

FAWSETT FARMS ADMINISTRATIVE SUBDIVISION PLAN NO. 620220030

Description

An application to subdivide one lot (10701 Rock Run Drive) into two lots for one existing and one new single-family detached dwelling unit.

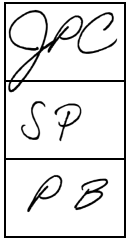
Administrative Subdivision No.
620220030

Completed: 6-3-22

MCPB
Item No. 9
6-16-2022

Montgomery County
Planning Board
2425 Reedie Drive,
Floor 14
Wheaton, MD 20902

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LOCATION/ADDRESS

10701 Rock Run Drive

MASTER PLAN

2002 Potomac Subregion Master Plan

ZONE

R-200 Zone

PROPERTY SIZE

0.98 Acres (42,471 Square Feet)

APPLICANT

10701 Rockrun 2021 LLC

ACCEPTANCE DATE

January 26, 2022

REVIEW BASIS

Chapter 59, 50 and 22A



Summary:

- Staff recommends approval of the administrative subdivision plan with conditions.
- Per Section 50.6.1.C of the Subdivision Ordinance, subdivisions for the creation of up to 3 lots for residential detached houses are permitted to be reviewed administratively.
- A public hearing has been requested by a community member, therefore, per Section 50.6.3.B.1 of the Subdivision Regulations, the Application is being reviewed by the Planning Board, instead of the Planning Director.
- Staff has received community correspondence in opposition to this application. The main concerns relate to proposed lot sizes, increased traffic, crowding of schools, and negative impacts to property values.

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SECTION 1: RECOMMENDATIONS AND CONDITIONS

ADMINISTRATIVE SUBDIVISION

Administrative Subdivision Plan No. 620220030: Staff recommends approval with conditions of the Administrative Subdivision Plan to subdivide one lot into two lots. All site development elements shown on the latest electronic version of the Administrative Subdivision Plan as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions¹:

GENERAL APPROVAL

1. This Administrative Subdivision Plan is limited to two lots for two single-family detached dwelling units.
2. The Adequate Public Facilities (“APF”) review for the Administrative Subdivision Plan will remain valid for five (5) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).
3. The Administrative Subdivision Plan will remain valid for three (3) years 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 Administrative Subdivision Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.
4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated May 31, 2022, and 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 if the amendment does not conflict with any other conditions of the Administrative Subdivision Plan approval.
5. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
6. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”) – Water Resources Section in its stormwater management concept letter dated June 2, 2022, and 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 if the amendment does not conflict with any other conditions of the Administrative Subdivision Plan approval.

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.

7. The Planning Board has reviewed and accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated April 11, 2022 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS, Fire Department Access and Water Supply Section may amend if the amendment does not conflict with other conditions of the Administrative Subdivision Plan approval.

ENVIRONMENT

8. The Applicant must comply with the following conditions of approval for the Preliminary/Final Forest Conservation Plan No. 620220030, 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, whichever comes first, for this development Application, the Applicant must submit the forest conservation fee-in-lieu payment to the M-NCPPC Planning Department for the 0.17 acres of afforestation/reforestation requirement.
 - d. Prior to any demolition, clearing, grading or construction for this development Application, whichever comes first, the Applicant must execute a five-year Maintenance and Management Agreement (“MMA”) in a form approved by the M-NCPPC Office of General Counsel. The MMA is required for mitigation tree plantings associated with the tree variance.
 - e. Prior to any demolition, clearing, grading or construction for this development Application, whichever comes first, 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 the ten (10) variance mitigation trees and their necessary maintenance.
 - f. Within the first planting season following the release of the first Sediment and Erosion Control Permit from the MCDPS for the Subject Property, or as directed by the M-NCPPC Forest Conservation Inspection Staff, the Applicant must install the variance tree mitigation plantings as shown on the FCP.
 - g. The Applicant must plant the variance tree mitigation plantings on the Subject Property with a minimum size of three caliper inches totaling thirty caliper inches as shown on the approved FCP. Adjustments to the planting locations of these trees is permitted with the approval of the M-NCPPC Forest Conservation Inspection Staff.
 - h. 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.

TRANSPORTATION

9. The Applicant must provide the following dedications and show them on the record plat(s) and assure construction for the following existing roads:
 - a. Approximately 116 square feet necessary to provide a chamfered right-of-way at the intersection of Rock Run Drive and Kingsgate Road in the southeast corner of the Subject Property.
 - b. Prior to the recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDPS to ensure construction of a 6-foot-wide sidewalk along the Property frontage on Rock Run Drive and Kingsgate Road.
 - c. The Applicant must construct a 6-foot-wide sidewalk along the frontage on Rock Run Drive and Kingsgate Road, subject to MCDPS review and pursuant to Section 49-40.b.1.C.

RECORD PLATS

10. There shall be no clearing or grading of the site prior to recordation of plat(s).

EASEMENTS

11. The record plat must show necessary easements, including, but not limited to the following:
 - a. A 10-foot wide Public Utility Easement (PUE) on the frontage of Rock Run Drive;
 - b. A 10-foot wide Public Improvement Easement (PIE) and overlapping 20-foot wide PUE on the frontage of Kingsgate Road.
12. The record plat must reflect a common use and access covenant for the benefit of the public over all trails, sidewalks and paths not included in a public right-of-way or private street parcel. The covenant must be in a form approved by the M-NCPPC Office of the General Counsel and recorded among the Montgomery County Land Records.

CERTIFIED ADMINISTRATIVE SUBDIVISION PLAN

13. The Applicant must include the stormwater management concept approval letter, MCDPS – Fire Department Access and Water Supply approval letter and Fire Access Plan and Administrative Subdivision Plan Resolution on the approval or cover sheet(s).
14. The Certified Administrative Subdivision Plan must contain the following notes:
 - a. *“Unless specifically noted on this plan drawing or in the 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) approval. 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 approval.”*

- b. The Applicant must schedule an on-site preconstruction meeting with M-NCPPC inspection staff before any demolition, clearing, or grading occurs on-site. The Applicant, their representatives, and the general contractor must attend the pre-construction meeting with the M-NCPPC inspector. A copy of the approved Certified Administrative Subdivision Plan is required to be on-site at all times.*

SECTION 2: SITE DESCRIPTION

SITE LOCATION AND DESCRIPTION

The Subject Property is Lot 30, Block 3, identified on Record Plat No. 3552 (Attachment A), located at 10701 Rock Run Drive, in the northern quadrant of the intersection of Rock Run Drive and Kingsgate Road ("Subject Property" or "Property"). The Subject Property is south of Brickyard Road and east of Falls Road, within the Potomac area of the 2002 *Potomac Subregion Master Plan*. The Property consists of 0.975 acres (42,471 square feet) of land zoned R-200, which is improved with a single-family detached house on the western half of the Property and a driveway on the eastern half providing access to Kingsgate Road. As depicted in the figures below, all the surrounding properties south of Brickyard Road are zoned R-200 and range in size, transitioning from smaller to larger lots from southeast to northwest.



Figure 1 – Vicinity and Zoning Map



Figure 2 – Aerial Map (2021) with lot and block labels

The Property is within the Potomac River Direct watershed, which is classified by the State of Maryland as Use Class I-P waters. The Subject Property is currently developed with one single family home surrounded by tree cover and a maintained yard. The Property does not contain any forest, streams, wetlands, 100-year flood plain, stream buffers, steep slopes, highly erodible soils, or other sensitive environmentally features. No historic resources or cemeteries are known to exist on the Property.

SECTION 3: PROJECT DESCRIPTION

CURRENT APPLICATION

On January 26, 2022, 10701 Rockrun 2021 LLC (“Applicant”) filed an administrative subdivision plan application designated Fawsett Farms, Administrative Subdivision Plan No. 620220030

(“Administrative Subdivision Plan” or “Application”) (Attachment B). The Application is a request to subdivide an existing 0.98-acre lot (Lot 30 – Block 3), located at 10701 Rock Run Drive, into two lots, for one existing single-family home and one new single-family home. The Subject Property is in the Potomac Policy Area and 2002 *Potomac Subregion Master Plan* (“Master Plan”) area.

The Application proposes to retain the existing house on the western portion of Lot 30, which will be on proposed Lot 1, and a new detached garage will be constructed in the northwest corner of proposed Lot 1. The existing driveway accessing Kingsgate Road will be removed and a new driveway access to Rock Run Drive will be constructed. A new house will be constructed on proposed Lot 2 with a new driveway access onto Rock Run Drive.

The existing house and new house will both be served by community water and sewer. As proposed, stormwater management goals will be met via drywells connected to the houses’ gutter systems and a micro infiltration trench to catch driveway runoff.

Since there is no forest on the Property, the Preliminary/Final Forest Conservation Plan will not result in forest removal. The Application includes an afforestation requirement of 0.17 acres, which will be satisfied via a fee-in-lieu payment. The Preliminary/Final Forest Conservation Plan includes a request for a variance to remove three trees subject to the variance provision of the Forest Conservation Law. If granted, the tree variance will be subject to the mitigation requirement of 29.3 caliper inches, which the Applicant will satisfy by planting ten 3-inch caliper overstory trees. Since there is no forest retention, forest planting or environmentally sensitive resources onsite, there will be no conservation easements required.

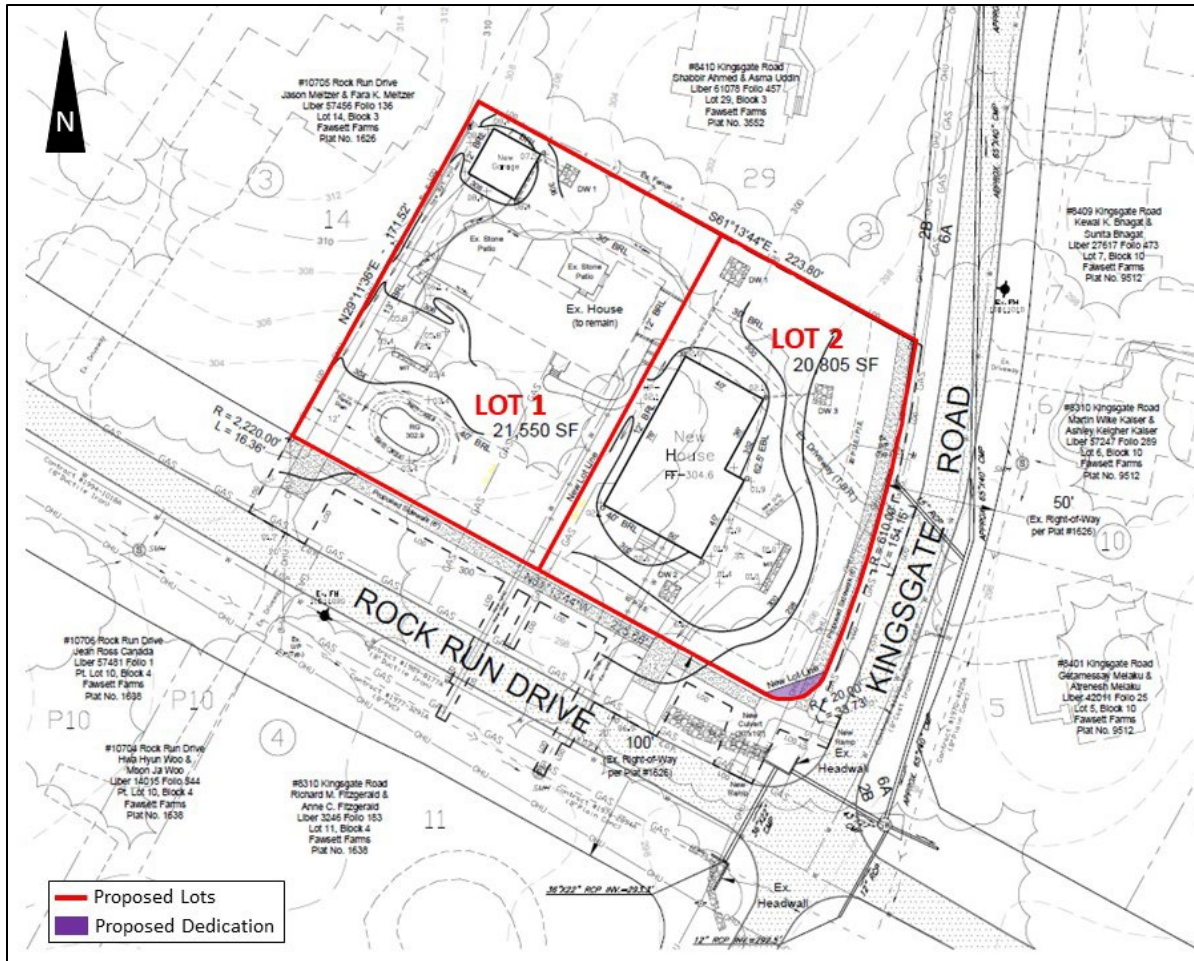


Figure 3 – Administrative Subdivision Plan

SECTION 4: ANALYSIS AND FINDINGS – CHAPTER 50

Applicability, Section 6.1.C

1. THE LOTS ARE APPROVED FOR STANDARD METHOD DEVELOPMENT.

The lots were submitted and are approved for standard method development in the R-200 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.

This requirement does not apply to this Administrative Subdivision because both lots are being served by community water and sewer.

3. ANY REQUIRED ROAD DEDICATIONS AND ASSOCIATED PUBLIC UTILITY EASEMENTS (PUE) ARE SHOWN ON THE PLAT AND THE APPLICANT PROVIDES ANY REQUIRED IMPROVEMENTS.

As shown on Record Plat No. 3352, the existing right-of-way on Rock Run Drive is 100 feet and 50 feet on Kingsgate Road. The only additional land being dedicated is 116 square feet necessary to accommodate a chamfered corner for sight distance at the intersection of Rock Run Drive and Kingsgate Road.

As discussed later in this Staff Report, the proposed sidewalk on Kingsgate Road will be accommodated in a new 10-foot-wide Public Improvement Easement (PIE) on proposed Lot 2. To accommodate existing and future utilities, the Administrative Subdivision Plan proposes a 10-foot-wide PUE on Rock Run Drive and a 20-foot-wide PUE overlapping the proposed PIE on Kingsgate Road.

4. THE REQUIREMENTS FOR ADEQUATE PUBLIC FACILITIES UNDER SECTION 4.3.J ARE SATISFIED BEFORE APPROVAL OF THE PLAT.

As conditioned and discussed below, the requirements for adequate public facilities have been met.

5. FOREST CONSERVATION, STORMWATER MANAGEMENT, AND ENVIRONMENTAL PROTECTION REQUIREMENTS ARE SATISFIED BEFORE APPROVAL OF THE PLAT.

- a. The Application is subject to the requirements of Chapter 22A. As conditioned and discussed below in the Technical Review for Forest Conservation section, the Application satisfies forest conservation requirements.
- b. The Application has received an approved Stormwater Management Concept, dated June 2, 2022, and will achieve stormwater management goals on each lot via Environmental Site Design (ESD) practices including drywells, microbioinfiltration and permeable pavement sidewalks (Attachment C).

Findings, Section 6.3.C

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.

The Administrative Subdivision Plan meets all applicable sections of the Subdivision Regulations. The proposed lot size, width, shape, and orientation is appropriate for the location of the subdivision, considering the general recommendations of the Master Plan, and residential use contemplated.

The Administrative Subdivision proposes lot sizes that are over 20,000 square feet, consistent with the allowed density in the R-200 Zone. Proposed Lot 1 is 21,550 square feet and proposed Lot 2 is 20,805 square feet. As depicted on the Administrative Subdivision Plan, each lot will meet minimum lot areas and other dimensional requirements of the zone, including the Established

Building Line (EBL) and Residential Infill Compatibility (RIC) requirements, as discussed below and supported by the Applicant's EBL analysis (Attachment D).

Established Building Line – Section 59-4.4.1.A

The requirement of Section 59-4.4.1.A applies to Kingsgate Road. The EBL for Kingsgate Road applies to Lot 2 only and has been determined to be 62.5 feet based upon the average front setbacks of the of two existing homes (8410 and 8412 Kingsgate Road) within 300 feet of the Property along Kingsgate Road. The EBL requirement of Section 59-4.4.1.A. is not applicable to Rock Run Drive for either lot based upon the following:

- WSSC records indicate that the water line which exists in Rock Run Drive was installed on 04/19/1995
- Three buildings exist within 300 feet of the western boundary of the Subject Property as follows:
 - 10705 Rock Run Drive, built in 2018
 - 10709 Rock Run Drive, built in 1971 (prior to public water)
 - 10715 Rock Run Drive, built in 1992 (prior to public water)
- Buildings on 10709 and 10715 Rock Run Drive are excluded from EBL determination because they were built prior to public water and were served by well or septic when they were first built. Per 59-4.4.1.A.3.a., lots in the R-200 zone that are or were ever served by well or septic are excluded from EBL determination.
- The EBL does not apply since only one building (10705 Rock Run Drive) can be used to establish the building line.

Residential Infill Compatibility – Section 59-4.4.1.B

The Residential Infill Compatibility requirement in Section 59-4.4.1.B applies to proposed Lot 2 Application because the Subject Property is zoned R-200 and proposes subdivision of a lot created by a record plat before January 1, 1978, which results in new lots smaller than 25,000 square feet, for the construction a new detached house.

According to Section 59-4.4.1.B, the maximum lot coverage is 20% multiplied by the square footage of lot area for lots 16,000 square feet or larger. Both lots are under the maximum coverage of 20 percent allowed, which will be verified by MCDPS prior to building permit release.

The lots were reviewed for compliance with all applicable development standards, and the proposed lot can accommodate a dwelling which can reasonably meet the applicable development standards, including the applicable EBL and RIC requirements. A summary of this review is included in Table 1.

Table 1 – R-200 Zone Development Review Table (Standard Method of Development)

Development Standard	Permitted/ Required	Lot 1	Lot 2
Tract Area	0.98 acres /42,471 SF		
Proposed Dedication	116 SF		
Site Area	42,355 SF		
Min. Lot Size	20,000 SF	21,550 SF ²	20,805 SF ²
Min. Lot Frontage	25 ft. min.	126 ft.	299 ft.
Min. Setbacks (ft)			
Front (Rock Run Dr)	40 ft. or EBL	40 ft. min. ³	40 ft. min. ³
Front (Kingsgate Rd)	40 ft. or EBL	NA	62.5 ft. EBL
Side	12 ft. min./25 ft. total	12 ft. min/25 ft. total	12 ft. min./25 ft. total
Rear	30 ft.	30 ft.	30 ft.
Min. Lot width at Building Line	100 ft.	125 ft. (Rock Run Dr.)	133 ft. (Kingsgate Rd.)
Max. Building Height	40 ft.	40 ft. ³	40 ft. ³
Max. Lot Coverage (RIC)	Lot 1: 25% Lot 2: 20% x lot size (RIC)	25% (5,387 sq. ft.)	20% (4,161 sq. ft.) ³
Min. Accessory Structure Setbacks (ft)			
Front	65 ft. min.	65 ft. min.	NA
Side	12 ft. min.	12 ft. min.	
Rear	7 ft. min.	7 ft. min.	

2. THE ADMINISTRATIVE SUBDIVISION PLAN SUBSTANTIALLY CONFORMS TO THE MASTER PLAN.

The Administrative Subdivision Plan substantially conforms to the recommendations within the 2002 *Potomac Subregion Master Plan*. The Subject Property is located in the Potomac community area, identified on page 5 of the 2002 *Potomac Subregion Master Plan*. The Master Plan describes the Potomac area as follows:

“The Potomac area is the easternmost part of the Subregion and is more developed than the other three community areas. Since residential development is dispersed through the area, this Plan recommends infill development of the remaining vacant properties with residential development essentially similar to what is now there, unless specifically stated otherwise in this Plan” (p. 41).

