



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

MCPB No. 20-104
Administrative Subdivision No. 620200100
Hill Farm Lot 12 Block A
Date of Hearing: October 1, 2020

OCT 08 2020

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review administrative subdivision applications; and

WHEREAS, on May 8, 2020, Ihab Ali & Sally Morsy ("Applicant") filed an application for approval of an administrative subdivision plan of property that would create one +/-2.01 acre lot without frontage (Parcel 715, Tax Map JS562) in the Residential Estate (RE-2) Zone, located on Norwood Road, west of New Hampshire Avenue ("Subject Property" or "Property"), in the Cloverly Policy Area and 1997 *Cloverly Master Plan* ("Master Plan") area; and

WHEREAS, Applicant's administrative subdivision plan application was designated Administrative Subdivision Plan No. 620200100, Hill Farm Lot 12 Block A ("Administrative Subdivision Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated September 18, 2020, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on October 1, 2020, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on October 1, 2020, the Planning Board voted to approve the Application subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES

Administrative Subdivision Plan No. 620200100 to create one lot on the Subject Property, subject to the following conditions:¹

1. This approval is limited to one (1) lot for a single-family detached dwelling unit.
2. The Applicant must comply with the following conditions of approval of Preliminary/Final Forest Conservation Plan No. 620200100, approved as part of this Administrative Subdivision Plan:
 - a. The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
 - b. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
 - c. Prior to the start of any demolition, clearing, grading, or construction for this development Application, the Applicant must record a Category I Conservation Easement over all areas of forest retention as specified on the approved Forest Conservation Plan. The Category I Conservation Easement must be in a form approved by the M-NCPPC Office of the General Counsel and must be recorded in the Montgomery County Land Records by deed. The Book/Page for the easement must be referenced on the record plat.
 - d. Prior to any demolition, clearing, grading or construction for this development Application, the Applicant must record an M-NCPPC approved Certificate of Compliance in an M-NCPPC approved off-site forest bank within the Anacostia River watershed to satisfy the reforestation requirements for a total of 0.89 acres of mitigation credit. The off-site requirement may be met by purchasing credits from a mitigation bank elsewhere in the County, subject to Staff approval, if forest mitigation bank credits are not available for purchase within the Anacostia River watershed.
 - e. Prior to the start of any demolition, clearing, grading or construction for this development Application, the Applicant must install permanent conservation easement signage along the perimeter of the conservation easements as shown on the FCP, or as directed by the M-NCPPC Forest Conservation Inspection Staff.
 - f. The Limits of Disturbance ("LOD") shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.

¹ For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

3. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Service ("MCDPS") – Water Resources Section in its stormwater management concept letter dated July 29, 2020, and hereby incorporates them as conditions of the Administrative Subdivision Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Administrative Subdivision Plan approval.
4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated May 21, 2020, and hereby incorporates them as conditions of the Administrative Subdivision Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Administrative Subdivision Plan approval.
5. The Planning Board has reviewed and accepts the recommendations of the MCDPS – Fire Department Access and Water Supply Section in its letter dated August 13, 2020, and hereby incorporates them as conditions of the Administrative Subdivision Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of the Administrative Subdivision Plan approval.
6. Prior to approval of the record plat, the Applicant must obtain approval of a Well and Septic Plan from the Montgomery County Department of Permitting Services Well and Septic Division for the proposed private well and septic areas.
7. The record plat must show all necessary easements.
8. The record plat must reference the ingress/egress and utility easement to serve Lot 12 Block A.
9. The Adequate Public Facility ("APF") review for the Administrative Subdivision Plan will remain valid for sixty (60) months from the date of mailing of the Planning Board Resolution.
10. Before approval of the Certified Administrative Subdivision Plan, the following revisions must be made and/or information provided subject to Staff review and approval:

- a. The Applicant must include the stormwater management concept approval letter and other applicable agency approval letters, development program, and Administrative Subdivision Plan Resolution on the approval or cover sheet(s).
- b. The Certified Administrative Subdivision Plan must contain the following 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 Administrative Subdivision 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.
- c. Ensure consistency between the data table in the Staff Report and the Administrative Subdivision Plan.

