



North Hills of Sligo Park and Argyle Park, Administrative Subdivision Plan No. 620170040

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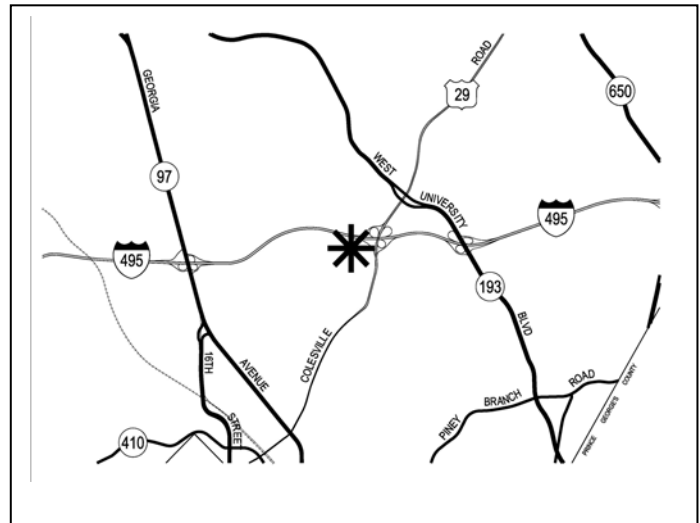
**KA** Khalid, Afzal, Acting Chief, Area 2 Division, [Khalid.Afzal@montgomeryplanning.org](mailto:Khalid.Afzal@montgomeryplanning.org), 301-495-4650

Completed: 09/15/2017

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### Description

- Administrative Subdivision Plan to abandon a portion of the previously dedicated but unimproved twenty-foot-wide right-of-way (ROW) within the North Hills of Sligo Park and Argyle Park subdivisions, and creation of two new lots by incorporating the abandoned ROW into the two existing and adjacent lots in the R-60 Zone; no new units.
- ROW area: 2,672 square feet (20 feet by 133.6 feet); proposed Lot 30 area: 9,973 s.f.; proposed Lot 23 area 11,141 s.f.
- Located at 9622 (Lot 1) and 9700 (Lot 29) Lorain Avenue and the adjacent path.
- 1996 *Four Corners Master Plan*.
- Application Accepted: May 2, 2017.
- Applicants: Lorraine L. Renner Revocable Trust (9700 Lorain Avenue) and Richard W. and A.B. West (9622 Lorain Avenue).



### Summary

- Staff recommends approval of the Administrative Subdivision Plan to abandon a portion of the unimproved ROW (20 feet by 133.6 feet) within the North Hills of Sligo Park and Argyle Park, and creation of two new lots by incorporating the abandoned ROW into the two existing adjacent Lots 1 and 29 (Lot 1 will get 1,348 square feet and Lot 29 will get 1,324 square feet). This application does not result in the creation of any new undeveloped property or result in new construction, and therefore is not reviewed for APF.
- Review Basis: Chapter 50 Subdivision Regulations; Chapter 49 Streets and Roads; Chapter 59 Zoning Ordinance in effect on October 30, 2014.
- The proposed subdivision would release the public interest in the 20 feet of ROW that currently lies between 9622 and 9700 Lorain Avenue.
- Staff received a letter of support for the proposed subdivision from the North Hills of Sligo Creek Civic Association.
- This Administrative Subdivision Plan would normally be reviewed by the Planning Director. However, since it involves an abandonment of unimproved ROW, the abandonment requires action by the Planning Board. The Planning Board is granted the authority to approve abandonment of unimproved ROW under Chapter 49 of the County Code.

## **SECTION 1: RECOMMENDATION AND CONDITIONS**

### **Administrative Subdivision No. 620170040**

Staff recommends approval of this Administrative Subdivision Plan No. 620170040 subject to the following conditions:

1. The approval is limited to the abandonment of a portion of the existing unimproved right-of-way of 2,672 square feet, within the North Hills of Sligo Park and Argyle Park Subdivisions, and creation of two new lots by incorporating the abandoned right-of-way into the two existing and adjacent Lots 1 and 29 (Lot 1 will get 1,348 square feet and Lot 29 will get 1,324 square feet). No new units will be created because of this abandonment.
2. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (MCDOT) in its letter dated August 11, 2017, and hereby incorporates them as conditions of the Administrative Subdivision Plan approval. The Applicants must comply with each of the recommendations as set forth in the letter, which MCDOT may amend if the amendments do not conflict with other conditions of the Administrative Subdivision Plan approval.
3. The Applicants must record plat(s) to incorporate the abandoned 2,672 square feet portion of right-of-way into the two existing and adjacent Lots 1 and 29 (Lot 1 will get 1,348 square feet and Lot 29 will get 1,324 square feet) for the creation of two new lots, within the North Hills of Sligo Park and Argyle Park Subdivisions.
4. The record plat(s) must show necessary easements.
5. The Applicants must include the forest conservation exemption letter and Administrative Subdivision Plan Resolution on the approval sheet(s) of the Certified Administrative Subdivision Plan drawings.

## SECTION 2: SITE LOCATION AND DESCRIPTION

### Site Vicinity

The Property lies in the southwest quadrant of the intersection of the Capital Beltway and Colesville Road (US 29). The Capital Beltway (I-495) is to the north of the Property, Sligo Creek Parkway and Golf Course are to the west, and Colesville Road is to the east (Figure 1: Vicinity Map).

The Property is located on the west side of Lorain Avenue where it intersects with Granville Drive in Silver Spring, Maryland. The Property comprises the following three distinct pieces of land (Figure 2):

1. 9622 Lorain Avenue (Lot 1, Block G, North Hills of Sligo Park, Section 2);
2. 9700 Lorain Avenue (Lot 29, Block F, Argyle Park, Section No. 1); and
3. A previously dedicated, but unimproved 20-foot-wide public right-of-way (Path), that separates the two properties.

The neighborhood surrounding the Property is predominately single-family detached houses zoned R-60. Recreational facilities near the Property include the YMCA, Sligo Creek Golf Course, and Argyle Local Park. Montgomery Blair High School is located east of the Property. The Property is within the 1996 *Four Corners Master Plan*.

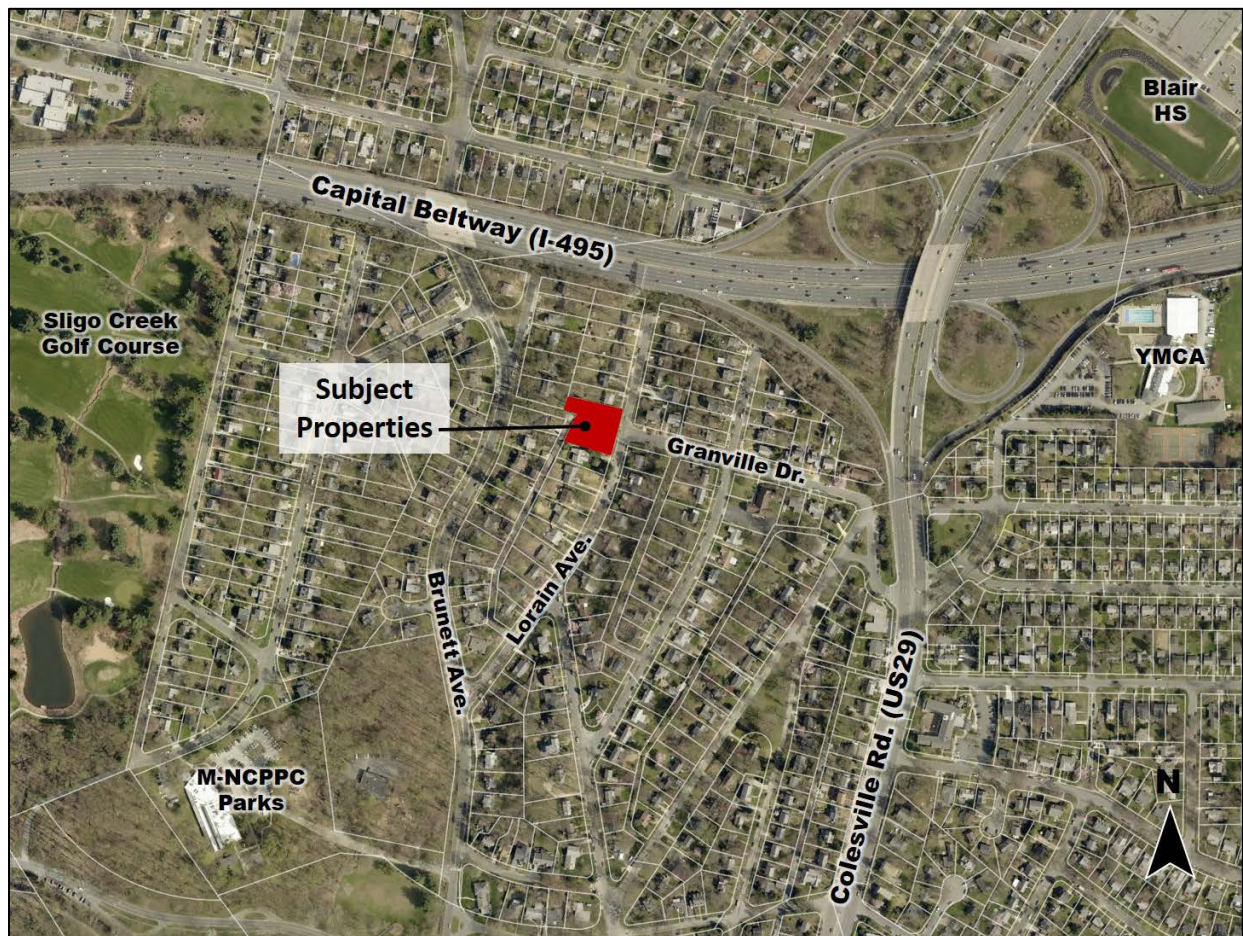


Figure 1: Vicinity Map



## Site Analysis

9622 Lorain Avenue (Lot 1) is approximately 9,793 square feet, and has a single-family house built in 1949. 9700 Lorain Avenue (Lot 29), is approximately 8,649 square feet and contains a single-family detached home built in 1945.



Figure 2: Aerial view of the three parcels of land outlined in red

9622 and 9700 Lorain Avenue are separated by a twenty-foot-wide public Right-of-Way (ROW) (Figure 2 and Figure 3). The ROW was created by a combination of two ten-foot-wide dedications in Plat No. 339 (recorded in 1926) and Plat No. 471 (recorded in 1933) (Attachment 1). The entire ROW measures approximately 330 feet long between Lorain Avenue and Brunett Avenue as shown in Figure 2 above. The portion of ROW proposed for abandonment between the two adjoining lots is approximately 133.6 feet long, between Lorain Avenue and an alley as shown in Figure 2. It has never been in public use, and is currently unimproved and covered by trees, grass and other vegetation (Figure 4).

Lorain Avenue is a 50-foot-wide tertiary residential street, and it is not listed in the *Four Corners Master Plan*. There are currently no sidewalks or transit along Lorain Avenue. Ride On Route No. 8 operates along Brunett Avenue between the Wheaton Metrorail Station and the Silver Spring Metrorail Station with half hour headways on weekdays and Saturdays. The nearest bus stops are located at the intersections with Guilford Street and Branson Avenue. Twelve other bus routes operate along nearby Colesville Road (US 29), including three Ride On, seven Metrobus, and two Maryland Transit Administration commuter bus routes.

The Property is within the Middle Sligo Creek Watershed and contains no streams or their buffers, wetlands or their buffers, hydraulically adjacent steep slopes, 100-year floodplains, or known habitats of rare, threatened and endangered species.





Figure 3: Lorain Avenue looking west

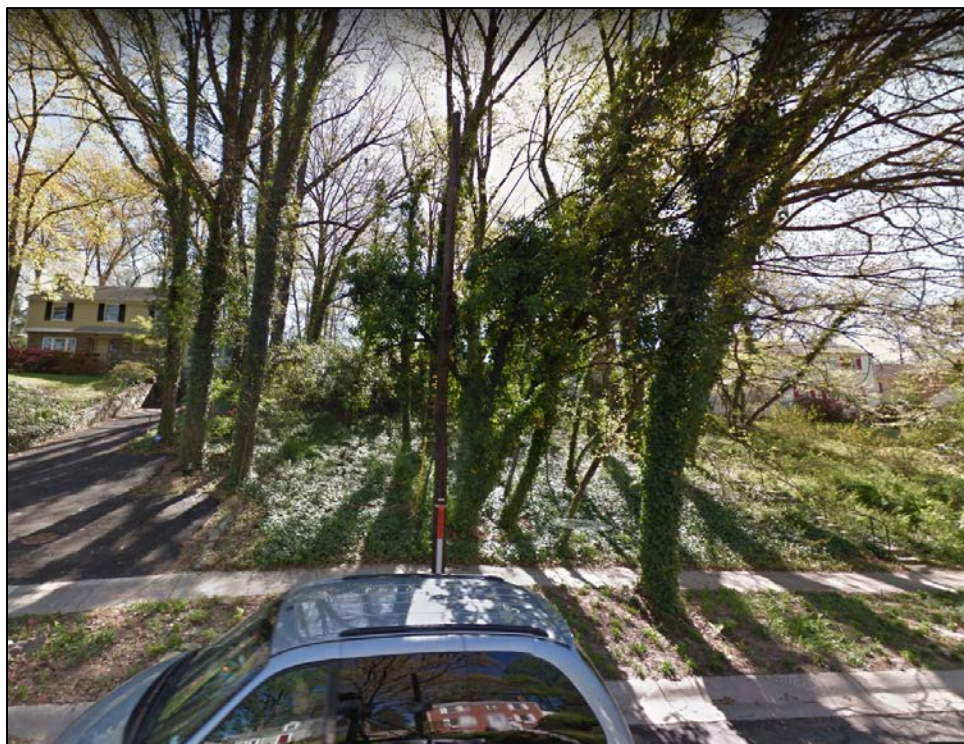


Figure 4: Photo of Brunett Avenue – the right-of-way (Path), looking east (from Brunett Avenue)

## SECTION 3 – HISTORY AND PROPOSAL

### History

While both the 9622 and 9700 Lorain Avenue Properties were improved over time, the changes related to 9700 Lorain Avenue Property are discussed in more detail below because that property is currently encroaching into the area of the unimproved 20 feet wide ROW, which separates 9622 and 9700 Lorain Avenue Properties. The house on 9622 Lorain Avenue does not currently meet the side setback requirements on the east side of the property.

#### Encroachment of 9700 Lorain Avenue onto the 20 feet wide ROW

On August 13, 1998, the owners of 9700 Lorain Avenue filed a petition to the Montgomery County Board of Appeals seeking a variance of six (6) feet from the required side yard setback of seven (7) feet to construct a two-story addition. The reason given was that they were *“unable to expand in the rear of house due to existing hill and insufficient space on side of the house”*. The variance application also stated, *“Property has unused 10’ easement adjacent to side”* (Attachment 2). The ROW was mistakenly identified as an easement on the drawings which accompanied the variance request, prepared by Richard Lawrence Associates, Inc. (Attachment 3).

The Board of Appeals held a hearing on September 16, 1998, and granted the variance on October 16, 1998. At the time, the applicable side yard setback was seven feet and the variance reduced the setback to one foot. It appears that the Board of Appeals believed the ROW to be an easement, as set out in their letter: *“The proposed addition is actually sited eleven (11) feet from the west side lot line because of the ten (10) foot easement. Therefore, the strict application of the setback requirements would result in practical difficulty to the applicant if the variance is not granted”* (Attachment 4). Thus, the Board of Appeals’ statement that the addition would be sited eleven feet from the side lot line is inaccurate, because the material which accompanied the variance application mistakenly identified the ROW as an easement with the setback measured from the centerline of the ROW.

