

**7402 Garland Avenue, Preliminary Plan No. 120210220**

[GB] Grace Bogdan, Planner Coordinator, DownCounty, Grace.Bogdan@montgomeryplanning.org, 301-495-4533

[SD] Stephanie Dickel, Supervisor, DownCounty, Stephanie.Dickel@montgomeryplanning.org, 301-495-4527

[E] Elza Hisel-McCoy, Chief, DownCounty, Elza.Hisel-McCoy@montgomeryplanning.org, 301-495-2115

**Staff Report Date:** August 30, 2021

**Description**

Preliminary Plan: Request to create two lots for a side by side duplex

**Size:** 0.26 acres

**Location:** on Garland Avenue 180 feet southeast of Carroll Avenue

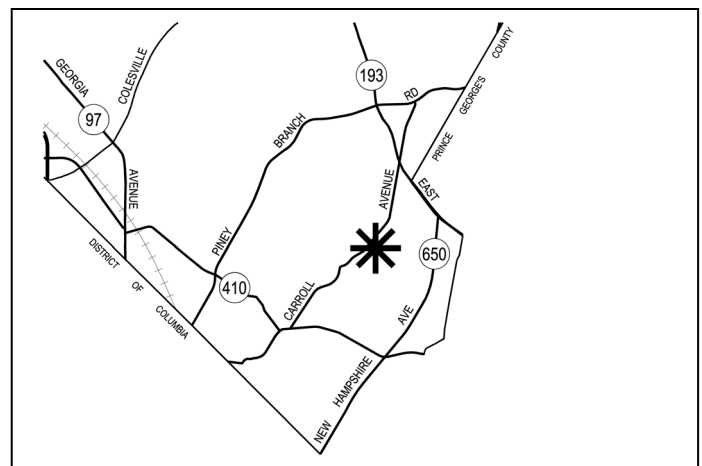
**Zone:** R-40

**Master Plan:** 2000 *Takoma Park Master Plan*

**Applicant:** Habitat for Humanity Metro Maryland

**Acceptance Date:** May 13, 2021

**Review Basis:** Chapter 50, Chapter 59, Chapter 22A



**Summary**

- Staff recommends **Approval** of Preliminary Plan 120210220 with conditions.
- The Project is located within the City of Takoma Park and the City voted unanimously in support of the Project at their July 21, 2021 meeting (the Resolution of support is attached to this Staff Report as Attachment B).
- The Property currently contains an existing singly family detached structure that has been converted to a 3-unit rental.
- The City acquired the Property through the Tenant Opportunity to Purchase Law in September of 2020, and it was subsequently purchased by Habitat for Humanity.
- The Proposal will create two lots for purchase and advance the City of Takoma Park and Montgomery County's goal to help provide Missing Middle homeownership opportunities.

## SECTION 1 – STAFF RECOMMENDATION AND CONDITIONS

**Preliminary Plan No. 120210220:** Staff recommends approval with conditions of the Preliminary Plan to create two lots for a side by side duplex. All site development elements shown on the latest electronic version of the Preliminary Plan, as of the date of this Staff Report, submitted via ePlans to the M-NCPPC are required except as modified by the following conditions:

1. This Preliminary Plan is limited to 2 lots for a side by side duplex.
2. The Preliminary Plan will remain valid for 36 months from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and prior to the expiration date of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.
3. The Planning Board has reviewed and accepts the City of Takoma Park Council Resolution Number 2021-23 dated July 21, 2021.
4. The Planning Board has reviewed and accepts the letters from the City of Takoma Park dated June 22, 2021, relieving the Applicant of both the requirement to install sidewalks along the Site frontage and to dedicate right-of-way along Garland Avenue, a City-owned roadway, to achieve the minimum prescriptive right-of-way width for a secondary residential roadway, as outlined in Section 49-32-(d)(4) of the County Code.
5. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (MCDOT) in their letter dated June 22, 2021 in which they provide no comments on the Preliminary Plan.
6. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section, in its letter dated August 11, 2021, and hereby incorporates them as conditions of the Preliminary 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 Preliminary Plan approval.
7. The Planning Board has reviewed and accepts the recommendations of the City of Takoma Park Department of Public Works (DPW) in its stormwater management concept letter dated July 19, 2021, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by the City of Takoma Park DPW provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
8. Prior to any demolition, clearing or grading for the Subject Property, the Applicant must receive Staff certification of this Preliminary Plan.
9. Prior to record plat approval, the Applicant must receive permit for construction of internal party wall separating the side by side duplex and removal of the existing shed.
10. The record plat must show necessary easements.

11. Prior to any demolition, clearing, grading or construction for this development Application, the Applicant must submit financial surety, in a form approved by the M-NCPPC Office of the General Counsel, to the M-NCPPC Planning Department for mitigation trees and maintenance, including invasive species management controls, credited toward meeting the requirements of the Forest Conservation Exemption Approval and Tree Save Plan.
12. Within the first planting season following the release of the first Sediment and Erosion Control Permit from the Montgomery County Department of Permitting Services for the Subject Property, or as directed by the M-NCPPC Forest Conservation Inspection Staff, the Applicant must install the required mitigation plantings, consisting of native canopy trees with a minimum size of 3 caliper inches, totaling at least 20 caliper inches or as shown on the approved Tree Save Plan, on the Subject Property. Adjustments to the planting locations of these trees is permitted with the approval of the M-NCPPC Forest Conservation Inspection Staff.
13. The Applicant must update Tree Save Plan to graphically depict the locations of the required mitigation plantings on the Subject Property; All trees credited towards mitigation must be at least five (5) feet away from any structures, stormwater management facilities, PIEs, PUEs, ROWs, utility lines, and/or their associated easements, as shown on the Tree Save Plan.
14. 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.
15. The Limits of Disturbance shown on the Final Sediment Control Plan must be consistent with the Limits of Disturbance shown on the Tree Save Plan.
16. The Applicant must comply with all tree protection and tree save measures shown on the approved Tree Save Plan. Tree protection measures not specified on the Tree Save Plan may be required by the M-NCPPC Forest Conservation Inspector.
17. The Adequate Public Facility (“APF”) review for the Preliminary Plan will remain valid for five (5) years from the date of mailing of this Planning Board Resolution.
18. The certified Preliminary Plan must contain the following:
  - a. All agency approval letters and resolutions associated with the development.
  - b. Add note:

