



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

MCPB
Item # 1B
10-10-2019

MEMORANDUM

DATE: September 27, 2019

TO: Montgomery County Planning Board

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

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board
Agenda for October 10, 2019

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:

220190720 Kensington Park

Plat Name: Kensington Park
Plat #: 220190720

Location: Located on the east side of Detrick Avenue, 300 feet north of Baltimore Street.
Master Plan: Kensington Sector Plan
Plat Details: R-60 zone; 2 lots
Owner: Detrick Avenue, LLC

Staff recommends approval of this minor subdivision plat pursuant to Sections **50.7.1.C.1.** and **50.7.1.A** of the Subdivision Regulations, which respectively state:

- C. *Consolidation.* Adjoining properties in the Rural Residential or Residential Detached zones, not developed under cluster provisions, may be combined in the following ways:
1. by consolidating 2 or more lots into a single lot, consolidating lots and an outlot into a single lot, or consolidating a lot and an abandoned road right-of-way, if:
 - a. any conditions applicable to the original subdivision remain in effect;
 - b. the number of trips generated on the new lot do not exceed those permitted for the original lots; and
 - c. all required right-of-way dedication is provided.
 2. by consolidating an existing platted lot or part of a lot that contains a legally constructed detached house, with a piece of land created as a result of a deed, if:
 - a. the portion of land created by deed cannot itself be platted under the area and dimensional standards of the zone;
 - b. any conditions applicable to the existing lot remain in effect on the new lot;
 - c. any required road dedication is provided; and
 - d. the existing platted lot was not identified as an outlot on a plat.
- A. *Minor lot line adjustment.* The sale or exchange of part of a lot between owners of adjoining lots for the purpose of small adjustments in boundaries, if:
1. the total area of the adjustment is 5 percent or less of the combined area of the lots affected by the adjustment;
 2. additional lots are not created;

3. the adjusted lot line is approximately parallel with the original lot line or, if it is proposed to intersect with the original line, it does not significantly change the shape of the lots involved;
4. the owner submits a scaled drawing for review and approval by the Director. The drawing may be a copy of the existing record plat and must contain the following information:
 - a. proposed lot line adjustment as a dashed line;
 - b. any buildings, driveways, or other improvements located within 15 feet of the proposed adjusted lot line;
 - c. any minimum building setback that would be altered by the minor lot line adjustment; and
 - d. the amount of lot area affected by the minor lot line adjustment;
5. The drawing is approved, revised, or denied by the Director in writing within 10 days after the drawing is submitted or it is deemed approved.

Staff applied the above-noted criteria for the property included in this application and concludes that the proposed subdivision complies with the requirements of Sections 50.7.1.C.1 and 50.7.1.A. of the Subdivision Regulations and supports this minor subdivision record plat.

NOTES

- 1. THE PROPERTY SHOWN HEREON IS SERVED BY PUBLIC WATER AND SEWER.
- 2. THE PROPERTY THAT IS THE SUBJECT OF THIS RECORDED PLAT IS IN THE R-40 ZONE AS OF THE DATE OF PLAT RECORDATION.
- 3. PLS. * READ FULL TITLE CAP SET
- 4. * RETURN AND CAP FOUND
- 5. THIS PROPERTY IS SHOWN ON TAX MAP HP 340.
- 6. FLOOD ZONE * FOR FEDERAL FIRM THAP, COMMENTARY PANEL NUMBER 24030463.
- 7. ANY PROPOSED PLAT, SURVEY, EASEMENT, ETC. MUST BE RECORDED WITHIN 90 DAYS OF THE DATE OF RECORDATION OF THIS PLAT. ANY SUCH PLAT MUST BE MAINTAINED BY THE PLANNING BOARD AND MADE AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
- 8. THE PLAT OF THE MONTGOMERY COUNTY SUBDIVISION REGULATIONS, BEING CHAPTER 50 OF THE MONTGOMERY COUNTY CODE, WHICH PLAT ENVELOPES THE CONSOLIDATION OF 1040 OR MORE LOTS LINE ADJUSTMENT, AS PROVIDED FOR IN SECTION 20-7.2(A).
- 9. THIS SUBDIVISION RECORDED PLAT IS NOT INTENDED TO SHOW ANY MATTER AFFECTING THE RIGHTS OF ANY PARTY WHOSE INTERESTS ARE AFFECTED BY THIS PLAT. IT IS THE INTENTION OF THE SUBDIVISION RECORDING PLAT THAT IT NOT BE INTENDED TO REPLACE AN EASEMENT OF TITLE OR TO DEFECT OR NOTE ALL MATTERS AFFECTING TITLE.