Following the variance approval, the owners obtained a building permit (Permit No. 9811230208 – Attachment 5) to construct the addition based on the setbacks approved by the Board of Appeals. The documents show that the two-story addition was intended to be built in the location permitted by the variance. In 2003, A subsequent building permit (No. 307394) was issued to construct a shed at the property. This building permit also shows the two-story addition, which appears to encroach into the ROW (Attachment 6). This Administrative Subdivision Plan Application confirms the encroachment of the two-story addition into the ROW by approximately 0.3 feet.

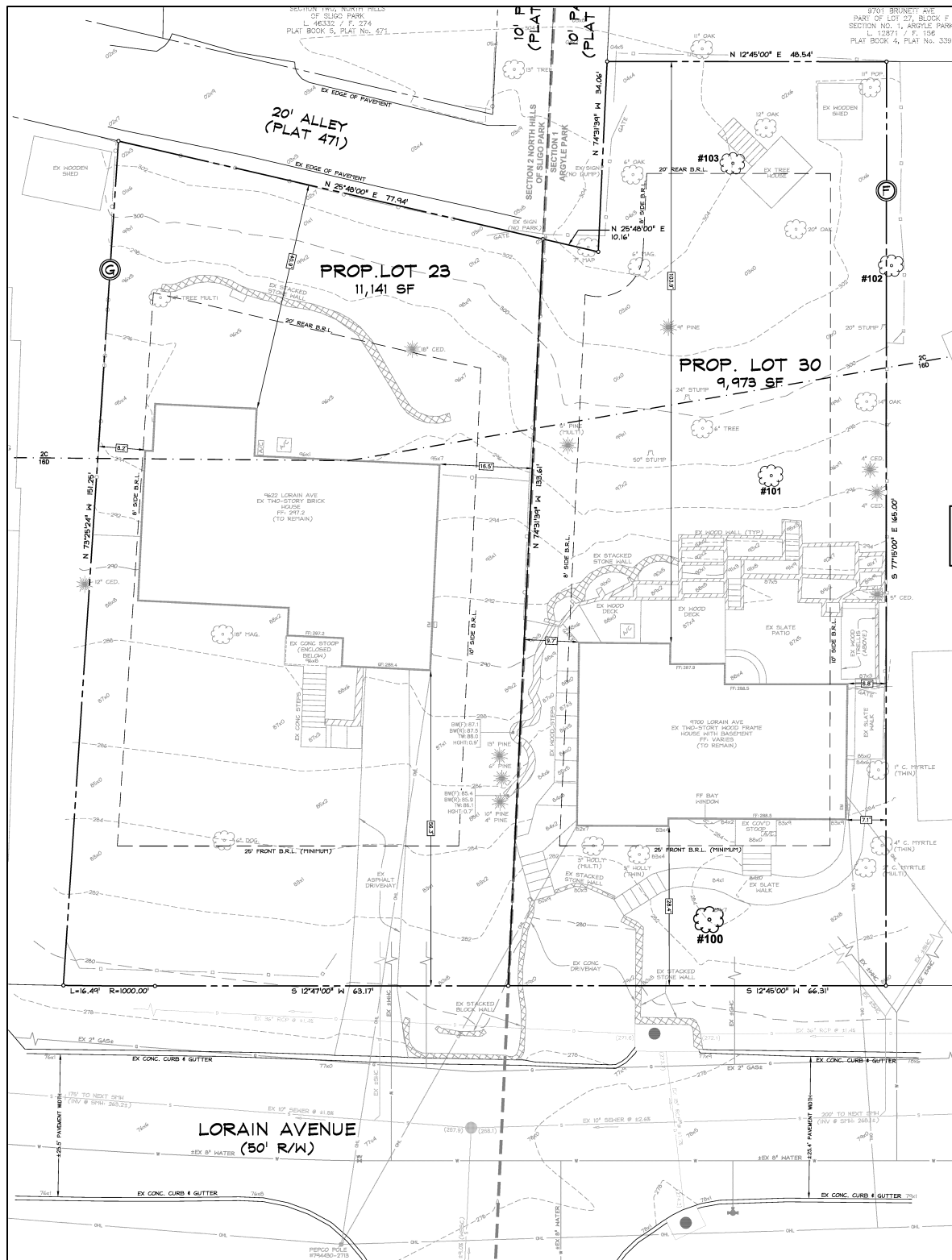
## Proposal

This Administrative Subdivision Plan seeks to abandon a portion of the previously dedicated, but unimproved twenty-foot wide ROW within the North Hills of Sligo Park and Argyle Park subdivisions, and creation of two new lots by incorporating the abandoned ROW into the two existing and adjacent lots in the R-60 Zone, as shown in Table 1, Figure 5, and Attachment 7. This application does not involve the construction of new houses on the lots.

Table 1: Existing and Proposed Lot Areas

Property	Current Lot No.	Current Area	Proposed Addition	Proposed Lot No.	Proposed Area
9622 Lorain Avenue	1	9,793 SF	1,348 SF	Lot 23	11,141 SF
9700 Lorain Avenue	29	8,649 SF	1,324 SF	Lot 30	9,973 SF





#### **SECTION 4: ANALYSIS AND FINDINGS – ADMINISTRATIVE SUBDIVISION PLAN NO. 620170040**

The following findings are required to be made for the review of this Administrative Subdivision application.

##### **Findings of Administrative Subdivision Regulations, Section 50.6.1.C. Applicability – Subdivision for creation of certain residential lots**

Per Section 50.6.1.C, up to three lots for detached houses are permitted in any residential zone, if:

1. *The lots are approved for standard method development.*

The existing residential structures/properties are to remain after the proposed subdivision is approved and constitute standard method development.

2. *Written approval for any proposed well and septic area is received from the Department of Permitting Services, Well and Septic Section before approval of the plat.*

Not applicable; the existing properties are connected to public water and sewer services and no change is proposed.

3. *Any required road dedications and associated public utility easements are shown on the plat and the applicant provides any required improvements.*

Lorain Avenue is a 50-foot-wide tertiary residential street, and Granville Drive is a 60-foot-wide secondary residential street. Neither is listed in the *Four Corners Master Plan*, and no additional dedication or public utility easements are required for this subdivision.

A typical preliminary plan of subdivision would require a 5-foot-wide sidewalk with a green panel along the Lorain Avenue frontage of each lot. However, since there is no construction involved in this application, no sidewalk or bikeway improvements are required.

4. *The requirements for adequate public facilities under Section 4.3.J are satisfied before approval of the plat.*

This application is for the creation of two new lots by incorporating the abandoned ROW into the two existing adjacent Lots 1 and 29 (Lot 1 will get 1,348 square feet and Lot 29 will get 1,324 square feet). This application does not result in the creation of any new undeveloped property or new construction, and is therefore not reviewed for APF.

The proposed subdivision is served by existing public water and sewer systems. Fire and Rescue has reviewed the application and has determined that the Properties have appropriate access for fire and rescue vehicles. Other public facilities and services including police stations, firehouses, health care and schools are currently operating in accordance with the Subdivision Staging Policy and will continue to be sufficient. Electric, gas and telecommunications services are available and adequate.

5. *Forest conservation, stormwater management, and environmental protection requirements are satisfied before approval of the plat.*

Staff issued a Forest Conservation Exemption for the proposed plan on May 2, 2017 (Forest Conservation Exemption No. 42017115E – Attachment 8). This Forest Conservation Exemption includes what is termed a simplified NRI as a part of the Exemption Plan, therefore a separate NRI is not required. The Exemption Plan conforms with the Montgomery County Planning Department's *Environmental Guidelines* and complies with Chapter 22A, the Forest Conservation Law.

The Applicants are not required to obtain approval for a stormwater management concept from the Montgomery County Department of Permitting Services (MCDPS), since no new residential units are proposed.

### Section 50.4.3 Technical Review, Findings of 50.4.2.D – Preliminary Plans

Administrative Subdivision Plans must be reviewed by the necessary technical requirements of Section 50.4.3, which is addressed by making the Preliminary Plan findings under section 50.4.2.D as follows:

1. *The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59;*

The proposed layout of the subdivision, including size, width, shape, orientation and density of lots and location meets all the requirements of the R-60 Zone under Section 59.4.4.9 B as shown by the development data analysis Table 2 below:

Table 2: Standard Method Development Standards R-60 Zone

Development Standards	Zoning Ordinance Requirement	Existing PT Lot 1 (9622 Lorain Ave)	Existing Lot 29 (9700 Lorain Ave)	Proposed Lot 23 (9622 Lorain Ave)	Proposed Lot 30 (9700 Lorain Ave)
Lot (min)					
Lot Area	6,000 SF	9,793 SF	8,649 SF	11,141 SF	9,973 SF
Lot width at front of building line	60'	69.08'	56.39'	79.66'	66.31'
Lot width at front lot line	25'	69.65'	56.30'	79.20'	65.14'
Frontage on Street /or open space	Required, except exempt under Chapter 50	Yes	Yes	Yes	Yes
Density (max)					
Density (units/acre)	7.26				
Coverage (max)					
Lot	35%	±18.9%	±17.5%	±16.6%	±12.2%



Development Standards	Zoning Ordinance Requirement	Existing PT Lot 1 (9622 Lorain Ave)	Existing Lot 29 (9700 Lorain Ave)	Proposed Lot 23 (9622 Lorain Ave)	Proposed Lot 30 (9700 Lorain Ave)
Building setbacks (min)					
Front setback	25'	56.3'	28.4'	56.3'	28.4'
Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone	25'	N/A	N/A	N/A	N/A
Side street setback, abutting lot does not front on the side street or is not in a residential Detached zone	15'	N/A	N/A	N/A	N/A
Side setback	8'	West 8.2', East 6.5'	West -0.3', East 6.8'	West 8.2', East 16.5'	West 9.7', East 6.8'
Sum of side setbacks	18'	14.7'	6.5'	24.7'	16.5'
Rear setback	20'	40.9'	103.9'	40.9'	103.9'
Height (max)					
Building measured to Highest Point	35'			<35'	<35'
Building measured to Mean Height	30'				

Note: The existing house on 9700 Lorain Avenue currently encroaches into the right-of-way by 0.3 feet.

#### Analysis of Setback Requirements

The 9622 Lorain Avenue (Lot 1) property does not meet the minimum side setback on the east side where the house is currently set back 6.5 feet from the lot line.

Currently, the 9700 Lorain Avenue (Lot 29) Property does not meet the minimum 8-foot side setback requirement on either side of the lot. On the east side, the house is 6.8 feet from the lot line; on the west side, the existing house crosses the lot line, encroaching into the ROW by 0.3 feet.

If the portion of the ROW subject to this application is abandoned and incorporated into the existing lots as proposed, the resulting side setback for the new lot for 9622 Lorain Avenue will measure 16.5 feet on the east-side and will meet the minimum requirement. Therefore, this property will be in compliance with all the dimensional requirements for the R-60 Zone. As for 9700 Lorain Avenue, the resulting side setback for the new lot will measure 9.7 feet on the east side and will meet the requirement on one side but not the east side, which will continue to measure 6.8 feet. However, the Department of Permitting Services (DPS) has determined that this is an existing legal nonconformance, and that any alterations or additions to the existing home will require that the current zoning setbacks be met. Therefore, with the exception of the existing legal nonconformance, the proposed lots meet all dimensional requirements of the R-60 Zone, and the proposed incorporation of the ROW into the adjacent lots will decrease the degree of current legal non-conformance.

#### Design of Road

This application does not result in the creation of any new undeveloped property, or result in new construction. Therefore, the existing design of the lot, block pattern, or the road is not being altered.

No physical change will be made to the property, and no difference will be perceivable after the abandoned area is added to 9622 and 9700 Lorain Avenue. The proposed layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads will be of the same character as existing subdivisions/lots in the neighborhood.

2. *The preliminary plan substantially conforms to the master plan;*

The Property is located within the 1996 *Four Corners Master Plan* area. The Master Plan seeks to “*Preserve and maintain the character and integrity of the existing, well-established Four Corners residential neighborhoods as the foundation of the community by assuring that new development, infill development, and special exception uses are compatible with the existing residential character*” (pg. 25).

The Master Plan does not specifically address the Property, but “*reconfirms the existing R-60 (residential, one family) zoning for the residential neighborhoods in the Four Corners Master Plan area*” (pg.25).

The Master Plan identifies the Property and surrounding areas as suitable for one-family detached housing (R-60). This Administrative Subdivision Plan is in conformance with the general recommendations of the Master Plan as it does not propose any change to the existing residential character of the neighborhood. The application will not alter the existing pattern of development or land use, which is in substantial conformance with the Master Plan recommendation to maintain the existing residential land use.

3. *Public facilities will be adequate to support and service the area of the subdivision;*

The existing public facilities are adequate to support the subdivision. Please refer to the findings of Section 50.6.1.C, (4) above.

4. *All Forest Conservation Law, Chapter 22A requirements are satisfied;*

The Applicants have received a Forest Conservation Exemption Plan. This Plan conforms with the Montgomery County Planning Department’s *Environmental Guidelines* and it complies with Chapter 22A, the Forest Conservation Law. Please refer to the findings of Section 50.6.1.C, (5) above.

5. *All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied; and*

The Applicants are not required to obtain approval for a stormwater management concept from the Montgomery County Department of Permitting Services (MCDPS), since no new residential units are proposed, only changes to the lot lines. Please refer to the findings of Section 50.6.1.C, (5) above.

6. *Any other applicable provision specific to the property and necessary for approval of the subdivision is satisfied.*

Not applicable.

#### **Section 50.8.4.A.2. – Abandonment of Land Dedicated for Public Use**

Per Section 50.8.4.A.2., the Planning Board is authorized under Section 49-68 of the Montgomery County Road Code to abandon all or part of land dedicated to public use, if the land has not been in public use.

- A. *Land dedicated to the County for public use. When a record plat contain land dedicated to the County for public use, the dedication must be in perpetuity and must not be altered or taken for private use. However, the person who originally filed the plat, any successor in interest, or the County may petition to abandon any land dedicated under this Section. Abandonment of all or part of the dedicated land may be authorized by:*
  2. *The Board under Section 49-68, if the land has not been in public use.*

The existing 20-foot wide ROW is unimproved, there are no public utilities in the ROW, and the ROW was never in public use. The ROW is not necessary for anticipated public use since it is unlikely that this ROW will be improved for a road connection because: a road is not needed here; it is not identified in the Master Plan; the ROW is only 20-foot-wide and could only accommodate an alley; and there is a significant grade difference between Lorain Avenue and Brunett Avenue.

In May 2017, MCDOT had considered the ROW as a desirable location to make an east-west bicycle connection from Brunett Avenue to the Indian Spring Terrace and Franklin Knolls neighborhoods to the east of the Property. However, following further consideration, MCDOT and Staff conclude that a bicycle connection is not recommended between Brunett Avenue and Lorain Avenue due to the steep grades within this ROW. It will be very difficult to engineer a safe bike path with such a steep grade over such a short distance (Attachment 7: elevation plan), and there are multiple trees and abundant vegetation, which would need to be removed. An alternative alignment or location was also not appropriate. And, it would be unsafe for cyclists to cross Colesville Road from Granville Drive to Hastings Drive because the intersection is practically in the exit ramp of I-495. Drivers merging from the Beltway will not expect or anticipate the presence of cyclists. Pedestrian infrastructure does not currently exist and is not proposed between these houses. Therefore, Staff, MCDOT and MCDPS support this abandonment petition and recommend that the ROW be abandoned as requested (Attachment 9 – MCDOT Approval Letter).



