



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

**MCPB**  
**Item # 1B**  
**2-15-2018**

**MEMORANDUM**

**DATE:** February 5, 2018

**TO:** Montgomery County Planning Board

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

*SSS*  
*JRB*

**SUBJECT:** Informational Maps and Summary of Record Plats for the Planning Board  
Agenda for February 15, 2018

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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:

**220171080**

**The Resurvey on Kilmain**

**Plat Name:** The Resurvey on Kilmain  
**Plat #:** 220171080

**Location:** Located on the north side of Club Hollow Road, 1850 feet west of the intersection with Edwards Ferry Road  
**Master Plan:** Agricultural and Rural Open Space Master Plan  
**Plat Details:** AR (formerly RDT) zone; 1 lot  
**Owner:** Leo Bassett

Staff recommends approval of this minor subdivision plat in accordance with Pre-Preliminary Plan No. 720150110 (MCPB Resolution No. 17-024) and 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 five (5) acres in size unless approved by the Planning Board in the review of a pre-preliminary plan of subdivision.
- e) Forest conservation requirements must be satisfied prior to recording the plat.

Staff applied the above-noted minor subdivision criteria for the property included in this application and concludes that the proposed subdivision complies with the requirements of Section 50-35A(a)(8) and with Pre-Preliminary Plan No. 720150110 and supports this minor subdivision record plat.

**NOTES**

1. THE PROPERTY IS SERVED BY A PRIVATE WELL AND AN ON-SITE SEPTIC SYSTEM.
2. THE PROPERTY THAT IS THE SUBJECT OF THIS RECORD PLAT IS IN THE AR ZONE, FISHERY, BDT AS OF THE DATE OF PLAT RECORDATION.
3. OPES = OPEN IRON PIPE W/ CAP SET  
OPES = OPEN IRON PIPE FOUND  
RCF = REBAR AND CAP FOUND
4. THIS PROPERTY IS SHOWN ON TAX MAP BT.
5. THIS PROPERTY IS SHOWN ON M.S.S.C. 200-FOOT SHEET 223 NX 22.
6. FLOOD ZONE 'X' & 'A' PER F.E.H.A. FIRM MAPS, COMMUNITY PANEL NUMBER 2403C039D.
7. 20 FOOT SEPTIC BUILDING RESTRICTION LINES (B.R.L.) ARE SUBJECT TO CHANGE WITH MONTGOMERY COUNTY DEPARTMENT OF IDENTIFYING SERVICES APPROVAL.
8. 20 FOOT SEPTIC BUILDING RESTRICTION LINES ARE SHOWN THIS WAY: \_\_\_\_\_
9. THIS SEPTIC AREA IS APPROVED FOR A MAXIMUM OF FOUR BEDROOMS.
10. THE WELL SHOWN HEREON IS LOCATED IN THE AR ZONE AND IS SUBJECT TO THE REQUIREMENTS AS REQUIRED BY ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, PROJECT PLAN, OR OTHER PLAN ALLOWING DEVELOPMENT OF THIS PROPERTY AS APPROVED BY THE MONTGOMERY COUNTY BOARD OF ZONING AND PLANNING. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY BUSINESS DIVISION.
11. THIS PLAT CONFORMS TO THE REQUIREMENTS FOR MINOR SUBDIVISION APPROVALS CONTAINED IN SECTION 50-33A OF THE MONTGOMERY COUNTY SUBDIVISION REGULATIONS, BEING CHAPTER 50 OF THE MONTGOMERY COUNTY CODES. THIS PLAT IS INTENDED TO BE REPLACED BY AN EXAMINATION OF TITLE OR TO DEPLOT OR NOTE ALL MATTERS AFFECTING TITLE.
12. THE PROPERTY, SHOWN HEREON IS SUBJECT TO THE REQUIREMENTS OF CHAPTER 22A, SEPTIC CONTROL, PERMITS.
13. THE FOREST CONSERVATION EASEMENT (CATEGORY 1) MARKED THIS PLAT IS SUBJECT TO THE PROVISIONS CONTAINED IN AND PAGE 419, AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.
14. AGRICULTURE IS THE PREFERRED USE IN THE AGRICULTURAL RESERVE ZONE. ALL AGRICULTURAL OPERATIONS SHALL BE PERMITTED AT ANY TIME, INCLUDING THE CONSTRUCTION OF AGRICULTURAL STRUCTURES, PROVIDED THAT SUCH CONSTRUCTION IS NOT INTENDED TO BE REPLACED BY AN EXAMINATION OF TITLE OR TO DEPLOT OR NOTE ALL MATTERS AFFECTING TITLE.
15. ONE DEVELOPMENT RIGHT IS AVAILABLE FOR THIS LOT PER THE ANALYSIS PERFORMED BY SUSAN S. JANTSON, ESQUIRE OF JANTSON & JANTSON, LLC DATED AUGUST 6, 2017.

**OWNER'S CERTIFICATE**

I, LEO J. BAGSETT JR., OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAT OF SUBDIVISION HEREIN AS '100' P.L.E.' TO THOSE PARTIES NAMED IN THE DOCUMENT ENTITLED 'DECLARATION OF TERMS AND PROVISIONS OF PUBLIC UTILITY ROAD RECORDS OF MONTGOMERY COUNTY, MARYLAND' AND AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.

NOTES: THERE ARE NO SUITS, ACTIONS AT LAW, LEASES, LIENS, ETC. AFFECTING THE PROPERTY SHOWN HEREON, EXCEPT AS INDICATED BELOW.

