale: 1" = 50'

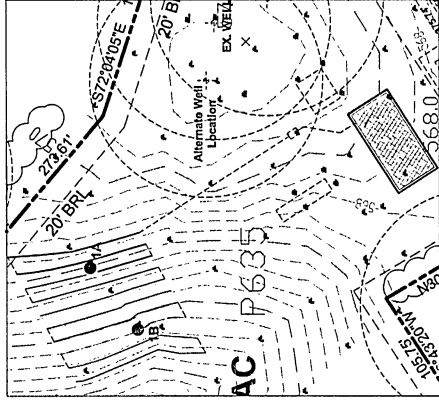
BGA
Breunig & Associates, Inc.
Land Planning Consultants
1801 Spring House Court
Cockeysville, MD 21037
(301)944-4240



PRE-APPLICATION PLAN
HOBSON CHOICE
Montgomery County, Maryland

GENERAL NOTES:

1. AREA OF PROPERTY - 5.217 AC
2. AREA DEDICATED TO PUBLIC USE - 0.217 AC
3. AREA OF PROPOSED LOT - 5.0 AC
4. EXISTING ZONING: RURAL*
5. NO. OF LOTS PERMITTED - 1
6. NO. OF LOTS SHOWN - 1
7. MINIMUM LOT SIZE PERMITTED - 5.0 AC
8. LOT TO BE SERVED BY PRIVATE WELLS & ON-SITE SEPTIC SYSTEMS
9. LOCATED IN LITTLE MONOCACY RIVER WATERSHED (CLASS IP)
10. Parcel created by deed prior to RDT zone per Section 55-C-5.74(b)(2)

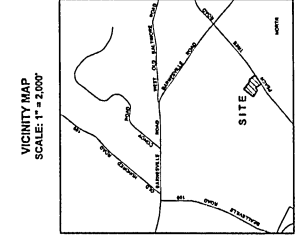


SOURCE OF TWO FOOT CONTOUR INTERNAL TERRAINARY:
THOMAS A. MADDOCK, PROFESSIONAL LAND SURVEYOR
1801 Spring House Court
Cockeysville, MD 21037
301-944-5004

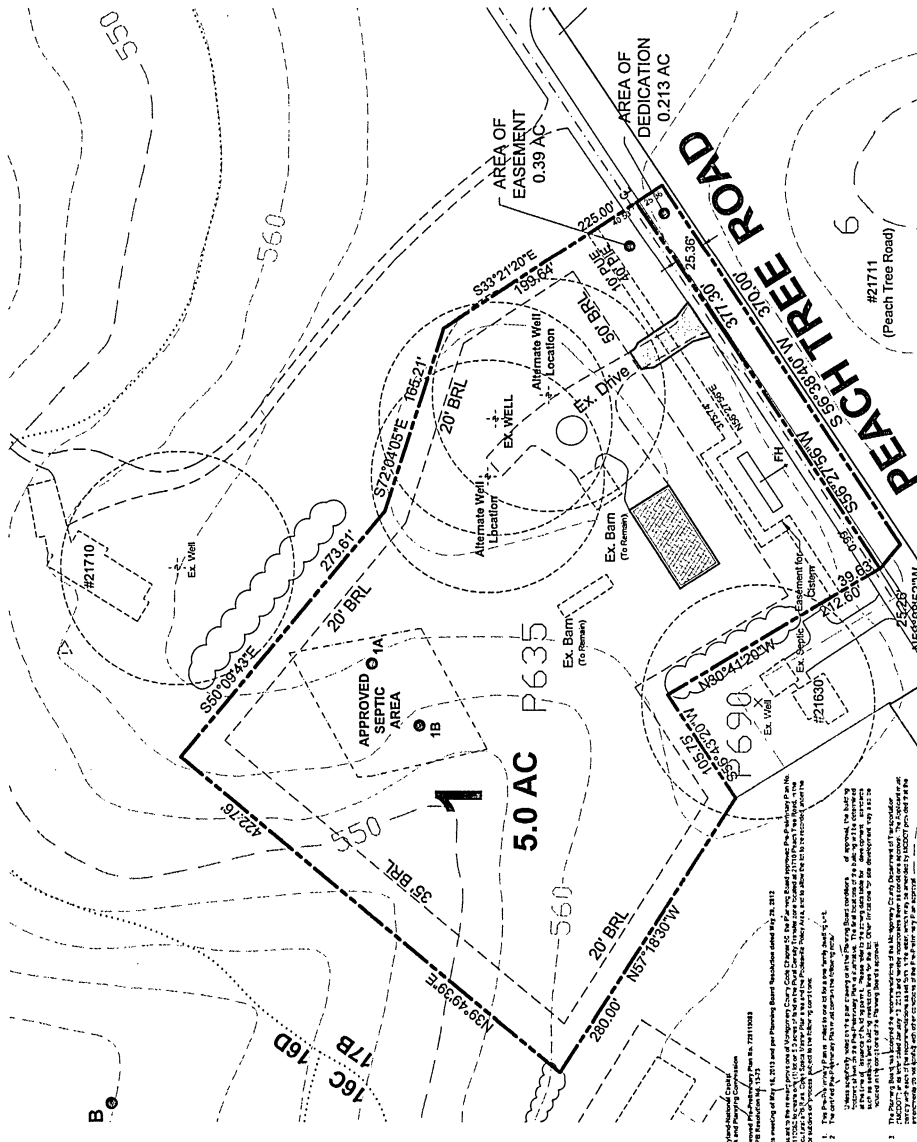
SEWAGE DISPOSAL SYSTEM DESIGN DATA:

| LOT | Bed Area | Flow | Depth | Flow Rate | Flow Rate | Flow Rate | Flow Rate | Flow Rate | Flow Rate |
|-----|----------|------|-------|-----------|-----------|-----------|-----------|-----------|-----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 1 | 8 | 1A | 22 | 2.54 | 11.5 | 18 | 3.54 | 1.5 | 1.00 |
| 2 | 1A | 22 | 2.54 | 11.5 | 18 | 3.54 | 1.5 | 1.00 | 1.00 |

NOTE:
Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprint shown on the Pre-Primary Plan is illustrative. The final locations of the building will be determined at the time of issuance of building permit. Please refer to the zoning data table for development standards such as setbacks and building restriction lines for the lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval.

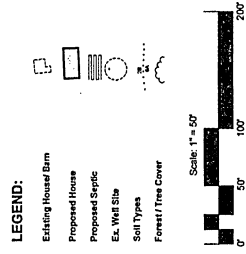


OWNER:
WALTER M. PRICHARD
21710 PEACH TREE ROAD
DICKERSON, MARYLAND 20842
301-349-2682



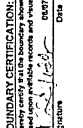
ZONING STANDARDS:

| ZONE | Req. | Priv. |
|---------------------------|------------------------------------|-------------|
| Rural | 5.0 AC Min. | 5.0 AC |
| Lot Size | 50' or more | 50' or more |
| Front Setback | 50' | 50' or more |
| Sideways | 20' Min., 40' Max. | 20' or more |
| Rearyard | 30' | 35' or less |
| Building Height | 50' Max. | 50' or less |
| Lot Coverage | 10% Max. (no secondary structures) | 3% or less |
| Lot Width @ Building Line | 300' | 300' |
| Frontage | 25' | 310' |





NOTE:
*THE PROPOSED LOT IS EXEMPT FROM AREA AND DIMENSIONAL REQUIREMENTS OF THE RURAL-DENSITY-TRANSFER ZONE IN ACCORDANCE WITH 55-C-5.74(b)(2).

BOUNDARY CERTIFICATION: I hereby certify that the above information is true and correct to my best knowledge based upon available records and visual observations.

Signature:  Date: 05/07/2011 04/11/2014 License Expiration Date: _____

CERTIFIED PRELIMINARY PLAN
PFA
I hereby certify that the above information is true and correct to my best knowledge based upon available records and visual observations.

Signature:  Date: 05/07/2011 04/11/2014 License Expiration Date: _____

APPROVED FOR THE PLANNING BOARD:
Signature:  Date: _____ License Expiration Date: _____