## **Findings of Montgomery County Code - Roads and Street Regulations – Section 49-68 (e)**

### **Abandonment of Previously Unused Right-of-Way**

Per Section 49-68 (e) of the County Code, if the Planning Board finds:

- e. The right-of-way is not necessary for anticipated future public use or that an alternative alignment or location will not adversely affect the public interest, the Board may authorize the right-of-way to be abandoned by incorporating the abandoned land into an amended plat of subdivision.*

Based on the analysis above, the existing 20-foot wide ROW is unimproved, there are no public utilities in the ROW, and the ROW never appears to have been in public use. Review of the adopted and emerging master plans and careful analysis of the ROW have allowed MCDOT and Staff to determine that the ROW is not anticipated for future public use. Due to the significant grade, vegetation, and existing dwellings between Brunett Avenue and Loraine Avenue, an alternative alignment or location is not appropriate. Staff finds that the proposed abandonment will not adversely affect the public interest, and that the right-of-way may be incorporated into the record plat(s) for the existing/adjacent lots of 9622 and 9700 Lorain Avenue.

## **SECTION 5: COMMUNITY CORRESPONDENCE**

A notice of this Administrative Subdivision Plan was sent to all required parties by the Applicants on May 4, 2017. The notice gave the interested parties 15 days to review and comment on the contents of the plan. On May 17, 2017, the Applicants met with the North Hills Neighborhood Association and clarified to the community that no new homes were being built on the Property. At the time of preparation of this Report, Staff received a letter of support for this application from the North Hills of Sligo Creek Civic Association (Attachment 10).

## **SECTION 6: CONCLUSION**

The proposed lots for this Administrative Subdivision Plan meet the requirements established in the Subdivision Regulations and the Zoning Ordinance, and conform to the recommendations of the 1996 *Four Corners Master Plan*. Access and public facilities will continue to be adequate to serve the proposed lots, and the Application has been reviewed by other applicable county Agencies, all of whom have recommended approval of the plan. Therefore, Staff recommends approval of this Administrative Subdivision Plan No. 620170040, which includes the ROW abandonment, with the conditions listed at the beginning of this report.

## **ATTACHMENTS**

1. Record Plat Nos. 339 and 471
2. Variance application for 9700 Lorain Avenue, dated August 14, 1998
3. Drawings prepared by Richard Lawrence Associates, Inc. in support of the Variance App.
4. Board of Appeals letter, dated October 16, 1998
5. Building Permit No. 9811230208 for 9700 Lorain Avenue
6. Building Permit No. 307394 for 9700 Lorain Avenue
7. Administrative Subdivision Plans/drawings
8. Forest Conservation Exemption letter, dated May 2, 2017
9. MCDOT letter, dated August 11, 2017
10. Letter of support from the North Hills of Sligo Creek Civic Association

# ATTACHMENT 1

## Exhibit A

Plat Book 3, Plat 339  
(Lot 29, Block F, Section 1, Argyle Park)



# Exhibit A, cont'd

Plat Book 4, Plat 471

(Pt Lot 1, Block G, Section 2, North Hills of Sligo Park)





# ATTACHMENT 2

Form 2 (Revised 9/97)

BOARD OF APPEALS  
FOR  
MONTGOMERY COUNTY, MARYLAND  
(301) 217-6600

Docket No. A-5034  
Date Filed 8-14-98  
Hearing Date 9-16-98  
Time 9:30

## PETITION FOR VARIANCE UNDER ZONING ORDINANCE

Please Note Instructions on Reverse Side

Name of Petitioner(s): LORI KENNER / ROGER BLEVINIS  
Address of Petitioner(s): 9700 LORAIN AVE City Silver Spring Zip 20901  
Description of property involved: Lot 29 Block F Parcel \_\_\_\_\_ Subdivision Arville Park  
Street and No. 9700 LORAIN Town Silver Spring Zone Classification \_\_\_\_\_  
Appellant's present legal interest in above property (check one): Tax Account No. \_\_\_\_\_  
☒ Owner (including joint ownership) \_\_\_\_\_ Other (describe) \_\_\_\_\_  
If not owner, name and address of owner: \_\_\_\_\_

What variance is requested, and what is the pertinent section of the Zoning Ordinance:

SIDE YARD SEC 54-C-1.323(b)(1)  
What is the particular requirement(s) from which a variance is desired, in that section or subsection:  
7' SIDE YARD SETBACK (REQUESTING 6' VARIANCE = 1' SIDE YARD)

Check existing reason(s) why the Ordinance requirement(s) in question would result in practical difficulties for the owner property.

Describe briefly: unable to expand in rear of house due to existing hill and insufficient space on side of house.  
narrowness ☒ shallowness \_\_\_\_\_ shape \_\_\_\_\_ topography ☒ other \_\_\_\_\_

What is the date of recording of plat of present subdivision if any: \_\_\_\_\_; or, if property is unsubdivided, either give the date on which a deed conveying the identically-bounded tract was first recorded or state that such a deed was first recorded prior to March 6, 1928: \_\_\_\_\_

Briefly describe the practical difficulty for the owner if the requested variance is not granted: See Attached Statement

Has any previous petition or appeal involving this property been made to this Board, or the former Board of Zoning Appeals by this Appellant, or by anyone else to this Appellant's knowledge? NO If so, give Case Number(s): \_\_\_\_\_

Further comments, if any: PROPERTY HAS UNUSUED 10' EASEMENT ADJACENT TO SIDE

I have read the instructions on the reverse side of this form and am filing herewith all of the required accompanying information.

I hereby affirm that all of the statements and information contained in or filed with this appeal are true and correct.

Name of Attorney (if petitioner will be represented by an attorney)

Lori Kenner  
Signature of Petitioner(s)

Address of Attorney

301-581-8440 702-663-4492  
Home Telephone Numbers Office

Phone Number

(OVER)

000340/108

**Name of Petitioner: Lori Renner**

**Date Filed: Aug 13, 1998**

**TO: Members of the Montgomery County Board of Appeals**

**SUBJECT: Request for Variance**

On behalf of my family, I petition the Board of Appeals for a variance under the Montgomery County Zoning Ordinance. We make this request to seek relief from the current building restriction on our lot. Our home is presently a two bedroom, one bath house. Our son Nathan is 10 years old, not yet a teenager, but already demonstrating his desire for privacy. We are planning for another child next summer. Consequently, our home has become too small. We believe strongly in a sense of neighborhood community. Nathan is very fond of his school and we feel strong ties to the community we have lived in for the last 5 years. Selling and buying a new house is financially challenging at this time in terms of cashflow for closing costs on two ends and a required sizeable downpayment. The logical option for us is to modestly expand our present dwelling to accommodate our family growth. Therefore, we petition the board and sincerely ask that you grant our request for variance.

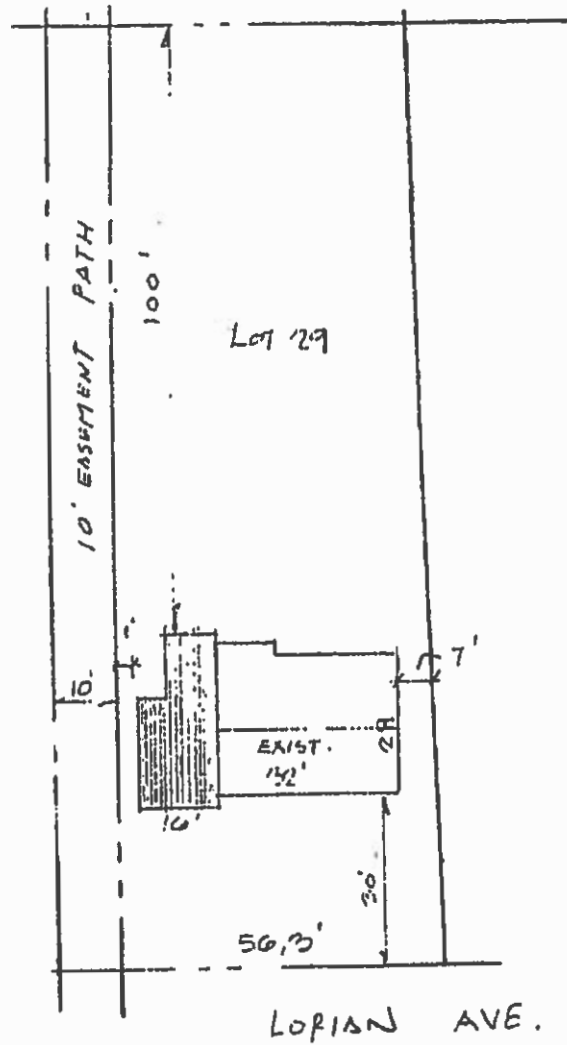
# ATTACHMENT 3



Richard Lawrence Associates Inc. design/build

P.O. Box 10605, Rockville, Maryland 20850

Phone 301-424-1306



LOT 29 BLOCK F  
SECTION 1  
ARGYLE PARK

# ATTACHMENT 4

## Exhibit C

### BOARD OF APPEALS for MONTGOMERY COUNTY

Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, Maryland 20850  
(301) 217-6600

Case No. A-5034

PETITION OF LORI RENNER  
(Hearing held September 16, 1998)

OPINION OF THE BOARD  
(Effective date of Opinion, October 16, 1998)

This proceeding is a petition pursuant to Section 59-A-4.11(b) of the Zoning Ordinance (Chap. 59, Mont. Co. Code 1994, as amended) for a variance from Section 59-C-1.323(b)(1). The petitioner proposes to construct a two-story addition and seeks a variance of six (6) feet from the required side lot line setback of seven (7) feet.

The subject property is Lot 29, Block F, Argyle Park Subdivision, located at 9700 Lorain Avenue, Silver Spring, Maryland, in the R-60 Zone (Tax Account No. 985457).

Decision of the Board: Requested variance granted.

Lori Renner, the petitioner, appeared at the hearing and testified that the lot is long and narrow and that the dwelling is sited close to the west side lot line. She testified that the property has an uneven terrain and that the dwelling is sited to the front of the lot because of this existing condition. Ms. Renner further stated the area of the lot is further reduced by a ten (10) foot easement at the west side of the property where the proposed addition will be located. The proposed two-story addition would extend into the side lot line setback by six (6) feet (as depicted in Exhibit No. 3). The proposed two-story addition would be architecturally integrated with the existing house. Materials to be utilized would harmonize with those of the existing home.

The petitioner's neighbors support the instant application as indicated by the testimony of the applicant. No evidence in opposition was presented. The applicant was of the opinion that the proposed addition would increase the utility and value of the subject property.

Based on the petitioner's binding testimony and the evidence of record, the Board finds that the variance can be granted. The siting of the existing dwelling and the uneven terrain of the lot severely restrict the buildable area and are factors which create difficulties in the siting of any new construction. The proposed addition is actually sited eleven (11) feet from the west side lot line because of the ten (10) foot easement. Therefore, the strict application of the setback requirements would result in practical difficulty to the applicant if the variance is not granted. Further, the Board finds that the variance requested is the minimum reasonably necessary to accomplish the proposed project and that the variance can be granted without substantial impairment of the intent, purpose and integrity of the General Plan. The Board further finds that construction of a two-story addition located beyond the setback, as proposed herein, will not be detrimental to the use and enjoyment of adjoining properties.

Accordingly, the requested variance of six (6) feet from the seven (7) foot required side lot line setback for the proposed construction of a two-story addition is granted subject to the following conditions:


1. Applicant must be bound by all testimony and evidence in the record.
2. Construction must be completed according to plans entered in the record as Exhibit Nos. 3 and 4.

The Board adopted the following Resolution:

BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland, that the opinion stated above be adopted as the Resolution required by law as its decision on the above entitled petition.

The foregoing Resolution was proposed by Angelo M. Caputo and concurred in by Louise L. Mayer, Wendell M. Holloway, Donna L. Barron and Susan W. Turnbull, Chair.

I do hereby certify that the foregoing Opinion was officially entered in the Opinion Book of the County Board of Appeals this 16th day of October, 1998.



Katherine Freeman  
Acting Executive Secretary to the Board

NOTE: See Section 59-A-4.53 of the Zoning Ordinance regarding the twelve-month period within which the variance granted by the Board must be exercised.

The Board shall cause a copy of this Opinion to be recorded among the Land Records of Montgomery County.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County in accordance with the Maryland Rules of Procedures.



**ATTACHMENT 5****Exhibit D**

# Department of Permitting Services

## Online Services - Data Search

**If you have trouble scheduling next day commercial inspections (before 12:00 PM), please call the Montgomery County Service Center at 240-777-0311 and ask to speak with a DPS Permit Technician to schedule your commercial inspections.**

Please select one of the Search By methods below and define your search criteria first. Then, click the Search button to display the results. Fields with \* are required items.

Search By:

Search Criteria (#)   **Details (#)**   Schedule Inspection (#)   Cancel Inspection (#)   (#)

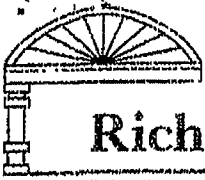
### Application

<b>Permit Number</b>	98B230208	<b>Type</b>	Building Residential Permit
<b>Application Date</b>	11/23/1998	<b>Issue Date</b>	12/01/1998
<b>Final Date</b>	05/14/1999	<b>Status</b>	Finald
<b>Work Type</b>	Add Single Family Dwelling	<b>Site Address</b>	9700 LORAIN AVE SILVER SPRING, MD 20901
<b>Square Footage</b>	0	<b>Value</b>	\$100,000.00
<b>Subdivision</b>	Argyle Park	<b>Lot/Block</b>	29/F

### Reviews

### Inspections

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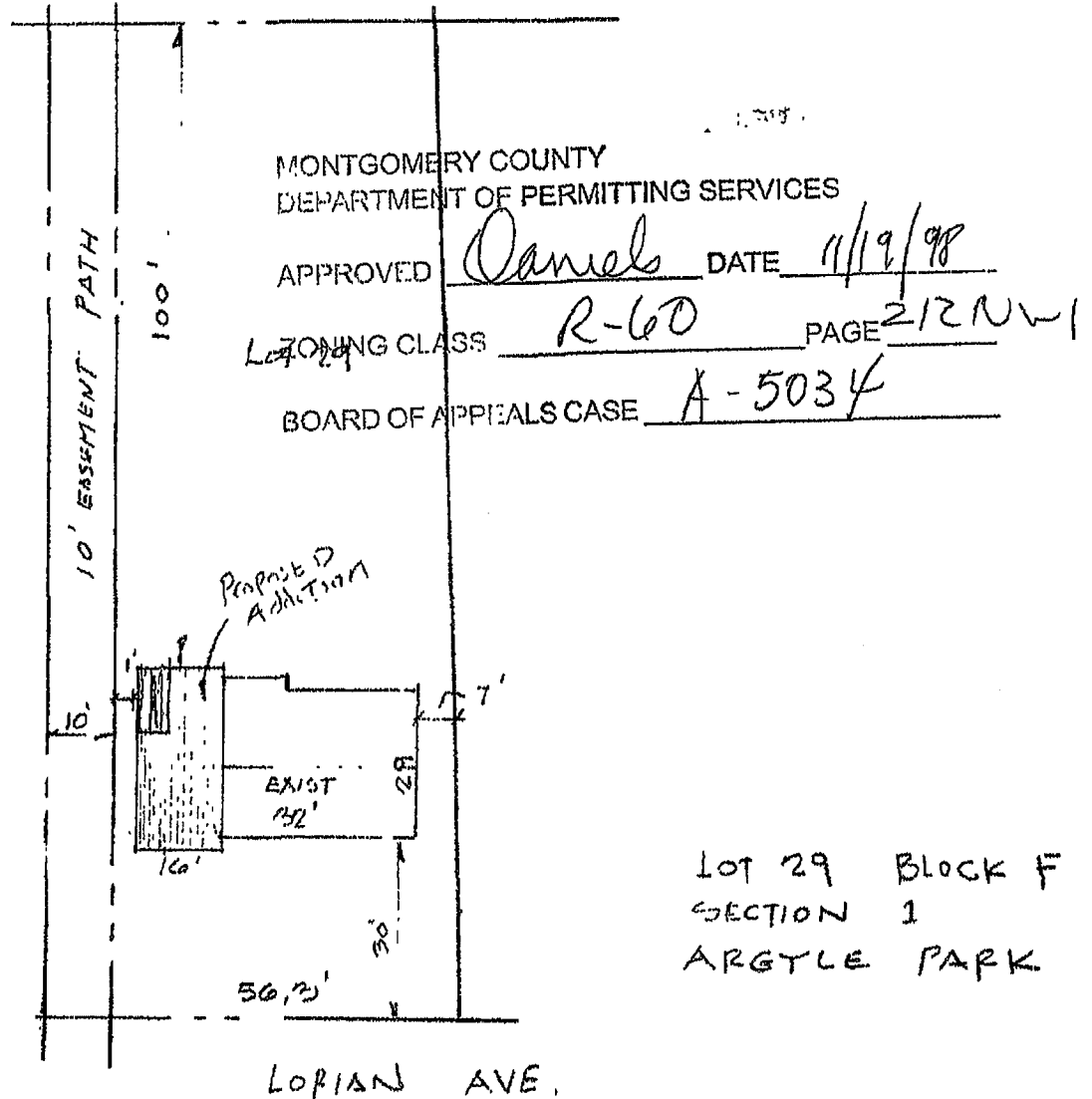