The Master Plan does not make specific recommendations for the Subject Property but recommends the retention and reconfirmation of the existing R-200 zone and residential land use. The Application substantially conforms with the recommendations from the Master Plan and is

² Final lot size subject to adjustment at record plat.

³ Final building placement, setbacks, coverage and height to be determined by MCDPS at building permit.

consistent with the Master Plan's general land use recommendations by providing infill residential development that is essentially similar to what is now there.

3. PUBLIC FACILITIES WILL BE ADEQUATE TO SUPPORT AND SERVICE THE AREA OF THE SUBDIVISION.

Public facilities will be adequate to support and service the Application.

Roads and Transportation Facilities

The transportation Adequate Public Facilities (APF) test is satisfied under the current 2020-2024 Growth and Infrastructure Policy ("GIP"). The Property is in the Rural West Policy Area.

The Subject Property has approximately 225 feet of frontage on Rock Run Drive and approximately 154 feet of frontage on Kingsgate Road. Rock Run Drive is a non-master planned road, classified by MCDOT as an open section Secondary Residential Road with 4-foot-wide sidewalks, street trees and a 60-foot minimum right-of-way width (MC-211.03). Kingsgate Road is a non-master planned road, classified by MCDOT as a Tertiary Residential Street with 4-foot-wide sidewalks, street trees and a 50-foot minimum right-of-way width (MC-210.05). As proposed, both cross-sections are being modified to increase the sidewalk width from 4-feet to 6-feet. As shown on Record Plat No. 3352, the existing right-of-way on Rock Run Drive is 100 feet and 50 feet on Kingsgate Road.

The only additional land being dedicated is 116 square feet necessary to accommodate truncation at the intersection of Rock Run Drive and Kingsgate Road.

The proposed 6-foot-wide sidewalk will be constructed of porous concrete and extend along the entire Property frontage. The sidewalk on Rock Run Drive will be constructed within the existing right-of-way and the section parallel to Kingsgate Road will be accommodated in a new 10-foot-wide Public Improvement Easement (PIE) on Lot 2. To accommodate existing and future utilities the Administrative Subdivision Plan proposes a 10-foot-wide PUE on Rock Run Drive and a 20-foot-wide PUE overlapping the proposed PIE on Kingsgate Road.

The Application proposes a 6-foot-wide sidewalk along the Property frontage. However, at permit, MCDPS may waive construction of the sidewalk in accordance with Section 49-33(e)(1) of the Montgomery County Code, which states, sidewalks must be installed, except any sidewalk: (D) "on a secondary or tertiary residential street or service drive where the Department of Permitting Services finds that a sidewalk will not connect potentially to other sidewalk segments". In addition, MCDPS may require a fee-in-lieu pursuant to Section 49-40.b.1.C.

The Application has been reviewed by the MCDOT, who determined in its letter dated May 31, 2022, that the proposed driveways will have adequate sight distance on Rock Run Drive to serve the Subject Property. MCDOT also reviewed the Applicant's storm drain study and determined that no improvements to the downstream public storm drain system is necessary for the Application (Attachment E).

Local Area Transportation Review (LATR)

As demonstrated in the Applicant's traffic statement, dated January 7, 2021, a traffic study is not required for the Administrative Subdivision to satisfy the APF's LATR test because the proposed one new single-family detached unit does not generate 50 or more person trips in the peak hour, which occurs within the weekday morning (6:30 to 9:30 a.m.) and evening (4:00 to 7:00 p.m.) peak periods (Attachment F).

Other Public Facilities and Services

Other public facilities and services are available and adequate to serve the proposed lots. The proposed lots will be served by community water and sewer service. An existing 8-inch water main and 8-inch gravity sewer main within the Rock Run Road right-of-way are available and adequate to serve the existing and proposed homes. A new sewer house connection and water house connection will be tied into the 8-inch main to serve the house. The sewer house connection serving the existing house will be replaced. The use of public water and sewer is consistent with the existing W-1 and S-1 services categories designated for the Property.

Natural gas is also being extended from the gas main in the Rock Run Drive right-of-way to serve the new house.

The Application has been reviewed by the Montgomery County Department of Permitting Services, Fire Department Access and Water Supply Section. The Application has received an approved Fire Access Plan based in the letter dated April 11, 2022 (Attachment G).

Other utilities, public facilities and services, such as electric, telecommunications, police stations, firehouses and health services are currently operating within the standards set by the Growth & Infrastructure Policy ("GIP") currently in effect.

Schools Adequacy Test

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 Application proposes one new single-family detached unit.

The Application is served by Potomac Elementary School, Herbert Hoover Middle School and Winston Churchill High School. Based on the FY22 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

Table 2 – 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
Potomac ES	479	338	70.6%	+141	No UPP	226	243	309
Herbert Hoover MS	1,139	1,060	93.1%	+79	No UPP	205	307	478
Winston Churchill HS	1,969	2,096	106.4%	-127	No UPP	53	267	563

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, Potomac ES, Herbert Hoover MS and Winston Churchill HS do not require any UPP as identified in Table 2. If the Application is estimated to generate more students than the identified ceilings, then UPPs or partial payments at multiple tiers may still be required.

Based on the school capacity analysis performed, using the FY2022 Annual School Test, this Application is not subject to a Utilization Premium Payment. Therefore, no UPP condition is required.

4. ALL FOREST CONSERVATION LAW, CHAPTER 22A REQUIREMENTS ARE SATISFIED.

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code, and requires a Forest Conservation Plan. Included with the Forest Conservation Plan is a request for a tree variance for the removal of subject trees. The Administrative Subdivision Plan complies with the Montgomery County Environmental Guidelines and the Forest Conservation Law, as conditioned in the Staff Report and described below.

a. Natural Resource Inventory/Forest Stand Delineation

The Natural Resource Inventory/Forest Stand Delineation (“NRI/FSD”) 420221040 for this Property was approved in December 2021. The NRI/FSD identifies the 0.98-acre Subject Property located within the Potomac Direct watershed, which is classified by the State of Maryland as Use I-P waters. There is no forest on the Property; however, there are seven trees with a diameter at breast height (“DBH”) of 24 inches or more located on or immediately adjacent to the Property. Three of these trees have a DBH of 30 inches or more. There are no streams, wetlands, 100-year flood plain, stream buffers, steep slopes, highly erodible soils, or other sensitive environmentally features located on the Property.

b. Forest Conservation Plan

The Applicant has submitted a Preliminary/Final Forest Conservation Plan (“FCP”) with the Administrative Subdivision Plan No. 620220030 (Attachment H). The Application satisfies the applicable requirements of the Forest Conservation Law, Chapter 22A of the Montgomery County

Code, and complies with the Montgomery County Planning Department's approved *Environmental Guidelines*, with the proposed conditions.

The Subject Property is zoned R-200 and is assigned a Land Use Category of High Density Residential ("HDR") as defined in Section 22A-3 of the Montgomery County Forest Conservation Law ("FCL") and in the Land Use Table of the *Trees Technical Manual*. This results in an afforestation threshold of 15% and a conservation threshold of 20% of the Net Tract Area.

The tract area for forest conservation purposes includes the 0.98-acre Subject Property plus 0.17 acres of offsite disturbance associated with this Application, for a total net tract area of 1.15 acres. There is no existing forest within the net tract area; therefore, the Application does not propose to retain or remove any forest. Since there is no forest on the Property, the Application results in an afforestation requirement of 0.17 acres. The Applicant proposes to meet the planting requirement by paying a fee-in-lieu as permitted under Section 22a-12(g)(2) since the planting requirement is less than 0.5 acres and there are no priority or appropriate on-site planting areas on the two proposed lots, which will both be less than 0.5 acre in size.

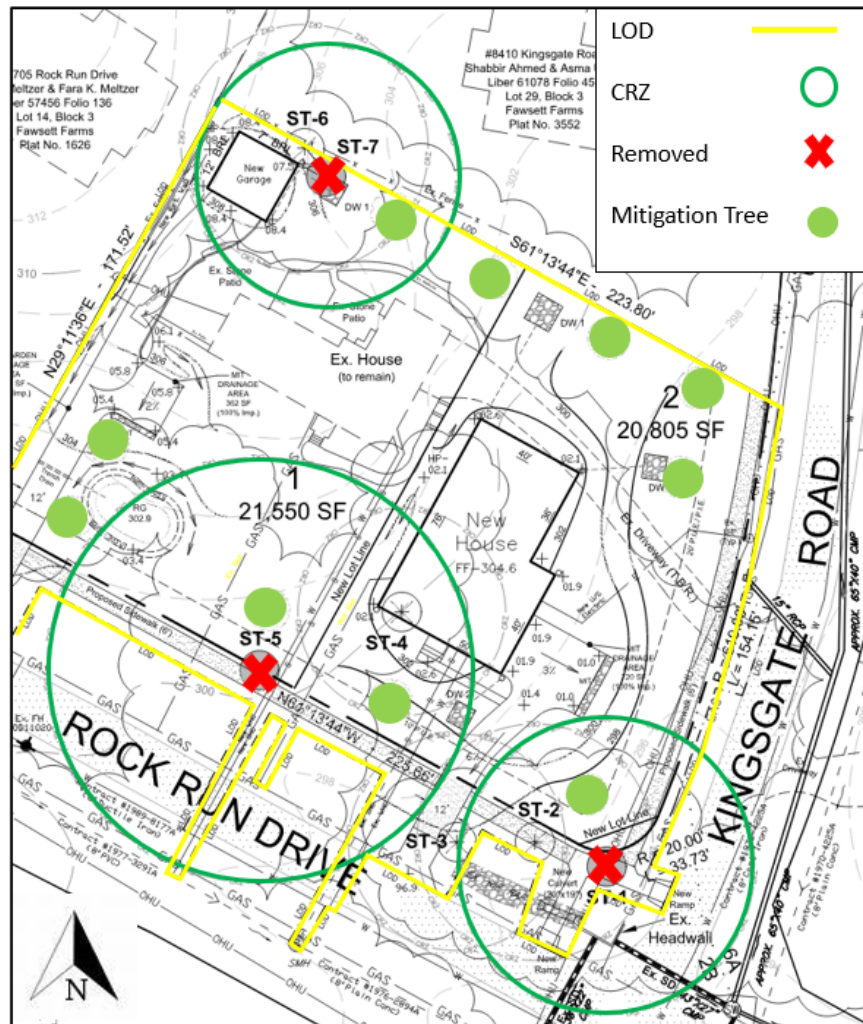


Figure 4 – Tree Variance Request Exhibit

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 (“Protected Trees”). Any impact to these trees, including removal of the subject tree or disturbance within the tree’s critical root zone (“CRZ”) requires a variance under Section 22A-12(b)(3) (“Variance”). Otherwise, such resources must be left in an undisturbed condition. A request for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the Montgomery County Forest Conservation Law. The law requires 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 a 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.

Variance Request - The Applicant submitted a variance request in a letter dated April 7, 2022 (Attachment I). The Application proposes to remove three (3) trees that are 30 inches or greater DBH, that are considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law (Table 3).

Table 3 – Protected Trees to be Removed

Tree ID	Species	DBH	Reason	Status
ST-1	American Sycamore (<i>Platanus occidentalis</i>)	35.2”	Sidewalk construction	Remove tree
ST-5	White Pine (<i>Pinus strobus</i>)	50.6”	Sidewalk construction, utility connections, etc.	Remove tree
ST-7	White Pine (<i>Pinus strobus</i>)	31.4”	Construction of garage, driveway and swm features	Remove tree

Unwarranted Hardship Basis

Per Section 22A-21, a variance may only be considered if the Planning Board finds that leaving the requested trees in an undisturbed state would result in unwarranted hardship, denying the Applicant reasonable and significant use of its property. In this case, the unwarranted hardship is caused by the necessary layout of the proposed development on the Property which is dictated by the existing site conditions, development standards of the zone, and Montgomery County agency requirements. The three Protected Trees requested to be removed are located within the developable area of the Property with two of these trees (ST-1 and ST-5) located directly in line with the required sidewalks along Rock Run Drive and Kingsgate Road, along the Property’s frontage. The third Protected Tree, (ST-7), is located in the northwest corner of the Property, near the existing house on proposed Lot 1. The driveway that currently serves the existing house on proposed Lot 1 is located on proposed Lot 2 providing access from Kingsgate Road and will no longer be able to serve the existing house. This results in the need for a new driveway access from Rock Run Drive to serve the existing house to remain. The existing garage is located at the basement level of the house and will be converted to living space, resulting in the need for a new detached garage for this lot. The existing development on proposed Lot 1 consisting of a house and patio, and the limited space available for the garage behind the house limits the available

space for the garage. The inability to remove these trees would potentially render portions of the site undevelopable for this Application. Therefore, there is a sufficient unwarranted hardship to justify a variance request because the Applicant would otherwise be denied the ability to use the Property for two single family homes, which is a reasonable and significant use of the Property.

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, in order for a variance to be granted.

Variance Findings

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 removal and disturbance to the specified trees are due to the existing developed conditions to remain, proposed development of the Property, location of the trees within the right-of-way where sidewalk improvements are required, and necessary site design requirements. The Property contains large trees located within the developable area of the site. Granting a variance to allow disturbance within the developable portion of the site and meet the objectives of the Master Plan is not unique to this Applicant. 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 requested variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based upon the existing site conditions, development standards of the zone, and necessary design requirements of this Application, including street frontage improvements.

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

The requested variance is a result of the existing conditions and the proposed site design and layout of the Subject Property, and not as 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 being removed are not located within a stream buffer, wetland or Special Protection Area. The Application proposes mitigation for the removal of these three trees by planting larger caliper trees on-site. These trees will replace water quality functions that may be lost by the removed trees. Therefore, Staff concurs that the Application will not violate State water quality standards or cause measurable degradation in water quality.

Mitigation for Trees Subject to the Variance Provision

There are three (3) Protected Trees proposed for removal in this variance request, resulting in a total of 117.2 inches of DBH being removed. These three trees being removed are individual trees that are not part of a forest.

The Applicant proposes mitigation at a rate that approximates the form and function of the trees removed. These trees will be replaced at a ratio of approximately 1-inch caliper for every four inches removed using trees that are a minimum of three caliper inches in size. This results in a total mitigation of 29.3 inches with the installation of ten 3-inch caliper overstory trees native to the Piedmont Region of Maryland on the Property outside of any rights-of-way and outside of any utility easements. Although these trees will not be as large as the trees lost, they will be planted on the Subject Property and provide some immediate benefit, ultimately replacing the canopy lost by the removal of these trees. As conditioned, the mitigation trees will be protected as part of a 5-year Maintenance and Management Agreement.

Variance Recommendation

Staff recommends approval of the variance request.

5. *ALL STORMWATER MANAGEMENT, WATER QUALITY PLAN, AND FLOODPLAIN REQUIREMENTS OF CHAPTER 19 ARE SATISFIED.*

The Administrative Subdivision Plan received an approved stormwater concept plan from the Montgomery County Department of Permitting Services, Water Resources Section on June 2, 2022 (Attachment C). The Application will meet stormwater management goals using ESD practices, microbio retention, permeable pavement and drywells.

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 evidence, actual notice, or constructive notice of a burial site on the Subject Property. The Subject Property is not included in the Montgomery County Inventory.

7. *ANY OTHER APPLICABLE PROVISIONS SPECIFIC TO THE PROPERTY AND NECESSARY FOR APPROVAL OF THE SUBDIVISION IS SATISFIED.*

There are no other applicable provisions specific to the Property that are necessary for approval.

SECTION 7: COMMUNITY OUTREACH

A pre-submittal community meeting with the community/public/parties of record is not required. However, applicants must post signs on the development site and provide public notice that the application has been filed under Section 50.00.01.04 of the Administrative Procedures for Subdivision Plan Review.

A notice of the Application was sent to all required parties by the Applicant on January 31, 2022. The notice gave the interested parties 15 days to review and comment on the contents of the Application. Staff received correspondence from community members opposing the Application with the request

for the Application to go before the Planning Board for a public hearing (Attachment J). The following concerns were identified in the correspondence received during the review of the Application:

COMMUNITY CONCERNS

In general, community members are concerned about (i) degrading the existing neighborhood character (aesthetics, spaciousness, privacy etc.); (ii) conformance with the front setbacks of the existing houses on Rock Run Drive and Kingsgate Road; (iii) compatibility and creating lots that are smaller than most existing lots in the area; (iv) the subdivision process (i.e. allowing subdivision of a lot that was previously subdivided); (v) this Application creating a precedent for future subdivision of surrounding lots and encouraging further development, leading to additional traffic and school crowding; (vi) construction of larger homes; (vii) negative affect on property values; (viii) impact to existing utilities; and (ix) storm drain capacity and increased drainage issues.

As discussed in Section 4 of this Staff report, the proposed lots meet all applicable sections of the Subdivision Regulations. The proposed lot size, width, shape, and orientation is appropriate for the location of the subdivision, considering the general recommendations of the Master Plan, and residential use contemplated. The lots were reviewed for compliance with all the dimensional requirements for area, frontage and width and can accommodate a building which can reasonably meet the setback requirements in the R-200 zone, including the EBL and RIC standards. In reviewing the lots, Staff and MCDPS determined that the Established Building Line requirement applies along Kingsgate Road, but not on Rock Run Drive. The EBL requirement takes into consideration the setbacks of the existing houses in relation to the new house. While the setbacks on Rock Run Drive may not be consistent with setbacks of all of the existing homes, they do meet the minimum 40-foot front setback in the R-200 zone. Additionally, the shape of the proposed lots are regular, with side lot lines perpendicular to the right-of-way, consistent with the shape of the existing corner lots in Block 3.

Approval of this Application is unlikely to set a precedent or spur additional subdivisions in the immediate vicinity because the only other lots on Rock Run Drive (Block 3 – Record Plat and Block 4 – Record Plat 1638) that could theoretically be subdivided and meet the 100 foot minimum lot width at building restriction line and the minimum lot size of 20,000 feet (without creating a pipe stem lots) are corner lots, larger than 40,000 square feet. The remaining lots with at least 40,000 square feet of land would require creating pipestem lots, which would be inconsistent with the existing lot pattern. To create pipestems, the Planning Board would need to find that there is no other feasible way to subdivide, and that appropriate separation can be provided between building envelopes, per Section 4.3.C.1.

Subdivisions of existing lots is not prohibited. Each time a lot is subdivided to create additional lots, a subdivision application is required, and any proposed lots are subject to review for conformance with the Subdivision Regulations and applicable development standards in the Zoning Ordinance. As stated in the attached correspondence, the Subject Property was originally recorded in 1945 on Record Plat No. 1626, and subsequently subdivided in 1953 via Record Plat No. 3552. All four of the corner lots originally shown in Block 3 have been subdivided at least once since they were originally recorded. Additionally, corner lots in adjacent Block 2 and Block 4 were also subsequently subdivided to create lots similar to the proposed lots.

The Applicant submitted a storm drain study to MCDOT to assess the adequacy of the existing storm drain facilities. As stated in the MCDOT's approval letter, dated May 31, 2022, the existing downstream storm drain system is adequate to provide drainage to the proposed lots.