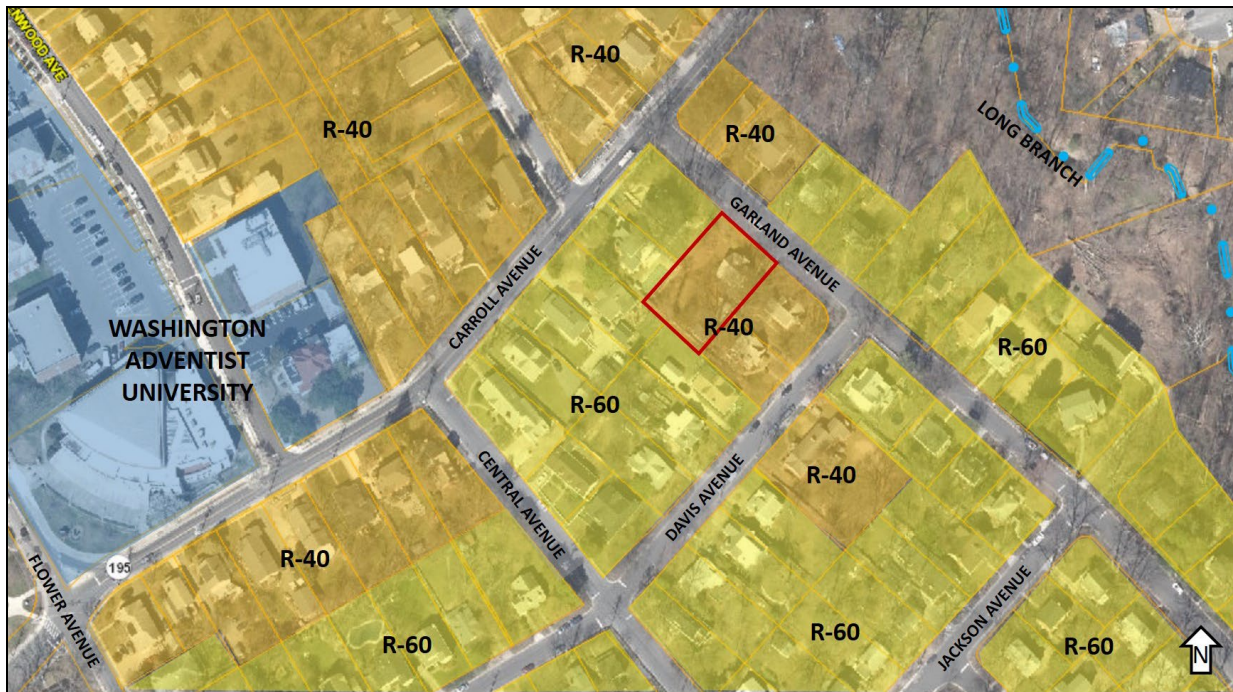
*Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will 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.*

## SECTION 2 – SITE DESCRIPTION

### *Property and Vicinity*

The Subject Property, zoned R-40, is located at 7402 Garland Avenue, on the western side of the street just south of the Carroll Avenue intersection. The Property is approximately 0.26 acres in size and was created in 1952 as Lot 26, Block B of Cunningham's Subdivision (Prince George's County Records Book 21 and Page 3) and is currently developed with a single-family structure that is rented out as three separate units. The Property contains one driveway near the southern lot line, with a detached garage and shed in the rear.

The surrounding blocks are primarily developed with single family detached dwellings and vary between the R-60 zone and R-40 zone. Farther to the west on the north side of Carroll Avenue is the Washington Adventist University. To the east of Garland Avenue, the Long Branch stream runs north south, bisecting the area from the residential neighborhood and New Hampshire/University Avenue intersection.



*Figure 1 – Vicinity and surrounding zoning (Subject Property outlined in red)*





*Figure 2 – Aerial View (Subject Property outlined in red)*

#### *Site Analysis and Surrounding Uses*

The Property is currently developed with a single-family home that has been converted to a three-unit rental. The Simplified Natural Resources Inventory/Forest Stand Delineation (SNRI/FSD) (#42021138E) was approved for this site on March 25, 2021. The existing environmentally sensitive features in the study area include four mature significant/specimen trees. There are no historic features, rare threatened or endangered species, stream buffers, wetlands, or 100-year floodplains on the Property. The topography is mostly flat with a gentle slope towards Garland Avenue with soil classified as Gaila loam, which is generally not sensitive or highly erodible. The Subject Property is located within the Sligo Creek watershed, which is designated as a Use I<sup>1</sup> watershed which is a tributary to the Anacostia River. Other than the specimen trees and the watershed, there are no environmentally sensitive features onsite.

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<sup>1</sup> Use I: WATER CONTACT RECREATION, PROTECTION OF AQUATIC LIFE. Waters that are suitable for: water contact sports: play and leisure time activities where the human body may come in direct contact with the surface water; fishing; the growth and propagation of fish (other than trout); other aquatic life, and wildlife; agricultural water supply; and industrial water supply.

## SECTION 3 –PROPOSAL

### Proposal

The Applicant proposes to subdivide the existing lot to create two record lots for a side by side duplex. Lot A will contain 5,381 square feet and Lot B will contain 6,031 square feet, meeting the minimum requirements for the R-40 zone. The existing structure will remain on the Property, with the new internal lot line running through the structure to create a side by side duplex. The existing driveway will remain to serve Lot A, and a new driveway will be created for Lot B. As conditioned, the Project will be required to receive a Use and Occupancy Permit from the Department of Permitting Services for construction of a party wall interior to the structure and removal of the existing shed prior to record plat approval.

The proposed interior lot line has been designed to meet the minimum lot frontage requirements of the R-40 zone while dividing the existing structure into a usable side by side duplex. The interior lot line at the rear has been angled to allow both lots a sufficient rear yard while lining up to the rear lot lines of the existing lots within the block.

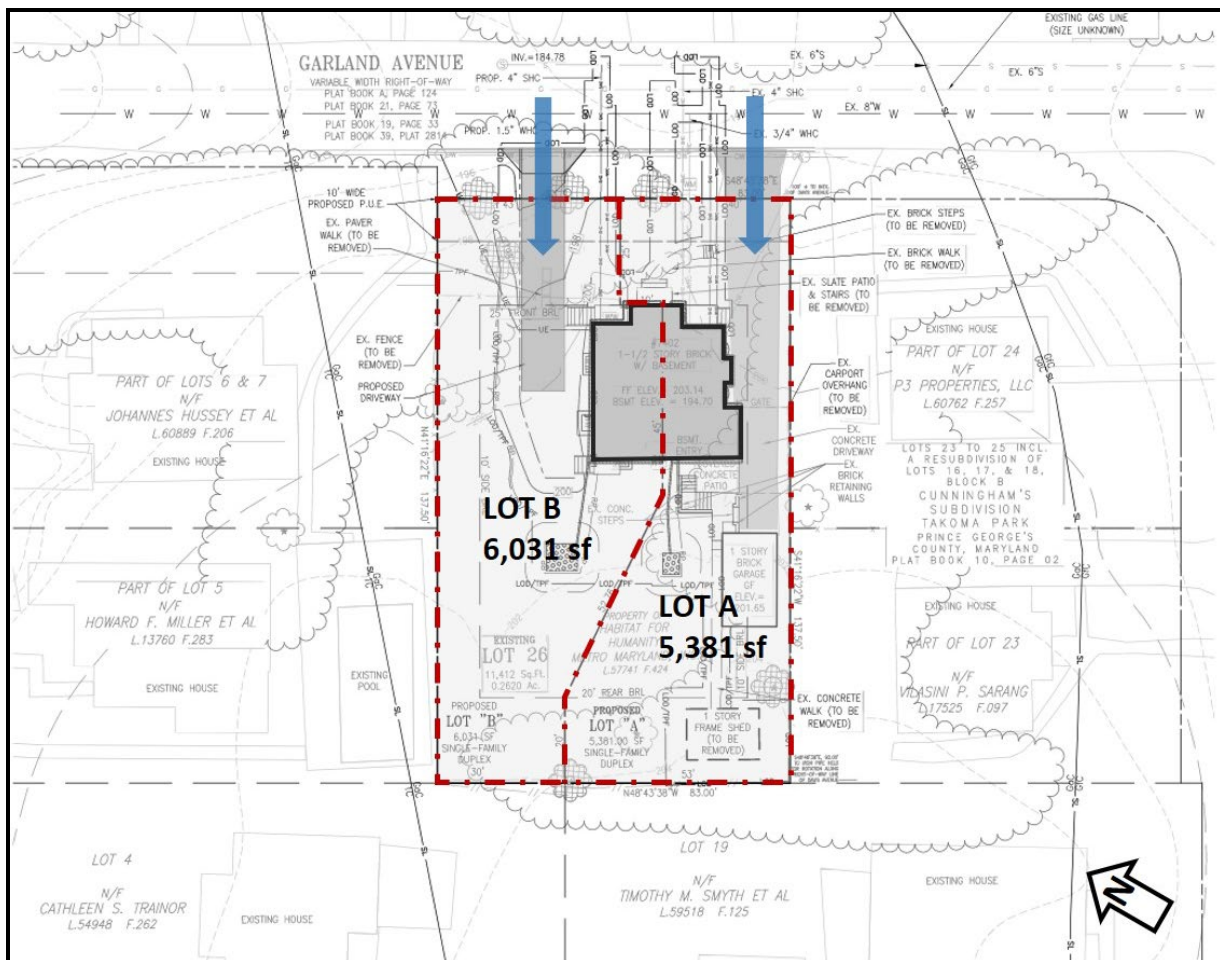


Figure 3: Proposed Preliminary Plan

The City of Takoma Park owns and operates Garland Avenue and has relieved the Applicant from obligations to dedicate additional right-of-way and to construct a sidewalk along the Site frontage. Sidewalks are not present on either side of the street.