DATE: 1-16-18  
 LEO J. BAGSETT JR. (Witness)  
 \_\_\_\_\_ (Witness)

Department of  
 Permitting Services  
 Montgomery County, Maryland  
 Date: January 23, 2018  
 Approved: \_\_\_\_\_

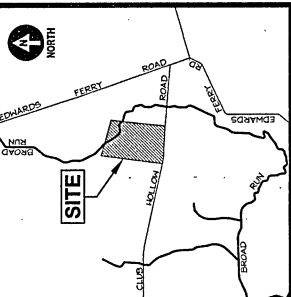
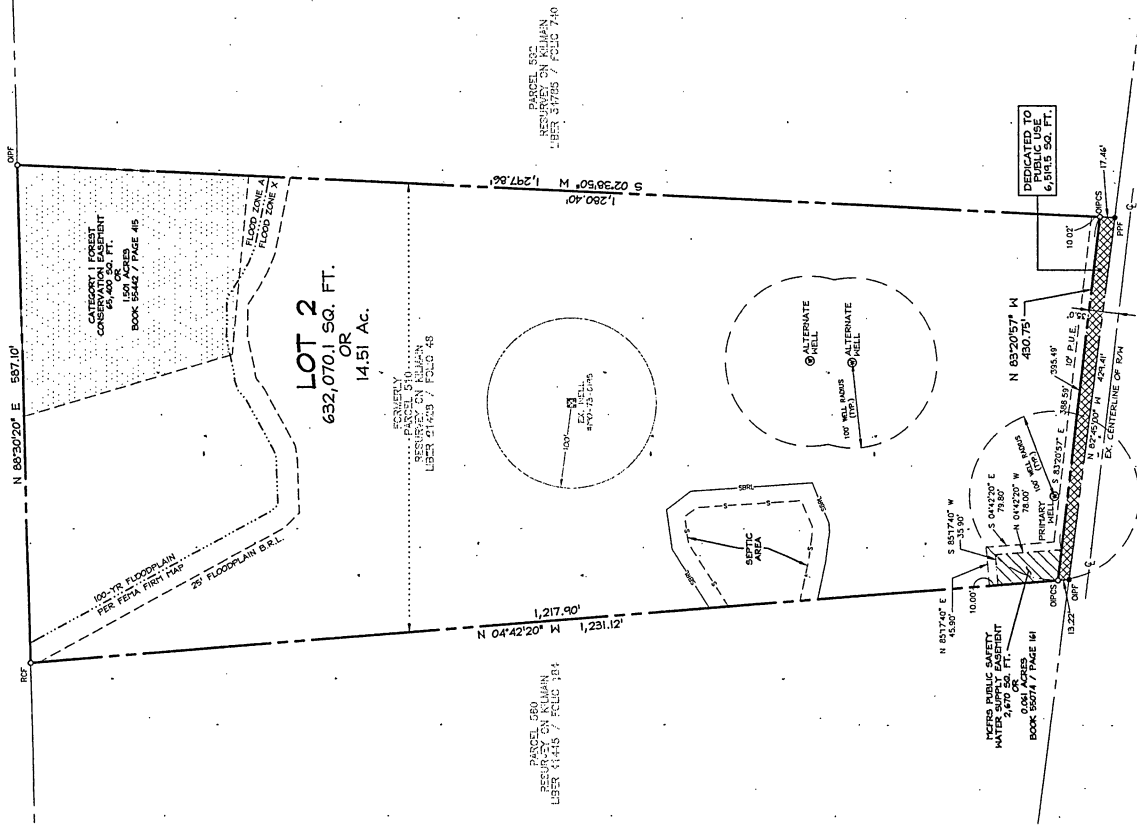
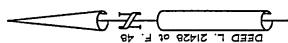
**PLAT TABULATION**

NUMBER OF LOTS	1
NUMBER OF PARCELS	0
AREA OF LOT(S) (SQ. FT.)	632,070.1 SQ. FT.
AREA OF PUBLIC DEDICATION	6,515.5 SQ. FT.
TOTAL AREA	638,585.6 SQ. FT. (14.640 ACRES)

The Maryland National Capital Park and Planning Commission  
 Montgomery County Planning Board  
 Approved: \_\_\_\_\_  
 M.N.C.P. & P.C. Record File No. \_\_\_\_\_

Recorded  
 Plat No. \_\_\_\_\_

PLAT No.



**VICINITY MAP**

- LEGEND**
- HELL SITE
  - 100' WELL RADIUS
  - 100' HELL RADIUS
  - SEPTIC RESERVE AREA
  - 100-YR FLOODPLAIN
  - CATEGORY 1 FOREST CONSERVATION EASEMENT
  - 100-YR FLOODPLAIN
  - 100-YR FLOODPLAIN
  - ROADWAY DEDICATION

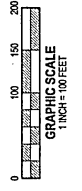
**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT IT IS A RESUBDIVISION OF THE PROPERTY SHOWN HEREON AS '100' P.L.E.' TO THOSE PARTIES NAMED IN THE DOCUMENT ENTITLED 'DECLARATION OF TERMS AND PROVISIONS OF PUBLIC UTILITY ROAD RECORDS OF MONTGOMERY COUNTY, MARYLAND' AND AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.

DATE: 1/16/18  
 Jeff Alker  
 PROFESSIONAL LAND SURVEYOR  
 MD REG. NO. 2955  
 EXPIRATION DATE: JULY 19, 2019

**THE RESURVEY ON KILMAIN**

SUBDIVISION RECORD PLAT  
 LOT 2  
 A RESUBDIVISION OF PARCEL 510  
 POOLSVILLE (3RD) ELECTION DISTRICT  
 MONTGOMERY COUNTY, MARYLAND  
 SCALE: 1" = 100' FEBRUARY, 2016



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