# Richard Lawrence Associates Inc. design/build



P.O. Box 10605, Rockville, Maryland 20850

Phone 301-424-1306



9811230208

3/4/99  
HOWES

12-1-98

MONTGOMERY COUNTY MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF DEVELOPMENT SERVICES & REGULATION  
250 Hungerford Drive, Rockville, Maryland, 20850-4153

SPECIAL INSPECTION REPORT/CERTIFICATION

This report is submitted in conformance with procedures governing special inspection report/certification established by the Department of Environmental Protection. As such, the Division of Development Services and Regulation will accept this report/certification in lieu of inspecting the work noted below:

BLEVIAS + KENNER I hereby certify that I have authority to sign this report/certification in the name of the following permittee and I certify the report is a true report of jobsite conditions, the laws and building code of Montgomery County are being followed, and that I am currently approved by the Montgomery County Department of Environmental Protection, Division of Development Services and Regulation to submit this report/certification.

SPECIAL INSPECTION REPORT

FOOTING

Elevation at bottom of excavation, as per approved plans or as noted: \_\_\_\_\_

☒ YES ☐ NO

Footings located in natural ground, soil conditions are adequate to carry the load:

☒ YES ☐ NO

Footings located on fill controlled to 90% of maximum density per ASTM standards:

☐ YES ☒ NO

Attach compaction report(s):

☐ YES ☒ NO

Width and depth of footing trench and rebar placement is in accordance with approved plan and Montgomery County Building Code and below frost line for Montgomery County:

☒ YES ☐ NO

Concrete-encased electrode in place with a minimum 2 ft. accessible length outside the footing.

☐ #4 SOLID CU  
☐ 1/2" STEEL RE-BAR

PARGING

Parging material, thickness and application is in accordance with requirements of Montgomery County Building Code:

☐ YES ☐ NO

Exterior Foundation Drains

☐ YES ☐ NO

Interior Foundation Drains

☐ YES ☐ NO

Weep Holes (Interior Drains Only)  
2" minimum diameter, 6' on center

☐ YES ☐ NO

SPECIAL INSPECTION REPORT/CERTIFICATION

DATE INSPECTED 12-11-98 ✓

PERMIT NUMBER 9811230208 INSPECTION CODE (CHECK TYPE)

☒ FOOTING 001 shall be performed within 12 months of issuance

☐ PARGING 002 shall be performed within 14 months of issuance

LOT 29 BLOCK F SUBDIVISION ARGYLE PARK

PREMISE ADDRESS 9700 LORAIN AVE

ELECTION DISTRICT #13

INSPECTOR CODE NUMBER 8R INSPECTION RESULT CODE: 01 (APPROVED)

CERTIFICATION OF ABOVE REPORT

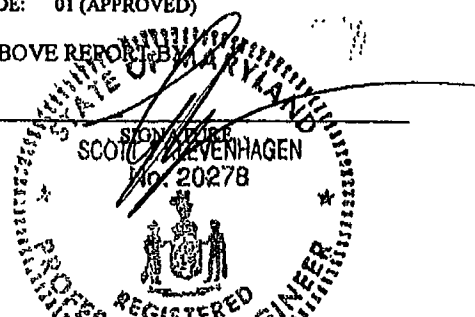
Scott J. Klevenhagen, P.E.

NAME (PRINT) AUTHORIZED INDIVIDUAL

P.O. Box 190  
ADDRESS

Germantown, MD. 20875

SEAL



THIS CERTIFICATION IS TO BE HAND DELIVERED TO THE INSPECTOR AT THE TIME OF THE FRAMING INSPECTION UNLESS IT IS NOT PERFORMED WITHIN 12 MONTHS OF PERMIT ISSUANCE, OTHERWISE HAND DELIVER OR MAILED TO FIELD SERVICES SECTION AT THE ABOVE ADDRESS IN ORDER TO PREVENT THE PERMIT FROM EXPIRING.

**ATTACHMENT 6****Exhibit E**

# Department of Permitting Services

## Online Services - Data Search

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Please select one of the Search By methods below and define your search criteria first. Then, click the Search button to display the results. Fields with \* are required items.

Search By:

Search Criteria (#)   **Details (#)**   Schedule Inspection (#)   Cancel Inspection (#)   (#)

### Application

<b>Permit Number</b>	307394	<b>Type</b>	Building Residential Permit
<b>Application Date</b>	05/30/2003	<b>Issue Date</b>	05/30/2003
<b>Final Date</b>		<b>Status</b>	Permit Issued
<b>Work Type</b>	Construct Shed	<b>Site Address</b>	9700 LORAIN AVE SILVER SPRING, MD 20901
<b>Square Footage</b>	96	<b>Value</b>	\$700.00
<b>Subdivision</b>	Argyle Park	<b>Lot/Block</b>	29/F

### Reviews

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DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan  
County Executive

Robert C. Hubbard  
Director

**BUILDING  
PERMIT**

Issue Date: 5/30/2003

Permit No: 307394  
Expires: 5/30/2004  
X Ref.  
Rev. No:  
ID: AC882634

THIS IS TO CERTIFY THAT:

RODGER & BLEVINS  
LORI L RENNER 9700 LORAIN AVE  
SILVER SPRING MD 209013250

HAS PERMISSION TO: CONSTRUCT SHED

PERMIT CONDITIONS:

PREMISE ADDRESS: 9700 LORAIN AVE  
SILVER SPRING MD 20901-3250

LOT 29	BLOCK F	ZONE R-60	GRID
LIBER	ELECTION DISTRICT 13	PLATE	PARCEL
FOLIO	TAX ACCOUNT NO.:		PS NUMBER 0
PERMIT FEE: \$55.00	SUBDIVISION ARGYLE PARK		

**MUST BE POSTED ON JOB SITE**

**AN APPROVED FINAL INSPECTION IS REQUIRED  
PRIOR TO USE OR OCCUPANCY**

NOTICE

THIS APPROVAL DOES NOT INCLUDE  
PLUMBING, GAS PIPING OR ELECTRICAL  
OR CONSTRUCTION IN ANY  
DEDICATED RIGHT-OF-WAY.

NOTE

THIS PERMIT DOES NOT INCLUDE  
APPROVAL FOR ANY ELECTRICAL  
WORK. YOU MUST HAVE A  
SEPARATE ELECTRICAL PERMIT  
TO DO ANY ELECTRICAL WORK.

Director, Department of Permitting Services





Montgomery County  
Department of Permitting

255 Rockville Pike, 2<sup>nd</sup> Floor  
Rockville, Maryland 20850-4153  
(240) 777-6300 Fax (240) 777-6262  
http://permits.emontgomery.org



# APPLICATION FOR RESIDENTIAL BUILDING PERMIT

AC882634

Sediment Control # \_\_\_\_\_ Building AP #(s) 307394 Demolition # \_\_\_\_\_

## DESCRIPTION OF WORK: (check all that apply)

- ☐ ADD
- ☐ ALTER
- ☐ CONSTRUCT
- ☐ DEMOLISH
- ☐ MOVE
- ☐ FOUNDATION ONLY
- ☐ RESTORE and/or REPAIR

Gross Sq. Ft. of Area Created

or Affected by this Action: 96

Estimated Cost: \$ 700

Disturbed Land Area: 96

## USE OF STRUCTURE:

- ☐ SINGLE FAMILY DWELLING
- ☐ TOWNHOUSE
- ☐ FENCE\*
- ☐ RETAINING WALL
- ☐ TRAILER\*\*
- ☐ MODULAR HOME\*\*
- ☐ HOT TUB
- ☐ OTHER \_\_\_\_\_
- ☐ DECK
- ☐ DUPLEX
- ☐ BASEMENT
- ☐ POOL IN GROUND
- ☐ POOL ABOVE GROUND
- ☐ DETACHED GARAGE
- ☒ SHED

## \* IF BUILDING A FENCE OR RETAINING WALL

HEIGHT: \_\_\_\_\_ ft. \_\_\_\_\_ in. Note: (A signed approval letter from the adjacent lot owner(s) is required)

☐ Located entirely on the land of the owner ☐ Public Right of Way/Easement ☐ Located on the lot line

## \*\*NOTE:

Manufacturer's Name and Model # for All Trailers and Modular Homes \_\_\_\_\_

## MODEL HOUSE PROGRAM: to build new homes

- ☐ INITIAL SUBMITTAL or
- ☐ PREVIOUSLY APPROVED PERMIT # \_\_\_\_\_

## REFER-BACK SYSTEM: to build new homes & pools

- ☐ INITIAL SUBMITTAL or
- ☐ PREVIOUSLY APPROVED PERMIT # \_\_\_\_\_

New Home Model Name or # \_\_\_\_\_

## REVISION to ORIGINAL PERMIT # \_\_\_\_\_

(Original permit has been issued and is active)

☐ SITE ☐ STRUCTURAL ☐ HOUSE TYPE ☐ OTHER: \_\_\_\_\_

## BUILDING PREMISE ADDRESS:

Add'l. House #'s if  
building new townhouses: \_\_\_\_\_

House Number 9700 Street 9700 LORAIN AVE City Silver Spring Zip 20901

Lot(s) 29 Block F Subdivision Argyle Park

Nearest Cross Street \_\_\_\_\_

## APPLICANT INFORMATION: Contact ID #: \_\_\_\_\_

Fax #: \_\_\_\_\_

Email: \_\_\_\_\_

Name of Applicant Rodger Blevins

Daytime Phone #: 301 589 8440

(Permit will be issued to Applicant)

Address 9700 LORAIN AVE. City Silver Spring State MD Zip 20901

## CONTACT INFORMATION: Contact ID #: \_\_\_\_\_

Fax #: \_\_\_\_\_

Email: \_\_\_\_\_

Contact Person \_\_\_\_\_

Daytime Phone # \_\_\_\_\_

(If other than Applicant)

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Contractor \_\_\_\_\_ MHC or Montgomery County Builders License # \_\_\_\_\_

Contractor Address \_\_\_\_\_ Daytime Phone # \_\_\_\_\_

## EXPEDITED PLAN REVIEW: ☐

I request an Expedited Plan Review, when available, which is subjected to additional fees.

Rodger Blevins 5/30/03  
(Applicant's Signature) Date

Rodger Blevins  
(Print Name)

1 MN-212 09-1 R-60 712NW

**ADDITIONAL APPROVALS:**

Properties located within historic districts, municipalities and special taxing districts may require additional approvals beyond the required Department of Permitting Services (DPS) building permit. For projects located in the City of Takoma Park's Commercial Revitalization Overlay, certain permits must be approved by the City prior to commencing construction. Please refer to "Permit Procedures for Properties within a Montgomery County Municipality" for more information.

**TYPE OF WATER SUPPLY**    ☐ WSSC                      ☐ WELL                      ☐ OTHER (specify) \_\_\_\_\_

**SEWAGE DISPOSAL**        ☐ WSSC                      ☐ SEPTIC                      ☐ OTHER (specify) \_\_\_\_\_

**MPDU ...** 20% of this new home development will be built as Moderately Priced Dwelling Units    ☐ Yes                      ☐ No

**IMPACT TAX ...** New Homes will be assessed an Impact Tax based on the area where the house is built ... (see Impact Tax guide)  
☐ **I will exercise an approved Impact Tax Credit, a copy of which is attached**

**DAP & EDAET AGREEMENTS....** Agreement must be attached for new homes when applicable.

**SPECIAL EXCEPTION:** Is this lot subject to a Special Exception?    ☐ Yes, Case # \_\_\_\_\_                      ☐ No

**VARIANCE:** Has a Variance been granted to perform this work?    ☐ Yes, Variance # \_\_\_\_\_                      ☐ No

**HISTORIC AREA IN ATLAS or MASTER PLAN:** Is the property a Historic resource?    ☐ Yes                      ☐ No

**AUTHORIZED AGENT AFFIDAVIT:** *I hereby declare and affirm, under the penalty of perjury, that:*

1. I am duly authorized to make this permit application on behalf of: \_\_\_\_\_  
(please print property owner's name)
2. The work proposed by this building permit application is authorized by the property owner; and
3. All matters and facts set forth in this Affidavit are true and correct to the best of my knowledge, information and belief.

\_\_\_\_\_  
(Signature of Authorized Agent)

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Print Name)

**HOMEOWNER ACTING AS NEW HOME BUILDER AFFIDAVIT:**

By this instrument, I, as the property owner, am applying for an exemption from the licensing requirements for a building contractor, I hereby declare and affirm, under the penalty of perjury that:

1. I or a member of my immediate family will perform any and all construction associated with the foregoing building permit application; and
2. The type of improvement indicated on the building permit application is designed for use as a residence or dwelling place for my own or my immediate family's use; and
3. I take full responsibility for all and any code violations.
4. All matters and facts set forth in this affidavit are true and correct to the best of my knowledge, information, and belief.

\_\_\_\_\_  
(Signature of Property Owner)

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Print Name)

**TO BE READ BY THE APPLICANT:**

Any information that the applicant has set forth in this application that is false or misleading may result in the rejection of the application. A condition for the issuance of this permit is that the proposed construction will comply at all times with the plans as approved by all applicable government agencies. I hereby declare and affirm, under the penalty of perjury, that all matters and facts set forth in the building permit application are true and correct to the best of my knowledge, information and belief.