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

- 1) *The Administrative Subdivision Plan meets the requirements of Chapter 50, Section 6.1.C for creation of certain residential lots located in the RE-2 Zone. Up to 3 lots for detached houses are permitted in any residential zone under these procedures if:*

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

The lot was submitted and is approved for standard method development in the RE-2 Zone.

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;*

The Property will be served by private well and septic. As conditioned, the Applicant must receive approval from the Department of Permitting Services, Well and Septic Division for the proposed private well and septic areas prior to approval of the record plat and therefore, this criteria will be satisfied.

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

As described below, the proposed lot does not have frontage on a public road and instead, will access the property through a 30-foot wide ingress/egress easement from Norwood Road to the Property. The Property does not have any frontage on Norwood Road and no public improvements are required at this time.

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

As conditioned, and discussed below, the requirements for adequate public facilities will be met prior to approval of the plat.

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

The Application is subject to the requirements of Chapter 22A, the Montgomery County Forest Conservation Law. As conditioned and discussed below in the Technical Review for the forest conservation section, the forest conservation requirements of Chapter 22A have been satisfied. Further, as conditioned and discussed in the findings below, the Application has received approval in a letter dated July 29, 2020 from the Montgomery County Department of Permitting Services ("MCDPS"), Water Resources Section for the stormwater management concept plan.

- 2) *The Administrative Subdivision Plan meets the technical review requirements of Chapter 50, Section 4.3.*

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;*

- a. The block design is appropriate for the development or use contemplated.

The Application proposes no new residential blocks.

- b. The lot design is appropriate for the development or use contemplated.

The Administrative Subdivision Plan meets all applicable sections of the Subdivision Code. The proposed lot size, width, shape, and orientation are appropriate for the location of the subdivision, taking into account the recommendations of the Master Plan, and the intent of the RE-2 Zone, to provide designated areas for large-lot residential uses.

- c. The Preliminary Plan provides for required public sites and adequate open areas.

The lot was reviewed for compliance with Section 50.4.3.D, "Public Sites and Adequate Public Facilities," of the Subdivision Code. There are no Master Plan recommendations for public facilities or local recreation requirements for the Subject Property.

- d. The Lots and Use comply with the basic requirements of Chapter 59.

The lot was reviewed for compliance with the dimensional requirements for the RE-2 Zone as specified in the Zoning Ordinance. The lot meets the dimensional requirements as shown in Table 1 below except for the lot frontage requirement, for which the Applicant is seeking a Planning Board waiver.

Table 1 – Development Standards Table

RE-2 Zone	Required by the Zone	Proposed for Approval
Minimum Lot Area	2.0 acres	+/-2.01 acres
Lot width at front building line	150 feet	176 feet
Lot width at front lot line	25 feet	176 feet
Frontage on street or open space	required, except as exempt under Chapter 50	See waiver
Maximum Lot Coverage	25%	Approximately 13.75%
Setbacks (min)		
Front	50 feet	50 feet or greater
Side	17 feet	17 feet or greater
Sum of side setbacks	35 feet	35 feet or greater
Rear	35 feet	35 feet or greater
Building Height (max)	50 feet	50 feet max
Site Plan Required	No	No

This Property will not have frontage on a public road. Per Chapter 50, Section 4.3.C, "every lot must abut on a public or private road." However,

- i. *The Board may approve a maximum of 2 lots that do not abut a public or private road if the lots will be served by a private driveway that serves no other lots without frontage.*

As proposed, this Application is the first lot proposed for approval by the Board that will be served by a shared private driveway in this location. The Property and the unplatted parcel directly south will be served by an improved private driveway from Norwood Road that serves no other lots without frontage. The property fronting Norwood Road is served by a separate driveway to access the existing house as shown in Figure 2. Therefore, this requirement is satisfied.