## SECTION 4 – ANALYSIS AND FINDINGS

The Application has been reviewed for compliance with Sections 50.4.2.D and 50.4.3 as follows:

### 50.4.2.D:

1. *The layout of the subdivision, including size, width, shape, orientation and diversity 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 block design is existing and not changing for the proposed development.

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

The design including size, width and shape and orientation of these lots is consistent with Section 50.4.3.C of the Montgomery County Code. The Preliminary Plan proposes two residential lots for a side by side duplex, an allowed use in the R-40 zone. The proposed lots accommodate the side by side duplex and will conform to the standards set forth in Section 59.4.4.9 of the Zoning Ordinance. Further, the design accommodates the necessary infrastructure including stormwater management, utilities, driveways and parking, and fire and emergency access.

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

The Site was reviewed for compliance with Section 50.4.3.D, “Public Sites and Adequate Open Spaces,” of the Subdivision Code and the 2000 *Takoma Park Master Plan*. There are no recommendations for public facilities or local recreation requirements for the Subject Property.

- d. *The Lot(s) and Use comply with the basic requirements of Chapter 59*

The lots were reviewed for compliance with the dimensional requirements for the R-40 Zone, under the Standard Method of Development as specified in the Zoning Ordinance. The lots as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is shown in Table 1.

*Table 1-Development Standards R-40 Zone (Standard Method of Development)*

<b>R-40</b>	<b>Required for Duplex - Side</b>	<b>Proposed Lot A<sup>1</sup></b>	<b>Proposed Lot B</b>
Minimum Site Area	8,000 square feet	11,412 square feet	
Minimum Lot Area	4,000 square feet	5,381 square feet	6,031 square feet
Minimum Lot Width at B.R.L.	40 feet	40 feet	43 feet
Minimum Lot Width at Front Lot Line	10 feet	40 feet	43 feet
Maximum Coverage	40%	17%	10%
Front Setbacks (min)	25 feet	25 feet	25 feet
Side Setbacks east/west	10 feet	10 feet/0 feet	0 feet/10 feet
Rear Setbacks (min)	20 feet	20 feet	20 feet
Maximum Building Height	35 feet	Approx. 28'	Approx. 28'
Site Plan Required	No	No	No

<sup>1</sup> Lot A will contain an accessory structure (garage) as a nonconforming structure pursuant to the provisions in Section 59.7.7.1.A of the Zoning Ordinance with final review by MCDPS.

<sup>2</sup> Existing structure, height to be confirmed by MCDPS at building permit.

2. *The Preliminary Plan substantially conforms to the Master Plan or Urban Renewal Plan.*

Land Use

The 2000 *Takoma Park Master Plan* identifies this Property as being within the New Hampshire Avenue Neighborhood and Unification Area that was previously within Prince George's County boundary. The Project will support the following recommendations of the Master Plan:

- *Amend the Zoning Ordinance to allow single-family detached units that have legally converted to two and three family units to continue.*
- *Support townhouse development at select locations to increase housing choice between apartment and single-family detached housing.*
- *Support remodeling and rehabilitation of residential properties through various County or City home or neighborhood improvement programs.*

The Proposal is in partnership with the City of Takoma Park and Habitat for Humanity. The City acquired the Property through the Tenant Opportunity to Purchase Law in September of 2020, and it was subsequently purchased by Habitat for Humanity. The Proposal will create two lots for purchase and advance the City of Takoma Park and Montgomery County's goal to help provide Missing Middle homeownership opportunities.

Environmental

The Subject Property is located within the *Takoma Park Master Plan* area. This Master Plan recommends continued street tree maintenance and planting as well as urban forestry principals to landscaping projects which serve to improve the diversity, health, and aesthetics of the urban ecosystem. The NRI/FSD and Tree Save Plan, submitted in support of a Forest Conservation Exemption as the proposed project is on a tract of land less than 1 acre, shows the proposed removal of Tree 1, a Black locust tree of 26 inches, and the proposed removal of Tree 2, a 54 inch Southern Red Oak; the Tree Save Plan also shows minor impacts to specimen and young trees as well as the removal of three trees less than 20" in size. The Applicant is required to mitigate for the removal of Trees 1 and 2 and provide protection measures for the affected specimen trees. As

shown on the conditionally approved Tree Save Plan, the Applicant is providing protection techniques which include tree protection fencing and root pruning. As conditioned, the two specimen tree removals, will be mitigated in the form of planting native canopy trees at least 3" in caliper, totaling at least 24 caliper inches. Through these measures, this Preliminary Plan will substantially conform to the tree preservation recommendations of the Master Plan and the requirements of the confirmed Chapter 22A Forest Conservation Law Exemption as conditioned.

#### Transportation

There are no specific transportation Master Plan recommendations for the Subject Property or Garland Avenue in the 2000 *Takoma Park Master Plan*. Additionally, Garland Avenue is not included in the 2018 *Master Plan of Highway and Transitways* and the 2018 *Bicycle Master Plan* did not recommend any designated bicycle facilities on Garland Avenue specifically or generally on Secondary Residential roadways. The Application does not propose any new roadway or transportation facilities not envisioned by the applicable master plans. Therefore, this Preliminary Plan substantially conforms to the Master Plan recommendations.

### *3. Public Facilities will be adequate to support and service the area of the subdivision*

#### Roads and Other Transportation Facilities

Transportation Access is adequate to serve the proposed development by this Preliminary Plan. Both record lots will have frontage on Garland Avenue, which will provide all access to the Site. The existing driveway will remain and a new driveway, serving Lot B will be constructed. Within the vicinity of the Subject Property, Garland Avenue is improved as a 26-foot wide roadway within a dedicated right-of-way that varies from 40.5-42.5 feet in width. The roadway is owned and maintained by the City of Takoma Park, which has indicated, in its letter to planning Staff dated June 22, 2021, that it will not be seeking additional right-of-way dedication from the Applicant. Along the Site's frontage, Garland Avenue is improved with curb and gutter on both sides of the street. Sidewalks are not present on either side of the street and the City of Takoma Park has also indicated that the Applicant will not be required to install a sidewalk along the Site frontage.

#### *Master Plan Roadways and Pedestrian/Bikeway Facilities*

There are no specific transportation recommendations for Garland Avenue in either the 2000 *Takoma Park Master Plan*, 2018 *Planning Board Master Plan of Highways & Transitways*, or the 2018 *Bicycle Master Plan*.