\_\_\_\_\_  
(Applicant's Signature)

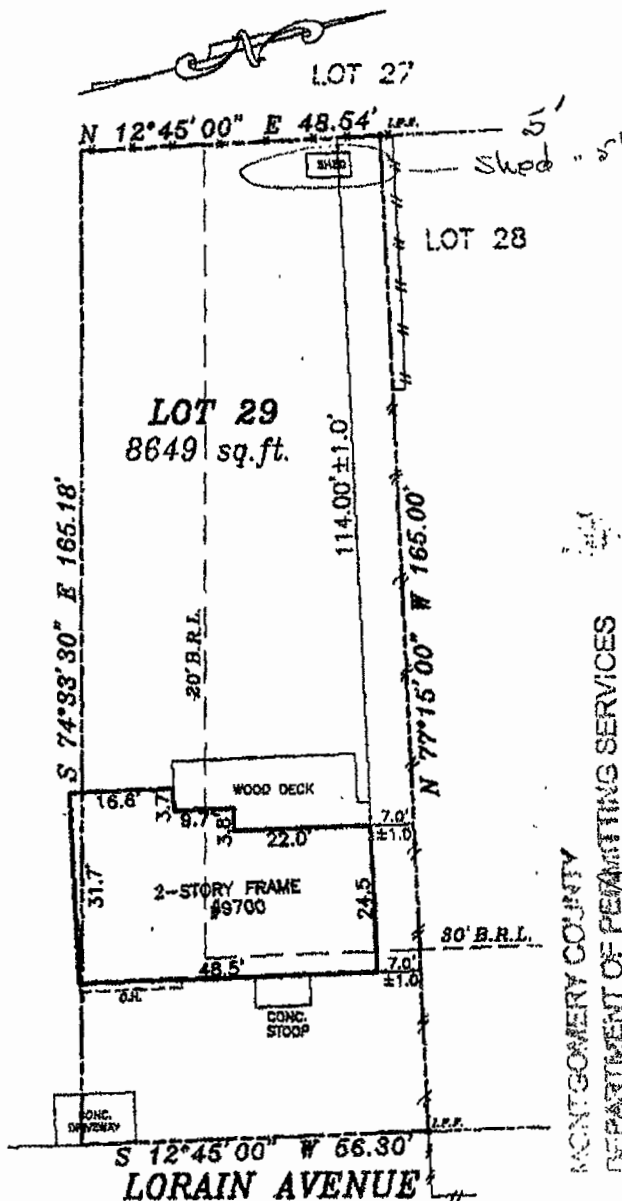
\_\_\_\_\_  
Date

\_\_\_\_\_  
(Print Name)

**FOR OFFICE USE ONLY:** Permit Fee: \$ \_\_\_\_\_ + Impact Tax, DAP or EDAET: \$ \_\_\_\_\_ Balance: \$ \_\_\_\_\_  
Bldg.appl.res.4/03



# 307394



MONTGOMERY COUNTY  
DEPARTMENT OF PERMITTING SERVICES  
APPROVED *[Signature]* DATE 5-30-2003  
ZONING CLASS R-600 PAGE 2 of 2  
BOARD OF APPEALS CASE *[Signature]*

No evidence of property corners was found. Apparent occupation is shown.

Date: 06-21-99 Scale: 1" = 30' Dm: MZ  
Plat Book: 4  
Plat No.: 339 NO TITLE REPORT FURNISHED  
Work Order: 99-2599  
Address: 9700 LORAIN AVENUE  
District: 13  
Jurisdiction: MONTGOMERY COUNTY, MD

### Surveyor's Certification

I hereby certify that the survey shown hereon is correct to the best of my knowledge and that, unless noted otherwise, it has been prepared utilizing description of record. This survey is not a boundary survey and the location or existence of property corners is neither guaranteed nor implied. Fence lines, if shown, are approximate in location. This property does not lie within a 100-year flood plain according to FEMA Insurance maps as interpreted by the originator unless otherwise shown hereon. Building restriction lines shown are as per available information and are subject to the interpretation of the originator.

*[Signature]*

LOCATION DRAWING  
LOT 29 BLOCK F  
SECTION NO. 1  
ARGYLE PARK

NOTE: This plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or refinancing. This plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements. This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing.



Meridian Surveys, Inc.  
811 Russell Avenue  
Suite #303  
Gaithersburg, MD 20879  
(301) 721-9400

# ADMINISTRATIVE SUBDIVISION PLAN

## SECTION 2 NORTH HILLS OF SLIGO PARK AND ARGYLE PARK, SECTION 1 9622 + 9700 LORAIN AVENUE MNCP&PC No. 620170040

### GENERAL NOTES

- BOUNDARY INFORMATION AND TWO-FOOT CONTOUR DATA ARE BASED UPON SURVEYS PERFORMED BY CAS ENGINEERING, DATED AUGUST, 2016.
- TOTAL TRACT AREA: 21,114.0 SQ. FT. (0.4847 ACRES)  
PT. LOT 1, BLOCK G: 9,793 SQ. FT. (0.2246 ACRES)  
LOT 29, BLOCK F: 8,649 SQ. FT. (0.1986 ACRES)  
PUBLIC PATH: 2,672 SQ. FT. (0.0613 ACRES)
- PROPERTY IS LOCATED ON TAX MAP JP 342 AND H55C 200' SHEET 212 N4 01.
- PROPERTY IS LOCATED ON MONTGOMERY COUNTY SOILS SURVEY MAP No. 24, SOIL TYPE(S): 20B, GLENELG URBAN LAND COMPLEX # 16D, BRINKLOW BLOCKTOWN CHANNERY SILT LOAMS.
- FLOOD ZONE "X" PER F.E.M.A. FIRM MAPS, COMMUNITY PANEL NUMBER 2403C0370D.
- MASTER PLAN: FOUR CORNERS (DECEMBER 1996).
- SCHOOL CLUSTER:  
ELEMENTARY SCHOOL - SLIGO CREEK  
MIDDLE SCHOOL - SILVER SPRING INTERNATIONAL  
HIGH SCHOOL - NORTHWOOD HIGH
- NO RARE, THREATENED, OR ENDANGERED (R.T.E.) SPECIES WERE OBSERVED DURING OUR SITE ANALYSIS. THIS HAS BEEN CONFIRMED WITH THE MARYLAND DEPARTMENT OF NATURAL RESOURCES IN A LETTER DATED MARCH 15, 2017.
- PROPERTY IS LOCATED IN THE MIDDLE SLIGO CREEK WATERSHED.
- WATER CATEGORY - 1 SENIOR CATEGORY - 1
- LOCAL UTILITIES INCLUDE:  
WATER & SEWER - WASHINGTON SUBURBAN SANITARY COMMISSION  
ELECTRIC - PENNCO  
TELEPHONE - VERIZON  
GAS - WASHINGTON GAS
- THIS PLAN CREATED WITHOUT THE BENEFIT OF A TITLE REPORT.

### SITE / ZONING DATA

GROSS SITE AREA: 21,114 SQ. FT. ± (PER PLAT 339 & L.4136 F.98)  
DEDICATION: 0 SQ. FT. ±  
NET TRACT AREA: 21,114 SQ. FT. ±  
CURRENT ZONE: R-60

Development Standards	Zoning Ordinance Requirement	Ex. PT Lot 1 (9622 Lorain Ave)	Ex. Lot 29 (9700 Lorain Ave)	Prop. Lot 23 (9622 Lorain Ave)	Prop. Lot 30 (9700 Lorain Ave)
Lot (min)					
Lot Area	6,000 SF	9,793 SF	8,649 SF	11,141 SF	9,973 SF
Lot width at front of building line	60'	69.08'	56.39'	79.66'	66.31'
Lot width at front lot line	25'	69.65'	56.30'	79.20'	65.14'
Frontage on Street /or open space	Required, except exempt under Chapter 50	YES	YES	YES	YES
Density (max)					
Density (units/acre)	7.26				
Coverage (max)					
Lot	35%	±18.9%	±17.5%	±16.6%	±15.2%
Building setbacks (min)					
Front setback	25'	56.3'	28.4'	56.3'	28.4'
Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone	25'	N/A	N/A	N/A	N/A
Side street setback, abutting lot does not front on the side street or is not in a residential Detached zone	15'	N/A	N/A	N/A	N/A
Side setback	8'	8.2'/6.5'	-0.3'/6.8'	8.2'/16.5'	9.7'/6.8'
Sum of side setbacks	18'	14.7'	6.5'	24.7'	16.3'
Rear setback	20'	40.9'	103.9'	40.9'	103.9'
Height (max)					
Building measured to Highest Point	35'			<35'	<35'
Building measured to Mean Height	30'				

NOTE: EXISTING HOUSE AT 9700 LORAIN AVE (EX LOT 29) CURRENTLY ENROACHES INTO 10'-PATH BY 0.3'

### SOILS TABLE

2B) GLENELG SILT LOAM, 5 TO 8 PERCENT SLOPES  
THIS SOIL IS VERY DEEP, WELL DRAINED AND MODERATELY PERMEABLE. AVAILABLE WATER CAPACITY IS HIGH. PRODUCTIVITY IS HIGH. EROSION HAZARD IS SLIGHT. POTENTIAL FOR FLOOD ACTION IS MODERATE. CAPABILITY SUBCLASS IIE. GLENELG SILT LOAM IS A PRIME AGRICULTURAL SOIL.

16D) BRINKLOW-BLOCKTOWN CHANNERY SILT LOAMS (15 TO 25 PERCENT SLOPES)  
THIS MODERATELY FINE-TEXTURED UNIT IS SHALLOW TO MODERATELY DEEP, WELL DRAINED AND MODERATELY SLOTTY PERMEABLE. AVAILABLE WATER CAPACITY IS LOW IN BRINKLOW SOILS AND VERY LOW IN BLOCKTOWN SOILS. PRODUCTIVITY IS LOW. EROSION HAZARD IS SEVERE. CAPABILITY SUBCLASS IS IVE AND VIE, RESPECTIVELY.

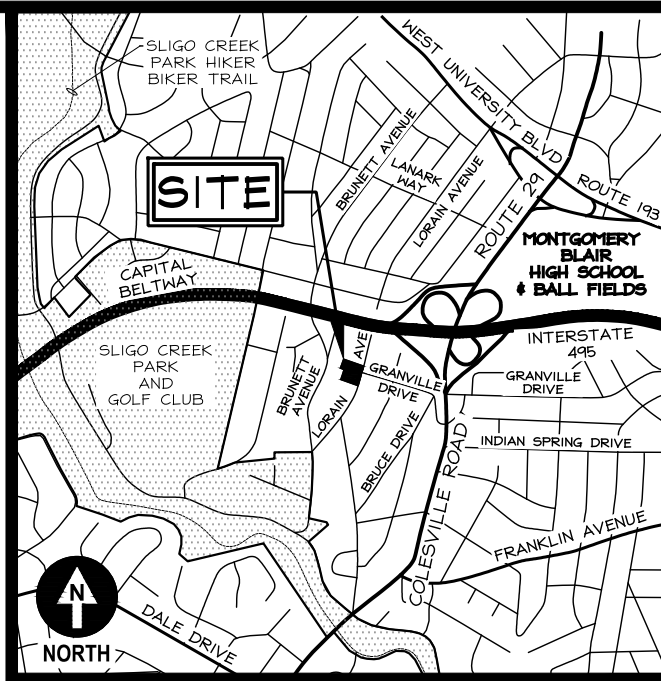
### UTILITY INFORMATION

EXISTING UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE AND MUST BE FIELD VERIFIED. UTILITY LOCATIONS ARE BASED UPON AVAILABLE RECORDS AND ARE SHOWN TO THE BEST OF OUR ABILITY.

UTILITY CO.	REQUEST DATE	BY	INFO RECEIVED	PLAN REVISED	BY
AT&T	01/05/2017	KAM	X	02/05/2017	EBT
COMCAST	01/05/2017	KAM	X		X
MSD	01/05/2017	KAM	X	NO FACILITIES	EBT
PERCO	01/05/2017	KAM	X		X
VERIZON	01/05/2017	KAM	X	NO FACILITIES	EBT
WASH. GAS	01/05/2017	KAM	02/07/2017	02/08/2017	EBT
W.S.S.C.					
SEWER CONTRACT DRAWING	01/05/2017		02/05/2017		EBT
WATER CONTRACT DRAWING	01/05/2017		02/05/2017		EBT
HOUSE-CONNECTION PLUMBING CARDS	01/05/2017		02/05/2017		EBT

#### MISS UTILITY

FOR LOCATION OF UTILITIES, CALL "MISS UTILITY" AT 1-800-297-7777, OR LOG ON TO [www.missutility.net](http://www.missutility.net) 48 HOURS IN ADVANCE OF ANY WORK IN THIS WARDEN. THE EXCAVATOR MUST NOTIFY ALL PUBLIC UTILITY COMPANIES WITH UNDER GROUND FACILITIES IN THE AREA OF PROPOSED EXCAVATION AND HAVE THOSE FACILITIES LOCATED BY THE UTILITY COMPANIES PRIOR TO COMMENCING EXCAVATION. THE EXCAVATOR IS RESPONSIBLE FOR COMPLIANCE WITH REQUIREMENTS OF CHAPTER 36A OF THE MONTGOMERY COUNTY CODE.



VICINITY MAP  
ADC MAP 5206, GRID G-8, SCALE: 1" = 2000'

DATE	1/2017
PROJECT	16-641
ILLUSTRATION	EBT
SCALE	1"=10'
APPROVAL	CAS

DATE	BY	REV/NO	REVISION
03/22/17	EBT	1	INITIAL SUBMITTAL TO PNCP
04/26/17	EBT	2	FINAL SUBMITTAL TO PNCP
07/19/17	EBT	3	ADDRESS PRC REQUEST FOR FINAL APPROVALS
08/11/17	EBT	4	THOR UPDATES/CLARIFICATIONS PER PNCP

9622 LORAIN AVE, PROP LOT 23, BLOCK G (N/F PT LOT 1) 9700 LORAIN AVE, PROP LOT 30, BLOCK F (N/F LOT 29) TAX MAP JP342, M55C GRID 212 N4 01 SECTION 2 NORTH HILLS OF SLIGO PARK AND ARGYLE PARK SECTION 1 WHEATON (13TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND
---

COVER SHEET

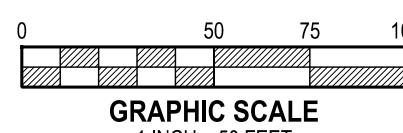
### PROFESSIONAL ENGINEER CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 19860, EXPIRATION DATE 3/31/2019, AND THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF MONTGOMERY COUNTY, MARYLAND.