OWNERS' CERTIFICATE

WE, DETRICK AVENUE, LLC, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREON IS TRUE AND CORRECT AND THAT WE HAVE BEEN FULLY ADVISED OF THE RIGHTS AND OBLIGATIONS OF THE PROPERTY GRANTOR. WE FURTHER GRANT A NON-COIT PUBLIC UTILITY EASEMENT, SHOWN HEREON AS NOT FULF, TO THOSE PARTIES NAMED IN THE DOCUMENT ENTITLED "DET RICK AVENUE, LLC 2015 FIDELITY NATIONAL BANK TRUST AGREEMENT" RECORDED IN LIBER 554 AT FOLIO 267 FROM THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, AND WE FURTHER GRANT AS AT LAH, LEASES, USES, MORTGAGES, OR TERMS AFFECTING THE PROPERTY SHOWN HEREON, EXCEPT AS INDICATED BELOW.

9/13/19 *Olga V. Kuznetsov* WOLANT
DATE FOR DETRICK AVENUE, LLC WITNESS
BY ALAN KURSIJAN
PLANNING TRIBER

9/13/19 *Linda F. Shearer* Linda F. Shearer
DATE WITNESS

Department of
Public Works
Montgomery County, Maryland

PLAT TABULATION
NUMBER OF LOTS 3
NUMBER OF PARCELS 3
AREA OF PARCELS(S) 25.00 ACRES 29, 47.
TOTAL AREA (25.00 ACRES)

The Maryland National Capital Park and Planning Commission
Montgomery County Planning Board

Approved: _____
DATE: _____

M.N.C.P. & P.C. Record File No. _____

Recorded
Plat No. _____

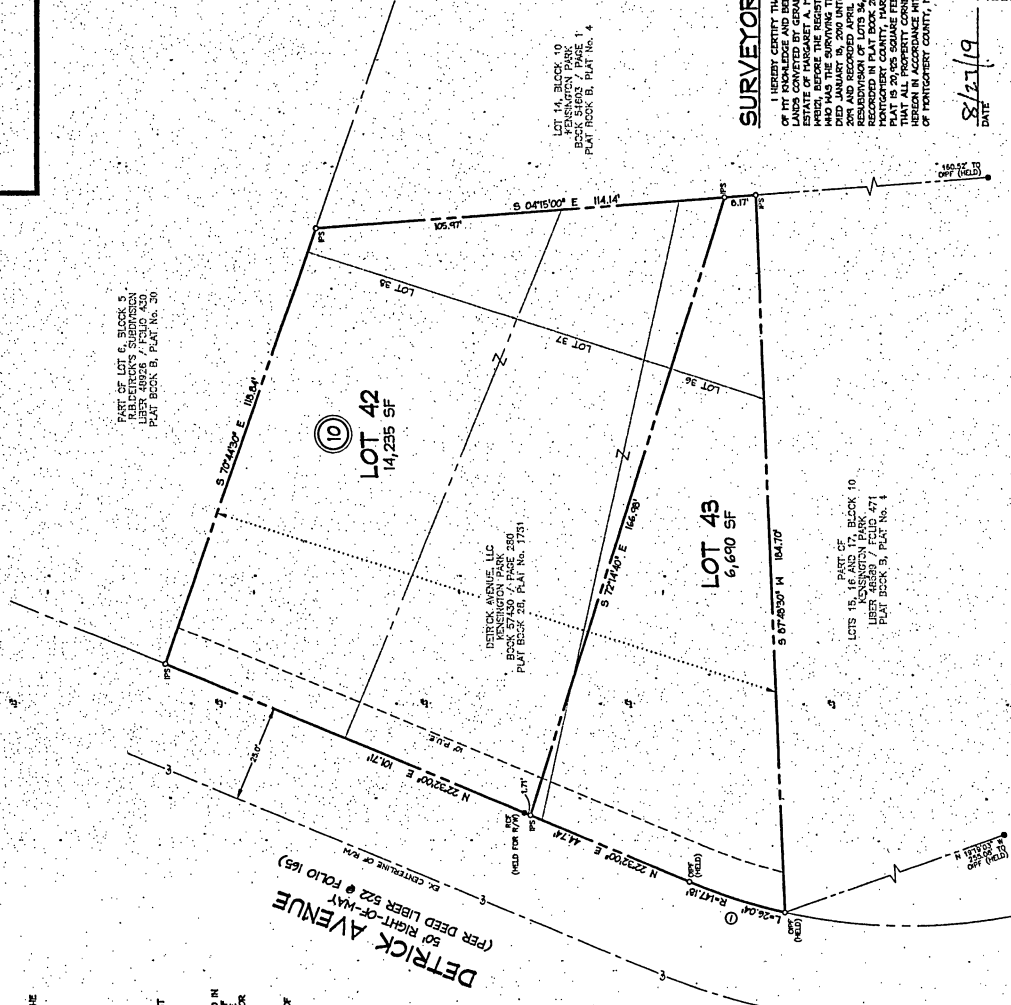
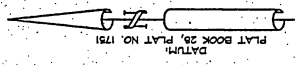
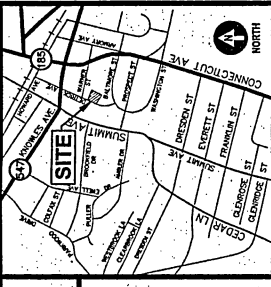