#### *Transit Connectivity*

Transit within approximately one quarter-mile vicinity of the Subject Property includes:

- Montgomery County Ride-On Bus Routes 17 and 18 (weekday and weekend service between Langley Park and the Silver Spring Transit Center), and Route 25 (weekday service between the Takoma Park Metro Station and Langley Park) stop at the intersection of Carroll Avenue and Garland Avenue, approximately 250 feet west of the Site.

#### *Adequate Public Facilities*

Based on the 2021-2024 Growth and Infrastructure Policy transportation impact criteria, the proposed lots generate fewer than 50 peak-hour person trips, therefore, the Application is not subject to a Local Area Transportation Review analysis as shown in Table 2.

Table 2 - Project Peak Hour Trip Generation

	Vehicle Rates		Adjusted Vehicle Rates		Person Trips	
	AM	PM	AM	PM	AM	PM
Existing: 3 multi-family units	2	3	2	3	3	4
Proposed: 2 Single-family units	6	2	5	2	9	3
Net new	4	-2	3	-1	6	-1

### Schools

The FY22 Annual School Test, approved by the Planning Board on June 17, 2021 and effective July 1, 2021 is applicable to this Application. This Project proposes to subdivide a lot with an existing single family detached structure that was converted to three rental units to create a side by side duplex (single family attached structure). While the City of Takoma Park confirmed licensing for three rental units, the Schools analysis is based on State Department of Assessments and Taxation (SDAT) data, which only reflects one single-family dwelling on the Property. Therefore, the Schools adequacy was conservatively based on a net of one residential unit.

### **School Adequacy Test**

The project is served by Takoma Park/Piney Branch ES, Takoma Park MS and Blair HS. Based on the FY22 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

Table 3. Applicable FY2022 School Adequacy.

School	Projected School Totals, 2025				Adequacy Status	Adequacy Ceilings		
	Program Capacity	Enrollment	% Utilization	Surplus/ Deficit		Tier 1	Tier 2	Tier 3
Takoma Park/Piney Branch ES	1,240	1,250	100.8%	-10	No UPP	75	238	424
Takoma Park MS	1,322	1,139	86.2%	+183	No UPP	309	448	646
Montgomery Blair HS <sup>2</sup>	2,889	2,693	93.2%	+196	No UPP	376	774	1,208

The school adequacy test determines the extent to which an applicant is required to make a Utilization Premium Payment (UPP) based on each school's adequacy status and ceilings, as determined in the Annual School Test. Under the FY22 Annual School Test, development projects approved within these school service areas are not automatically subject to Utilization Premium Payments as identified in Table 3.

### **Calculation of Student Enrollment Impacts**

To calculate the number of students generated by the proposed project, the number of dwelling units is multiplied by the applicable School Impact Area student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low-rise multifamily unit, or high-rise multifamily unit.

With a net of one unit that is not age-restricted, the proposed project is estimated to generate the following number of students based on the subject Property's location within a Turnover Impact Area:

<sup>2</sup> Projected enrollment reflects the estimated impact of CIP P651908, which will reassign students between the DownCounty Consortium, Walter Johnson HS and Woodward HS in 2025.



Table 4. Estimated Student Enrollment Impacts.

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
SF Detached	-1	0.185	-0.185	0.108	-0.108	0.154	-0.154
SF Attached	2	0.225	0.450	0.123	0.246	0.159	0.318
MF Low-rise	0	0.107	0.000	0.058	0.000	0.070	0.000
MF High-rise	0	0.051	0.000	0.024	0.000	0.030	0.000
<b>TOTALS</b>	<b>1</b>		<b>0</b>		<b>0</b>		<b>0</b>

As shown in Table 4, on average, this project is estimated to generate zero elementary school students, zero middle school students and zero high school students. The number of students generated does not exceed the adequacy ceilings identified for each school in Table 3, therefore no additional UPPs are required and neither are partial payments across multiple UPP tiers.

Table 5: UPP Factor Matrix

School Name	Tier 1	Tier 2	Tier 3
Takoma Park/Piney Branch ES	0.000	0.000	0.000
Takoma Park MS	0.000	0.000	0.000
Montgomery Blair HS	0.000	0.000	0.000

#### Analysis Conclusion

Based on the school capacity analysis performed, using the FY2022 Annual School Test, there is adequate capacity within the schools that serve the Project, and the Application is not subject to a Utilization Premium Payment.

#### Other Public Facilities and Services

Public facilities, including water and sewer, utilities, police, fire, health, and schools are adequate to serve the Project. The Property will be served by existing public water and sewer systems. Electrical and telecommunications services are also available to serve the subject Property. The Application has been reviewed by MCFRS, and emergency vehicle access has been deemed adequate. Local health clinics, police stations and fire stations are all operating within the acceptable levels as established by the Growth and Infrastructure Policy.

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

##### Forest Conservation Plan

This Application is subject to Chapter 22A Forest Conservation Law but is exempt from the requirement to submit a Forest Conservation Plan under Section 22A-5(s)(2) as referenced in the Forest Conservation Exemption Approval Memo; this exemption was granted because the proposed activity will occur on a tract of land less than 1 acre, will not result in the clearing of more than a total of 20,000 square feet of existing forest or any specimen or champion tree, and reforestation requirements would not exceed 10,000 square feet. The proposed removal of Tree 1 and impacts to specimen trees requires the submission of a Tree Save Plan along with the Preliminary Plan Application. As conditioned, the Application will meet all requirements of Chapter 22A, Forest Conservation Law.

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

As confirmed by the Montgomery County Department of Permitting Services (MCDPS) Stormwater Management Section in a letter dated May 11, 2021, the City of Takoma Park operates under its own delegation of authority from the Maryland Department of the Environment for review and permitting for stormwater management compliance. The City of Takoma Park Department of Public Works issued a letter on July 19, 2021 stating that the Conceptual Stormwater Management Plan submitted by the Applicant was acceptable and further review would be conducted prior to issuance of the final permit.

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

Not applicable.

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

Not applicable, no other provisions specific to the Property and necessary for approval of this subdivision are required.

## **SECTION 5 – COMMUNITY COMMENTS**

The Applicant has met all proper signage, noticing and pre-submission meeting requirements for the submitted Application. The Applicant held a pre-submittal public meeting on January 28, 2021. This meeting was conducted virtually per COVID-19 Guidelines. Staff has not received any correspondence as of the date of this Staff Report.

## **SECTION 6 – CONCLUSION**

As conditioned, the proposed lots meet all the requirements established in the Subdivision Regulations and the Zoning Ordinance and conform to the recommendations of the 2000 *Takoma Park Master Plan*. Access to the lots is adequate and all public facilities and utilities are adequate to serve the Property. The Application was reviewed by other applicable County agencies, all of whom have recommended approval of the plans. Therefore, Staff recommends approval of the Application, with the conditions as specified.

### **Attachments**

Attachment A – Preliminary Plan

Attachment B – City of Takoma Park Resolution 2021-23

Attachment C – Agency Letters







Introduced by: Councilmember Smith

**CITY OF TAKOMA PARK, MARYLAND**

**RESOLUTION 2021-23**

**PROVIDING COMMENT ON THE SUBDIVISION OF  
7402 GARLAND AVENUE (LOT 25)**

WHEREAS, the owner of the property located at 7402 Garland Avenue, Habitat for Humanity Metro Maryland, Inc., has submitted an application to the Montgomery County Planning Board for the subdivision of an existing parcel for the purpose of creating two new residential lots (Plan #120210220); and

WHEREAS, a site plan detailing the subdivision and renovation of a three-unit rental property into a duplex, with frontage on Garland Avenue, has been submitted by the property owner for purposes of development; and

WHEREAS, the Takoma Park City Council plays an important role in the review of development applications by considering the intent and application of zoning and subdivision provisions and formally commenting on the impacts on the environment, the built environment, and the community; and

WHEREAS, the Takoma Park City Council supports residential development of the subject property and this project as a means of expanding “missing middle housing”; and


WHEREAS Montgomery County development review staff have stated that the proposed subdivision plan and the site plan for the 7402 Garland Avenue Property (Lot 25) conform to technical requirements put forth in the Takoma Park Master Plan (2000) and the Montgomery County Zoning Code; and

WHEREAS, the Montgomery County Planning Board is expected to review the Site Plan (Plan #120210220) on September 7, 2021.