SECTION 8: CONCLUSION

The Administrative Subdivision Plan meets the technical requirements of Section 50.4.3 of the Subdivision Regulations, and the applicable requirements of Section 50.6.1.C. The lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conform to the recommendations of the 2002 *Potomac Subregion Master Plan*. Public facilities will be adequate to serve the proposed lots, and the Application has been reviewed by other applicable county agencies, all of which have recommended approval of the plan.

ATTACHMENTS

Attachment A: Record Plat No. 3552

Attachment B: Administrative Subdivision Plan

Attachment C: MCDPS - Stormwater Management Concept

Attachment D: Established Building Line Analysis

Attachment E: MCDOT- Approval Letter

Attachment F: Traffic Exemption Statement

Attachment G: MCDPS -Fire Access and Water Supply Approval Letter

Attachment H: Forest Conservation Plan

Attachment I: Tree Variance Request Letter

Attachment J: Community Correspondence

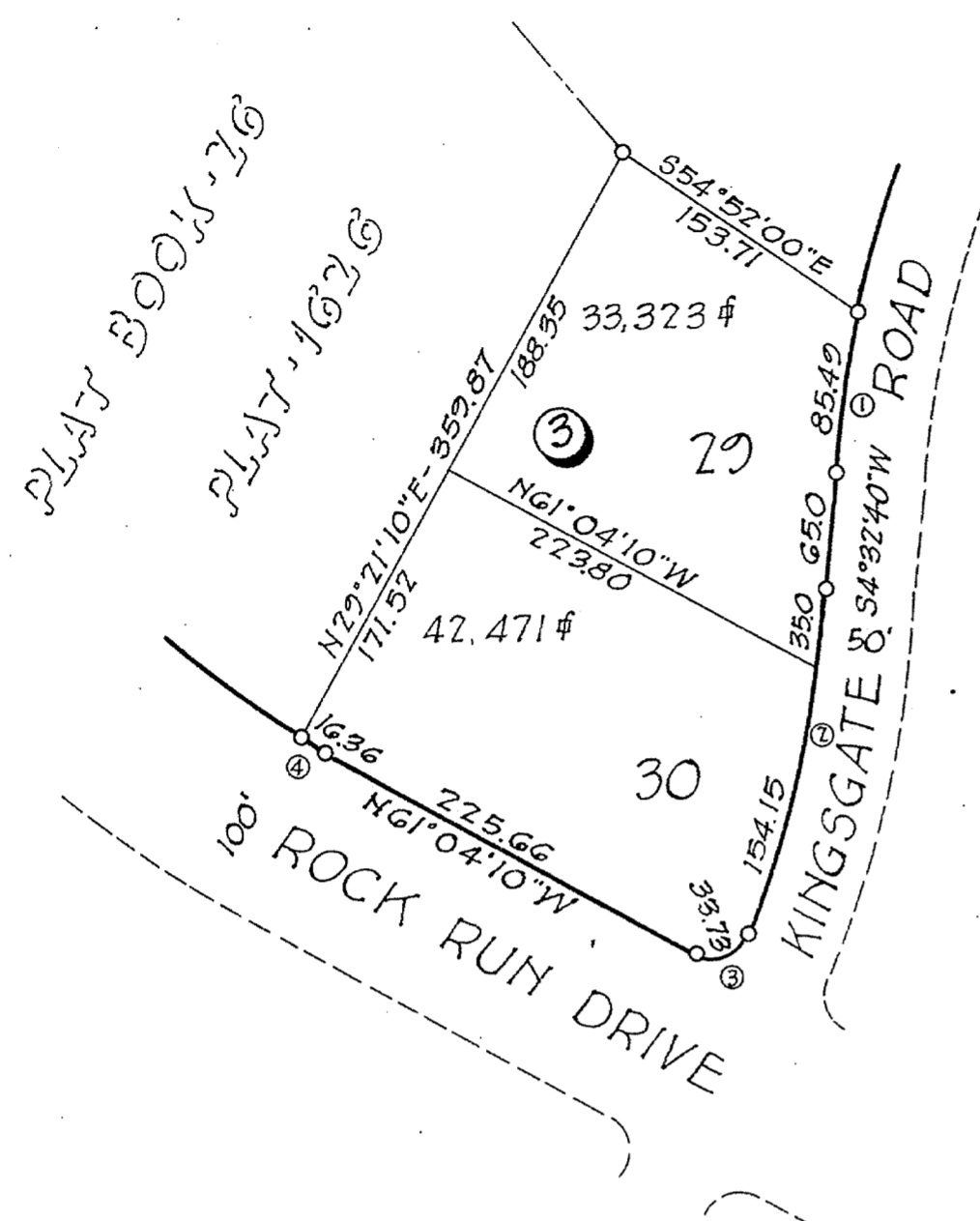
PLAT No 3552

ENGINEER'S CERTIFICATE

We hereby certify that the plan shown hereon is correct; that it is a subdivision of all the land conveyed by the Hines Engineering Company, Inc., to Louis G. Mitchell, et ux, by deed dated August 4, 1953, and recorded in Liber 1823 at Folio 380, and also a resubdivision of Lot 13, Block-3 as shown on a plat of "Fawsett Farms" recorded in Plat Book 26 Plat 1626, both among the Land Records of Montgomery County, Maryland, and that iron pipes marked thus; \times and stones marked thus; \bullet are in place where shown.

Date: OCT. 16, 1953 Maddox & Hopkins

Sterling R. Maddox
STERLING R. MADDOX
REGISTERED LAND SURVEYOR
No 529



NOTE:
For street dedication,
see Plat Book 26, Plat 1626.
There is no street dedication
by this plat.

OWNER'S DEDICATION

We, Louis G. Mitchell and Irma L. Mitchell, his wife, owners of the property shown and described hereon, hereby adopt this plan of subdivision; establish the minimum building restriction line and dedicate the streets to public use.

There are no suits of action, leases, liens or trusts on the property included in this plan of subdivision.

Date: OCT. 14, 1953

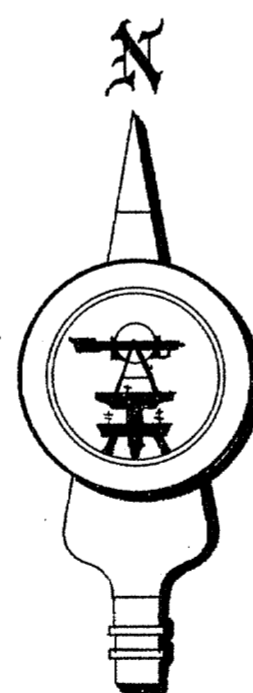
William Talone
WITNESS

Louis G. Mitchell
LOUIS G. MITCHELL

as to both
WITNESS

Irma L. Mitchell
IRMA L. MITCHELL

CURVE DATA						
No	RAD.	ARC	Δ	CHD BEAR	DIST.	TAN
1	5600	85.42	8°44'48"	S 8°55'04"W	85.41	42.83
2	6100	182.15	17°46'00"	S 13°25'30"W	182.40	95.34
3	20.0	33.73	26°37'10"	S 10°37'15"W	22.87	22.46
4	22220	16.36	0°25'20"	N 60°51'30"W	16.36	8.18



THE MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION
APPROVED: OCTOBER 20, 1953
John F. Nicholson
CHAIRMAN SECRETARY-TREASURER
M.N.C.P. & P.C. RECORD FILE No 144-43

MONTGOMERY COUNTY, MARYLAND DEPARTMENT OF PUBLIC WORKS
APPROVED: OCT. 30, 1953
FOR COMPLIANCE WITH MONTGOMERY COUNTY
ROAD CONSTRUCTION CODE R/W REQUIREMENTS
BY: *William B. McKinney*

FILED
NOV 12 1953

RESUBDIVISION
LOT-13, BLOCK-3

FAWSETT FARMS

MONTGOMERY COUNTY, MARYLAND

SCALE: 1"=100'

OCTOBER, 1953

MADDOX & HOPKINS
CIVIL ENGINEERS
SILVER SPRING, MD.



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem
Director

June 2, 2022

Mr. David McKee
Benning & Associates, Inc.
8933 Shady Grove Court
Gaithersburg, MD 20877

Re: **COMBINED STORMWATER MANAGEMENT
CONCEPT/SITE DEVELOPMENT
STORMWATER MANAGEMENT PLAN** for
10701 Rock Run Drive
Administrative Subdivision: #620220030
SM File #: 287713
Tract Size/Zone: 42,545 sq. ft/ R-200
Total Concept Area: 42,545 sq. ft.
Legal Description: Lot 30/ Block 3 Fawsett
Farms to be subdivided into two lots
Watershed: Rock Run/I-P

Dear Mr. McKee,

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above-mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals for each lot via ESD practices, including Permeable Concrete walks in the adjacent public rights-of-way.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of DPS approved material.
4. The detailed plan must utilize the latest DPS guidance.

This list may not be all-inclusive and may change based on available information at the time.



2425 Reedy Drive, 7th Floor, Wheaton, Maryland 20902 | 240-777-0311
www.montgomerycountymd.gov/permitting-services

Mr. David McKee
June 2, 2022
Page 2 of 2

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is not required** as long full stormwater management compliance is provided at the time of construction.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Mary Fertig at 240-777-6202 or at mary.fertig@montgomerycountymd.gov.

Sincerely,

Mark Etheridge

Mark C. Etheridge, Manager
Water Resources Section
Division of Land Development Services

MCE: MMF

cc: N. Braunstein
SM File # 287713

Lot 1
ESD: Required/Provided 552 cf / 608 cf
PE: Target/Achieved: 1.8"/1.8"
STRUCTURAL: n/a
WAIVED: n/a

Lot 2
ESD: Required/Provided 1,022 cf / 1,022 cf
PE: Target/Achieved: 1.8"/1.8"
STRUCTURAL: n/a
WAIVED: n/a

Adjacent ROW
ESD: Required/Provided 155 cf / 160 cf
PE: Target/Achieved: 1.0"/1.0"
STRUCTURAL: n/a
WAIVED: n/a



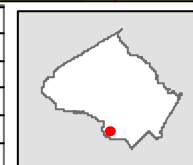
2425 Reedie Drive, 7th Floor, Wheaton, Maryland 20902 | 240-777-0311
www.montgomerycountymd.gov/permittingservices

Montgomery County Zoning

Date: 1/12/2022


 Montgomery County
 Planning Department
 ITI Division


Account #	00867974	Parking District	N/A	Bike/Ped Priority Area	N/A
Address	10701 ROCK RUN DR POTOMAC, 20854	CBD	N/A	Urban Renewal Area	N/A
Zone	R-200	Special Protection Area	N/A	Metro Station Policy Area	N/A
Overlay Zone	N/A	Urban District	N/A	Priority Funding Area	N/A
TDR Overlay Zone	N/A	Enterprise Zone	N/A	Septic Tier	Tier 1: Sewer existing
Landuse	Single Family Detached	Arts & Ent. District	N/A	Municipality	N/A
Parcel, Lot, Block	N/A, 30, 3	Special Tax District	N/A	Master Plan	POTOMAC SUBREGION 2002
WSSC Grid	210NW11	Legal Description	FAWSETT FARMS	Historic Site/District	N/A
Map Amendments	G-247 G-800 G-956			Water/Sewer Categories	W-1/ S-1



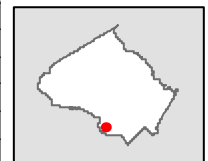
1 inch = 218 feet



Account #	00867974
Address	10701 ROCK RUN DR POTOMAC, 20854
Zone	R-200
Overlay Zone	N/A
TDR Overlay Zone	N/A
Landuse	Single Family Detached
Parcel, Lot, Block	N/A, 30, 3
WSSC Grid	210NW11
Map Amendments	G-247 G-800 G-956

Parking District	N/A
CBD	N/A
Special Protection Area	N/A
Urban District	N/A
Enterprise Zone	N/A
Arts & Ent. District	N/A
Special Tax District	N/A
Legal Description	FAWSETT FARMS

Bike/Ped Priority Area	N/A
Urban Renewal Area	N/A
Metro Station Policy Area	N/A
Priority Funding Area	N/A
Septic Tier	Tier 1: Sewer existing
Municipality	N/A
Master Plan	POTOMAC SUBREGION 2002
Historic Site/District	N/A
Water/Sewer Categories	W-1/ S-1



1 inch = 218 feet

Real Property Data Search (w1)

Search Result for MONTGOMERY COUNTY

View Map			View GroundRent Redemption				View GroundRent Registration			
Special Tax Recapture: None										
Account Identifier:			District - 10 Account Number - 00868262							
Owner Information										
Owner Name:		ZIMMERMAN JOSEPH R TRUSTEE ZIMMERMAN MARIA G TRUSTEE					Use: Principal Residence:		RESIDENTIAL YES	
Mailing Address:		10709 ROCK RUN DR POTOMAC MD 20854-1747					Deed Reference:		/45719/ 00201	
Location & Structure Information										
Premises Address:		10709 ROCK RUN DR ROCKVILLE 20854-0000					Legal Description:		FAWSETT FARMS	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
FN23	0000	0000	10030003.16	0003		3	15	2020	Plat Ref:	
Town: None										
Primary Structure Built		Above Grade Living Area			Finished Basement Area		Property Land Area		County Use	
1971		3,056 SF					43,810 SF		111	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements			
2	YES	STANDARD UNIT	BRICK/	5	2 full/ 1 half	1 Attached				
Value Information										
			Base Value		Value		Phase-in Assessments			
					As of		As of		As of	
					01/01/2020		07/01/2021		07/01/2022	
Land:			560,100		560,100					
Improvements			298,300		422,800					
Total:			858,400		982,900		941,400		982,900	
Preferential Land:			0		0					
Transfer Information										
Seller: ZIMMERMAN JOSEPH & M G				Date: 01/07/2013				Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /45719/ 00201				Deed2:		
Seller: JOSEPH R & P A ZIMMERMAN				Date: 02/11/1997				Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /14683/ 00545				Deed2:		
Seller:				Date:				Price:		
Type:				Deed1:				Deed2:		
Exemption Information										
Partial Exempt Assessments:		Class					07/01/2021		07/01/2022	
County:		000					0.00			
State:		000					0.00			
Municipal:		000					0.00 0.00		0.00 0.00	
Special Tax Recapture: None										
Homestead Application Information										
Homestead Application Status: Approved 06/03/2008										
Homeowners' Tax Credit Application Information										
Homeowners' Tax Credit Application Status: No Application						Date:				

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.

Real Property Data Search (w1)

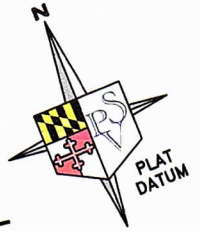
Search Result for MONTGOMERY COUNTY

View Map			View GroundRent Redemption			View GroundRent Registration				
Special Tax Recapture: None										
Account Identifier:			District - 10 Account Number - 00868160							
Owner Information										
Owner Name:			GREENSPAN DEBORAH E				Use: Principal Residence:		RESIDENTIAL YES	
Mailing Address:			10715 ROCK RUN DR POTOMAC MD 20854-1747				Deed Reference:		/49994/ 00029	
Location & Structure Information										
Premises Address:			10715 ROCK RUN DR ROCKVILLE 20854-0000				Legal Description:		FAWSETT FARMS	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
FN23	0000	0000	10030003.16	0003		3	16	2020	Plat Ref:	
Town: None										
Primary Structure Built			Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1992			5,525 SF				43,598 SF		111	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements			
2 1/2	YES	STANDARD UNIT	FRAME/	5	2 full	1 Detached				
Value Information										
			Base Value		Value		Phase-in Assessments			
					As of		As of		As of	
					01/01/2020		07/01/2021		07/01/2022	
Land:			559,800		559,800					
Improvements			622,600		759,100					
Total:			1,182,400		1,318,900		1,273,400		1,318,900	
Preferential Land:			0		0					
Transfer Information										
Seller: TENENBAUM LOUIS S &				Date: 03/23/2015				Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /49994/ 00029				Deed2:		
Seller:				Date:				Price: \$0		
Type:				Deed1: /06827/ 00501				Deed2:		
Seller:				Date:				Price:		
Type:				Deed1:				Deed2:		
Exemption Information										
Partial Exempt Assessments:			Class			07/01/2021		07/01/2022		
County:			000			0.00				
State:			000			0.00				
Municipal:			000			0.00 0.00		0.00 0.00		
Special Tax Recapture: None										
Homestead Application Information										
Homestead Application Status: No Application										
Homeowners' Tax Credit Application Information										
Homeowners' Tax Credit Application Status: No Application						Date:				

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.

LOT 14, BLOCK 3
FAWSETT FARMS
PLAT No. 1626

LOT 12B, BLOCK 3
FAWSETT FARMS
PLAT No. 4638



S 54°52'00" E 153.71'

12.5' BRL

58.4'

③

LOT 29

33,281 Sq. Feet (COMPUTED)
33,323 Sq. Feet (PER PLAT)

KINGSGATE ROAD

S 04°32'40" N 65.00'

C2

N 29°21'10" E 188.35'

66.8

30' BRL

AREAWAY

CONCRETE
FOUNDATION

PORCH

65.0'

EGRESS
WELL

35.8

12.5' BRL

N 61°04'10" W 223.80'

LOT 30, BLOCK 3
FAWSETT FARMS
PLAT No. 3552

CURVE	RADIUS	ARC LENGTH
C1	560.00'	85.49'
C2	610.00'	35.00'



DAVID P. MOWATT
MD. PROFESSIONAL LAND SURVEYOR #121136
EXPIRES 06-20-22

DATE

PERMIT No. 942623

JOB No. 15-005

DATE: 05-19-21

DRAWN BY: SGP

SCALE: 1"=30'



POTOMAC VALLEY
SURVEYS

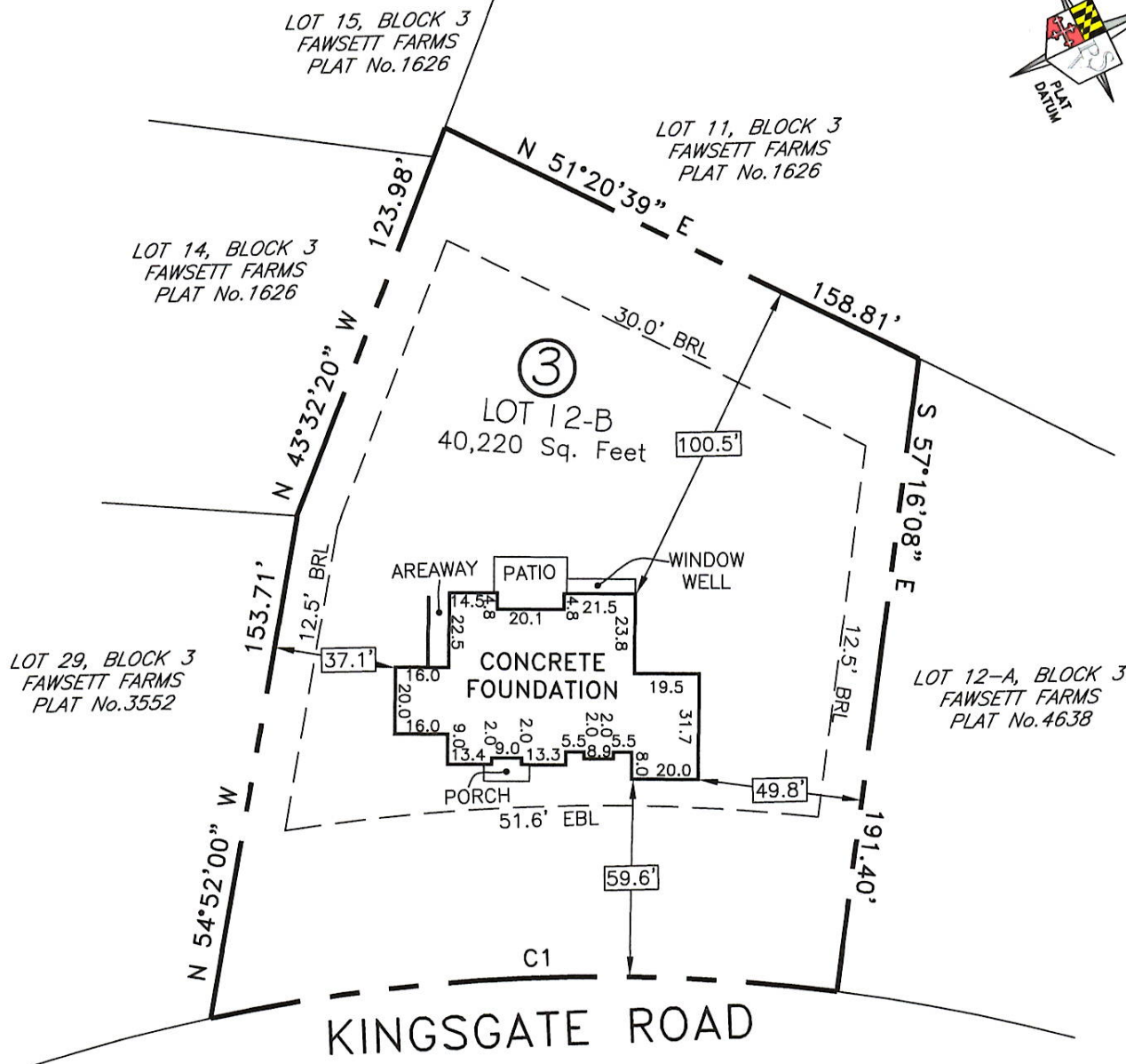
20010 FISHER AVENUE, SUITE F
POOLESVILLE, MARYLAND
1-888-349-5090

WALL CHECK SURVEY

8410 KINGSGATE ROAD
FAWSETT FARMS
LOT 29, BLOCK 3
PLAT No. 3552
MONTGOMERY COUNTY, MARYLAND

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE PROPERTY DELINEATED HEREON IS IN ACCORDANCE WITH THE PLAT OF SUBDIVISION AND/OR DEED OF RECORD, AND THAT THE IMPROVEMENTS WERE LOCATED BY ACCEPTED FIELD PRACTICES PER COMAR 09-13-06. THE PURPOSE OF THIS DRAWING IS TO CERTIFY TO THE LOCATION OF THE FOUNDATION IN RELATIONSHIP TO THE PROPERTY LINES. THIS DRAWING IS NOT TO BE RELIED UPON FOR THE PLANNING OF ANY FUTURE IMPROVEMENTS OR FENCE LINES. NO TITLE REPORT WAS FURNISHED.