08/11/2017

DATE

Curt A. Schreffler  
CURT A. SCHREFFLER, PE



#### OWNER/APPLICANT (9700 LORAIN AVE)

NATHAN RENNER-JOHNSON  
833 N. STILLMAN STREET  
PHILADELPHIA, PA 19122  
(202) 681-5204 PHONE  
Nathan.Renner.Johnson@gmail.com

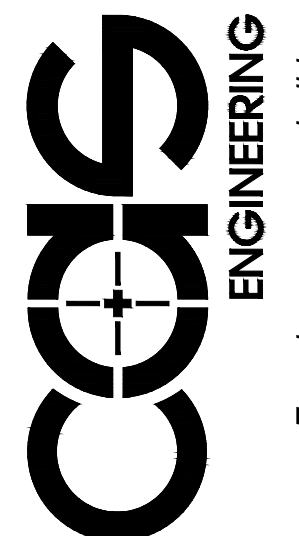
#### OWNER/APPLICANT (9600 LORAIN AVE)

RICHARD H. & ALYCE B. WEST  
9622 LORAIN AVE  
SILVER SPRING, MD 20901  
rwwest@erols.com

#### INDEX OF DRAWINGS

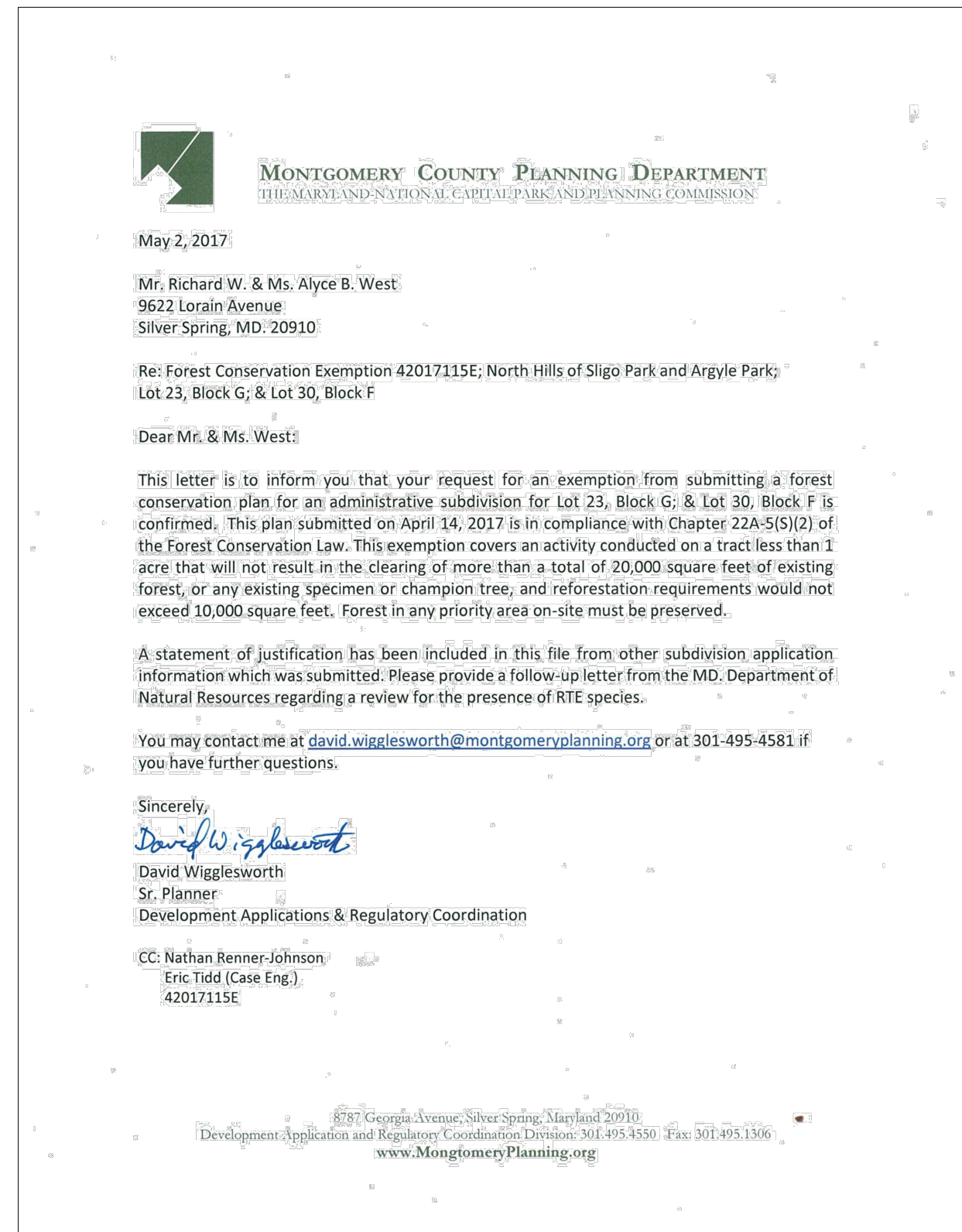
NO.	SHEET TITLE
PP-1	COVER SHEET
PP-2	APPROVAL SHEET
PP-3	EXISTING CONDITIONS PLAN
PP-4	FINAL FOREST CONSERVATION EXEMPTION PLAN (APPROVED)
PP-5	ADMINISTRATIVE SUBDIVISION PLAN
PP-6	ADMINISTRATIVE SUBDIVISION PLAN

9622 & 9700 LORAIN AVENUE  
PROP LOT 23, BLOCK G,  
SECTION 2, NORTH HILLS OF SLIGO PARK  
AND PROP LOT 30, BLOCK F,  
SECTION 1, ARGYLE PARK,  
ADMINISTRATIVE SUBDIVISION PLAN  
MNCP&PC #620170040  
COVER SHEET



PP-1





## PROFESSIONAL ENGINEER CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 19568, EXPIRATION DATE 3/8/2018, AND THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF MONTGOMERY COUNTY, MARYLAND.

08/11/2017  
DATE

Curt A. Schreffler

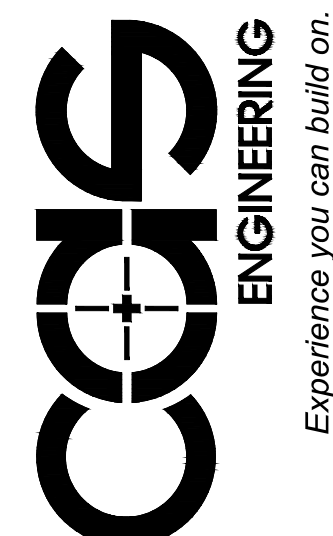


9622 & 9700 LORAIN AVENUE  
PROP LOT 23, BLOCK G,  
SECTION 2, NORTH HILLS OF SLIGO PARK  
AND PROP LOT 30, BLOCK F,  
SECTION 1, ARGYLE PARK,  
ADMINISTRATIVE SUBDIVISION PLAN  
MNCPPC #620170040  
APPROVALS

**PP-2**

10 South Bentz Street  
Frederick, Maryland 21701  
301-607-8031 office  
301-607-8045 fax  
[www.casengineering.com](http://www.casengineering.com)  
[info@casengineering.com](mailto:info@casengineering.com)

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# ADMINISTRATIVE SUBDIVISION PLAN

## MNCP&PC No. 620170040

### LEGEND

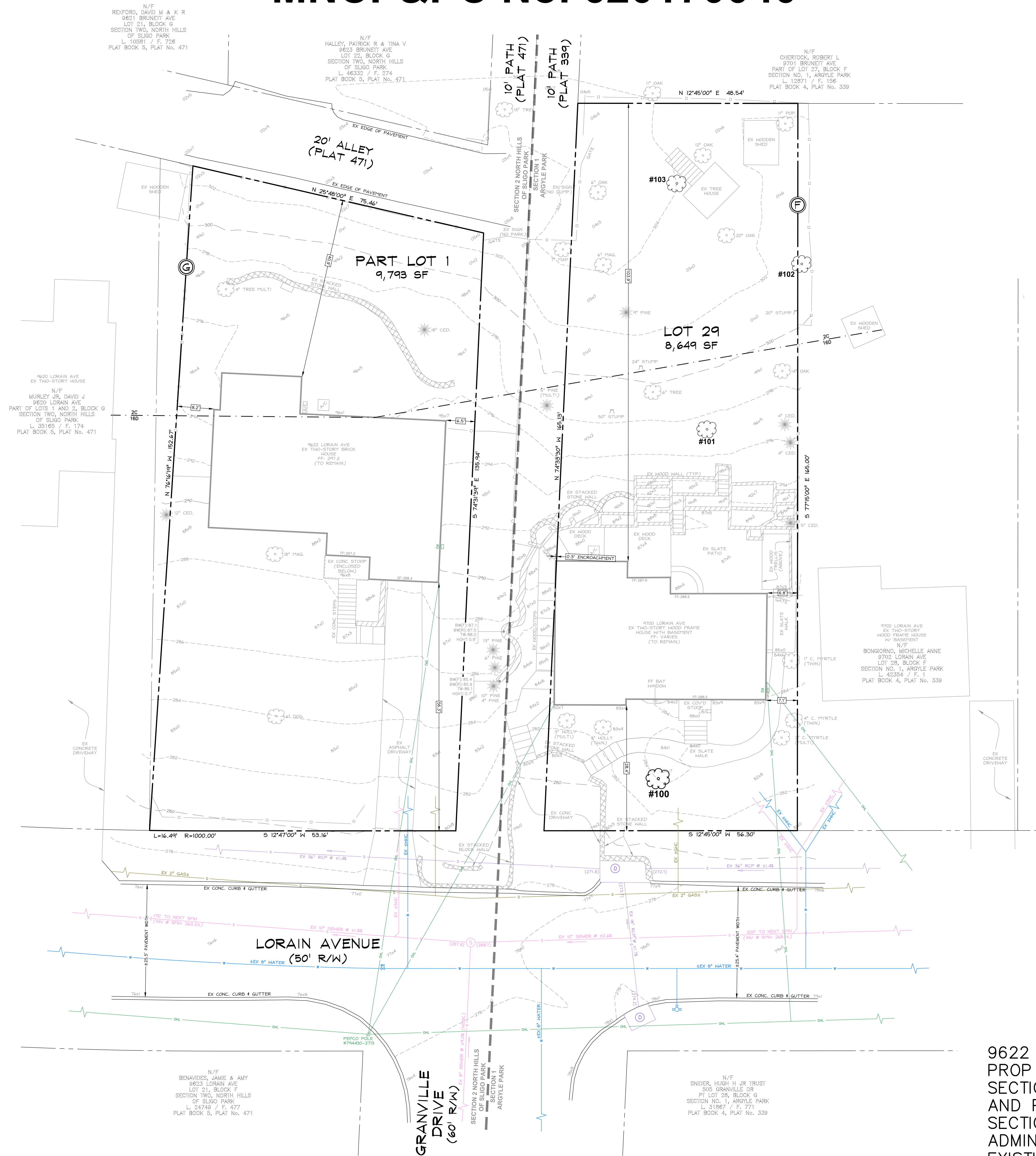
EXISTING FEATURES	
	EX. STORM DRAIN WITH MANHOLE
	EX. SEWER LINE WITH CLEANOUT
	EX. SEWER MANHOLE AND INVERT
	EX. WATER LINE WITH VALVE
	EX. GAS LINE WITH VALVE
	EX. OVERHEAD UTILITY WITH POLE
	EX. TWO- AND TEN-FOOT CONTOURS
	EX. SPOT ELEVATION
	EX. CHAIN LINK OR WIRE FENCE
	EX. WOOD OR STOCKADE FENCE
	EX. METAL OR IRON FENCE
	EX. RETAINING WALL
	EX. TREE
	EX. SPECIMEN TREE
	EX. SIGNIFICANT TREE
	EX. SOILS DELINEATION

NOTE: THIS RIGHT-OF-WAY (PATH) IS NOT SERVICING ANY PUBLIC USE, THERE ARE NO PUBLIC UTILITIES LOCATED IN THE RIGHT-OF-WAY, AND THERE IS NO EVIDENCE OF PEDESTRIAN USE WITHIN THE RIGHT-OF-WAY.

**PROFESSIONAL ENGINEER CERTIFICATION**  
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 19564, EXPIRATION DATE 8/31/2018, AND THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF MONTGOMERY COUNTY, MARYLAND.

08/11/2017  
DATE

Curt A. Schreffler  
CURT A. SCHREFFLER, PE



9622 & 9700 LORAIN AVENUE  
PROP LOT 23, BLOCK G,  
SECTION 2, NORTH HILLS OF SLIGO PARK  
AND PROP LOT 30, BLOCK F,  
SECTION 1, ARGYLE PARK,  
ADMINISTRATIVE SUBDIVISION PLAN  
EXISTING CONDITIONS

9622 LORAIN AVE, PROP LOT 23, BLOCK G (N/F PT LOT 1)  
9700 LORAIN AVE, PROP LOT 30, BLOCK F (N/F LOT 29)

TAX MAP JF342, MESC GRID 212 NM 01  
SECTION 2 NORTH HILLS OF SLIGO PARK  
AND ARGYLE PARK SECTION 1

WHEATON (13TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

10 South Bentz Street  
Frederick, Maryland 21701  
301-607-8045  
www.casengineering.com  
info@casengineering.com



PP-3

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EXISTING CONDITIONS

DATE	PROJECT	REVISION	BY	DATE
1/2017	16-641	INITIAL SUBMITTAL TO MNCP	EBT	03/22/17
ENGINEERING	EBT	FINAL SUBMITTAL TO MNCP	EBT	04/26/17
EBT	EBT	ADDRESS PROC. RESUBMIT FOR FINAL APPROVALS	EBT	07/19/17
APPROVAL	EBT	TINOR UPDATES/CLARIFICATIONS PER MNCP	EBT	08/11/17
SCALE	1"=10'			
CAS				



# ADMINISTRATIVE SUBDIVISION PLAN

## MNCP&PC No. 620170040

### GENERAL NOTES

- BOUNDARY INFORMATION AND TWO-FOOT CONTOUR DATA ARE BASED UPON SURVEYS PERFORMED BY CAS ENGINEERING, DATED AUGUST, 2016.
- TOTAL TRACT AREA: 21,116.0 SQ. FT. (0.4846 ACRES)  
PT LOT 1, BLOCK G: 9,791.50 SQ. FT. (0.2248 ACRES)  
LOT 29, BLOCK F: 6,449.50 SQ. FT. (0.1486 ACRES)  
PUBLIC PATH: 2,675.00 SQ. FT. (0.0614 ACRES)
- PROPERTY IS LOCATED ON TAX MAP JP 342 AND HS6C 2007 SHEET 212 NH 01.
- PROPERTY IS LOCATED ON MONTGOMERY COUNTY SOILS SURVEY MAP No. 24, SOIL TYPE(S) ARE: GLENELG URBAN LAND COMPLEX #16D, BRINKLON BLOCKTOWN CHANNERY SILT LOAMS.
- FLOOD ZONE: "X" PER F.E.M.A. FIRM MAPS, COMMUNITY PANEL NUMBER 2403C0370D.
- PROPERTY IS LOCATED IN THE MIDDLE SLIGO CREEK WATERSHED.
- WATER CATEGORY - 1 SEWER CATEGORY - 1
- LOCAL UTILITIES INCLUDE:  
WATER - SEWER - WASHINGTON SUBURBAN SANITARY COMMISSION  
ELECTRIC - PERCO  
TELEPHONE - VERIZON  
GAS - WASHINGTON GAS

### ZONING DATA

- ZONING: R-60  
MIN. LOT AREA = 5,000 SQ. FT.  
MIN. LOT WIDTH AT R/W = 25 FT.  
MIN. LOT WIDTH AT B.R.L. = 60 FT.  
FRONT B.R.L. = 25.0 FT (MINIMUM)  
REAR B.R.L. = 20 FT  
SIDE B.R.L. = 5 FT MIN., 15 FT TOTAL
- SITE AREA:  
GROSS SITE AREA: 21,116.00 SQ. FT. (0.4846 ACRES)  
PROPOSED DEDICATION: 0.50 AC. (21,116.00 SQ. FT.)  
NET TRACT AREA: 21,116.00 SQ. FT. (0.4846 ACRES)

### NRI NOTES

- SUBJECT PROPERTY IS LOCATED IN THE MIDDLE SLIGO CREEK WATERSHED (USE 1-17).
- SUBJECT PROPERTY IS NOT LOCATED WITHIN A SPECIAL PROTECTION OR PRIMARY MANAGEMENT AREA.
- THERE ARE NO FLOODPLAINS OR ASSOCIATED BUFFERS LOCATED ON-SITE.
- THERE ARE NO WETLANDS LOCATED ON-SITE.
- NO RARE, THREATENED, OR ENDANGERED (R.T.E.) SPECIES WERE OBSERVED DURING OUR SITE ANALYSIS. A REQUEST HAS BEEN MADE WITH THE DEPARTMENT OF NATURAL RESOURCES TO DETERMINE IF ANY KNOWN R.T.E. SPECIES EXIST ON OR WITHIN PROXIMITY OF THE SITE.
- NO CULTURAL AND/OR HISTORICAL FEATURES EXIST ON-SITE BASED ON OUR RESEARCH OF AVAILABLE RECORDS AND ON-SITE OBSERVATION.
- TREE DIAMETER MEASUREMENTS WERE OBTAINED UTILIZING A TREE DIAMETER TAPE.
- THERE ARE NO STATE AND/OR COUNTY CHAMPION TREES OR TREES 75% OF THE CURRENT STATE AND/OR COUNTY CHAMPION LOCATED ON THE SUBJECT PROPERTY. THERE IS ONE SPECIFIC TREE LOCATED ON THIS PROPERTY AS SHOWN HEREON.
- THE NRI FIELD ANALYSIS FOR THIS PROJECT WAS CONDUCTED IN MARCH, 2017 BY JARED CARHART.
- THE LOCATION OF OFF-SITE TREES, IMPROVEMENTS AND OTHER STRUCTURES ARE APPROXIMATE AND BASED ON AVAILABLE TOPOGRAPHIC RECORDS AND VISUAL OBSERVATION AND ARE PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY.