NOW, THEREFORE BE IT RESOLVED that the Takoma Park City Council recommends that the Montgomery County Planning Board approve the proposed subdivision and site plan for 7402 Garland Avenue (Plan #120210220).

Adopted this 21st day of July, 2021.

Attest:

  
Jessie Carpenter, CMC  
City Clerk

June 22, 2021

Grace Bogdan,  
Planner Coordinator, DownCounty Planning Division  
Montgomery County Planning Department  
2425 Reedie Drive, 13th Floor  
Wheaton, MD 20902

RE: 7402 Garland Avenue Subdivision Plan # 120210220

Dear Ms. Bogdan,

*The City of Takoma Park is not seeking additional right-of-way along Garland Avenue at this time. The roadway segment along the frontage of 7402 Garland Avenue is located within the limits of the City of Takoma Park, and the City and does not wish to acquire any additional ROW beyond what has been previously dedicated and recorded in Plat Book WWW 21, p. 73 as part of the Preliminary Plan 120210220.*

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "Rosalind Grigsby".

Rosalind Grigsby  
Community Development Manager

June 22, 2021

Grace Bogdan,  
Planner Coordinator, DownCounty Planning Division  
Montgomery County Planning Department  
2425 Reedie Drive, 13th Floor  
Wheaton, MD 20902

RE: 7402 Garland Avenue Subdivision Plan # 120210220

Dear Ms. Bogdan,

The City of Takoma Park is waiving the requirement for the sidewalk improvements at 7402 Garland Avenue for this subdivision project. The City has its own policies and processes for sidewalks and tree permits and we do not support the requirement of partial sidewalk in this location.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "Rosalind Grigsby", written in a cursive style.

Rosalind Grigsby  
Community Development Manager





June 22, 2021

Ms. Grace Bogdan, Planner Coordinator  
Downcounty Planning Division  
The Maryland-National Capital  
Park & Planning Commission (M-NCPPC)  
2425 Reddie Drive  
Wheaton, Maryland 20902

RE: Preliminary Plan Letter  
Preliminary Plan No. 120210220  
7402 Garland Avenue

Dear Ms. Bogdan:

We have completed our review of the Preliminary Plan uploaded in eplans dated May 11, 2021.

The public streets fronting the subject property; Garland Avenue is maintained by the City of Takoma Park. MCDOT does not have any jurisdiction and therefore, we do not have any comments.

If you have any questions or comments regarding this letter, please contact Mr. Deepak Somarajan, our Development Review Team Engineer for this project, at 240-777-7170 or at [deepak.somarajan@montgomerycountymd.gov](mailto:deepak.somarajan@montgomerycountymd.gov).

Sincerely,

*Deepak Somarajan*

Deepak Somarajan, Engineer III  
Development Review  
Office of Transportation Policy

SharePoint\teams\DOT\Director's Office\Development Review\Deepak\Preliminary Plan\120210220-7402 Garland Avenue\ Letter\ 120210220-7402 Garland Avenue Ltr

cc: Sharepoint Correspondence FY-21

cc-e:	Rosalind Grigsby	City of Takoma Park
	Katherine Mencarini	MNCPPC
	Atiq Panjshiri	MCDPS RWPR
	Sam Farhadi	MCDPS RWPR
	Rebecca Torma	MCDOT OTP



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**Department of Permitting Services**  
**Fire Department Access and Water Supply Comments**

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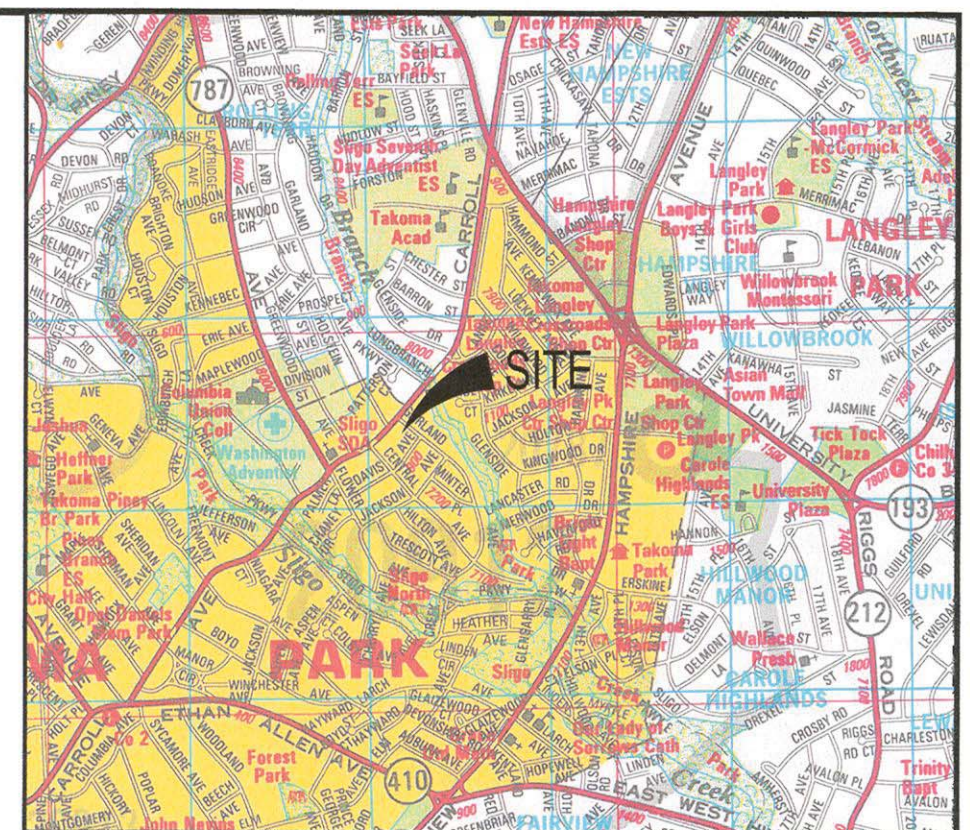
**DATE:** 11-Aug-21  
**TO:** Matthew Hogan  
Charles P Johnson & Associates  
**FROM:** Marie LaBaw  
**RE:** 7402 Garland Avenue  
120210220

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**PLAN APPROVED**

1. Review based only upon information contained on the plan submitted **09-Aug-21** .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.





