MEMORANDUM

DATE: September 20, 2017

TO: Montgomery County Planning Board

FROM: Stephen Smith, Senior Planner
      Jay Beatty, Planner
      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. 7201100080 (MCPB Resolution No. 13-73) and supports this minor subdivision record plat.
NOTES

1. PROPERTY ZONED AS FORMERLY SHOWN AT DATE OF RECONSIDERATION. ALL EXISTING AND PROPOSED DEVELOPMENT OF THE PROPERTY SUBJECT TO THE STANDARDS UNDER THE MONTGOMERY COUNTY ZONING ORDINANCE, AS ENACTED OR AS ADOPTED IN THE A.D. 1960. ALL AGRICULTURAL OWNERSHIP WILL BE PERMITTED AT ANY TIME, INCLUDING OPERATIONS OF PASTURAGE AND NO AGRICULTURE OR SMELL SUBJECT TO RESTRICTION. BECAUSE IT INTERFERES WITH OTHER LANDS PERMITTED IN THE ZONE.

2. THE PROPERTY IS SHOWN BY PERMIT WASTEWATER AND STORM SEWER SYSTEMS ONLY. EXISTING STORM AND WASTE WATER CATEGORIES Tv-4-14.

3. THIS PLAT IS LIMITED TO THE TERMS AND CONDITIONS AS REQUIRED BY THE MONTGOMERY COUNTY ZONING ORDINANCE, AS ENACTED OR AS ADOPTED IN THE A.D. 1960. ALL AGRICULTURAL OWNERSHIP WILL BE PERMITTED AT ANY TIME, INCLUDING OPERATIONS OF PASTURAGE AND NO AGRICULTURE OR SMELL SUBJECT TO RESTRICTION. BECAUSE IT INTERFERES WITH OTHER LANDS PERMITTED IN THE ZONE.

4. THE PROPERTY SHOWN HEREIN IS SUBJECT TO THE REQUIREMENTS OF THE MONTGOMERY COUNTY ZONING ORDINANCE, AS ENACTED OR AS ADOPTED IN THE A.D. 1960. ALL AGRICULTURAL OWNERSHIP WILL BE PERMITTED AT ANY TIME, INCLUDING OPERATIONS OF PASTURAGE AND NO AGRICULTURE OR SMELL SUBJECT TO RESTRICTION. BECAUSE IT INTERFERES WITH OTHER LANDS PERMITTED IN THE ZONE.

5. ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY DEVELOPMENT, PLAN OR PROJECT, OR OTHER PLAN, ALONG WITH DEVELOPMENTS OF THIS PROPERTY, APPLIED BY THE MONTGOMERY COUNTY PLANNING BOARD ARE SUBJECT TO REVIEW AND NOT TO BE ENHANCED BY THE RECONSIDERATION OF THE PLAT. THE OFFICIAL PUBLIC RECORDS OR OTHER DATE SHEET ARE MAINTAINED BY THE PLANNING BOARD OR ARE AVAILABLE FOR PUBLIC VIEWING FROM LOCAL REGISTRATION. SOURCES.

6. THIS PLAT IS INTENDED TO SHOW EVERY MATTER AFFECTING OR RESTRICTING THE OWNERSHIP AND USE OF THE PROPERTY. THIS PLAT IS NOT INTENDED TO BE AN ASSESSMENT OF PROPERTY RIGHTS OR PROPERTY VALUE AND IS NOT APPROPRIATE FOR ASSESSMENT PURPOSES.

7. PROPERTY SHOWN ON MONTGOMERY COUNTY TAX MAPS, MUSEUM, ZONING.

8. SEPTIC BUILDING RESTRICTION LINES SUBJECT TO CHANGE UPON REAPPRaisal BY THE MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES AND SEPTIC SECTION.

