





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

MCPB
Item #1B
5-6-2021

MEMORANDUM

DATE: April 23, 2021

TO: Montgomery County Planning Board

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

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board
Agenda for May 6, 2021

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:

220210070 Avery Village

220210130 Mount Prospect Farm

Plat Name: Avery Village
Plat #: 220210070

Location: Located at the terminus of Lake Christopher Drive.
Master Plan: Upper Rock Creek Master Plan
Plat Details: RE-2 zone; 2 lots
Owner: Curtis Royster, Jr. and Jerry N. Rudden

Staff recommends approval of this minor subdivision plat pursuant to Section **50.7.1.A.** of the Subdivision Regulations, which states:

- 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 minor subdivision criteria for the property included in this application and concludes that the proposed subdivision complies with the requirements of Section 50.7.1.A. and supports this minor subdivision record plat.

OWNER'S DEDICATION

We, Curtis Royster, Jr., Helena L. Royster, Jerry N. Rudden, Riva Rudden, owners of the properties shown and included herein, hereby:
 1. dedicate to the public the right of easement, right of way, and other interests in the property shown and included herein, as shown hereon, to the parties named in a document titled "Terms and Provisions of a Public Utility Easement" as recorded among the Land Records of Montgomery County, Maryland in Liber 3834 at Folio 457, subject to all current and applicable regulations of all federal, state, and local governing agencies.
 2. set our successors and assigns will cause property corner markers to be set by a Maryland licensed Land Surveyor, in accordance with Section 50.4.3.G of the Montgomery County Code (Subdivision Regulations).
 There are no suits, liens, leases, mortgages, deeds of trusts, or trusts affecting the subject property.

We hereby assent to this plat of subdivision
 OWNERS OF EXISTING LOT 11, BLOCK E (PROPOSED LOT 32)
 Date: 4-8-2021
Curtis Royster, Jr.
 Curtis Royster, Jr.
 Helena L. Royster

OWNERS OF EXISTING LOT 12, BLOCK E (PROPOSED LOT 33)
 Date: 3/23/21
Jerry N. Rudden
 Jerry N. Rudden
Riva Rudden
 Riva Rudden

SURVEYOR'S CERTIFICATE

I hereby certify that the survey information shown hereon is correct; that this plat of subdivision has been prepared in accordance with the Subdivision Regulations of Montgomery County, Maryland; and that this plat is a subdivision of all the real property conveyed as follows:

Existing Lot 11, Block E, Avery Village
 James F. Ehrenfried and Gail H. Ehrenfried, husband and wife, to Curtis Royster, Jr. and Helena L. Royster, husband and wife, Records of Montgomery County, Maryland in Liber 7138 at Folio 694 and

Lot 12, Block E
 Delta Enterprises, Inc. A Maryland Corporation to Jerry N. Rudden and Riva Rudden, husband and wife, Records of Montgomery County, Maryland in Liber 6341 at Folio 673;

and further certify that property corner markers will be set in accordance with Section 50.4.4.G of the Montgomery County Code (Subdivision Regulations), None of which is included to public use.

Date: 4/05/2021
John R. Witmer
 John R. Witmer
 Professional Land Surveyor
 MD Reg. No. 10668
 Two year MDLLR Professional Land Surveyor's License Renewal Date: 1/12/2021

PLAT NO.