VICINITY MAP

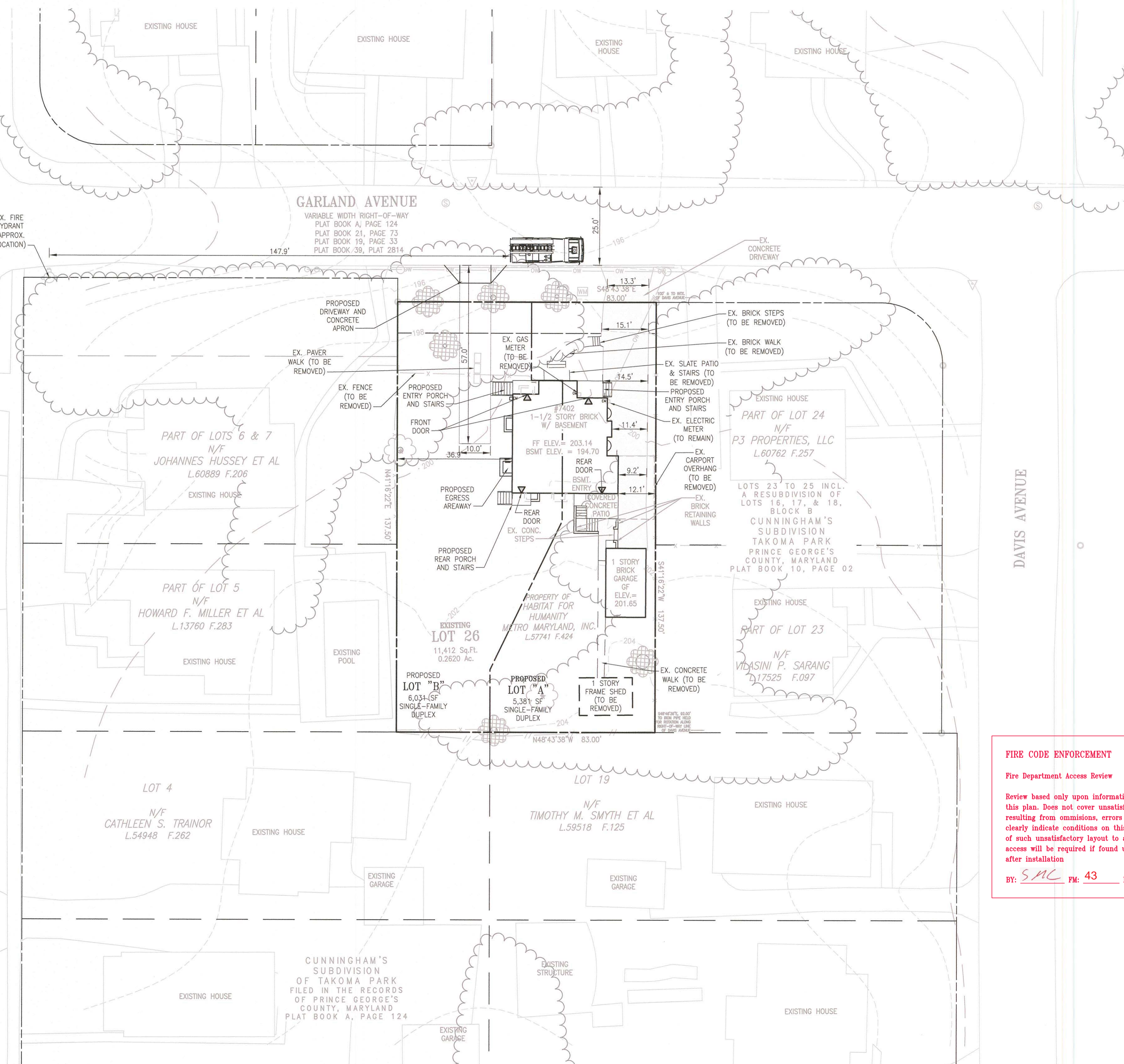
SCALE: 1"=2000'  
ADC Map Pages 5650, Grids 8H  
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LEGEND

- EXISTING SIGNIFICANT TREE (14" DBH) TO REMAIN
- EXISTING SIGNIFICANT TREE (14" DBH) TO BE REMOVED
- EXISTING UTILITY POLE
- EXISTING GUY WIRE
- EXISTING WATER METER
- EXISTING GAS METER
- PROPOSED GAS METER
- EXISTING ELECTRIC METER
- EXISTING FIRE HYDRANT
- MAIN SIDE-HINGED DOORS
- PROPERTY LINE
- RIGHT-OF-WAY
- ADJACENT PROPERTY LINE
- ADJACENT SUBDIVISION LINE
- BUILDING RESTRICTION LINE (BRL)
- PROPOSED LOT LINE
- EXISTING CURB
- CHAIN LINK FENCE
- STOCKADE FENCE
- EXISTING OVERHEAD WIRE
- EXISTING SEWER LINE
- EXISTING MAJOR CONTOURS
- EXISTING MINOR CONTOURS
- EXISTING SIDEWALK TO BE REMOVED
- PROPOSED SIDEWALK
- EXISTING DRIVEWAY/SIDEWALK TO REMAIN
- PATHWAY FROM EDGE OF PAVEMENT TO MAIN SIDE HINGE DOOR AS THE FIREFIGHTER WALKS

FIRE CODE ENFORCEMENT

Fire Department Access Review  
Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.  
BY: SAC PM: 43 DATE: 8/11/2021



SITE DESCRIPTION

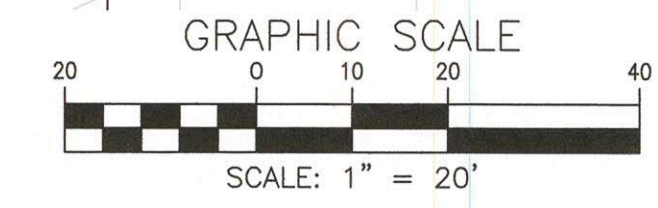
THIS 0.26 ACRE SITE IS BOUNDED BY GARLAND AVENUE TO THE NORTH AND RESIDENTIAL PROPERTIES TO THE EAST, WEST, AND SOUTH.  
THE SITE CONSISTS OF ONE EXISTING RESIDENTIAL HOUSE, A GARAGE, A WOOD FRAME SHED, AND A PAVED DRIVEWAY. A MOWED LAWN AREA IS BEHIND AND WEST OF THE EXISTING HOUSE.  
THE SITE TOPOGRAPHY IS MOSTLY FLAT, WITH A GENTLE SLOPE TOWARDS GARLAND AVENUE. THE FRONT SLOPE INCREASES AS IT APPROACHES THE WESTERN LOT LINE.

FIRE ACCESS NOTES

- WHERE ANY BRL IS LESS THAN 15 FEET AND THE MAIN SIDE HINGE DOOR TO A SINGLE FAMILY UNIT IS LOCATED BETWEEN 50' AND 150' FROM A FIRE DEPARTMENT VEHICULAR ACCESS, THE HEIGHT OF THE UNIT SHALL BE RESTRICTED TO A MAXIMUM SILL HEIGHT OF TWENTY-SEVEN FEET (27') INCLUDING FALSE DORMERS.

GENERAL NOTES

- THE SUBJECT PROPERTY COMPRISES THE FOLLOWING:  
LOT/PARCEL NO. BLOCK TAX ACCT. NO. LIBER & FOLIO  
LOT 25 B 03162096 L. 57741, F. 0424
- THE SIZE OF THE LOT IS 11,412 SF (0.26 ac).
- THE SUBJECT PROPERTY IS ZONED R-40 (RESIDENTIAL - 40).
- THE SUBJECT PROPERTY IS WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN OF TAKOMA PARK.
- WSSC PROVIDES WATER AND SANITARY SEWER SERVICE TO THE PROPERTY, AND PEPCO PROVIDES ELECTRIC SERVICE.
- THE EXISTING HOUSE AND GARAGE ON THE SITE ARE TO REMAIN. THE ONE-STORY FRAME SHED SHALL BE REMOVED.
- UNLESS SPECIFICALLY NOTED ON THIS PLAN DRAWING OR IN THE PLANNING BOARD CONDITIONS OF APPROVAL, THE BUILDING FOOTPRINT, BUILDING HEIGHT, ON-SITE PARKING, AND SIDEWALKS SHOWN ON THIS PRELIMINARY PLAN ARE ILLUSTRATIVE. THE FINAL LOCATIONS AND CONFIGURATIONS OF THE BUILDING, STRUCTURES, AND HARDSCAPES WILL BE DETERMINED AT TIME OF SITE PLAN APPROVAL. PLEASE REFER TO THE DEVELOPMENT STANDARDS TABLE FOR SETBACKS, BUILDING RESTRICTION LINES, BUILDING HEIGHT, AND LOT COVERAGE. OTHER LIMITATIONS FOR SITE DEVELOPMENT MAY ALSO BE INCLUDED IN THE CONDITIONS OF THE PLANNING BOARD APPROVAL.
- THE NUMBER, CONFIGURATIONS, AND SIZE OF THE LOTS TO BE DETERMINED AT PLANNING BOARD.



PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

LICENSE NUMBER : 49288  
EXPIRATION DATE : 5/12/2022



UPDATES/REVISIONS :	
06/23/2021	DRC REVIEW COMMENT REVISIONS - CRS
08/09/2021	ADDITION OF STREET WIDTH - CRS

FIRE DEPARTMENT ACCESS PLAN  
FDA 120210220  
7402 Garland Avenue, Takoma Park  
7402 GARLAND AVENUE  
WHEATON (13th) DISTRICT  
MONTGOMERY COUNTY, MD

**CPJ Associates**  
Charles P. Johnson & Associates, Inc.  
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors  
1751 Elton Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-9394  
www.cpja.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

CLIENT: HABITAT FOR HUMANITY 8380 Colesville Road, Suite 700 Silver Spring, MD 20910	TAX MAP/WSSC 209NE01	SITE PLAN NO.
DESIGN CRS	SHEET	OF
DRAFT CRS	1	1
DATE APR. 23, 2021	FILE NO.:	
SCALE 1"=20'	2020-1446-90	

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# City of Takoma Park

**DEPARTMENT OF PUBLIC WORKS**

Telephone: 301-891-7633

FAX: 301-585-2405



31 Oswego Avenue

Silver Spring, MD 20910

July 19, 2021

Mr. John Paukstis  
8380 Colesville, Rod, Suite 700  
Silver Spring, MD 20910


Subject: SWM Concept Application SWC21-06-02  
7402 Garland Avenue

Dear Mr. Paukstis:

The referenced stormwater Management Concept Application was found acceptable. An approved Tree Protection Plan by the City's Urban Forest Manager is necessary for validating this concept approval. Please refer to Takoma Code Title 16 for a complete description of stormwater management plan permit requirements. A list of requirements for a stormwater permit is presented below for your reference.

1. Completed SWM permit application (form can be found on the City's web page)
2. Three (3) copies of the final SWM plans, including details
3. One (1) copy of MCDPS approved sediment and erosion control plan
4. SWM facilities construction cost estimate for the purpose of setting the Bond amount
5. A performance Bond equal to the approved construction cost estimate of the SWM facilities
6. Completed Declaration of Covenants for inspection/maintenance of the stormwater management system
7. Schedule for staged inspection and reports (Takoma Code 16.04.210, 16.04.260)
8. A maintenance schedule developed for the life of SWM facilities to be included on the final plans
9. A letter from the owner providing the name of a professional engineer registered in Maryland who would be performing inspection and certification for all the stages of construction as described in the Takoma Code, including preparation and presentation of the final "As Built" plans and certifications

Sincerely yours,

  
Ali Khalilian, P.E.  
City Engineer

cc: Hitham A. Hijazi, P.E.  
CPJ Associates, Inc.  
1751 Elton Road, Suite 300  
Silver Spring, MD 20903

File

Attachments:

1. Declaration of Covenants – Inspection/Maintenance of Stormwater Management System
2. As-Built Certification
3. Performance Bond Form

Parcel ID No.: \_\_\_\_\_

**DECLARATION OF COVENANTS  
INSPECTION/MAINTENANCE OF STORMWATER  
MANAGEMENT SYSTEM  
(Commercial and Non-Residential Properties)**

THIS DECLARATION, made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, between  
\_\_\_\_\_, hereinafter referred to as the  
"Covenantor," owner(s) of the following property: \_\_\_\_\_

\_\_\_\_\_  
(the "Property"), and the City of Takoma Park, Maryland, hereinafter referred to as the "City."

**WITNESSETH:**

The Covenantor, with full authority to execute deeds, mortgages, other covenants, and all rights, titles and interest in the property described above, does hereby covenant with the City as follows:

1. The Covenantor must maintain the Easement Area(s) depicted in **Exhibit B** by providing trash removal, grass cutting, and landscaping on the Property described in **Exhibit A** and performing all required maintenance of the stormwater management system (the "System") serving the Property in accordance with the laws of the City and the State of Maryland. The Covenantor's obligations under this paragraph include responsibility for performing routine inspection and maintenance of any stormwater management facility as well as any nonstructural best management practice as needed to ensure that the entire System remains in proper working condition in accordance with approved design standards.
2. The Covenantor must provide and maintain perpetual access from public rights-of-way to the System for the City, its agents and its contractors.
3. The Covenantor must grant the City, its agents and its contractors a right of entry to the System for the purpose of inspecting, operating, monitoring, installing, constructing; reconstructing, modifying, altering or repairing the System. The Covenantor's obligations under this paragraph include providing access to the System via indoor common areas as needed for the City, its agents, and its contractors.
4. Except in the case of an emergency, the City will provide not less than seven (7) days prior notice to the Covenantor before performing any inspection of the System in accordance with this Covenant.
5. If, after reasonable notice by the City, the Covenantor fails to maintain the System in accordance with this Covenant, the City may perform any maintenance needed to correct a condition that impacts the effectiveness of routine maintenance and collect any costs incurred as a result from each owner of the System and in the same manner as real property taxes are



collected. In addition, the City may seek reimbursement under any other method legally available to collect debts owed to the City.

6. The Covenantor agrees to indemnify and save the City harmless from any and all claims for direct damages to persons or property arising from inspection, repair and maintenance of the System and Easement Area(s) in accordance with this Covenant.

7. The Covenantor must promptly notify the City when the Covenantor legally transfers any of the Covenantor's responsibilities for the System. The Covenantor must provide the City a certified copy of any fully executed document of transfer.

8. The Covenants contained herein shall run with the land and shall bind the City, the Covenantor and the Covenantor's successors and assignees, and shall bind all present and subsequent owners of property served by the System.

9. This Covenant shall be recorded in the Land Records of Montgomery County, Maryland.

11. This Covenant runs to the benefit of the City and may not be released or modified except by written consent of the City.

IN WITNESS WHEREOF, the Covenantor and the City have executed this Declaration of Covenants on the date first above written.

Attest:

**COVENANTOR**

Print Name: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

Attest:

**CITY OF TAKOMA PARK, MARYLAND**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_:

I hereby certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before the subscriber, a Notary Public of the State of \_\_\_\_\_, and for the County of \_\_\_\_\_, personally appeared \_\_\_\_\_, known to me (or satisfactorily proven) to be the person(s) described in the foregoing instrument, who did acknowledge that (he)(she)(they), having been properly authorized, executed the same in the capacity therein stated and for the purposes therein contained.

IN TESTIMONY WHEREOF, I have affixed my hand and official seal.

My commission expires: \_\_\_\_\_  
 \_\_\_\_\_  
 Notary Public

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_:

I hereby certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before the subscriber, a Notary Public of the State of \_\_\_\_\_, and for the County of \_\_\_\_\_, personally appeared \_\_\_\_\_, City Manager, known to me (or satisfactorily proven) to be the person described in the foregoing instrument, who did acknowledge that (he) (she), having been properly authorized, executed the same on behalf of the City of Takoma Park, Maryland in the capacity therein stated and for the purposes therein contained.