- ii. *The access to lots with no road frontage must be adequate to serve the lots for emergency vehicles and for installation of public utilities. In addition, the lots must be accessible for other public services and not detrimental to future development of adjacent lands.*

As proposed, the lot meets the above conditions. An existing 30-foot-wide common access easement and utility easement is located on the two unplatted parcels south of the Property between Norwood Road and along the eastern side of the proposed lot. There is also an existing 12-foot wide driveway that will be widened to 20-feet and extended to the Subject Property to accommodate emergency vehicles. On August 13, 2020 the Applicant received approval of the Fire Department Access Plan from the Montgomery County Department of Permitting Services Fire and Resources Section demonstrating that access to the Property will be adequate for emergency vehicles. With the exception of water and sewer, other utilities are available along Norwood Road and will be brought into the site as needed within the existing access easement that will be maintained. This easement will also allow future access to the northern undeveloped parcel. Based on these conditions, the Planning Board supports the waiver request for the proposed lot without frontage.

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

The Administrative Subdivision Plan substantially conforms to the Master Plan. The Planning Board finds that the Application substantially complies with the 1997 *Cloverly Master Plan*. The Property is in the Residential Wedge area of the Master Plan and recommends low-density residential development that conforms to the zoning unless otherwise stated. Further, the Property is designated as having single-family residential in the Master Plan (p. 20) for specific land use recommendations and the proposed subdivision meets the Master Plan recommendations and requirements of the RE-2 Zone shown on the zoning map.

The Master Plan recommends that “ultimate subwatershed imperviousness levels should remain in the 10 to 15 percent range...” (p. 21). The Bryants Nursery Run tributary, in which the Property is located, has an imperviousness level of approximately 11.66 percent, which includes the impervious surfaces proposed by the approved RCCG Jesus House Application (120160040), and two other applications under review at the same time as this one, Mar Thoma (120200080), and Snowden’s Manor Parcel P870 (120200230). This Application proposes approximately 12,030 square feet of impervious surfaces for the construction of the house and driveway, resulting in 13.75 percent impervious cover on the proposed lot. In addition, the Application requires the widening of the off-site driveway, adding approximately 14,670 square feet of additional impervious area. In total, the Application will add approximately 26,700 square feet of new impervious area, resulting in a total of approximately 11.72 percent imperviousness in the Bryants Nursery Run subwatershed. Therefore, the proposed development on Hill Farm, Lot 12 is consistent with the Master Plan recommendation to maintain impervious surface levels between 10-15 percent for the subwatershed.

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

Roads and Transportation Facilities

Vehicular access to the Property is from Norwood Road, which will be improved with a 20-foot-wide driveway to accommodate fire access. A common 30-foot-wide access easement will also be maintained from Norwood Road to the rear of the Property for future access for maintenance, development and shared driveways. Therefore, transportation access will be adequate to support and service the area of the subdivision. The Application was also reviewed by the Montgomery County Department of Transportation, which recommended approval of the Administrative Subdivision Plan on May 21, 2020.

The DPS, Fire Department Access and Water Supply Section determined that the Property has adequate access for fire and rescue vehicles as shown on the approved Fire Department Access Plan dated August 13, 2020. All other public facilities and services, police stations, and health services are currently operating within the standards set by the Subdivision Staging Policy Resolution currently in effect.

Master Plan Transportation Facilities

Norwood Road is classified as an arterial road with an 80-ft right-of-way. The 2018 Bicycle Master Plan recommends a 10-foot wide sidepath along the east side of Norwood Road along the property frontage. The proposed Site does not

have any frontage along a public road; therefore, the Applicant is not responsible for any improvements along Norwood Road.

Local Area Transportation Review (LATR)

The estimated impact of the proposed single-family detached residence is one AM and one PM peak-hour person trips. As a result, this Application is exempt from additional Local Area Transportation Policy Review because the proposed land use generates fewer than 50 peak-hour person trips. The Applicant included a Transportation Statement as part of this Application. Access and circulation will be adequate for the proposed use.

Stormwater Facilities

The stormwater concept plan demonstrates that the proposed stormwater infrastructure is adequate to support the construction of the new single-family detached house and also demonstrates that the required stormwater management goals will be met by landscape infiltration. The concept plan was approved by DPS Water Resources Section in a letter dated July 29, 2020.

Well & Septic

An on-site private well and septic system will be installed to serve the new lot. The use of a well and septic system is consistent with the existing W-5 and S-6 services categories designated for the Property. The Subject Property will be served by private well and septic, and as conditioned, the Applicant must receive approval from DPS Well and Septic Division for the proposed private well and septic areas prior to approval of the plat.