### SOILS TABLE

- 2B GLENELG SILT LOAM, 3 TO 8 PERCENT SLOPES  
THIS SOIL IS VERY DEEP, WELL DRAINED AND MODERATELY PERMEABLE. AVAILABLE WATER CAPACITY IS HIGH. PROSOD (HARD) IS SLIGHT. POTENTIAL FOR FRONT ACTION IS MODERATE. CAPABILITY SUBCLASS IS GLENELG SILT LOAM IS A PRIME AGRICULTURAL SOIL.
- 16D BRINKLON-BLOCKTOWN CHANNERY SILT LOAMS (15 TO 25 PERCENT SLOPES)  
THIS SOIL IS VERY DEEP, WELL DRAINED AND MODERATELY PERMEABLE. AVAILABLE WATER CAPACITY IS LOW IN BRINKLON SOILS AND VERY HIGH IN CHANNERY SOILS. PROSOD (HARD) IS LOW. EROSION HAZARD IS SEVERE. CAPABILITY SUBCLASS IS IVE AND VIE, RESPECTIVELY.

### ENVIRONMENTAL DATA TABLE

FEATURE	ACREAGE
AREA OF STEEP SLOPES (HIGHLY ERODIBLE)	0.18 AC.
FORESTED FLOODPLAIN AREA	0.00 AC.
ENVIRONMENTAL BUFFER AREA	0.00 AC.
TOTAL FORESTED AREA	0.00 AC.
FORESTED ENVIRONMENTAL BUFFER	0.00 AC.
100-YEAR FLOODPLAIN	0.00 AC.
WETLANDS	0.00 AC.
FORESTED WETLANDS	0.00 AC.
AVERAGE WIDTH OF ENVIRONMENTAL BUFFER	0 FT.
LINEAR EXTENT OF STREAM	0 FT.

### NARRATIVE STATEMENT AND EXEMPTION REQUEST

THIS TRACT IS COMPRISED OF TWO SINGLE FAMILY LOTS, EACH IMPROVED WITH A SINGLE-FAMILY HOME, DRIVEWAY AND ASSOCIATED APPURTENANCES, AND A PLATTED 20-FOOT WIDE PUBLIC PATH (TO BE ABANDONED) TOTALING 21,116 S.F. (0.4846 AC.). THE SINGLE FAMILY PROPERTIES BOTH SLOPE AT APPROXIMATELY 1% TOWARDS LORAIN AVENUE. THERE ARE NO STEEP SLOPES (20%), FORESTS, WETLANDS, FLOODPLAINS OR THEIR ASSOCIATED BUFFERS ON THE TRACT NOR WITHIN 100' OF THE PROPERTY. THERE ARE NO CULTURAL AND/OR HISTORIC FEATURES ON THE SITE. THE PROPERTY DOES CONTAIN APPROXIMATELY 0.18 ACRES OF HIGHLY ERODIBLE SOILS ON SLOPES STEEPER THAN 15%. THEY ARE MAINLY CONTAINED TO THE AREA BETWEEN AND IN FRONT OF THE EXISTING DWELLINGS THOUGH THERE IS ALSO AN AREA ABOVE THE REAR RETAINING WALLS ON 9700 LORAIN AVENUE.

THE TRACT IS BOUNDED BY PROPERTIES CONTAINING SINGLE-FAMILY DWELLINGS ON ALL SIDES.

THE TRACT QUALIFIES FOR A FOREST CONSERVATION EXEMPTION PURSUANT TO SECTION 22A-5(a)(2), SPECIFICALLY THE PROJECT IS AN ACTIVITY CONDUCTED ON A TRACT OF LAND LESS THAN 1.0 ACRES THAT WILL NOT RESULT IN THE CLEARING OF MORE THAN A TOTAL OF 20,000 SQUARE FEET OF EXISTING FOREST, OR ANY EXISTING SPECIMEN OR CHAMPION TREE, AND REFORESTATION REQUIREMENTS WOULD NOT EXCEED 10,000 SQUARE FEET. FOREST IN ANY PRIORITY AREA MUST BE PRESERVED (THERE ARE NO PRIORITY AREAS, NOR IS THERE ANY FOREST ON SITE).

SINCE NO FOREST EXISTS ON SITE AND THE REFORESTATION REQUIREMENTS WOULD NOT EXCEED 10,000 SQUARE FEET AN EXEMPTION FROM THE FOREST CONSERVATION LAW IS REQUESTED.

### TREE DATA

(TREES 24" AND GREATER ONLY)

TREE NO.	COMMON NAME	SPECIES NAME	DBH (IN)	COND.	COMMENTS
100	Sugar Maple	Acer saccharum	53	fair	TO BE RETAINED
101	White Oak	Quercus alba	24	good	TO BE RETAINED
102	White Oak	Quercus alba	29	good	TO BE RETAINED
103	White Oak	Quercus alba	25	good	TO BE RETAINED

SPECIMEN TREES ARE INDICATED WITH BOLD TYPE.  
\* ALL TREES SHOWN HEREON ARE APPROXIMATE IN LOCATION.  
\*\* SIZES OF OFF-SITE TREES HAVE BEEN ESTIMATED.



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March 1, 2017

Maryland Dept. of Natural Resources  
Wildlife & Heritage Division  
Towers-Summit Building 6-1  
580 Taylor Street  
Annapolis, Maryland 21401  
(410) 266-8595 fax  
Attn: Lori Myrse

Re: CAS Job No. 16-641  
9622 & 9700 Lorain Ave, Silver Spring, MD 20901  
Pt Lot 1, Block G, Section 2 North Hills of Sligo Park  
Lot 29, Block F, Section 1 Argyle Park  
Environmental Review Statement Request

Dear Ms. Myrse,

We are currently preparing a Forest Conservation Exemption Request for the project referenced below. Please provide us with an environmental review statement for this property. I have enclosed a vicinity map for your use.

9622 & 9700 Lorain Ave, Silver Spring, MD 20901 (Montgomery County)  
Pt Lot 1, Block G, Section 2 North Hills of Sligo Park  
Lot 29, Block F, Section 1 Argyle Park  
Tax Map JP 342

Please reference ADC map no. 5286, grid G-4, SCALE: 1" = 200'

Our Forest Conservation Exemption Request for this site will be completed soon. As of now, no R.T.E. species have been discovered or reported during our site visit.

Please do not hesitate to call if you need additional information.

Sincerely,

*Eric R. Tzadik*  
Eric R. Tzadik, P.E.  
Senior Project Manager

### LEGEND

EXISTING FEATURES	
EX. STORM DRAIN WITH MANHOLE	— 0 — 0 —
EX. SEWER LINE WITH CLEANOUT	— 0 — 0 —
EX. SEWER MANHOLE AND INVERT	— 0 — 0 —
EX. WATER LINE WITH VALVE	— 0 — 0 —
EX. GAS LINE WITH VALVE	— 0 — 0 —
EX. OVERHEAD UTILITY WITH POLE	— 0 — 0 —
EX. TWO- AND TEN-FOOT CONTOURS	— 0 — 0 —
EX. SPOT ELEVATION	— 0 — 0 —
EX. CHAIN LINK OR WIRE FENCE	— 0 — 0 —
EX. HOOD OR STOCKADE FENCE	— 0 — 0 —
EX. METAL OR IRON FENCE	— 0 — 0 —
EX. RETAINING WALL	— 0 — 0 —
EX. TREE	— 0 — 0 —
EX. SPECIMEN TREE AND CRITICAL ROOT ZONE	— 0 — 0 —
EX. SIGNIFICANT TREE AND CRITICAL ROOT ZONE	— 0 — 0 —
EX. STEEP SLOPES (20%) ON HIGHLY ERODIBLE SOILS	— 0 — 0 —
EX. SOILS DELINEATION	— 0 — 0 —

### CERTIFICATION OF QUALIFIED PROFESSIONAL

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON HAS BEEN PREPARED IN ACCORDANCE WITH PARTICULAR STATE AND MONTGOMERY COUNTY FOREST CONSERVATION LAWS, AND IN ACCORDANCE WITH THE FOREST CONSERVATION ACT.

DATE: 4/5/17  
SIGNATURE: *Jeffrey A. Robertson*  
JEFFREY A. ROBERTSON  
DIPLOMAT OR 15,000  
QUALIFIED PROFESSIONAL

DEVELOPMENT: THESE ARE LINES SHOWING PROPERTY AND STRUCTURAL PROPERTY AND SUBJECT TO A WIDE ARRAY OF NATURAL HISTORY AND HERITAGE VALUES THAT MAY BE DISCOVERED OR IDENTIFIED DURING THE COURSE OF THE PROJECT. THE DEVELOPER AND/OR LANDOWNER SHALL BE RESPONSIBLE FOR THE IDENTIFICATION AND PROTECTION OF ANY SUCH VALUES. THE DEVELOPER AND/OR LANDOWNER SHALL BE RESPONSIBLE FOR THE IDENTIFICATION AND PROTECTION OF ANY SUCH VALUES. THE DEVELOPER AND/OR LANDOWNER SHALL BE RESPONSIBLE FOR THE IDENTIFICATION AND PROTECTION OF ANY SUCH VALUES.

OWNER/APPLICANT  
NATHAN RENNER-JOHNSON  
833 N. STILLMAN STREET  
PHILADELPHIA, PA 19122  
(215) 461-3204  
Nathan.Renner.Johnson@gmail.com

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Forest Conservation (FC) Exemption

Approved

Signature: *David W. Wipfler*  
Date: 4/20/17

Site conditions have not been field-verified as part of this approval.

PRINTED BY

APR - 5 2017

CAS ENGINEERING

GRAPHIC SCALE  
1" = 10 FEET

RECEIVED

APR 14 2017  
Montgomery County  
Planning Department

9622 & 9700 LORAIN AVENUE  
PROP LOT 23, BLOCK G,  
SECTION 2, NORTH HILLS OF SLIGO PARK  
AND PROP LOT 30, BLOCK F,  
SECTION 1, ARGYLE PARK,  
ADMINISTRATIVE SUBDIVISION PLAN  
MNCP&PC #620170040  
FOREST CONSERVATION EXEMPTION REQUEST

DATE	1/2017	REVISION	DATE	1/2017
PROJECT	16-641	BY	DATE	1/2017
ENGINEERING	EBT	BY	DATE	1/2017
APPROVAL	CAS	BY	DATE	1/2017
SCALE	1"=10'	BY	DATE	1/2017
SECTION 2 NORTH HILLS OF SLIGO PARK AND ARGYLE PARK SECTION 1		BY	DATE	1/2017
WHEATON (18TH) ELECTION DISTRICT MONTGOMERY COUNTY, MARYLAND		BY	DATE	1/2017
FOREST CONSERVATION EXEMPTION REQUEST		BY	DATE	1/2017
CIVIL • SURVEYING • LAND PLANNING		BY	DATE	1/2017

10 South Bank Street  
Frederick, Maryland 21701  
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301-407-8032 cell  
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PP-4



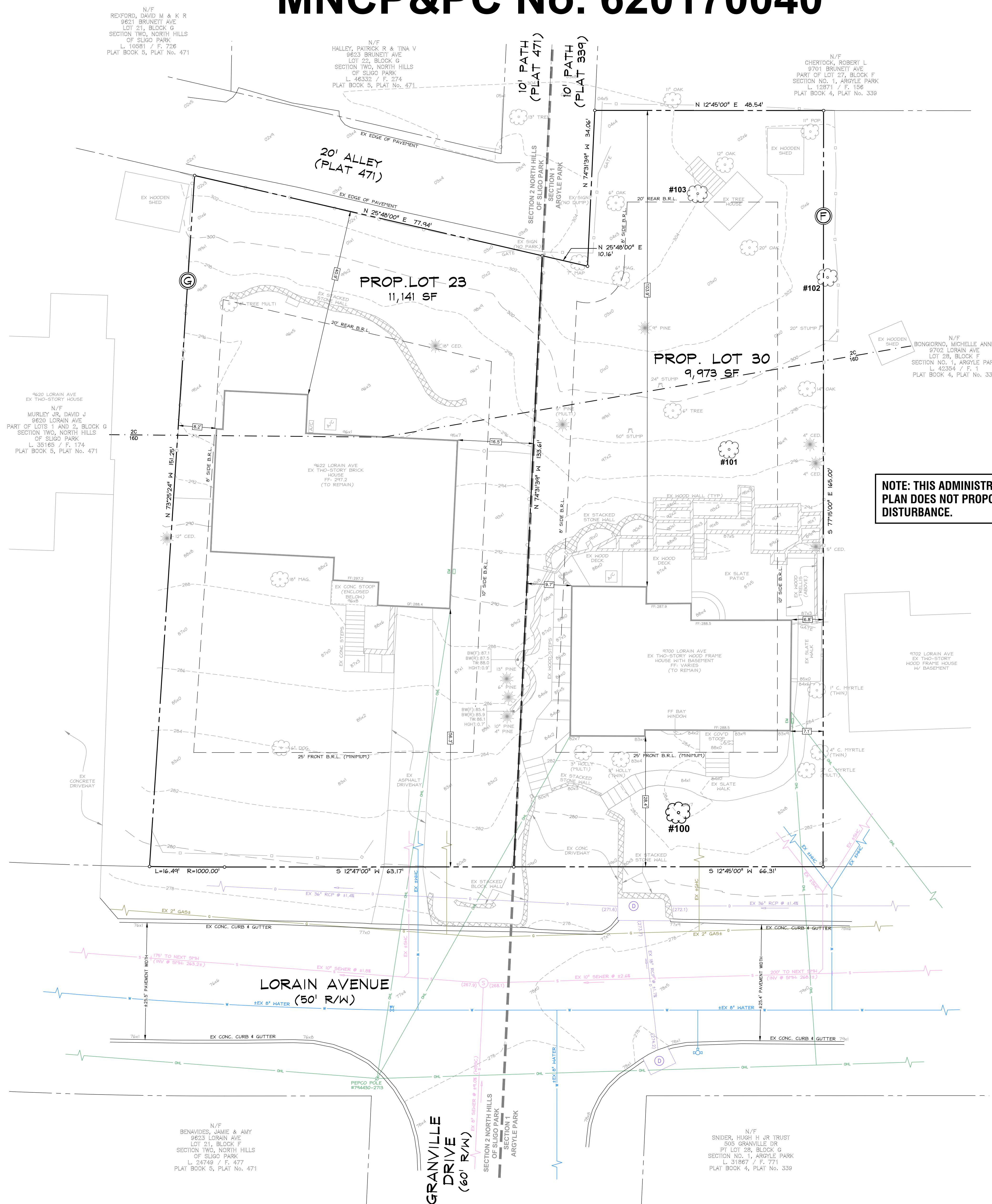
**PRELIMINARY PLAN NOTE:**

UNLESS SPECIFICALLY NOTED ON THIS PLAN DRAWING OR IN THE PLANNING BOARD CONDITIONS OF APPROVAL, THE BUILDING FOOTPRINTS, BUILDING HEIGHTS, ON-SITE PARKING, SITE CIRCULATION, AND SIDEWALKS SHOWN ON THE PRELIMINARY PLAN ARE ILLUSTRATIVE. THE FINAL LOCATIONS OF BUILDINGS, STRUCTURES AND HARDSCAPE WILL BE DETERMINED AT THE TIME OF ISSUANCE OF BUILDING PERMIT(S). PLEASE REFER TO THE ZONING DATA TABLE FOR DEVELOPMENT STANDARDS SUCH AS SETBACKS, BUILDING RESTRICTION LINES, BUILDING HEIGHT, AND LOT COVERAGE FOR EACH LOT. OTHER LIMITATIONS FOR SITE DEVELOPMENT MAY ALSO BE INCLUDED IN THE CONDITIONS OF THE PLANNING BOARD'S APPROVAL.