CURVE	RADIUS	ARC LENGTH
C1	560.00'	190.00'

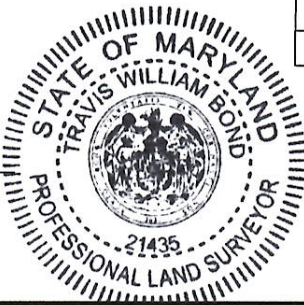


SCALE: 1"=50'
PERMIT No. 805652

Travis W. Bond 11-22-17

TRAVIS W. BOND
MD. PROFESSIONAL
LAND SURVEYOR #21435
EXPIRES 01-19-19

DATE



JOB No. 15-005

DATE: 11-22-17

DRAWN BY: CRS

SCALE: 1"=50'



POTOMAC VALLEY
SURVEYS
20010 FISHER AVENUE, SUITE F
POOLESVILLE, MARYLAND
1-888-349-5090

WALL CHECK SURVEY
8412 KINGSGATE ROAD
FAWSETT FARMS
LOT 12B, BLOCK 3
PLATS No. 4638
MONTGOMERY COUNTY, MARYLAND

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE PROPERTY DELINEATED HEREON IS IN ACCORDANCE WITH THE PLAT OF SUBDIVISION AND/OR DEED OF RECORD, AND THAT THE IMPROVEMENTS WERE LOCATED BY ACCEPTED FIELD PRACTICES PER COMAR 09-13-06. THE PURPOSE OF THIS DRAWING IS TO CERTIFY TO THE LOCATION OF THE FOUNDATION IN RELATIONSHIP TO THE PROPERTY LINES. THIS DRAWING IS NOT TO BE RELIED UPON FOR THE PLANNING OF ANY FUTURE IMPROVEMENTS OR FENCE LINES. NO TITLE REPORT WAS FURNISHED.



DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher Conklin
Director

May 31, 2022

Mr. Jonathan Casey, Senior Planner
Up-County Division
The Maryland-National Capital
Park & Planning Commission
2425 Reedie Drive
Wheaton, Maryland 20902

RE: Administrative Plan No. 620220030
Fawsett Farms

Dear Mr. Casey:

We have completed our review of the administrative plan uploaded to Eplans on May 27, 2022. A previous version of this plan was reviewed by the Development Review Committee (DRC) at its meeting on February 15, 2022. We recommend approval of the plan subject to the following comments:

Significant Plan Review Comments

1. Provide lead walks with culverts and handicap ramps from the proposed sidewalks to the edge of pavement at the northwest corner of Rock Run Drive and Kingsgate Road.
2. Provide a ten (10) foot wide Public Improvement Easement (PIE) and twenty (20) foot wide overlapping Public Utilities Easement (PUE) along the existing Kingsgate Road frontage.

Standard Plan Review Comments

3. All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Montgomery County Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application for access permit. This letter and all other correspondence from this department should be included in the package.
4. The storm drain study was reviewed and is acceptable to MCDOT. No improvements are needed to the downstream public storm drain system for this plan.

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX
www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

5. The sight distance study has been accepted. A copy of the accepted Sight Distance Evaluation certification form is enclosed for your information and reference.
6. If the proposed development will alter any existing street lights, signage and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
7. Trees in the County rights-of-way – spacing and species are to be in accordance with the applicable MCDOT standards. Tree planning within the public right of way must be coordinated with DPS Right-of-Way Plan Review Section.
8. Provide on-site handicap ramps in accordance with the Americans with Disabilities Act.
9. Posting of a right-of-way permit bond is a prerequisite to DPS approval of the record plat. The right-of-way permit will include, but not necessarily be limited to, the following improvements:
 - A. Sidewalks, handicap ramps, culverts and street trees along Rock Run Drive and Kingsgate Road.
 - B. Permanent monuments and property line markers, as required by Section 50-4.3(G) of the Subdivision Regulations.
 - C. Erosion and sediment control measures as required by Montgomery County Code 19 and on-site stormwater management, where applicable, shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.

Thank you for the opportunity to review this administrative plan. If you have any questions or comments regarding this letter, please contact me at william.whelan@montgomerycountymd.gov or (240) 777-2173.

Sincerely,

William Whelan

William Whelan
Development Review Team
Office of Transportation Policy

Mr. Jonathan Casey
Administrative Plan No. 620220030
May 31, 2022
Page 3

Enclosures (1)

Sight Distances

Sharepoint/transportation/director's office/development review/WhelanW/620220030 Fawsett Farms - MCDOT Review Letter
053122.docx

cc: Plan letters notebook

cc-e:	David McKee	Benning & Associates
	Sam Farhadi	MCDPS RWPR
	Marie LaBaw	MCFRS

Benning & Associates, Inc.

LAND PLANNING CONSULTANTS
8933 Shady Grove Court
Gaithersburg, MD 20877
Phone: 301-948-0240
Fax: 301-948-0241
E-mail: dmckee@benninglandplan.com

To: Mr. Patrick Butler, Chief – MNCPPC Upcounty Planning Area
From: David W. McKee
Date: 01-07-2021
Re: Traffic Study Exemption Statement – Fawsett Farms (#620220030)

Dear Mr. Butler,

This letter is to serve as the Traffic Exemption Statement for the proposed subdivision located in the area of Potomac. The property is zoned R-200. The property is currently improved with a single-family residence. One (1) new home is to be added after the property is subdivided into 2 lots.

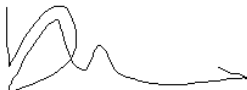
The following information is provided for this project –

- the property is located in the Potomac Planning Area (PA 29)
- the property is within the Potomac Policy Area (17)
- the proposed land uses are single-family detached residential

In accordance with the latest trip generation rates for single-family detached units (ITE-210), the project is expected to generate an increase of 1 AM and 1 PM peak-hour vehicle trips in total. After applying the Trip Generation Adjustment Factor for Potomac (97%) and adjusting from vehicle trips to person trips by dividing by the Bethesda / Chevy Chase area's auto driver Adjustment Factor for Residential Development (62.6%) according to the latest LATR manual, the total person trips for the project are 2 AM and 2 PM peak-hour trips.

The project is projected to generate less than 50 peak-hour person trips. As such, the project is exempt from LATR traffic study requirements.

Sincerely,



David W. McKee



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

DATE: 11-Apr-22
TO: David McKee
Benning and Associates
FROM: Marie LaBaw
RE: Fawsett Farms
620220030

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **07-Apr-22** .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.

Benning & Associates, Inc.

8933 Shady Grove Court
Gaithersburg, MD 20877
Phone: 301-948-0240
Fax: 301-948-0241
dmckee@benninglandplan.com

To: S. Marie LaBaw, PhD PE - MCDPS / Fire Code Enforcement Office

Date: April 7, 2022

Re: Fawsett Farms - MNCPPC #620220030

Dear Ms. LaBaw:

Attached herewith is the proposed Fire Department Apparatus Access Plan for your review. Your comments provided earlier in Eplans for the application have been addressed.

We are requesting approval at this time. Please contact us with any questions or if any additional information is needed to complete your review of this matter.

Sincerely,



David W. McKee



MONTGOMERY COUNTY FIRE AND RESCUE SERVICE


Isiah Leggett
County Executive

Richard R. Bowers
Fire Chief

MEMORANDUM

May 13, 2010

TO: Dave McKee, Benning & Associates, Inc

FROM: Assistant Chief Mike Donahue, Acting Fire Marshal 

SUBJECT: Request for exception from providing a professional engineer's seal on development plan submittals

I am in receipt of your March 31, 2010 memorandum requesting an exception from providing a professional engineer's seal on development plan submittals. Given the parameters set forth in the memorandum, I find your request acceptable. Benning & Associates, Inc may submit development plans with a landscape architect's certification instead of a professional engineer's seal in all cases that do not require an engineered solution.

Office of the Fire Marshal

101 Monroe Street, 12th Floor, Rockville, Maryland, 20850-2589 240/777-2470, FAX 240/777-2465

Serving with dedication, courage and compassion

Benning & Associates, Inc.

LAND PLANNING CONSULTANTS
8933 Shady Grove Court
Gaithersburg, MD 20877
Phone: 301-948-0240
Fax: 301-948-0241
E-mail: benninglandplan@aol.com

To: Assistant Chief Mike Donahue – Engineering Section, Office of the Fire Marshal /
Montgomery County Fire & Rescue Service

From: David McKee

Date: March 31, 2010

Re: Exception from Engineer's Seal

Dear Chief Donahue,

I am contacting you regarding our recent discussions about the requirement to provide an engineer's seal on plans prepared by this office. Our office has been preparing plans which address fire department access and water supply for several years since your office began participating in Development Review Committee meetings and commenting on subdivision plans. The professionals in our office include land planners and landscape architects with recognized expertise in all site planning and land planning matters. It is our request that an engineer's seal not be required at the planning stage for our projects unless specifically warranted for certain engineering matters.

You are aware that many of our subdivision projects involve the use of shared driveways which are located in rural areas of the County and are of low overall lot density. The information provided on our Preliminary Plans and Fire Department Access Plans for these and other projects is related to the planimetrics of where a driveway is to be located, where the turn-around is to be located, how wide the driveway will be, turning radii, etc. At the project planning stage, these are not matters which require any special certification.

In addition, our plans show the location of nearest water supply and/or a proposed location for new water supply (i.e. new fire hydrant or location for cistern). If a new hydrant is needed, WSSC plans will be required later (after subdivision approval) and these plans and any associated calculations are done by a subcontracted civil engineer at the appropriate time. Our plans (Preliminary Plan, Fire Department Access Plan) do not offer information such as hydraulic calculations - just the planimetrics of where a hydrant or cistern is needed based upon the location of the nearest water supply.

When preparing plans for review by your office, it is not our intention to request any waivers or exceptions from load bearing requirements or from water supply standards. Furthermore,

it is our expectation that load bearing requirements must be met and that a geotechnical analysis is needed prior to construction of any Fire Department access lane. We suggest that a note added to plans prepared by our office will indicate the following:

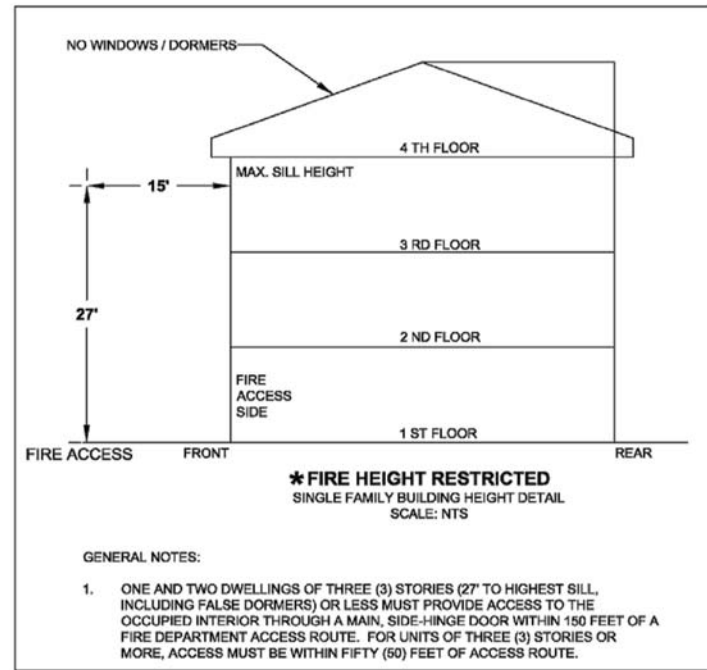
The paved all-weather Fire Department access lane shown on this plan is to be constructed to meet load-bearing requirements for Fire Department apparatus. The new paved driveway must be constructed to meet MCDOT tertiary road standards (MC 210.01) unless an alternative design is provided which meets Fire Department requirements. For any alternative design, an engineer's certification that load bearing standards are met must be provided prior to issuance of the Use & Occupancy permit.

I hope you find the information in this letter informative and helpful. The purpose of this letter is to establish an understanding between our offices which will help facilitate the review and approval of plans prepared by this office. If anything further is needed in the regard, please feel free to contact me at your earliest convenience.

Sincerely,



David W. McKee,
State of Maryland Licensed Landscape Architect



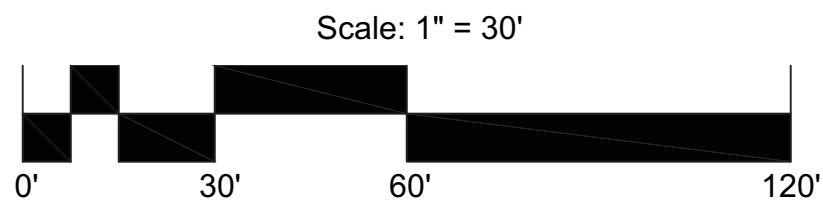
FIRE DEPARTMENT APPARATUS ACCESS & WATER SUPPLY NOTES:

1. The purpose of this plan is to address requirements of Executive Regulation 8-16 (Fire Department Apparatus Access and Water Supply) as appropriate for the proposed subdivision.
2. Existing public streets built to County standards are present in front of the proposed lots. The streets meet or exceed MCDOT secondary road standards (MC 211.02) or equivalent.
3. There are no shared driveways planned for this project. Each lot is to be served by an individual driveway with direct access to a public street.
4. For water supply, existing WSSC public water supply fire hydrants are located within close proximity to the site along both roads as shown on the plan.
5. The height restriction (see detail this plan) applies to the existing and proposed houses on each lot based upon the building restriction lines shown on this plan (less than 15 feet).
6. The posted speed limit along Rock Run Drive is 25 mph; the posted speed limit along Kingsgate Road is 25 mph.

Professional Certification:

I hereby certify that this Fire Department Apparatus Access Plan has been prepared in accordance with the requirements of Executive Regulation 8-16 (Fire Department Apparatus Access and Water Supply) to the best of my knowledge and belief.

Signature: *DJ* Date: 03-29-2022



NOTES:

1. AREA OF PROPERTY - 42,545 SF
 2. EXISTING ZONING - R-200
 3. NUMBER OF LOTS PERMITTED - 2
 4. NUMBER OF LOTS SHOWN - 2
 5. AREA TO BE DEDICATED TO STREETS - 0 SF
 6. SITE TO BE SERVED BY PUBLIC WATER AND SEWER.
 7. EXISTING SEWER & WATER SERVICE CATEGORIES: S-1, W-1
 8. LOCATED IN POTOMAC RIVER DIRECT WATERSHED, USE CLASS IP.
 9. UTILITIES TO BE PROVIDED BY: Washington Gas, Verizon, PEPCO
 10. TOPOGRAPHIC DATA FROM M-NCPPC GIS MAP 210NW11
- SUPPLEMENTED WITH SURVEY DATA PROVIDED BY POTOMAC VALLEY SURVEYS.

