

Plat Name: Jordan and Smith addition to Silver Spring
Plat #: 220170730

Location: Located at the intersection of Wayne Avenue and Fenton Street.
Master Plan Silver Spring CBD Sector Plan
Plat Details: CR zone; (2 ownership lots within) 1 lot
Owner: Montgomery County, MD

Staff recommends approval of this minor subdivision plat pursuant to **Section 50-35A(a)(4)** of the Subdivision Regulations in effect when the subject application was submitted, which states:

Further Subdivision of a Commercial, Industrial, or Multi-Family Residential Lot to Reflect a Change in Ownership, Deed, Mortgage or Lease Line.

(A) A plat to:

- create or delete internal lots to reflect a deed, mortgage, or lease line within commercial, industrial, or multi-family residential lot; or
- create ownership lots within a previously recorded lot

May, at the owner's discretion, be recorded under the minor subdivision procedure if:

- (i) all conditions of approval for the original subdivision that created the lot remain in effect;
- (ii) the total maximum number of trips generated on all new lots or ownership lots created will not exceed the number of trips approved for the lot in the original subdivision;
- (iii) all land in the lot in the original subdivision is included in the record plat; and
- (iv) any necessary cross easements, covenants, or other deed restrictions necessary to implement all the conditions of approval on the lot in the original subdivision are executed before recording the record plat or ownership plat.

(B) For an ownership lot, the lot in the original subdivision is considered a single lot of record. Any ownership lot created under this subsection is only for the convenience of the owner; an ownership lot is not:

- (i) used to determine building setbacks or to establish conformance with any other law or regulation;
- (ii) a bar to receiving a building permit or other approval necessary to develop or use any of the ownership lots and structures on such lots;
- (iii) a change to any condition of approval for the subdivision that created the lot in the original subdivision.

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)(4)(B) and supports this minor subdivision record plat.