PROJECT	16-641	DATE	1/2017
ILLUSTRATION	EBT	ENGINEERING	EBT
SCALE	1"=10'	APPROVAL	CAS

### EXISTING FEATURES

**NOTE: THIS RIGHT-OF-WAY (PATH) IS NOT SERVICING ANY PUBLIC USE, THERE ARE NO PUBLIC UTILITIES LOCATED IN THE RIGHT-OF-WAY, AND THERE IS NO EVIDENCE OF PEDESTRIAN USE WITHIN THE RIGHT-OF-WAY.**



**NOTE: THIS ADMINISTRATIVE SUBDIVISION PLAN DOES NOT PROPOSE ANY LAND DISTURBANCE.**

9622 LORAIN AVE, PROP LOT 23, BLOCK G (N/F PT LOT 1)  
9700 LORAIN AVE, PROP LOT 30, BLOCK F (N/F LOT 29)

SECTION 2 NORTH HILLS OF SLIGO PARK  
AND ARGYLE PARK SECTION 1

ADMINISTRATIVE SUBDIVISION PLAN

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Frederick, Maryland 21701  
301-607-8031 office  
301-607-8045 fax  
[www.casengineering.com](http://www.casengineering.com)  
[info@casengineering.com](mailto:info@casengineering.com)

## ENGINEERING

**PP-5**

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 19568, EXPIRATION DATE 3/8/2018, AND THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF MONTGOMERY COUNTY, MARYLAND.

08/11/2017  
DATE

Curt A. Schreffler



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MNCPPC #620170040



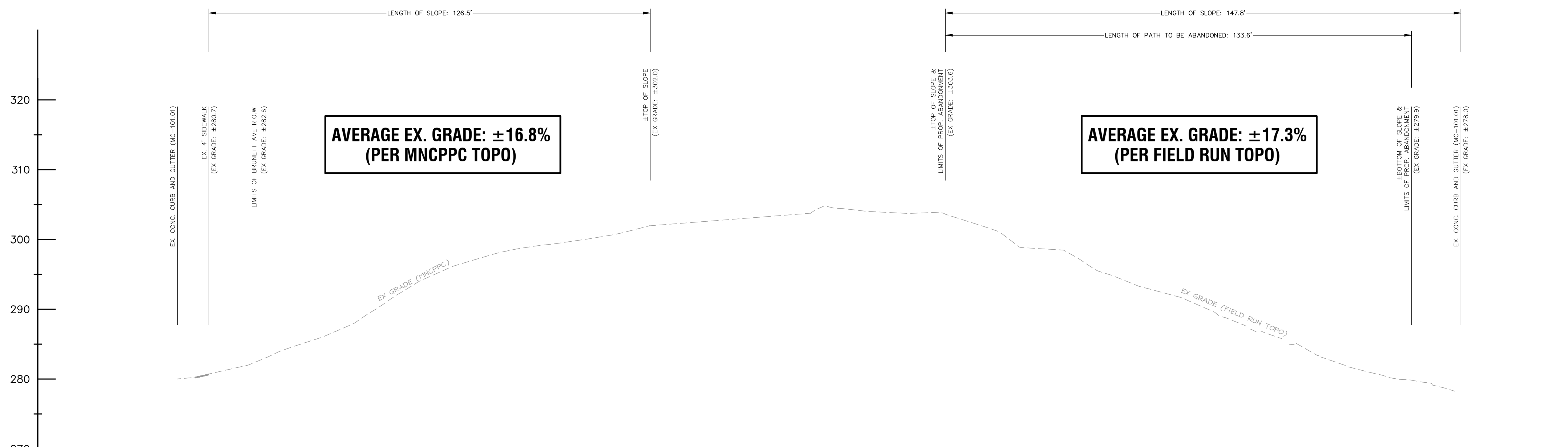
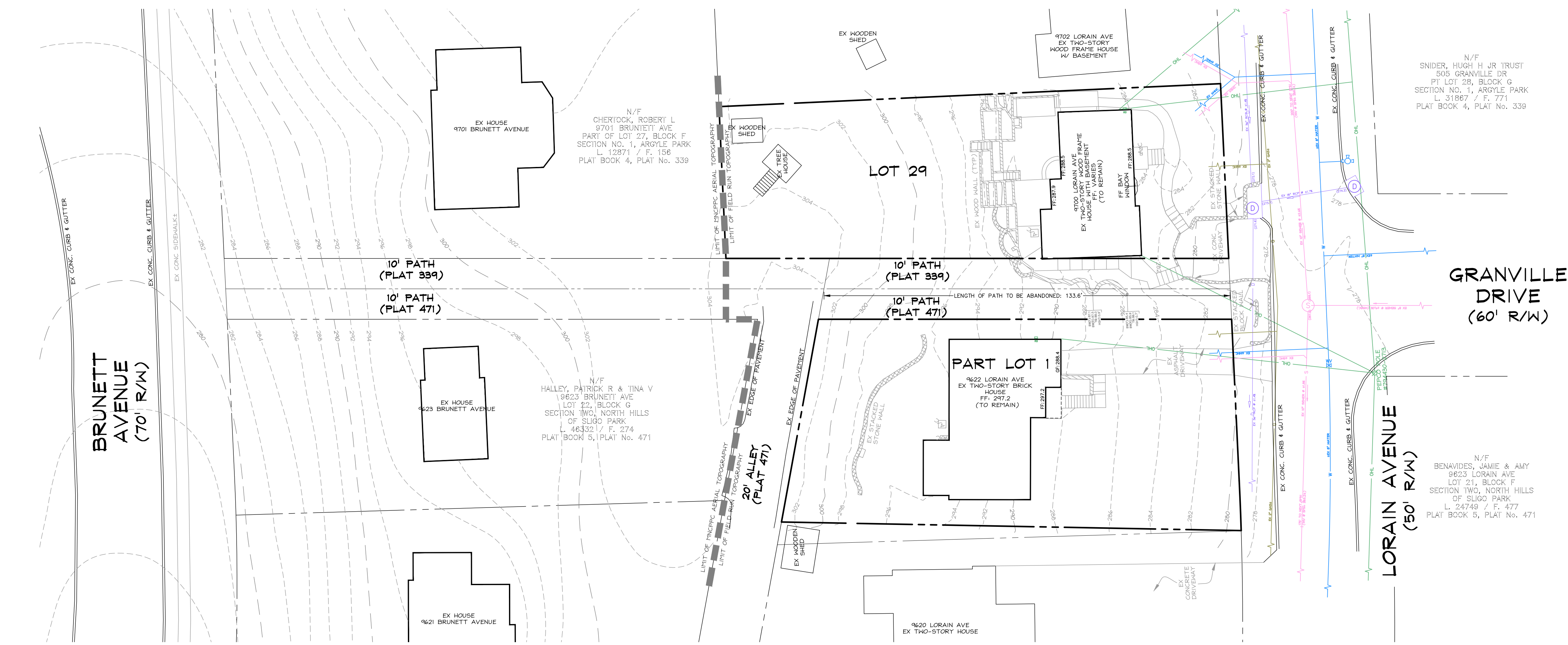
# ADMINISTRATIVE SUBDIVISION PLAN

## MNCP&PC No. 620170040

### LEGEND

EXISTING FEATURES	
EX. STORM DRAIN WITH MANHOLE	
EX. SEWER LINE WITH CLEANOUT	
EX. SEWER MANHOLE AND INVERT	
EX. WATER LINE WITH VALVE	
EX. GAS LINE WITH VALVE	
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EX. HOOD OR STOCKADE FENCE	
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EX. RETAINING WALL	

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CENTERLINE 20'-PATH PROFILE (EXISTING CONDITIONS)

VERTICAL 1:10  
HORIZONTAL 1:20

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06/11/2017  
DATE

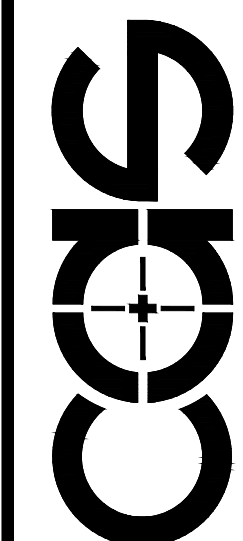
Curt A. Schreffler  
CURT A. SCHREFFLER, PE



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MNCPPC #620170040

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9700 LORAIN AVE, PROP LOT 30, BLOCK F (N/F LOT 29)

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Frederick, Maryland 21701  
301-807-8045  
301-807-8045 fax  
www.casengr.com  
info@casengr.com



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PROJECT	DATE
16-641	01/2016
ILLUSTRATION	ENGINEERING
EBT	EBT
SCALE	APPROVAL
1"=20'	CAS

DATE	BY	REVISION
03/22/17	EBT	INITIAL SUBMITTAL TO MNCPPC
04/26/17	EBT	FINAL SUBMITTAL TO MNCPPC
07/19/17	EBT	ADDRESS PRC REQUEST FOR FINAL APPROVALS
08/11/17	EBT	THOR UPDATES/CLARIFICATIONS PER MNCPPC

DATE	BY	REVISION
03/22/17	EBT	INITIAL SUBMITTAL TO MNCPPC
04/26/17	EBT	FINAL SUBMITTAL TO MNCPPC
07/19/17	EBT	ADDRESS PRC REQUEST FOR FINAL APPROVALS
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08/11/17	EBT	THOR UPDATES/CLARIFICATIONS PER MNCPPC

# ATTACHMENT 8

## Exhibit F



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

May 2, 2017

Mr. Richard W. & Ms. Alyce B. West  
9622 Lorain Avenue  
Silver Spring, MD. 20910

Re: Forest Conservation Exemption 42017115E; North Hills of Sligo Park and Argyle Park;  
Lot 23, Block G; & Lot 30, Block F

Dear Mr. & Ms. West:

This letter is to inform you that your request for an exemption from submitting a forest conservation plan for an administrative subdivision for Lot 23, Block G; & Lot 30, Block F is confirmed. This plan submitted on April 14, 2017 is in compliance with Chapter 22A-5(S)(2) of the Forest Conservation Law. This exemption covers an activity conducted on a tract less than 1 acre that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, and reforestation requirements would not exceed 10,000 square feet. Forest in any priority area on-site must be preserved.

A statement of justification has been included in this file from other subdivision application information which was submitted. Please provide a follow-up letter from the MD. Department of Natural Resources regarding a review for the presence of RTE species.

You may contact me at [david.wigglesworth@montgomeryplanning.org](mailto:david.wigglesworth@montgomeryplanning.org) or at 301-495-4581 if you have further questions.

Sincerely,

David Wigglesworth  
Sr. Planner  
Development Applications & Regulatory Coordination

CC: Nathan Renner-Johnson  
Eric Tidd (Case Eng.)  
42017115E



# ATTACHMENT 9



## DEPARTMENT OF TRANSPORTATION

Isiah Leggett  
County Executive

Al R. Roshdieh  
Director

August 11, 2017

Ms. Rhoda Hersson-Ringskog, Senior Planner  
Area 2 Planning Division  
The Maryland-National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

RE: Administrative Subdivision Review Plan Letter  
Administrative Subdivision Review Plan No. 620170040  
North Hills of Sligo Park and Argyle Park

*Rhoda:*  
Dear Ms. Ringskog:

We have completed our review of the amended Statement of Justification (dated July 17, 2017) and the revised Administrative Subdivision Review Plan dated July 19, 2017. This plan was reviewed by the Development Review Committee (DRC) at its meeting on May 30, 2017. We recommend approval for the plan based to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. We appreciate the additional property research, as well as the new planimetric and topographic information, that were provided with the amended Statement of Justification and revised plan package. We now agree that the existing conditions render future construction of a public sidewalk/bikepath, within the existing dedicated path right-of-way, could not occur without significant public expense and impact on the abutting residential lots. We do not foresee a future need to construct a sidewalk/bikepath at this location. Thus, we support Planning Board approval of the proposed abandonment of the twenty (20)-ft. right-of-way between proposed Lots 23 and 30

### Office of the Director

101 Monroe Street 10<sup>th</sup> Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX

[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)

Located one block west of the Rockville Metro Station

extending from the right-of-way at Lorain Avenue to the existing Alley on the west end of the property.

2. The revised plans dated July 19, 2017 do not show any existing utilities within the portions of the proposed abandonment of the existing twenty (20)-ft. right-of-way. The applicant should certify that there are no existing utilities within the portion of the right-of-way proposed for abandonment.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Mr. Deepak Somarajan, our Development Review Team Engineer for this project at [deepak.somarajan@montgomerycountymd.gov](mailto:deepak.somarajan@montgomerycountymd.gov) or (240) 777-7170.

Sincerely,



Gregory M. Leck, Manager  
Development Review  
Office of Transportation Policy

SharePoint\teams\DOT\Director's Office\Development Review\Deepak\Preliminary Plan\ North Hills of Sligo Park and Argyle Park \Letter\  
620170040 North Hills of Sligo Par and Argyle Park-8-8-2017

cc:	Richard W. and Alyce B. West	Owner
	Nathan Renner-Johnson	Owner
	Eric Tidd	CAS Engineering
	Patrick O'Neil	Lerch, Early & Brewer
	Preliminary Plan folder	
	Preliminary Plan letters notebook	
cc-e:	Patrick Butler	M-NCPPC Area 2
	Edward Axler	M-NCPPC Area 2
	Sam Farhadi	MCDPS RWPR
	Marie LaBaw	MCDPS Fire Dept. Access
	John Thomas	MCDOT DTE
	Deepak Somarajan	MCDOT OTP

## ATTACHMENT 10

Received  
M-NCPPC

JUN 15 2017

Montgomery County  
Planning Department

Ms. Rhoda Hersson-Ringskog  
Lead Reviewer  
Maryland-National Capital  
Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20850

Re: 9622 & 9700 Lorain Ave., Silver Spring, MD 20191  
Administrative Preliminary Plan of Subdivision No. 620170040

Dear Ms. Hersson-Ringskog:

I am writing on behalf of the Board of Directors for North Hills of Sligo Creek Civic Association (the "Board") regarding the above-referenced application. The properties that are the subject of the application are within the Civic Association boundaries. The Board has reviewed the application, met with representatives of the applicants and do not oppose of their effort to abandon a twenty-foot wide path between the properties. We understand that the abandonment will help address a building encroachment into the path area. The community has not otherwise expressed concern about the loss of the potential trail connection.

If you have any questions, please feel free to contact me directly at 301-585-1954 or by email at [jay777@gmail.com](mailto:jay777@gmail.com)].

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Jay Elvove', with a long horizontal flourish extending to the right.

Jay Elvove  
President, North Hills of Sligo Creek Civic  
Association