PREPARED FOR:
10701 ROCKRUN 2021 LLC
c/o Dinesh Jain
6116 Executive Boulevard - Suite 750
N. Bethesda, MD 20852
(301)251-2001
dj@classicmd.net

LEGEND:

- Property Line: N 67°04'00" W
- New Building: [Symbol]
- New Lot Line: [Symbol]
- Sewer House Connection: S
- Water House Connection: W
- Ex. Contour: 404
- Proposed Contour: 412
- Building Restriction Line: 12' BRL
- Drywell: [Symbol]
- Ex. Canopy: [Symbol]
- Ex. Building: [Symbol]
- Ex. Streets: [Symbol]
- Porous Pavement: [Symbol]
- Rain Garden: RG
- Dimension from Main Side Hinge Door to Fire Department Compliant Access: 80'

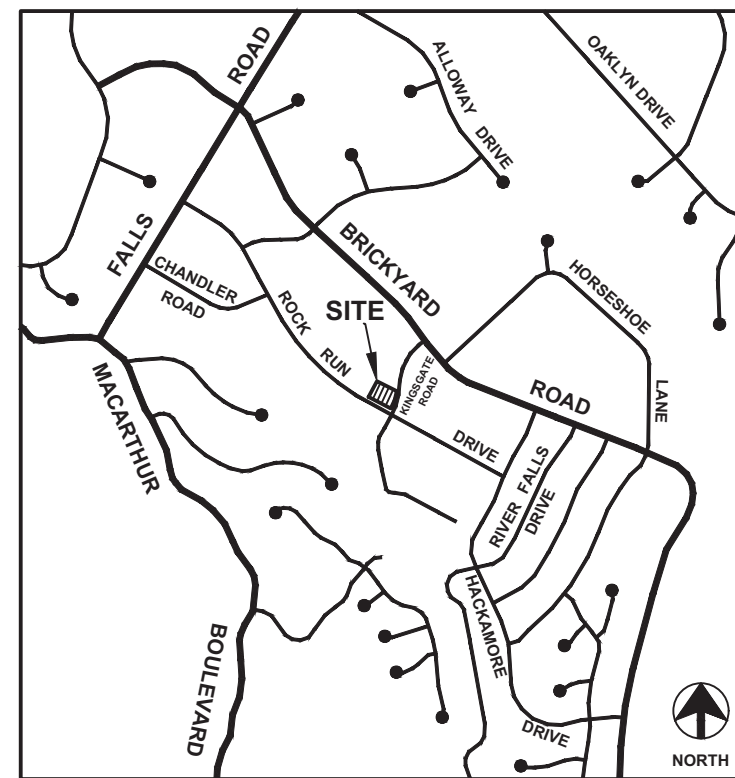
FIRE CODE ENFORCEMENT

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: SMC FM: 43 DATE: 4/11/2022

VICINITY MAP SCALE: 1" = 2,000'



FIRE DEPARTMENT APPARATUS ACCESS & WATER SUPPLY PLAN

Fawcett Farms

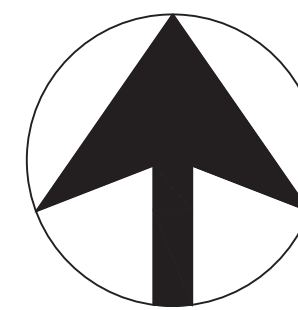
Lot 30, Block 3 - 10701 Rock Run Drive

Montgomery County, Maryland

Benning & Associates, Inc.
Land Planning Consultants
8933 Shady Grove Court
Gaithersburg, MD 20877
(301)948-0240



Revisions
Rev. 03-29-2022



date: 01/07/2022

scale: 1" = 30'

LEGEND:

Property Line	
New Building	
New Lot Line	
Sewer House Connection	
Water House Connection	
Ex. Contour	
Proposed Contour	
Proposed Spot Elevation	
Building Restriction Line	
Limit of Disturbance	
Drywell	
Ex. Canopy	
Ex. Building	
Significant Tree	
Specimen Tree	
Critical Root Zone	
Tree to be Removed	
Porous Pavement	
Rain Garden	
Soil Type / Divide	
MIT	
MITIGATION PLANTING	

NOTES:
1. AREA OF PROPERTY - 42,545 SF
2. EXISTING ZONING - R-200
3. NUMBER OF LOTS PERMITTED - 2
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9. UTILITIES TO BE PROVIDED BY: Washington Gas, Verizon, PEPCO
10. TOPOGRAPHIC DATA FROM M-NCPPC GIS MAP 210NW11 SUPPLEMENTED WITH SURVEY DATA PROVIDED BY POTOMAC VALLEY SURVEYS.

INSPECTIONS

All field inspections must be requested by the applicant.

Field Inspections must be conducted as follows:

Plans without Planting Requirements

- After the limits of disturbance have been staked and flagged, but before any clearing or grading begins.
- After necessary stress reduction measures have been completed and protection measures have been installed, but before any clearing and grading begin and before release of the building permit.
- After completion of all construction activities, but before removal of tree protection fencing, to determine the level of compliance with the provision of the forest conservation.

Additional Requirements for Plans with Planting Requirements

- Before the start of any required reforestation and afforestation planting.
- After the required reforestation and afforestation planting has been completed to verify that the planting is acceptable and prior to the start the maintenance period.
- 2 years after reforestation and afforestation have been completed, to determine survival and assess necessary maintenance activities for the remaining duration of the maintenance and management period.
- At the end of the maintenance period to determine the level of compliance with the provisions of the planting plan, and if appropriate, release of the performance bond.



SIGNIFICANT / SPECIMEN TREE TABLE					
TREE NUMBER	BOTANICAL NAME	COMMON NAME	SIZE (D.B.H.)	TREE CONDITION	COMMENTS
ST-1*	<i>Platanus occidentalis</i>	American Sycamore	35.2"	Moderate	Possible Basal rot, exposed wounded roots, <5% visible girdling roots, adjacent to overhead utilities, tree has been pruned, co-dominant leaders, adventitious limbs, die-back, Cicada damage
ST-2	<i>Pinus strobus</i>	White Pine	28.1"	Moderate	Exposed wounded roots, phototropic lean, dead lower limbs
ST-3	<i>Pinus strobus</i>	White Pine	25.8"	Moderate	Phototropic lean, exposed roots, co-dominant leaders
ST-4	<i>Acer rubrum</i>	Red Maple	24.7"	Moderate	Phototropic lean, possible Basal rot, cavity with decay below branch union, Lichen on trunk, landscape lights around trunk, vines growing out of branch union, co-dominant leaders, die-back, dead limbs, hangers
ST-5**	<i>Pinus strobus</i>	White Pine	50.6"	Moderate - Poor	Exposed wounded roots, carpenter ants on trunk, electric box and landscape light around trunk, multi-stem, cavity with decay below branch union, tree has been pruned, broken dead limbs, co-dominant leaders, hangers
ST-6	<i>Liriodendron tulipifera</i>	Tulip Poplar	29.4"	Moderate	Adjacent to fence, adventitious limbs, die-back, co-dominant leaders
ST-7*	<i>Pinus strobus</i>	White Pine	31.4"	Moderate	Trumpet vine climbing trunk, co-dominant leaders, tree has been pruned, broken limbs

*SPECIMEN TREE

** TREE ≥ 75% OF THE CURRENT COUNTY/STATE CHAMPION FOR THE SPECIES

TREE PLANTING SCHEDULE					
QUANTITY	TREE ID	BOTANICAL NAME	COMMON NAME	SIZE (D.B.H.)	COMMENTS
3	QA	<i>Quercus alba</i>	White Oak	3"	B&B
4	QR	<i>Quercus rubra</i>	N. Red Oak	3"	B&B
3	TP	<i>Liriodendron tulipifera</i>	Tulip Poplar	3"	B&B

Specimen Tree Mitigation		
Spec. Tree T.B.R.	DBH	Mitigation Required (≥25% of DBH)
ST-1	35.2"	8.8"
ST-5	50.6"	12.7"
ST-7	31.4"	7.9"
Total Caliper Inches of Mitigation Required		30"

FOREST CONSERVATION WORKSHEET
Fawsett Farms 620220030

NET TRACT AREA:

A. Total tract area ...	0.98
B. Additions to tract area (Off-Site Work, etc.; construction required by this plan)...	0.17
C. Land dedication acres (parks, county facility, etc.) ...	0.00
D. Land dedication for roads or utilities (construction not required by this plan) ...	0.00
E. Area to remain in commercial agricultural production/use ...	0.00
F. Other deductions (specify)	0.00
G. Net Tract Area	1.15

LAND USE CATEGORY: (from Chapter 22A-3. Definitions)

Input the number "1" under the appropriate land use, limit to only one entry.

ARA	MDR	IDA	HDR	MPD	CIA
0	0	0	1	0	0
G. Afforestation Threshold ...					
				15%	x G =
				20%	x G =

EXISTING FOREST COVER:

I. Existing forest cover	0.00
J. Area of forest above afforestation threshold	0.00
K. Area of forest above conservation threshold	0.00

BREAK EVEN POINT:

L. Forest retention above threshold with no mitigation	0.00
M. Clearing permitted without mitigation	0.00

PROPOSED FOREST CLEARING:

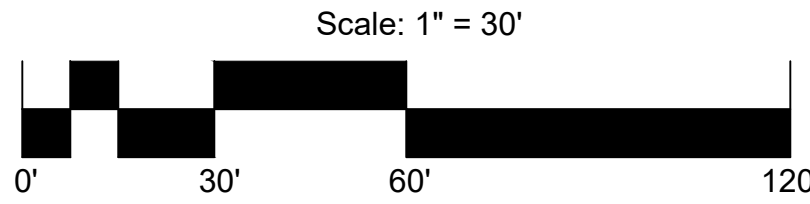
N. Total area of forest to be cleared	0.00
O. Total area of forest to be retained	0.00

PLANTING REQUIREMENTS:

P. Reforestation for clearing above conservation threshold	0.00
Q. Reforestation for clearing below conservation threshold	0.00
R. Credit for retention above conservation threshold	0.00
S. Total reforestation required	0.00
T. Total afforestation required	0.17
U. Credit for landscaping (may not exceed 20% of "S")	0.00
V. Total reforestation and afforestation required	0.17

NOTE:

Afforestation requirement to be met by payment of fee-in-lieu.



Professional Certification:

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed landscape architect registered to practice in the State of Maryland.

Signature: [Signature] Date: 03-29-2022 Exp. Date: 10-21-2022



DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. 620220030, including financial bonding, forest planting, maintenance and all other application agreements.

Developer's Name: 10701 Rock Run 2021 LLC
Print Company Name

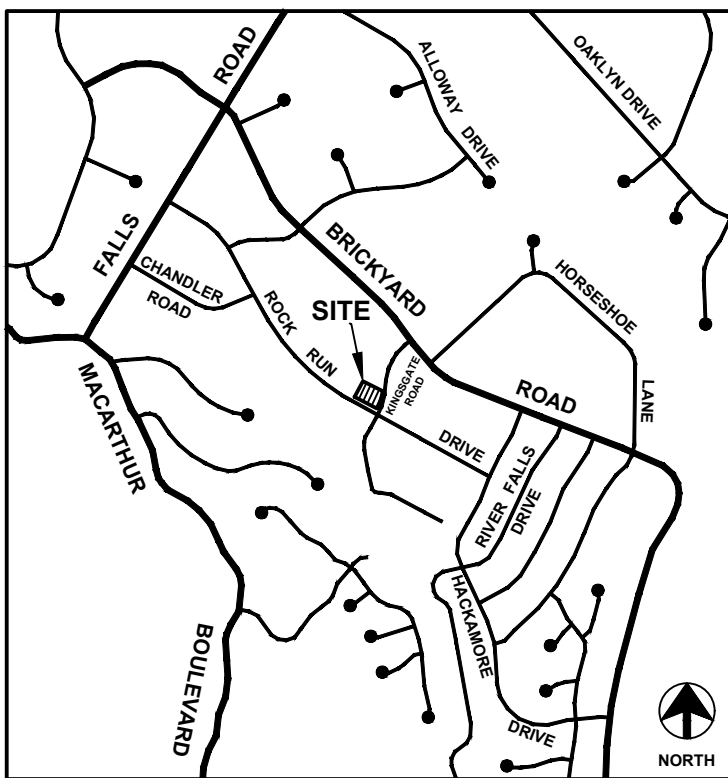
Contact Person or Owner: Dinesh Jain
Print Name

Address: 6116 Executive Blvd., Suite 750, N. Bethesda, MD 20852

Phone # and Email: (301)251-2001, dj@classiccmd.net

Signature:

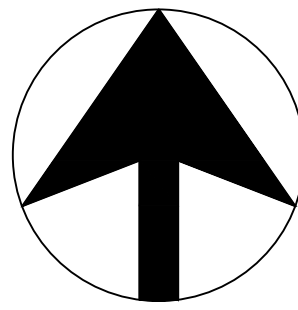
VICINITY MAP
SCALE: 1" = 2,000'



PREPARED FOR:
10701 ROCKRUN 2021 LLC
c/o Dinesh Jain
6116 Executive Boulevard
Suite 750
N. Bethesda, MD 20852
(301)251-2001
dj@classiccmd.net

Revisions

Rev. 03-29-2022

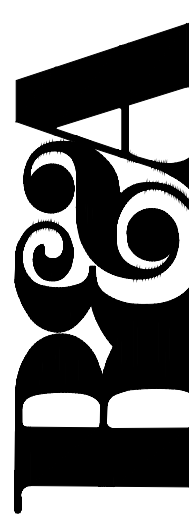


date: 01/07/2022

scale: 1" = 30'

Benning & Associates, Inc.

Land Planning Consultants
8933 Shady Grove Court
Gaithersburg, MD 20877
(301)948-0240



PRELIMINARY / FINAL FOREST CONSERVATION PLAN

Fawsett Farms

Lot 30, Block 3 - 10701 Rock Run Drive

Montgomery County, Maryland

WSSC GRID 210NW11

TAX MAP FN123

M-NCPPC FILE NO.
620220030

SHEET 1 OF 2

Sequence of Events for Properties Required to Comply With Forest Conservation Plans, Exemptions from Submitting Forest Conservation Plans, and Tree Save Plans

The property owner is responsible for ensuring all tree protection measures are performed in accordance with the approved final forest conservation plan or tree save plan, and as modified in the field by a Planning Department Forest Conservation Inspector. The measures must meet or exceed the most recent standards published by the American National Standards Institute (ANSI A300).

Pre-Construction

- An on-site pre-construction meeting is required after the limits of disturbance have been staked and flagged and before any land disturbance.
- The property owner must arrange for the meeting and following people should must participate at the pre-construction meeting: the property owner or their representative, construction superintendent, International Society of Arboriculture (ISA) certified arborist/Maryland Licensed Tree Expert (representing owner) that will implement the tree protection measures, The Planning Department Forest Conservation Inspector, and Montgomery County Department of Permitting Services (DPS) Sediment Control Inspector. The purpose of this meeting is verify the limits of disturbance and discuss specific tree protection and tree care measures shown on the approved plan. No land disturbance shall begin before tree protection and stress-reduction measures have been implemented and approved by the Planning Department's Forest Conservation Inspector.
 - Typical tree protection devices include:
 - Chain link fence (four feet high)
 - Super silt fence with wire strung between the support poles (minimum 4 feet high) with high visibility flagging.
 - 14 gauge, 2 inch x 4 inch welded wire fencing supported by steel T-bar posts (minimum 4 feet high) with high visibility flagging.
 - Typical stress reduction measures may include, but are not limited to:
 - Root pruning with a root cutter or vibratory plow designed for that purpose. Trenchers are not allowed, unless approved by the Forest Conservation Inspector
 - Crown Reduction or pruning
 - Watering
 - Fertilizing
 - Vertical mulching
 - Root aeration systemsMeasures not specified on the Forest Conservation Plan may be required as determined by the Forest Conservation Inspector in coordination with the property owner's arborist.
- A Maryland Licensed Tree expert must perform, or directly supervise, the implementation of all stress reduction measures. Documentation of the process (including

photographs) may be required by the Forest Conservation Inspector, and will be determined at the pre-construction meeting.

- Temporary tree protection devices must be installed per the approved Forest Conservation Plan, Exemption Plan, or Tree Save Plan and prior to any land disturbance. The Forest Conservation Inspector, in coordination with the DPS Sediment Control Inspector, may make field adjustments to increase the survivability of trees and forest shown as saved on the approved plan.
- Tree protection fencing must be installed and maintained by the property owner for the duration of construction project and must not be altered without prior approval from the Forest Conservation Inspector. All construction activity within protected tree and forest areas is prohibited. This includes the following activities:
 - Parking or driving of equipment, machinery or vehicles of any type.
 - Storage of any construction materials, equipment, stockpiling, fill, debris, etc.
 - Dumping of any chemicals (i.e., paint thinner), mortar or concrete remainder, trash, garbage, or debris of any kind.
 - Felling of trees into a protected area.
 - Trenching or grading for utilities, irrigation, drainage, etc.
- Forest and tree protection signs must be installed as required by the Forest Conservation Inspector. The signs must be waterproof and wording provided in both English and Spanish.

During Construction

- Periodic inspections will be made by the Forest Conservation Inspector. Corrections and repairs to tree protection devices must be completed within the timeframe given by the Inspector.
- The property owner must immediately notify the Forest Conservation Inspector of any damage to trees, forests, understory, ground cover, and any other undisturbed areas shown on the approved plan. Remedial actions, and the relative timeframes to restore these areas, will be determined by the Forest Conservation Inspector.

Post-Construction

- After construction is completed, but before tree protection devices have been removed, the property owner must request a final inspection with the Forest Conservation Inspector. At the final inspection, the Forest Conservation Inspector may require additional corrective measures, which may include:
 - Removal, and possible replacement, of dead, dying, or hazardous trees
 - Pruning of dead or declining limbs
 - Soil aeration
 - Fertilization
 - Watering
 - Wound repair

- g. Clean up of retention areas, including trash removal

- After the final inspection and completion of all corrective measures the Forest Conservation Inspector will request all temporary tree and forest protection devices be removed from the site. Removal of tree protection devices that also operate for erosion and sediment control must be coordinated with both DPS and the Forest Conservation Inspector and cannot be removed without permission of the Forest Conservation Inspector. No additional grading, sodding, or burial may take place after the tree protection fencing is removed.

- Long-term protection measures, including permanent signage, must be installed per the approved plan. Installation will occur at the appropriate time during the construction project. Refer to the approved plan drawing for the long-term protection measures to be installed.

Tree Removal / Planting Notes:

- Trees designated for removal outside of the LOD are to be flush cut to the ground and the stump left in place.
- Additional hazard tree pruning outside the LOD can be approved by the M-NCPPC forest conservation inspector at the pre-construction meeting provided this tree pruning is done by a Maryland-Licensed Tree Expert.
- The Limits-of-Disturbance may be adjusted with M-NCPPC forest conservation inspector's prior approval.
- Mitigation tree planting to be planted pursuant to the ANSI planting standards.
- The M-NCCPC Inspector is to be contacted for an inspection of mitigation tree planting prior to completion of the project.
- The proposed tree planting locations and species shown on this plan can be revised with approval from the forest conservation inspector.
- Additional root pruning may be required by the M-NCPPC inspector if determined necessary to mitigate construction related damage to adjacent save trees.

GENERAL PLANTING NOTES:

- Prior to any planting on the site, a pre-planting meeting with the M-NCP&PC Inspector must be arranged.
- The contractor shall locate and verify the existence of all utilities prior to any excavation work.
- The contractor shall supply all plant materials in quantities equal to that shown on plan.
- All plant material shall conform to the guidelines established in the current American Standard for Nursery Stock as published by the American Association of Nurserymen.
- All plants shall bear the same relationship to finished grade as the plant's original grade.
- All plants shall be balled & burlapped or container grown as specified. Container grown stock that is root bound will not be acceptable.
- With container grown stock, the container shall be removed and the ball shall be cut through the surface in two vertical locations.
- All plants shall be sprayed with an antidesiccant within 24 hours after planting.
- All plants shall be installed as per details.
- All plants and stakes shall be set plum unless otherwise specified.
- The landscape contractor shall provide loam fill as needed.
- All plants shall be watered thoroughly twice during the first 24-hour period after planting. All plants shall then be watered weekly or more often, if necessary, during the first growing season.
- Landscaping including on-site forest mitigation within the stream buffer, to be installed and approved prior to occupancy and use of the facility.

PLANTING NOTES:

- Prior to planting, inspect planting stock. Plants not conforming to the American Standard for Nursery Stock specifications for size, form, vigor or roots, or due to trunk wounds, insects and disease should be replaced.
- Areas planted should be mulched after planting unless tree shelters are provided.
- Water heavily to fill any air pockets in soil.