IN TESTIMONY WHEREOF, I have affixed my hand and official seal.

My commission expires: \_\_\_\_\_  
 \_\_\_\_\_  
 Notary Public

INFORMATION FOR RECORDING

Parcel I.D. No.: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Street Address of Parcel: \_\_\_\_\_

Name and Address of Parties to  
Instrument and Their Interest:Covenantor: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_City: City of Takoma Park, Maryland  
7500 Maple Avenue  
Takoma Park, MD 20912  
Attn: \_\_\_\_\_  
Project: \_\_\_\_\_Certificate of PreparationI hereby certify that I am an attorney duly admitted to practice before the Court of  
Appeals of Maryland and that the within instrument was prepared under my supervision.\_\_\_\_\_  
Assistant City AttorneyAFTER RECORDING, PLEASE RETURN TO:\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **AS BUILT CERTIFICATION**

I hereby certify that the stormwater management facility shown on the plans has (have) been constructed in accordance with the plans approved by the City of Takoma Park except as noted in red on the 'AS BUILT' drawings.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Maryland registration number

\_\_\_\_\_  
Date

\_\_\_\_\_  
MDE No.

\_\_\_\_\_  
Facility Identification (number and/or type)

“Certify” means to state or declare a professional opinion based on sufficient and appropriate onsite sections and material tests conducted during construction

\_\_\_\_\_

## **DESIGN CERTIFICATION:**

“I hereby certify that this plan has been designed in accordance with the Title 16 of City of Takoma Park Code & the current Maryland Stormwater Design Manual, Volumes I & II and The Maryland Department of the Environment Stormwater Management Regulations.”

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Maryland registration number  
P.E., R.L.S. or R.L.A. (Circle)

\_\_\_\_\_  
Date:

## Bond Submittal Form

Date \_\_\_\_\_

- Project Type:**
- ☐ Stormwater Permit Performance Bond
  - ☐ Utility Installation Street Restoration Bond
  - ☐ Work in the Right of Way Bond

Project No./Permit No.: \_\_\_\_\_

Project Name: \_\_\_\_\_

Project Location: \_\_\_\_\_

Amount: \$ \_\_\_\_\_

- Type of Bond:**
- ☐ Cash
  - ☐ Letter of Credit
  - ☐ Letter of Assignment of Funds
  - ☐ Corporate Surety Bond

Name Owner/Applicant/Contractor: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Submittal to Finance Date: \_\_\_\_\_

Signature of Acceptor: \_\_\_\_\_

## CITY OF TAKOMA PARK, MARYLAND

**PERFORMANCE BOND**

Permittee(s) Name: \_\_\_\_\_

Permit No.: \_\_\_\_\_

Address: \_\_\_\_\_

Permit Type: \_\_\_\_\_

Telephone/Email: \_\_\_\_\_

Bond No.: \_\_\_\_\_

Surety Name: \_\_\_\_\_

Sum of Bond: \_\_\_\_\_

Address: \_\_\_\_\_

Date Bond Executed: \_\_\_\_\_

Telephone/Email: \_\_\_\_\_

KNOW ALL PERSONS BY THESE PRESENTS, that \_\_\_\_\_  
 \_\_\_\_\_, hereinafter referred to as "Permittee," and  
 \_\_\_\_\_, a corporation incorporated under the laws of  
 the State of \_\_\_\_\_ and authorized to do business in the State of Maryland,  
 hereinafter referred to as "Surety," are held and firmly bound unto the City of Takoma Park,  
 Maryland, a municipal corporation, hereinafter referred to as "City," in the sum of \_\_\_\_\_  
 \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) in lawful money of the United  
 States of America, to be paid to the City, or its assigns, upon the conditions set forth below. This  
 Bond is binding on ourselves, our heirs, personal representatives, administrators, successors, and  
 assigns, jointly and severally.

WHEREAS, Permittee has applied for a permit from the City to \_\_\_\_\_  
 \_\_\_\_\_  
 on the following described property: \_\_\_\_\_  
 \_\_\_\_\_.

WHEREAS, it is a condition of approval and issuance of the permit referenced above that a  
 bond or other instrument be issued for the benefit of the City, guaranteeing performance of the work  
 described in the permit and as may be required by law.



NOW, THEREFORE, the condition of this obligation is such that, providing the Permittee shall perform all work according to the terms and conditions of the above referenced permit, and comply with all requirements of law, then this obligation shall be null and void. Otherwise this Bond shall continuously remain in full force and effect until released by the City.

1. In the event that the Permittee shall fail or refuse, in any respect, to complete all work in accordance with the terms and conditions of the permit and applicable law and within the period of time specified in the approval of the permit or any extensions thereof, then upon written notice of default from the City or its designee to the Permittee and the Surety, the Surety shall promptly take one of the following actions:

- a. Undertake to complete or correct the work or to arrange for completion or correction of the work at the Surety's sole expense; or
- b. Pay the City to complete or correct the work up to the full penal sum of the bond.

2. The Surety agrees that no change, extension of time, alteration or addition to the terms of the permit or the work to be performed under the permit shall in any way affect its obligations under this Performance Bond. The Surety hereby waives notice of any such change, extension of time, alteration or addition to the terms of the work to be performed under the permit.

3. If the Surety does not respond within ten (10) business days after receiving the City's notice of default, the City shall be entitled to enforce any remedy available to the City, including completing or correcting the work, or arranging for the completion or correction of the work, and seeking reimbursement from the Surety up to the full penal sum of the bond.

4. This Bond shall remain in full force and effect until all of the work has been satisfactorily completed according to the terms and conditions of the above referenced permit and applicable law and the completed work has been approved by the City Manager of the City or his or her designee.

[Signature page follows.]

THE PERSONS WHOSE SIGNATURES APPEAR BELOW CERTIFY THAT THEY ARE AUTHORIZED TO EXECUTE THIS BOND ON BEHALF OF THE PERMITTEE AND THE SURETY. SIGNED, SEALED, AND DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

Witness/Attest

PERMITTEE: \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_ (SEAL)

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

(If a corporation, must be signed by the President or Vice President)

Witness/Attest

\*SURETY: \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_ (SEAL)

(Attorney-in-Fact signature)

Print Name: \_\_\_\_\_

\*Bonding company must be licensed to write bonds in the State of Maryland. Attach Maryland Certificate of Authority.

### Acknowledgement of Permittee

State of \_\_\_\_\_, County of \_\_\_\_\_: ss

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned officer, personally appeared \_\_\_\_\_, who acknowledged himself/herself/themselves to be the \_\_\_\_\_ (title of corporate officer) of \_\_\_\_\_, a corporation, and that he/she/they, as such officer(s), being authorized so to do, executed the foregoing bond for the purposes therein contained, by signing the name of the corporation by himself/herself/themselves as \_\_\_\_\_ (title of corporate officer or other description of legal authority).

In witness whereof, I set my hand and official seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

### Acknowledgement of Surety

State of \_\_\_\_\_, County of \_\_\_\_\_: ss

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned officer, personally appeared \_\_\_\_\_, Attorney-in-Fact for the Surety, \_\_\_\_\_, a corporation, and that he/she/they, as such Attorney-in-Fact, being authorized so to do, executed the foregoing bond for the purposes therein contained, by signing the name of the Surety by himself/herself as such Attorney-in-Fact.

In witness whereof, I set my hand and official seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public