School Adequacy

With a net of one new single-family detached dwelling unit, this Application falls within the de minimis (three units or less) exemption. Therefore, the Application is exempt from any applicable residential development moratoria and it is unnecessary to test the project’s estimated impact on school enrollment. Nevertheless, below is additional information about the schools and school cluster that serve the Subject Property. The Property is located in the Blake High School Cluster. Based on the FY20 Annual School Test results, the student enrollment and capacity projections for the Blake Cluster are noted in the table below:

Table 2: Enrollment and Capacity Projections

School Level	Projected Cluster Totals, September 2024
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	Enrollment	Program Capacity	% Utilization
Elementary	3,448	2,763	124.8%
Middle	1,624	1,588	102.3%
High	1,763	1,743	101.1%

Individual School Information

The elementary school for this project is Stonegate elementary school and the middle school is White Oak MS. Based on the FY20 Annual School Test results, the student enrollment and capacity projections for these schools are noted in Table 3 below.

Table 3: Enrollment and Capacity Projections

School	Projected School Totals, September 2024			
	Enrollment	Program Capacity	% Utilization	Seat Deficit
Stonegate ES	533	372	143.3%	-161
White Oak MS	909	1,008	90.2%	+99

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

Natural Resources Inventory/Forest Stand Delineation

Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) No. 420200770 was approved for this +/-2.01-acre Property on December 20, 2019. The NRI/FSD identifies the environmental features and forest resources on the Subject Property. The Property is located within the Northwest Branch Watershed, which is classified by the State of Maryland as Use Class IV waters. The Property contains approximately 1.21 acres of forest covering the majority of the Property, with the exception of the southwestern corner. There are no streams, wetlands, 100-year floodplain, stream buffers, or slopes greater than 25 percent located on the Property. There is an area of highly erodible soils located in the rear of the Property. Existing streams and associated buffers are located off-site to the north, east and west of the Property. There are eight trees greater than or equal to 24" Diameter at Breast Height (DBH) that were identified on or adjacent to the Subject Property, four of which are 30" DBH and greater.

Forest Conservation Plan

As required by the Montgomery County Forest Conservation Law, a combined Preliminary and Final Forest Conservation Plan (FCP) was submitted with the Administrative Subdivision Application. The net tract area for forest conservation is 2.44 acres, which includes the +/-2.01-acre Property and 0.43 acres of off-site disturbance for the expansion of an existing off-site driveway to provide access to the Property. The Application proposes to retain 0.24 acres and

remove 0.97 acres of on-site forest. The proposed forest clearing generates a reforestation requirement of 0.89 acres, which will be met off-site at an M-NCPPC approved forest bank. The 0.24 acres of retained forest will be protected in a Category I conservation easement.

Forest Conservation Variance

Section 22A-12(b)(3) of the Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection. The law requires that there be no impact to: trees that measure 30 inches or greater DBH; are part of an historic site or designated with an historic structure; are designated as national, State, or County champion trees; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species. Any impact to high priority vegetation, including disturbance to the critical root zone (CRZ) requires a variance. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. Development of the Property requires impact to trees identified as high priority for retention and protection (Protected Trees), therefore, the Applicant has submitted a variance request for these impacts. The Planning Board finds that a variance should be granted.

Variance Request

The Applicant submitted a variance request in a letter dated August 12, 2020 to remove two (2) Protected Trees that are 30 inches or greater, DBH, and are considered a high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law. Details of the Protected Trees to be removed are described in detail in the Applicant's letter and shown graphically on the Forest Conservation Plan.

Unwarranted Hardship Basis

Pursuant to Section 22A-21, a variance may only be considered if the Planning Board finds that leaving the Protected Trees in an undisturbed state would result in an unwarranted hardship, denying an applicant reasonable and significant use of the Property. The Applicant contends that an unwarranted hardship would be created due to existing conditions on and adjacent to the Property and the zoning and development requirements for the Property.