Forest Conservation Data Table

	Number of Acres
Tract	1.0
Remaining in Agricultural Use	-
Road & Utility ROWs ¹	-
Total Existing Forest	-
Forest Retention	-
Forest Cleared	-

Land Use & Thresholds²

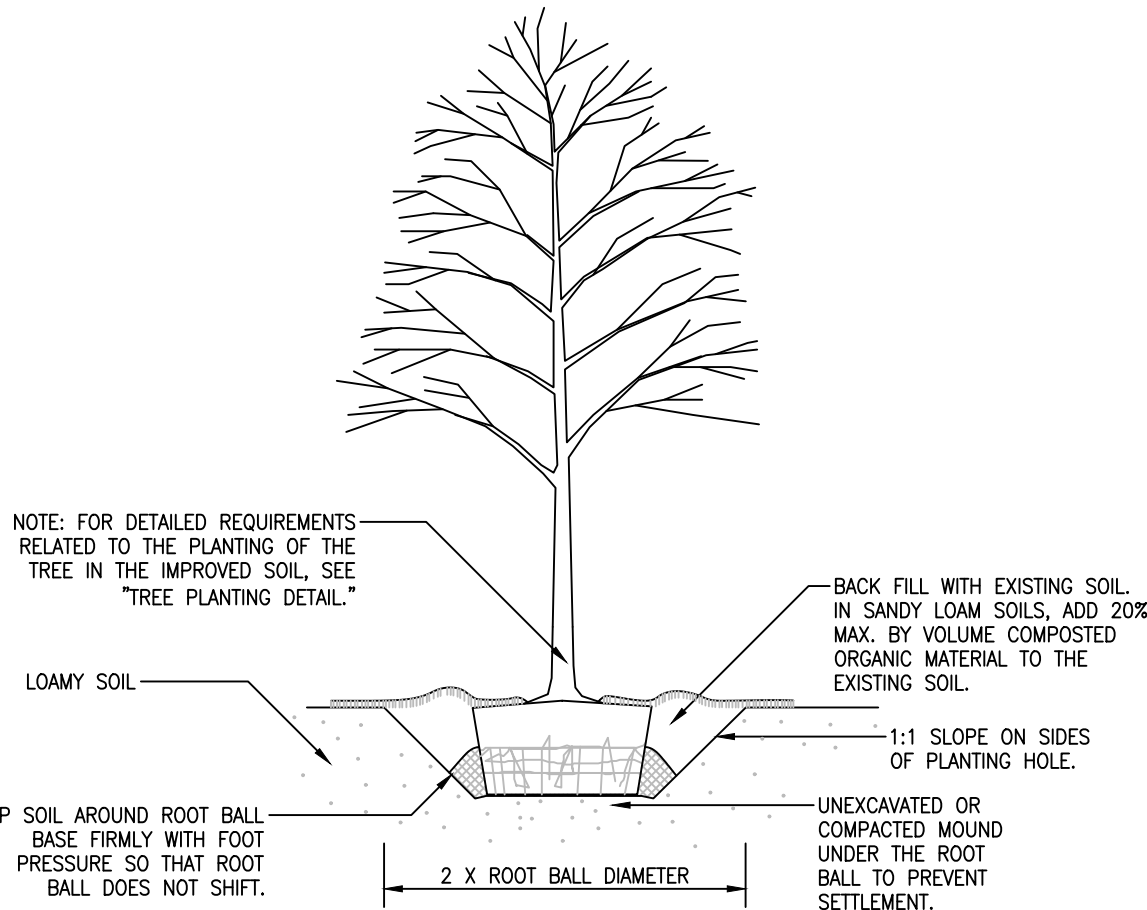
Land Use Category	HDR	ARA, MDR, IDA, HDR, MDP, or CIA.
Conservation Threshold	15%	percent
Afforestation Threshold	20%	percent

	Total Channel Length (ft.)	Average Buffer Width (ft.) ³
Stream(s)	-	-

Acres of Forest in	Retained	Cleared	Planted
Wetlands	-	-	-
100-Year Floodplain	-	-	-
Stream Buffers	-	-	-
Priority Areas	-	-	-

INTERNATIONAL SOCIETY OF ARBORICULTURE

INTERNATIONAL SOCIETY OF ARBORICULTURE
1400 WEST ANTHONY DRIVE
CHAMPAIGN, IL 61821
(217) 355-9411
(217) 355-9516 FAX



LOAMY SOILS INCLUDE THE FOLLOWING USDA TEXTURAL CLASSIFICATIONS AND HAVE A CLAY CONTENT OF BETWEEN 15 TO 27%: LOAM, SANDY LOAM AND SILT LOAM. NOTE THAT SOILS AT THE OUTER LIMITS OF THE LOAM CLASSIFICATIONS MAY PRESENT SPECIAL PLANTING PROBLEMS NOT ANTICIPATED BY THIS DETAIL.

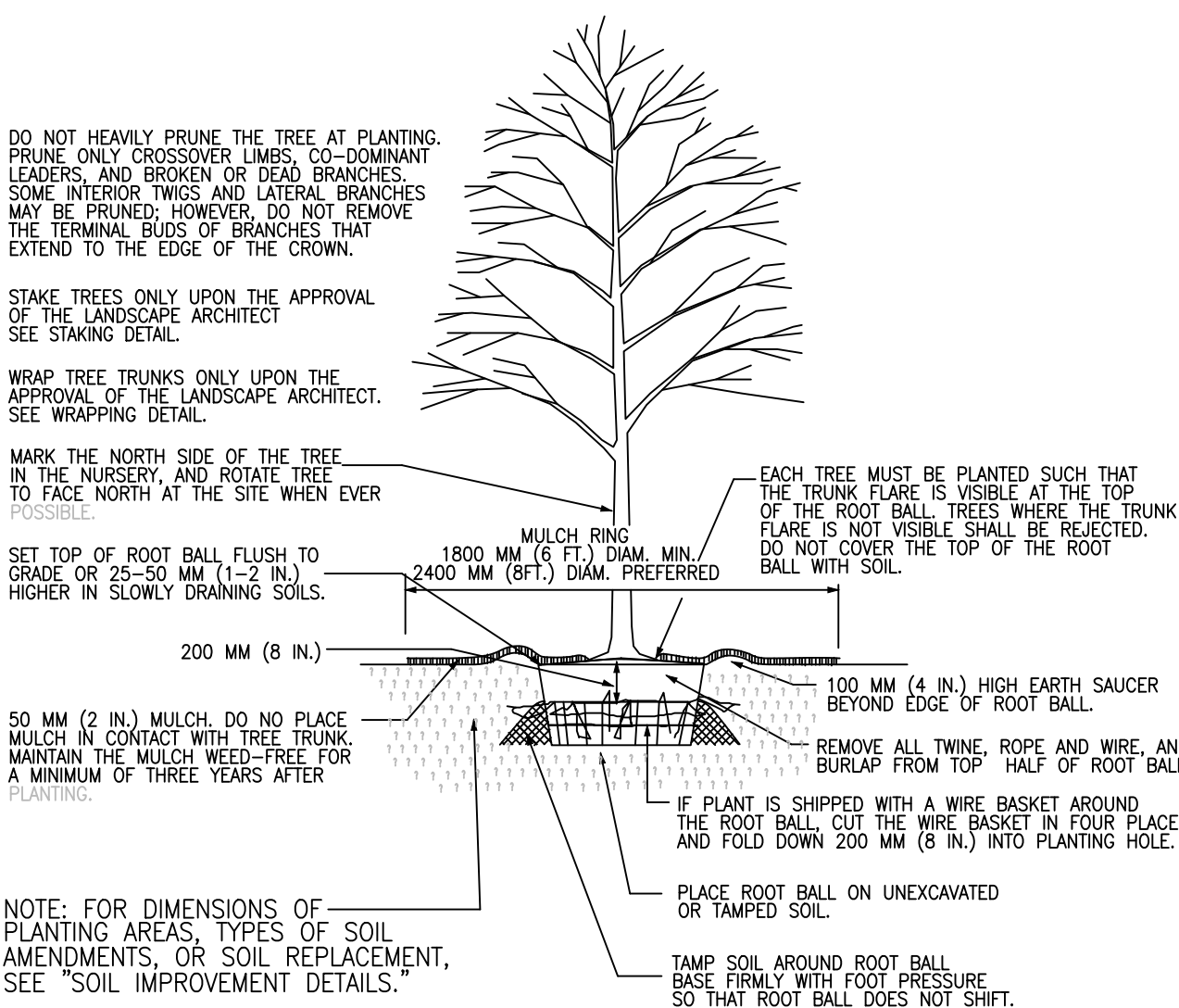
LOAMY SOILS ARE DEFINED AS GRANULAR OR BLOCKY FRAGILE SOILS, A MIXTURE OF SAND, SILT AND CLAY PARTICLES WITH A MINIMUM OF 1.5% BY DRY WEIGHT ORGANIC MATTER. THE SOIL MUST NOT BE SO COMPACTED AS TO IMPEDE ROOT GROWTH OR DRAINAGE. THE SOIL STRUCTURE SHALL NOT BE PLATY OR MASSIVE. THE SOIL MUST BE TESTED FOR TEXTURE, DRAINAGE CAPABILITY, PH, AND NUTRIENT VALUES PRIOR TO DETERMINING PLANT SELECTIONS AND ANY ADDITIONAL SOIL IMPROVEMENTS.

SOIL IMPROVEMENT DETAIL - TREES PLANTED IN NON RESTRICTED SOIL CONDITIONS

NOTE: THIS DETAIL ASSUMES THAT THE AREA OF LOAMY SOIL AVAILABLE TO EACH TREE IS A MINIMUM OF 45 SQ. M (500 SQ. FT.)

INTERNATIONAL SOCIETY OF ARBORICULTURE

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NOTE: THIS DETAIL ASSUMES THAT THE PLANTING SPACE IS LARGER THAN 2400 MM (8 FT.) SQUARE, OPEN TO THE SKY, AND NOT COVERED BY ANY PAVING OR GRATING.

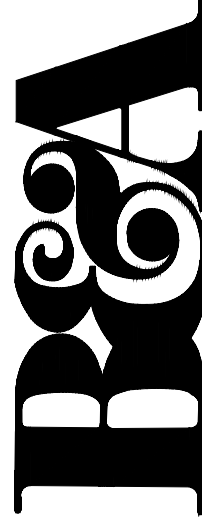
TREE PLANTING DETAIL - B&B TREES IN ALL SOIL TYPES

Revisions
Rev. 03-29-2022

date: 01/07/2022

scale: 1" = 30'

Benning & Associates, Inc.
Land Planning Consultants
8933 Shady Grove Court
Gaithersburg, MD 20877
(301)948-0240



PRELIMINARY / FINAL FOREST CONSERVATION PLAN

Fawcett Farms
Lot 30, Block 3 - 10701 Rock Run Drive
Montgomery County, Maryland

Professional Certification:

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed landscape architect registered to practice in the State of Maryland.

Signature: [Signature] Date: 03-29-2022 Exp. Date: 10-21-2022



DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. 620220030, including, financial bonding, forest planting, maintenance and all other application agreements.

Developer's Name: 10701 Rock Run 2021 LLC
Print Company Name

Contact Person or Owner: Dinesh Jain
Print Name

Address: 6116 Executive Blvd., Suite 750, N. Bethesda, MD 20852

Phone # and Email: (301)251-2001, dj@classiccmd.net

Signature: _____

WSSC GRID 210NW11

TAX MAP FN123

M-NCPPC FILE NO.
620220030

SHEET 2 OF 2

Benning & Associates, Inc.

LAND PLANNING CONSULTANTS
 8933 Shady Grove Court
 Gaithersburg, MD 20877
 Phone: 301-948-0240
 Fax: 301-948-0241
 E-mail: dmckee@benninglandplan.com

To: Mr. Patrick Butler, Upcounty Planning Area Chief / M-NCPPC
 From: David W. McKee
 Date: 04-07-2022
 Re: Fawsett Farms (620220030)

Dear Mr. Butler,

In accordance with the requirements of Section 22A-21 of the County Code and on behalf of the applicant for this project, I am writing to request a variance from provisions of Chapter 22 as it applies to this project. Specifically, a variance is required to remove several specimen trees.

The trees proposed to be removed are shown on the pending Preliminary / Final Forest Conservation Plan (FCP) for the subject project. A total of 3 trees which are of specimen-size for their species are proposed to be removed. The trees requiring a variance are as follows:

SPECIMEN TREE CHART						
TREE NUMBER	BOTANICAL NAME	COMMON NAME	SIZE (D.B.H.)	TREE CONDITION	%CRZ IMPACTED	Status
ST-1	Platanus occidentalis	Amer. Sycamore	35.2"	Moderate	41%	Remove
ST-5	Pinus strobus	White Pine	50.6"	Moderate-Poor	46%	Remove
ST-7	Pinus strobus	White Pine	31.4"	Moderate	31%	Remove

The subject property is proposed to be subdivided into 2 single-family residential lots. The property is currently improved with a home which will remain. Improvements to the property will be the new home and driveway on the second lot, a new detached garage and driveway on the existing house lot, and other features associated with these new improvements. In addition, the County Code requires construction of public sidewalks along the frontage of sites which are proposed to be developed if no sidewalks currently exist.

Since the subject property is located at the corner of Rock Run Drive and Kingsgate Road, sidewalks are required along both frontages.

Specific impacts to each of the 4 trees included in this variance request are as follows:

ST-1, a 35.8" American Sycamore, is located near the intersection of the two existing roads within the public right-of-way area and adjacent to proposed Lot 2. The tree will be impacted slightly by grading proposed for the installation of a new driveway. However, the tree is more severely impacted by the installation of public sidewalks along both roads. The tree must be removed to allow for construction of the sidewalks. The tree is proposed to be removed.

ST-5, a 50.6" White Pine, is located along the front property line adjacent to Rock Run Drive. Site grading, construction of a new home on Lot 2, installation of new water and sewer lines to the existing house, and stormwater management measures are all proposed to occur within the CRZ of this tree. The tree is also located adjacent to the planned sidewalk along Rock Run Drive. The tree has underlying problems and is proposed to be removed to avoid a hazardous situation resulting from new impacts. Mitigation planting is proposed to occur on-site to replace this tree.

ST-7, a 31.4" White Pine, is located along the northern boundary of the site behind the existing home on proposed Lot 1. A new detached garage, driveway, and stormwater management drywell are proposed to be installed within the CRZ of the tree. Due to the severity of the impacts, the tree is proposed to be removed.

Requirements for Justification of Variance:

Section 22A-21(b) *Application requirements* states the applicant must:

1. Describe the special conditions peculiar to the property which would cause unwarranted hardship;
2. Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas;
3. Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of granting of the variance; and
4. Provide any other information appropriate to support the request.

There are special conditions peculiar to the property which would cause unwarranted hardships should the variance not be approved. The planned subdivision of the subject property in accordance with the development standards of the R-200 zone results in a requirement to install public sidewalks along both roads which front the site. This requirement is beyond the control of the applicant. Two (2) of the 3 specimen trees included in this variance would be severely impacted by the installation of the public use sidewalks. The 2 trees must be removed for the sidewalks to be installed. Denial of the variance would prohibit the applicant from complying with the County Code requirement to install the sidewalks. The third tree, ST-7, included in this variance request happens to be located in the only location suitable for placement of a detached garage on proposed Lot 1. A detached garage is needed as the existing garage is located within the existing house at the basement level. The basement garage is to be converted to living space and the detached garage is to be built to make the current home more appropriate for retention rather than demolition and

replacement. Should the variance not be approved for ST-7, the owner would be inclined to demolish the house and build a new house which includes a first floor garage.

Should this variance not be approved, the property owner would be deprived of rights commonly enjoyed by others in similar circumstances. The property has been planned to meet all zoning, Master Plan, and site-specific conditions. Approval of this variance allows the owner to proceed with a subdivision which is appropriate in the R-200 zone while complying with certain County Code requirements (i.e. public sidewalks).

The granting of a variance to remove specimen trees will not result in a violation of State water quality standards or any measurable degradation in water quality. There are no environmentally sensitive features on or near the site and removal or impact to the 3 specimen trees does not affect on-site water quality. Furthermore, the project has been planned to comply with the latest State and County stormwater management requirements. The project will provide environmental site design (ESD) practices.

In addition to the above, Section 22A-21(d) indicates that a variance must not be granted if granting the request:

1. Will confer on the applicant a special privilege that would be denied to other applicants;
2. Is based on conditions or circumstances which are the result of the actions by the applicant;
3. Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; or
4. Will violate State water quality standards or cause measurable degradation in water quality.

This request for a variance will not confer a special privilege that would be denied to other applicants. Approval of the requested variance will allow the property owner to develop the property in a manner appropriate for the R-200 zone.

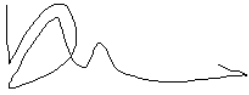
This variance request is not based on conditions and circumstances which are the result of actions by the applicant. Instead, the variance request is primarily based upon a County Code requirement for installation of sidewalks along public streets.

The request for a variance does not arise from a condition relating to land or building use, either permitted or nonconforming on a neighboring property.

Granting this variance request will not violate State water quality standards or cause measureable degradation in water quality. As noted above, there are no environmentally sensitive features on or near the site and removal of the 3 specimen trees does not affect on-site water quality. Furthermore, the project has been planned to comply with the latest State and County stormwater management requirements. The project will provide environmental site design (ESD) practices.

For the above reasons, we respectfully request approval of this request for a variance from provisions of Section 22A-21 of the Montgomery County Code. If you have any questions regarding this request, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'David W. McKee', with a stylized, flowing script.

David W. McKee

Casey, Jonathan

From: Fara Kitton <fkitton@gmail.com>
Sent: Tuesday, February 15, 2022 7:08 PM
To: Casey, Jonathan
Cc: Jason Meltzer
Subject: Preliminary Objections and Comments to Proposed Plan Number 620220030 in Fawsett Farms
Attachments: 2022.02.15 Casey letter.pdf; Exhibit B - Rock Run Subdivision Plat.pdf; Exhibit D - subdivision plan drawing.pdf; Exhibit A - Plat 1626.pdf; Exhibit E - Detailed Subdivision plan drawing.pdf; Exhibit C - Plat 3552.pdf; Exhibit F - Block 3 -Subdivision map .pdf

Follow Up Flag: Follow up
Flag Status: Completed

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Mr. Casey,

Please see the attached correspondence regarding proposed plan number 620220030 in Fawsett Farms.

Thank you.

Best regards,
Fara and Jason Meltzer

Jason and Fara Meltzer
10705 Rock Run Drive
Potomac, MD 20854
jrmeltzer@gmail.com
fkitton@gmail.com

February 15, 2022

Jonathan Casey
M-NCPPC Lead Reviewer
Maryland-National Capital Park and Planning Commission
2425 Reedie Drive
Wheaton, Maryland 20902

Via Email: Jonathan.Casey@montgomeryplanning.org

Re: Preliminary Objections and Comments to Proposed Plan Number 620220030 in Fawsett Farms for the Residential Property Located at 10701 Rock Run Drive, and Request for Hearing

Dear Mr. Casey:

We are in receipt of a Notice of Application dated January 31, 2022, filed with the Montgomery County Planning Department regarding the potential subdivision of the neighboring lot next to our home at 10705 Rock Run Drive in Potomac. The letter requests our comments on the proposed subdivision at 10701 Rock Run Drive. While we have not had much time to review the proposed plan (we received the notice less than two weeks ago), we write to express several preliminary concerns and objections as the neighboring property owners. The proposed plan (No. 620220030), seeks to subdivide a single-family residential lot into two (2) single-family residential lots. Apparently, under the proposal, the existing house is to remain, a separate, standalone garage for that house is to be built, two new driveways are to be built, and the developer plans to build a second home on the same property, after subdividing it. As the lead reviewer on this matter, we wish to bring several problems with the proposed plan to your attention.