NOTES

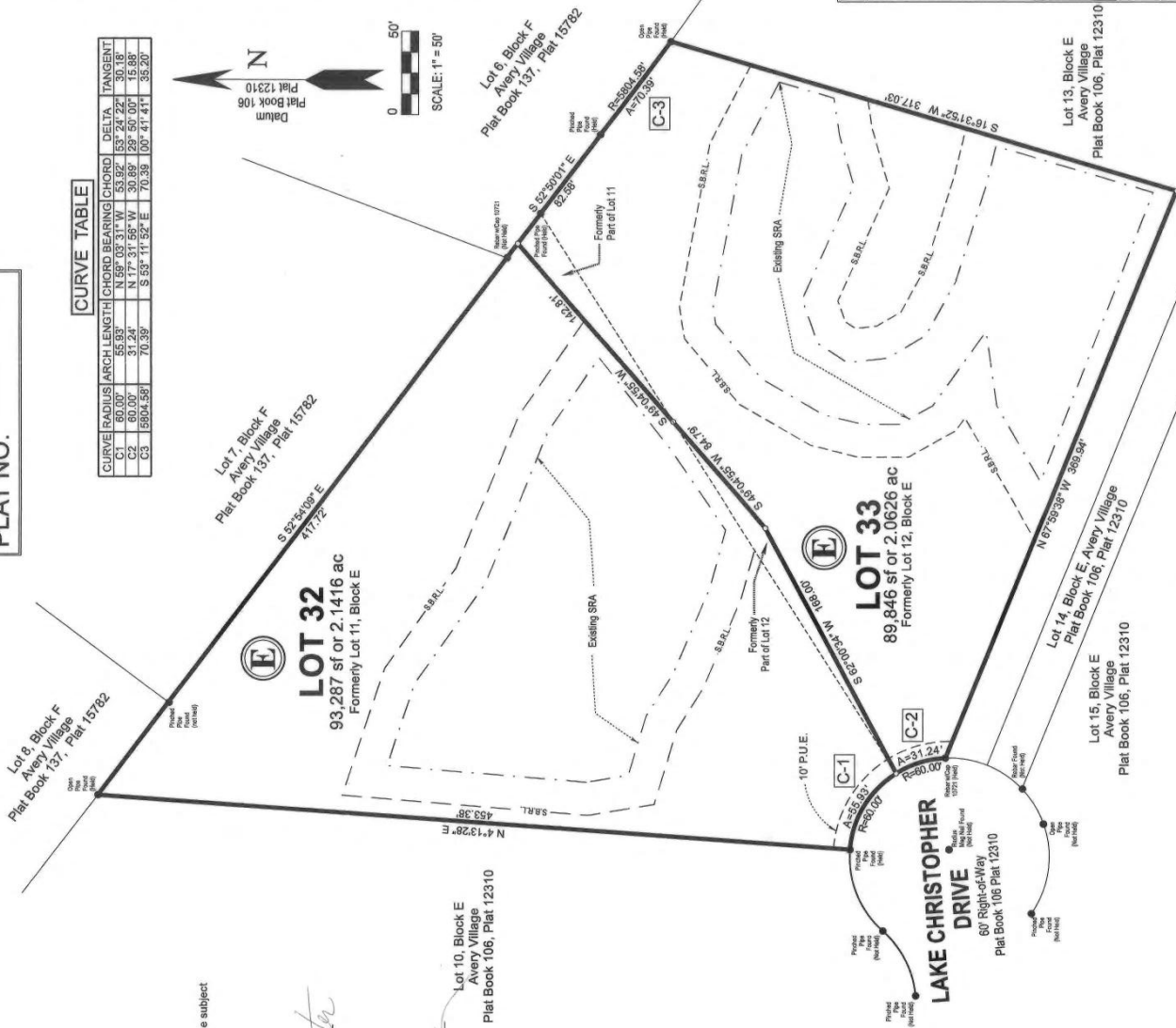
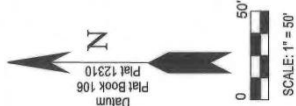
The properties included in this subdivision are currently zoned RE-2. The properties are served by public water and private sewer services. Septic areas for Lots 32 & 33 are designed for a 6 bedroom house per Preliminary Plan 177090. Lots 32 & 33 have been approved for existing 6 bedroom single family dwelling per MCDPS Well and Septic section. 20 Foot Septic Building Restriction Lines (SBRL) are subject to change with Montgomery County Department of Permitting Services approval. Septic Building Restriction Lines are shown ---S.B.R.L.---

This subdivision record plat is not intended to show every matter affecting or restricting the ownership and use of the subject property. A subdivision record plat is not intended to replace an examination of title or to note all matters affecting the title. All terms, conditions, agreements, limitations, and requirements associated with any preliminary plan, site plan, project plan, or other plan allowing development of the property included on this plat, as approved by the Montgomery County Planning Board, are intended to survive and not be extinguished by the recording of this plat, unless expressly contemplated by the plan as approved. The official public files for any such plan are available for public review during normal business hours.

This plat is in conformance with the requirements of Section 50.7.1.A.1 of the Montgomery County Code (Subdivision Regulations).

CURVE TABLE

CURVE	RADIUS	ARCH LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	60.00'	55.93'	N 59° 09' 31" W	53.92'	53° 24' 22"	30.18'
C2	60.00'	31.24'	N 17° 31' 56" W	30.89'	29° 50' 00"	15.88'
C3	9504.58'	70.39'	S 53° 11' 52" E	70.39'	100° 41' 41"	35.20'



TRACT MAP HS 122
 VICINITY MAP 221 NW 05
 SCALE: 1" = 1000'

2012 AUC
 PAGE 46
 GRID F - 6

Subdivision Record Plat

LOTS 32 & 33, BLOCK E
 A RESUBDIVISION OF LOTS 11 & 12, BLOCK E
AVERY VILLAGE
 4th (ROCKVILLE) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND

WITMER ASSOCIATES, LLC
 Land Surveying, Land Planning & Design
 19401 Woodfield Road, Suite C, Gaithersburg, MD 20878
 Tele: (301) 241-6025 Fax: (301) 241-6026
 www.witmerassoc.com

DATE: March 2021
 PROJECT NO: 98413C
 SHEET NO: 1 of 1

THE MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION
 THE MONTGOMERY COUNTY PLANNING BOARD

APPROVED: 4/14/2021

BY: *John R. Witmer*
 DIRECTOR

APPROVED: _____
 SECRETARY-TREASURER

APPROVED: _____
 CHAIRMAN

M.N.C.P. & P.C. RECORD FILE NUMBER: _____

MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PERMITTING SERVICES

PLAT NO. _____
 DATE: _____