Tree #1 is located adjacent to an existing access easement for the Property, where the extension of an existing driveway is anticipated to be constructed to provide access to the Subject Property. The construction of the driveway, including the turnaround for fire department vehicles, is necessary to provide access to the Property and requires impacts to the critical root zone of this tree to the extent that the tree cannot be retained. If the impacts to the critical root

zone of Tree #1 were not permitted, the proposed driveway to access the Property could not be provided. Tree #3 is located in the middle of the Property and will be impacted by the proposed stormwater management facility. These impacts will require this Protected Tree to be removed. The Property is narrow in configuration and constrained on one side by the existing access easement where the driveway will be located. The required setbacks and the location of the required septic field dictate the location of the proposed house. Stormwater management features are required to treat the runoff from the house and driveway. These existing conditions are such that any application to develop this Property for the recommended use would result in the need for a tree variance. The number and location of the Protected Trees within the developable portions of the Property, and the development requirements create an unwarranted hardship. If the variance were not granted, the development anticipated on this Property would not occur. The Planning Board has reviewed this Application and finds that there would be an unwarranted hardship if a variance were not granted.

Variance Findings

Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, for a variance to be granted. The Planning Board has made the following determinations based on the required findings in the review of the variance request and the forest conservation plan:

Granting of the requested variance:

1. *Will not confer on the applicant a special privilege that would be denied to other applicants.*

Granting the variance will not confer a special privilege on the Applicant as the disturbance to the Protected Trees is due to the reasonable development of the Property. Protected Trees are located in the developable area of the Property. The requested removal of Protected Trees is due to necessary driveway and Fire Department access requirements as well as stormwater management measures for the development. This disturbance within the anticipated developable area of the Property would be necessary under any application for development of the Property. Granting a variance to allow land disturbance within the developable portion of the Property is not unique to this Applicant. The Planning Board finds that the granting of this variance is not a special privilege that would be denied to other applicants.

2. *Is not based on conditions or circumstances which are the result of the actions by the applicant.*

The need for the variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based upon existing Property conditions, including the narrow configuration of the Property, the location of the Protected Trees within the developable area, the pre-determined driveway access easement, and the required fire department access and stormwater management improvements.

3. *Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.*

The need for a variance is a result of the existing conditions and the proposed design and layout of the Property, and not a result of land or building use on a neighboring property.

4. *Will not violate State water quality standards or cause measurable degradation in water quality.*

The variance will not violate State water quality standards or cause measurable degradation in water quality. The Protected Trees to be removed are not located within a stream buffer. In addition, the MCDPS has found the stormwater management concept for the proposed project to be acceptable as stated in a letter dated July 29, 2020. The Application includes ESD measures including landscape infiltration to meet all stormwater management requirements and therefore granting the variance will not cause measurable degradation in water quality.

Mitigation for Protected Trees

The two trees subject to the variance provision and proposed to be removed are within the existing forest. These trees are accounted for in the forest conservation worksheet; therefore, the Planning Board does not recommend additional mitigation for the removal of these trees.

County Arborist's Recommendation on the Variance

In accordance with Montgomery County Code Section 22A-21(c), the Planning Department is required to refer a copy of the variance request to the County Arborist in the Montgomery County Department of Environmental Protection for a recommendation prior to acting on the request. The request was timely forwarded to the County Arborist as part of the review process. As of the date of this Staff Report, the Planning Board has not received any correspondence from the County Arborist regarding this variance request.

Variance Finding

The Planning Board finds that the variance should be granted and hereby does so.

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

The Application includes environmental site design (ESD) measures including landscape infiltration to meet all stormwater management requirements of Chapter 19. The stormwater concept plan has been approved by the Department of Permitting Services Water Resources Section. The Subject Property also is not located in a Special Protection Area and therefore does not require a water quality plan.

- 6. Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.*

There is no record or other evidence to suggest that a burial site is located within the boundary of the Subject Property. Therefore, this finding does not apply.

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

There are no other applicable provisions specific to the Property and necessary for approval of the subdivision is satisfied.

BE IT FURTHER RESOLVED that this Administrative Subdivision Plan will remain valid for 36 months from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Administrative Subdivision Plan must be recorded in the Montgomery County Land Records, or a request for an extension must be filed; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is OCT 08 2020 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of

this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Verma, seconded by Commissioner Cichy, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, Patterson, and Verma voting in favor at its regular meeting held on Thursday, October 1, 2020, in Wheaton, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board