As an initial matter, the subject property has *already* been subdivided, and this proposal apparently seeks to subdivide it a second time. According to Plat No. 1626 (1945), the current property at 10701 Rock Run Drive was part of a larger lot 13, which backed directly to a similarly sized lot 12. *See* Exhibit A (Plat 1626). A later plat shows that lots 13 and 12 were both subdivided to add two additional residential lots – both of which now have homes built on them. *See* Exhibits B and C (Plat 3552). What the developer seeks to do now is further subdivide one of those lots to squeeze in an additional home. *See* Exhibit D. This subdivision would set a bad precedent—creating much smaller lots in an area where the other lots are at least twice the size. The present size of the lot is .98 acres. The other lots located in Block 3 of this subdivision are uniformly comprised of larger (or roughly equivalent) lots. A further subdivision of the property would make this lot a *substantial outlier*. *See* Exhibit F.

As a neighboring property owner, we are very concerned about the negative impact the proposed plan would have on the visual aesthetics and property values of the neighborhood. Virtually all homes on this section of Rock Run Drive consist of a 1-acre lot. Subdividing an already subdivided lot is *not* consistent with the current characteristics of the neighborhood. *See* Exhibits A and F (showing the uniformity of the neighboring lot sizes in Block 3). The developer does not live on Rock Run Drive or Kingsgate Road, and is apparently not concerned or interested in these issues. Rather, the developer appears to simply be trying to increase his profit by squeezing in another home on what should clearly be a single-family residential lot. Moreover, the proposed plan also apparently includes the addition of a sidewalk, but a limited one, that only runs in front of a few homes, making the appearance (and abrupt end) of a sidewalk very awkward. There is currently no sidewalk in this neighborhood, and the addition of a small sidewalk in front of only a couple homes would not be aesthetically pleasing or appropriate.

We are also highly concerned with the impact of the proposed subdivision, construction of two new structures and two new driveways, and attendant removal of trees and other drainage area, on stormwater management. Indeed, the proposed construction will apparently impact existing tree cover *and* require the removal of several very old and large trees. The drainage ditch in front of our property (10705 Rock Run Drive) that runs parallel to the road already pools on our property when it rains hard due to apparent insufficient downslope/downstream grading of the property next door where the construction is proposed, and we do not know (and are very concerned about) what impact the proposed plan will have on the already strained/apparently inadequate drainage system in the same location.

Finally, it looks like the proposed plan seeks to construct a new driveway for the existing house right along the property line where above-ground power lines currently run. We are highly concerned about the danger/impact of the proposed driveway construction at this location on the power lines, especially because there are a number of trees that run along the property line where the power lines are. We must also note that the developer's drawing shows our driveway in the wrong location. In the drawing, it shows our driveway running along the property line right next to where the proposed driveway would be for the existing house. *See* Exhibit E. But this is inaccurate. Our driveway is actually on the opposite side of our property, away from the power lines and existing trees.

As neighboring property owners, this proposed subdivision would have a significant negative effect on us, as well as other property owners in the neighborhood, and the neighborhood generally. In the event that the plan is not promptly rejected, we request a public hearing on the proposal. We also reserve all rights in connection with the plan and proposed construction, including to submit further comments and objections, appear at the public hearing, and take further legal action.

Please feel free to reach out with any questions or if we can provide further information.
Thank you for your attention to and consideration of these matters.

Very truly yours,

/s/ Jason and Fara Meltzer

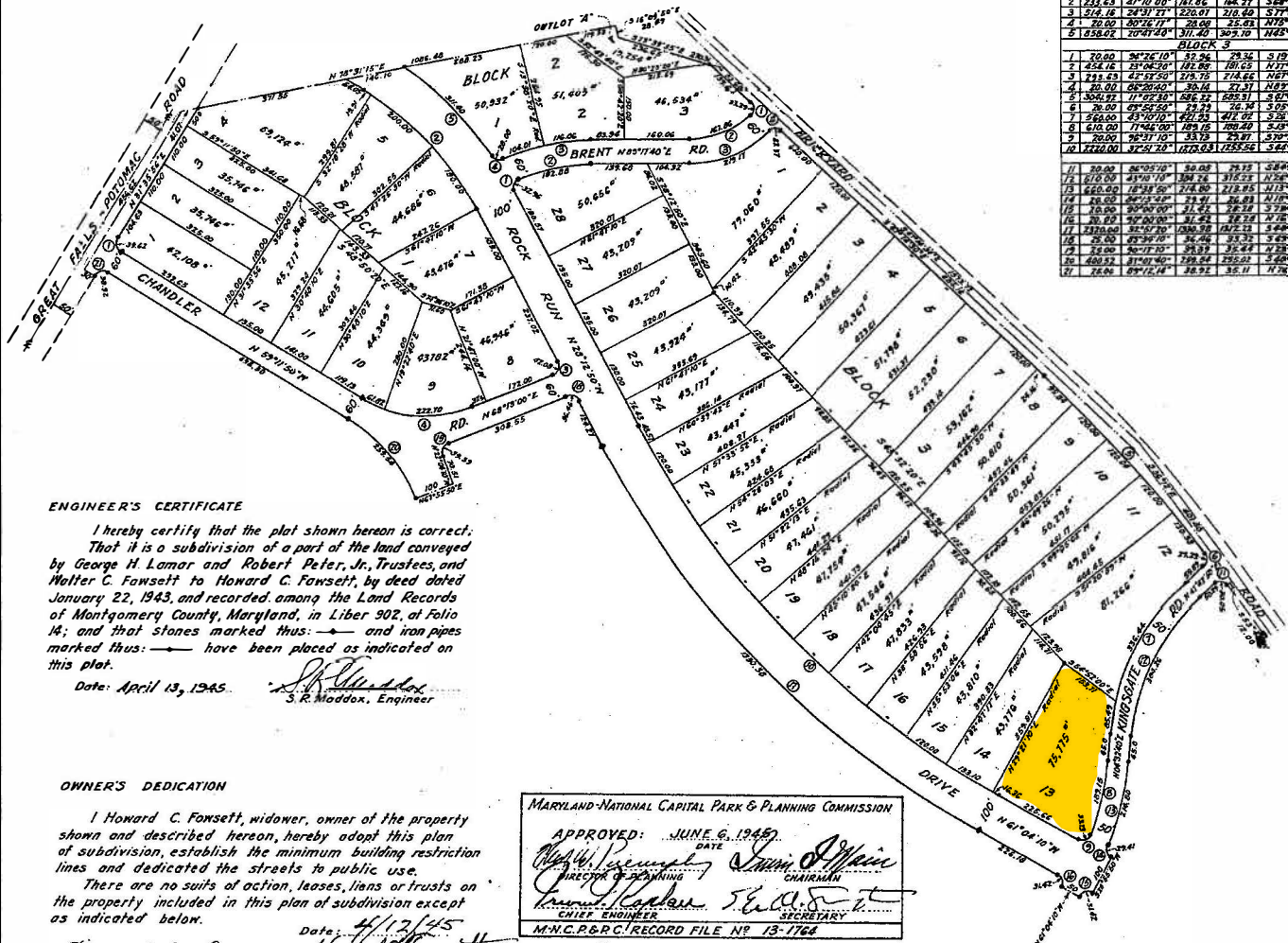
Jason R. Meltzer

Fara N. K. Meltzer

EXHIBIT A

FLAT No 1626

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CURVE DATA				
NO	RADIUS	CENTRAL ANGLE	ARC	LONG CHORD BEARING
BLOCK 1				
1	18.00	50°41'42"	35.67	N 18°41'42" W
2	17.00	30°58'00"	40.91	S 69°42'30" E
3	26.00	36°25'30"	42.08	S 70°00'00" W
4	310.00	52°35'10"	299.62	N 58°28'25" W
BLOCK 2				
1	20.00	50°22'10"	33.25	S 50°22'10" W
2	233.43	47°10'00"	167.86	N 47°10'00" W
3	51.28	24°31'21"	22.07	S 17°00'00" W
4	20.00	30°26'11"	21.09	N 70°00'00" W
5	155.67	10°41'20"	311.40	N 82°41'20" W
BLOCK 3				
1	20.00	50°22'10"	33.25	S 50°22'10" W
2	233.43	47°10'00"	167.86	N 47°10'00" W
3	51.28	24°31'21"	22.07	S 17°00'00" W
4	20.00	30°26'11"	21.09	N 70°00'00" W
5	155.67	10°41'20"	311.40	N 82°41'20" W
6	20.00	50°22'10"	33.25	S 50°22'10" W
7	233.43	47°10'00"	167.86	N 47°10'00" W
8	51.28	24°31'21"	22.07	S 17°00'00" W
9	20.00	30°26'11"	21.09	N 70°00'00" W
10	155.67	10°41'20"	311.40	N 82°41'20" W
11	20.00	50°22'10"	33.25	S 50°22'10" W
12	233.43	47°10'00"	167.86	N 47°10'00" W
13	51.28	24°31'21"	22.07	S 17°00'00" W
14	20.00	30°26'11"	21.09	N 70°00'00" W
15	155.67	10°41'20"	311.40	N 82°41'20" W
16	20.00	50°22'10"	33.25	S 50°22'10" W
17	233.43	47°10'00"	167.86	N 47°10'00" W
18	51.28	24°31'21"	22.07	S 17°00'00" W
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37	233.43	47°10'00"	167.86	N 47°10'00" W
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41	20.00	50°22'10"	33.25	S 50°22'10" W
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43	51.28	24°31'21"	22.07	S 17°00'00" W
44	20.00	30°26'11"	21.09	N 70°00'00" W
45	155.67	10°41'20"	311.40	N 82°41'20" W
46	20.00	50°22'10"	33.25	S 50°22'10" W
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48	51.28	24°31'21"	22.07	S 17°00'00" W
49	20.00	30°26'11"	21.09	N 70°00'00" W
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51	20.00	50°22'10"	33.25	S 50°22'10" W
52	233.43	47°10'00"	167.86	N 47°10'00" W
53	51.28	24°31'21"	22.07	S 17°00'00" W
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58	51.28	24°31'21"	22.07	S 17°00'00" W
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74	20.00	30°26'11"	21.09	N 70°00'00" W
75	155.67	10°41'20"	311.40	N 82°41'20" W
76	20.00	50°22'10"	33.25	S 50°22'10" W
77	233.43	47°10'00"	167.86	N 47°10'00" W
78	51.28	24°31'21"	22.07	S 17°00'00" W
79	20.00	30°26'11"	21.09	N 70°00'00" W
80	155.67	10°41'20"	311.40	N 82°41'20" W
81	20.00	50°22'10"	33.25	S 50°22'10" W
82	233.43	47°10'00"	167.86	N 47°10'00" W
83	51.28	24°31'21"	22.07	S 17°00'00" W
84	20.00	30°26'11"	21.09	N 70°00'00" W
85	155.67	10°41'20"	311.40	N 82°41'20" W
86	20.00	50°22'10"	33.25	S 50°22'10" W
87	233.43	47°10'00"	167.86	N 47°10'00" W
88	51.28	24°31'21"	22.07	S 17°00'00" W
89	20.00	30°26'11"	21.09	N 70°00'00" W
90	155.67	10°41'20"	311.40	N 82°41'20" W
91	20.00	50°22'10"	33.25	S 50°22'10" W
92	233.43	47°10'00"	167.86	N 47°10'00" W
93	51.28	24°31'21"	22.07	S 17°00'00" W
94	20.00	30°26'11"	21.09	N 70°00'00" W
95	155.67	10°41'20"	311.40	N 82°41'20" W
96	20.00	50°22'10"	33.25	S 50°22'10" W
97	233.43	47°10'00"	167.86	N 47°10'00" W
98	51.28	24°31'21"	22.07	S 17°00'00" W
99	20.00	30°26'11"	21.09	N 70°00'00" W
100	155.67	10°41'20"	311.40	N 82°41'20" W

ENGINEER'S CERTIFICATE

I hereby certify that the plat shown hereon is correct, that it is a subdivision of a part of the land conveyed by George H. Lamar and Robert Peter, Jr., Trustees, and Walter C. Fawsett to Howard C. Fawsett, by deed dated January 22, 1943, and recorded among the Land Records of Montgomery County, Maryland, in Liber 902, at Folio 14; and that stones marked thus: — and iron pipes marked thus: — have been placed as indicated on this plat.

Date: April 13, 1945.

S. R. Maddox
S. R. Maddox, Engineer

OWNER'S DEDICATION

I, Howard C. Fawsett, widower, owner of the property shown and described hereon, hereby adopt this plan of subdivision, establish the minimum building restriction lines and dedicated the streets to public use. There are no suits of action, leases, liens or trusts on the property included in this plan of subdivision except as indicated below.

Date: 4/13/45
Howard C. Fawsett
Howard C. Fawsett

Spencer B. Berg
Witness

WE ASSENT:

FARMERS BANKING AND TRUST CO.
MONTGOMERY CO., MD., MORTGAGEE.

Date: 4/13/45

ATTEST: *F. Bache Albert*
F. Bache Albert, Treasurer

Richard F. Green
Richard F. Green, President

MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION

APPROVED: *June 6, 1945*
DATE

W. B. B. B. B. CHAIRMAN
W. B. B. B. B. SECRETARY

CHIEF ENGINEER
M.M.C.P.R.C. RECORD FILE NO 13-1764

FILED

JUN 28 1945.

BLOCKS 1, 2 AND 3

FAWSETT FARMS

MONTGOMERY COUNTY

MARYLAND

SCALE: 1"=200' MARCH, 1945

S. R. MADDOX, ENGINEER
SILVER SPRING, MARYLAND

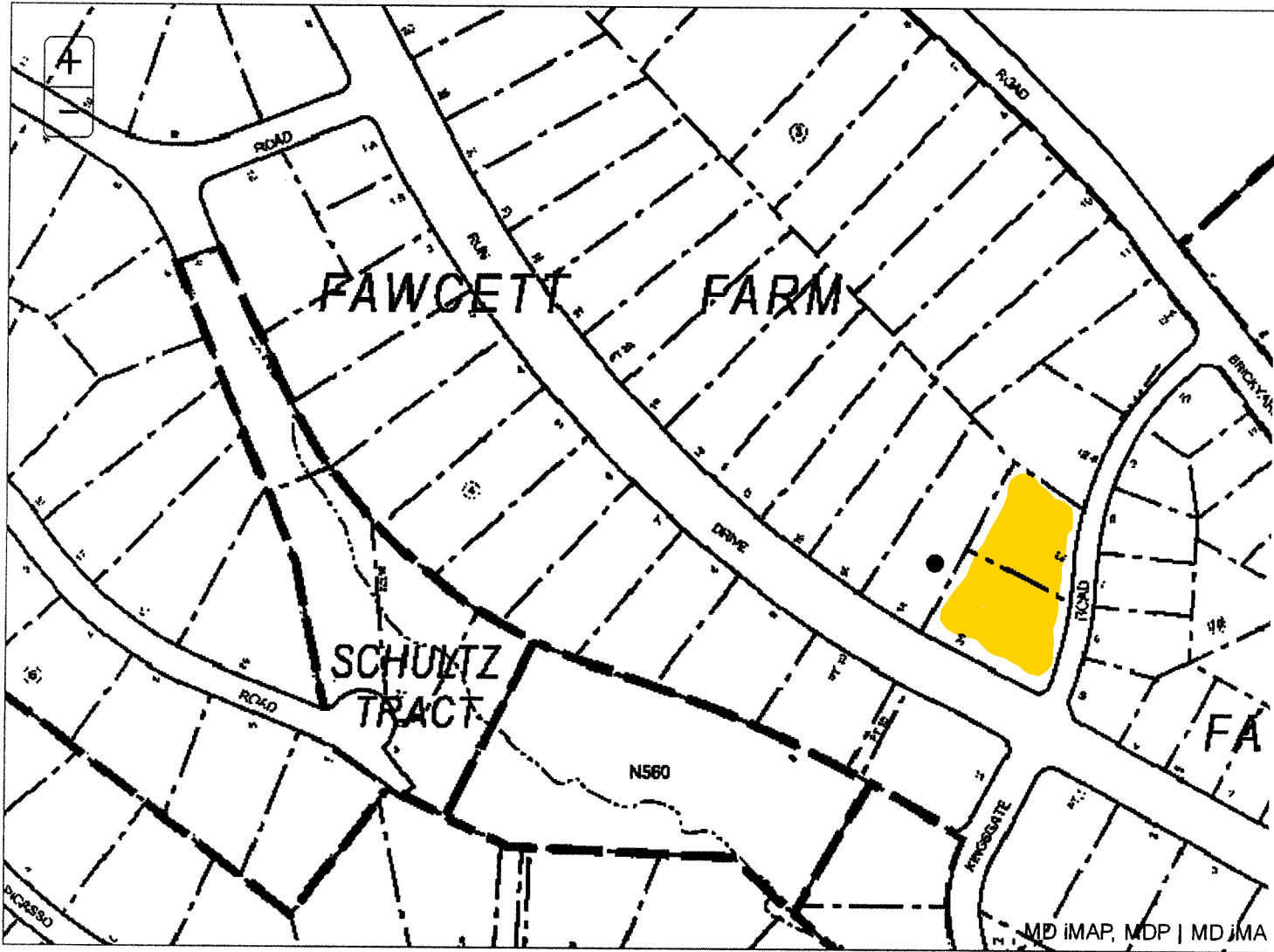
EXHIBIT B



Montgomery County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)

District: **10** Account Number: **00867303**



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx> (<http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>).

EXHIBIT C

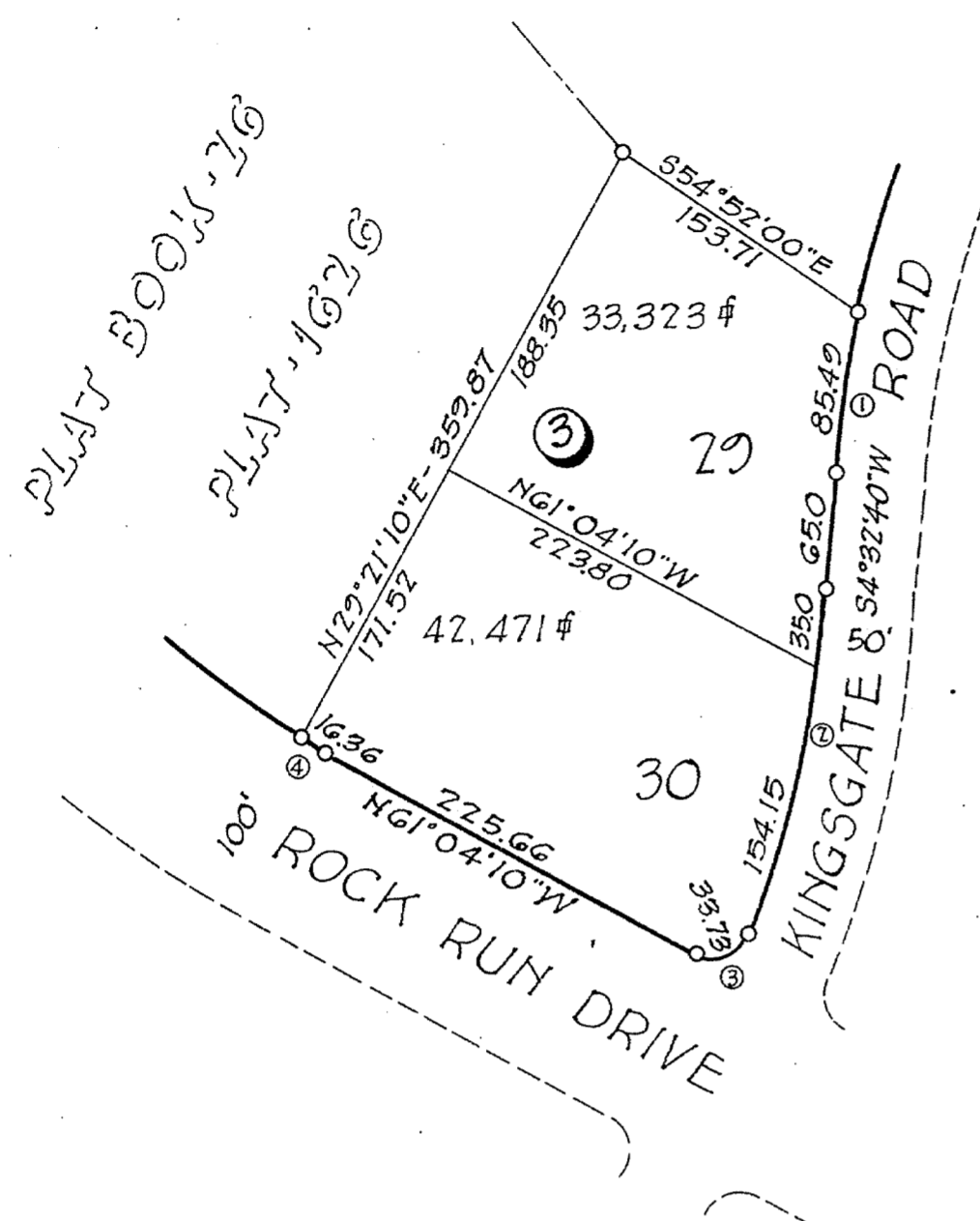
PLAT No 3552

ENGINEER'S CERTIFICATE

We hereby certify that the plan shown hereon is correct; that it is a subdivision of all the land conveyed by the Hines Engineering Company, Inc., to Louis G. Mitchell, et ux, by deed dated August 4, 1953, and recorded in Liber 1823 at Folio 380, and also a resubdivision of Lot 13, Block-3 as shown on a plat of "Fawsett Farms" recorded in Plat Book 26 Plat 1626, both among the Land Records of Montgomery County, Maryland, and that iron pipes marked thus; π and stones marked thus; \star are in place where shown.