9. LOT 9 MONTGOMERY APPROVED FOR A 2-SOMER HOUSE.


11. ONE (1) DEVELOPMENT REQUIREMENTS AVAILABLE FOR THE LOT SUBJECT TO PERMITS FOR ADDITIONAL LOTS DATED FEBRUARY 5, 1980.

12. THE PORTION OF THE DEDICATION WITHIN PEACH TREE ROAD IS SUBJECT TO WHATEVER RIGHTS MONTGOMERY COUNTY OWNS AS AN ACT OF THE GENERAL ASSEMBLY AND RECORDED THE 31ST OF JANUARY, 1854 IN DEED NO 17 FOR YS AND 199.

SURVEYOR'S CERTIFICATION

I hereby certify that the plat shown heron is correct that it is a subdivision of the land described in a deed from Jesse W. Wood and Carol A. Wood to Walter M. Prichard and Audrey M. Prichard, dated October 12, 1980, and recorded in Liber 1685 at Folio 587, among the land records of Montgomery County, Maryland. I further certify that, once engaged as described in the surveyor's certification, 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 55-357 of the Montgomery County Code. The total area included on this plat is 5,517 acres of land, of which 5,517 acres or 9.45 acres are dedicated to the public use.

Thom.A.Maddox
Surveyor
L.E.C.
License No. 8888

MONTGOMERY COUNTY
DEPARTMENT OF PERMITTING SERVICES
APPROVED August 29, 2017

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

CHAIRMAN
ASSISTANT SECRETARY-TREASURER

OWNERS CERTIFICATION

This undersigned, owner of the property shown heron, hereby adopt this plat of subdivision, dedicate the area shown heron to public use. Grant a 40' Public Improvements Easement shown heron and designated as 40' P.I.E. to Montgomery County, Maryland, its successors and assigns, the terms and purposes being set forth in a certain document entitled "Deed of Public Improvements Easement", and recorded in the land records of Montgomery County, Maryland in Liber 5/85 at Folio 147, which said terms and provisions are incorporated by this reference. The undersigned also grants the Public Utility Easements (P.U.E.) shown heron to the parties named in a document entitled "Terms and Conditions of Public Utility Easements" recorded in Liber of 3660 at Folio of 495 among the land records of Montgomery County, Maryland, County to Montgomery County, Maryland the Public Safety Water Supply Easements as shown heron. The owner will cause all property owner markers and any other required documentation to be set by a registered Maryland Land Surveyor, in accordance with Section 55-357 of the County Code.

There are no encumbrances, easements, liens or taxes affecting the subject property.

Thom.A.Maddox
Surveyor
License No. 8888

THOMAS A. MADDOX
PROFESSIONAL LAND SURVEYOR
S.R.S. SHADY GWYNE COURT
GAITHERSBURG, MARYLAND 20877
(301) 984-5804

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

W.G. BROWN
PROFESSIONAL LAND SURVEYOR
S.R.S. SHADY GWYNE COURT
GAITHERSBURG, MARYLAND 20877
(301) 984-5804
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 - 8.0 AC
8. LOT TO BE SERVED BY PRIVATE WELLS & ON-SITE SEPTIC SYSTEMS
9. LOCATED IN LITTLE MONOCACY RIVER WATERED CLAAS (IP)

Panel created by deed prior to RDT zone per Section 59-C-0.74\(\text{II}(\text{g})

SEWAGE DISPOSAL SYSTEM DESIGN DATA:

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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 elevation lines for the lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval.

NOTE:
"THE PROPOSED LOT IS EXEMPT FROM AREA AND DIMENSIONAL REQUIREMENTS OF THE RURAL DENSITY TRANSFER ZONE IN ACCORDANCE WITH 59-C-0.74\(\text{II}(2)"

LEGAL DESCRIPTION:
PEACH TREE ROAD

SIGNATURE:
[Signature]
[Date]
Licensed Land Surveyor

COUNTY:
Montgomery County, Maryland

ADDRESS:
27710 PEACH TREE ROAD
DICKERSON, MARYLAND 20842
301.249.2062