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Bethesda, MD 20814
301-897-8015
www.coss-engineering.com

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD BEARINGS	DELTA
1	25.04'	141.93'	N 172°59' E	107°09'
2	114.14'	24.0'	N 172°59' E	107°09'

PLAT No. _____



SURVEYOR'S CERTIFICATE

I, ALAN KURSIJAN, ARE A LICENSED SURVEYOR IN THE STATE OF MARYLAND AND BELIEVE THAT I AM A RESIDENT OF ALL OF THE LANDS CONVEYED BY GERARD K. OFFER, PERSONAL REPRESENTATIVE OF THE ESTATE OF GERARD K. OFFER, TO THE MONTGOMERY COUNTY PLANNING BOARD, AND THE RECORDER OF MOUNTAIN VIEW, MONTGOMERY COUNTY, MARYLAND, WHO HAS THE SURVIVING TENANT BY THE ENTIRETY WITH PHILIP C. HOGAN, JR., AND RECORDS TO USE AS A REFERENCE, BY A DEED DATED APRIL 2, 2015, REGISTERED IN MONTGOMERY COUNTY, MARYLAND, RECORDS OF THE RESUBDIVISION OF LOTS 34, 37 AND 38, BLOCK 10, KENSINGTON PARK, AS RECORDED IN PLAT BOOK 29, PLAT 1751, AND THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, AND AS SHOWN BY THE SURVEY AND PLAT IS 20,000 SQUARE FEET, NONE OF WHICH IS DEDICATED TO PUBLIC USE, AND THAT ALL PROPERTY CONVEYED HERETO IS SHOWN AS BEING IN PLACE AS SHOWN BY THE SURVEY AND PLAT. THIS SURVEY AND PLAT IS MADE IN FULL COMPLIANCE WITH THE SUBDIVISION REGULATIONS OF MONTGOMERY COUNTY, MARYLAND.

8/13/19 *Olga V. Kuznetsov*
DATE FOR ALAN KURSIJAN, SURVEYOR
BY ALAN KURSIJAN, SURVEYOR
EXPIRATION DATE: JULY 15, 2021

SUBDIVISION RECORD PLAT
LOTS 42 AND 43, BLOCK 10

KENSINGTON PARK

A RESUBDIVISION OF LOTS 36, 37 AND 38, BLOCK 10
WHEATON (15TH) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 20'

REGISTERED PROFESSIONAL ENGINEER