Date: OCT. 16, 1953 Maddox & Hopkins

Sterling R. Maddox
STERLING R. MADDOX
REGISTERED LAND SURVEYOR
No 529



NOTE:
For street dedication,
see Plat Book 26, Plat 1626.
There is no street dedication
by this plat.

OWNER'S DEDICATION

We, Louis G. Mitchell and Irma L. Mitchell, his wife, owners of the property shown and described hereon, hereby adopt this plan of subdivision; establish the minimum building restriction line and dedicate the streets to public use.

There are no suits of action, leases, liens or trusts on the property included in this plan of subdivision.

Date: OCT. 14, 1953

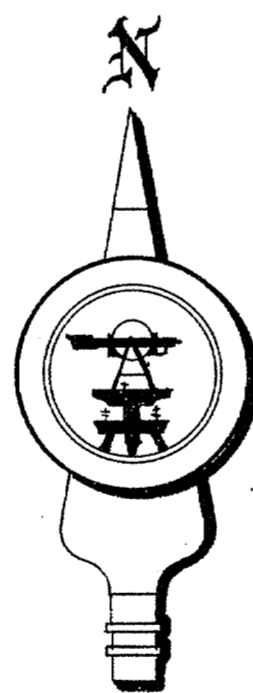
William Talone
WITNESS

Louis G. Mitchell
LOUIS G. MITCHELL

as to both
WITNESS

Irma L. Mitchell
IRMA L. MITCHELL

CURVE DATA					
No	RAD.	ARC	Δ	CHD BEAR	DIST. TAN
1	5600	85.42	8° 44' 48"	S 8° 55' 04" W	85.41 4283
2	6100	182.15	17° 46' 00"	S 13° 25' 30" W	182.40 9534
3	20.0	33.73	26° 37' 10"	S 10° 37' 15" W	22.87 2246
4	22220	16.36	0° 25' 20"	N 60° 51' 30" W	16.36 8.18



THE MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION
APPROVED: OCTOBER 20, 1953
John F. Nicholson
CHAIRMAN SECRETARY-TREASURER
M.N.C.P. & P.C. RECORD FILE No 144-43

MONTGOMERY COUNTY, MARYLAND DEPARTMENT OF PUBLIC WORKS
APPROVED: OCT. 30, 1953
FOR COMPLIANCE WITH MONTGOMERY COUNTY
ROAD CONSTRUCTION CODE R/W REQUIREMENTS
BY: *William B. McKinney*

FILED
NOV 12 1953

RESUBDIVISION
LOT-13, BLOCK-3

FAWSETT FARMS

MONTGOMERY COUNTY, MARYLAND

SCALE: 1"=100'

OCTOBER, 1953

MADDOX & HOPKINS
CIVIL ENGINEERS
SILVER SPRING, MD.

Fawsett Farms - Administrative Subdivision Plan No. 620220030

SHEET INDEX

1. Cover Sheet / Lot Diagram
2. Approval Letters & Planning Board Resolution (Reserved)
3. Administrative Subdivision Plan
4. Final Forest Conservation Plan 1 of 2
5. Final Forest Conservation Plan 2 of 2

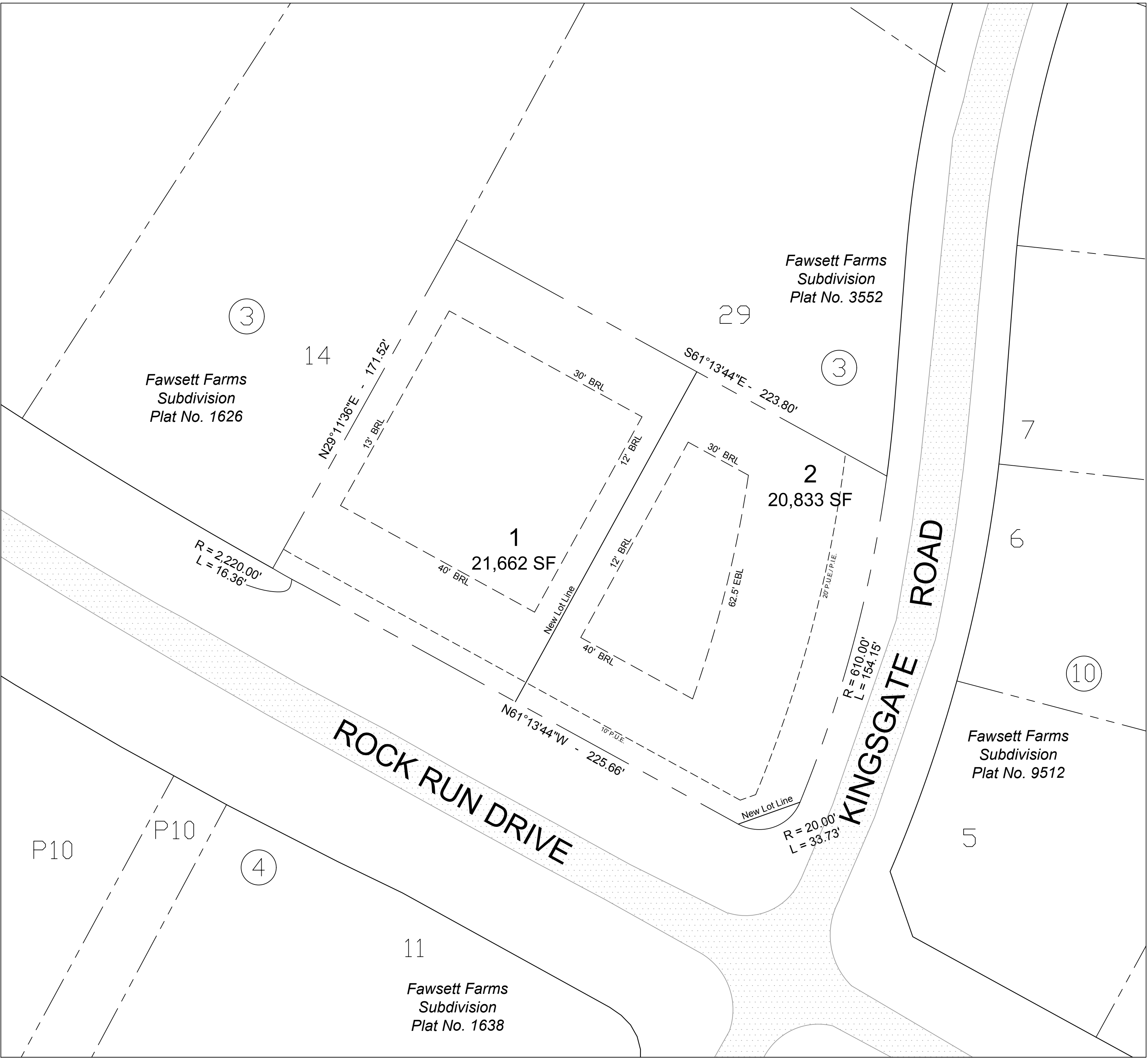
LEGEND:

Property Line N 67°04'00" W


New Lot Line _____

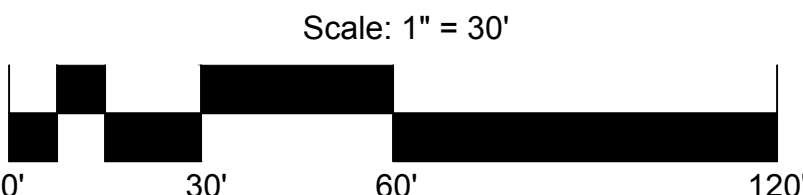
Building Restriction Line — 12' BRL —

Ex. Streets

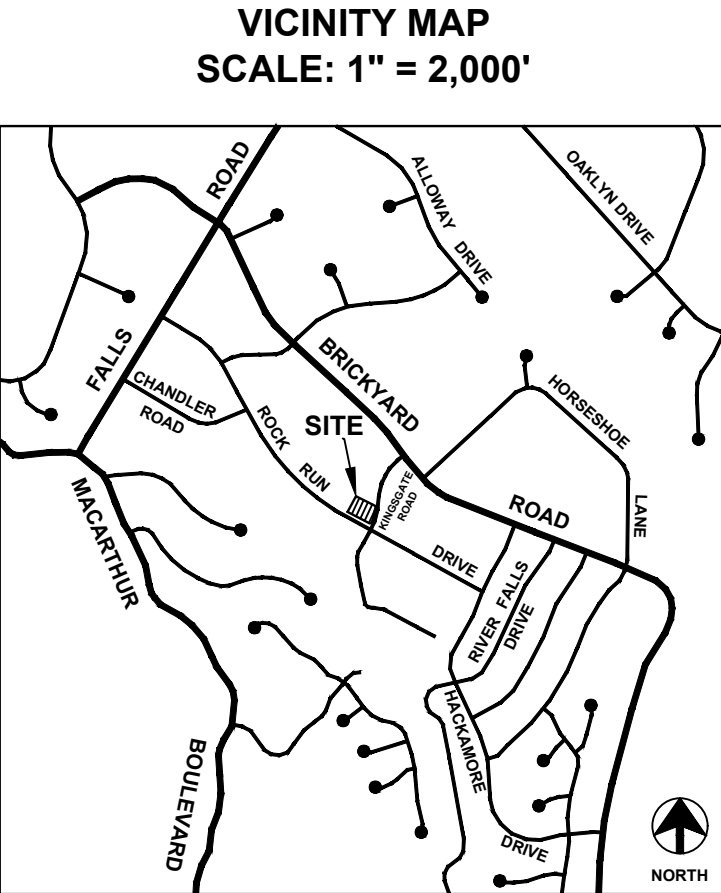


Professional Certification:
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed landscape architect registered to practice in the State of Maryland.

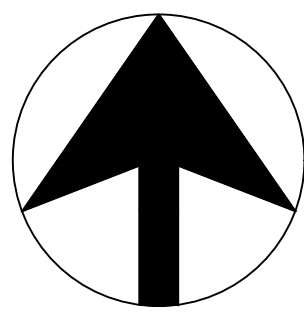
	01-07-2022	10-21-2022
Signature	Date	Exp. Date



PREPARED FOR:
10701 ROCKRUN 2021 LLC
c/o Dinesh Jain
6116 Executive Boulevard - Suite 750
N. Bethesda, MD 20852
(301)251-2001
dj@classiccmd.net



Revisions



date: 01/07/2022

scale: 1" = 30'

Benning & Associates, Inc.
Land Planning Consultants
8933 Shady Grove Court
Gaithersburg, MD 20877
(301)948-0240



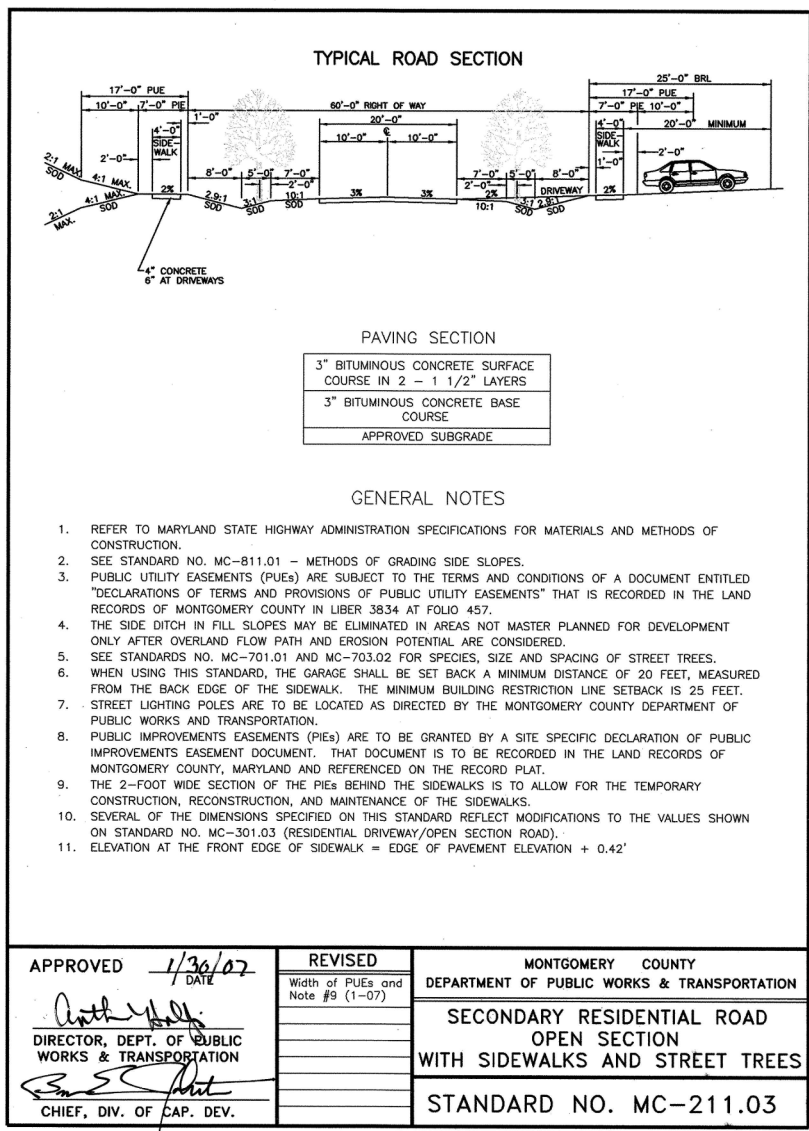
ADMINISTRATIVE SUBDIVISION PLAN
Fawsett Farms
Lot 30, Block 3 - 10701 Rock Run Drive
Montgomery County, Maryland

WSSC GRID 210NW11

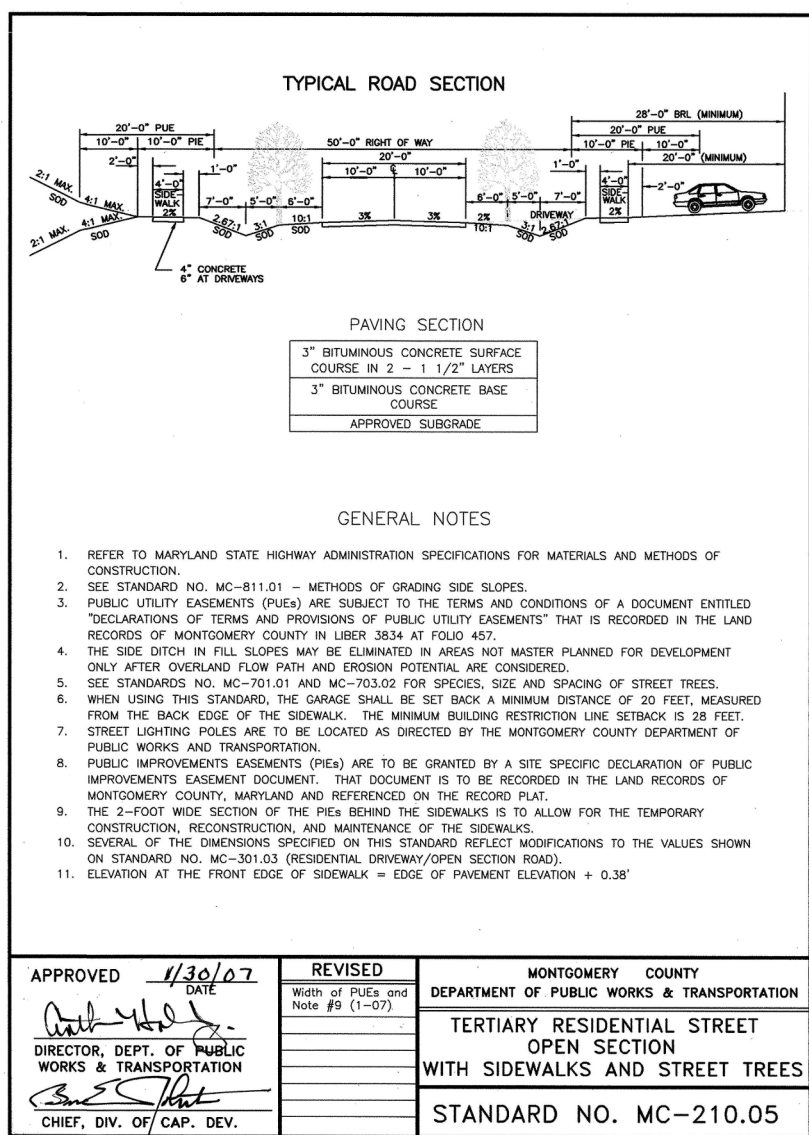
TAX MAP FN123

M-NCPPC FILE NO.
620220030

SHEET 1 OF 3



- NOTES:
- This section is applicable to Rock Run Drive.
 - The section is to be modified to provide a sidewalk 5-feet in width.
 - The sidewalk is proposed to be porous concrete.



- NOTES:
- This section is applicable to Kingsgate Road.
 - The section is to be modified to provide a sidewalk 5-feet in width.
 - The sidewalk is proposed to be porous concrete.

Note:
Unless specifically noted on this plan drawing or in the 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 location of buildings, structures and hardscape will be determined at the time of issuance of building permit(s) approval. 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 approval.

Professional Certification:
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed landscape architect registered to practice in the State of Maryland.

Signature: [Signature] Date: 01-07-2022 Exp. Date: 10-21-2022



Surveyor's Certification:
I hereby certify that the property boundary shown hereon is based upon an actual survey and is shown accurately to my best knowledge and belief. I also certify that I am a professional land surveyor registered to practice in the State of Maryland.

Signature: [Signature] Date: 06-20-22 Exp. Date: 06-20-27

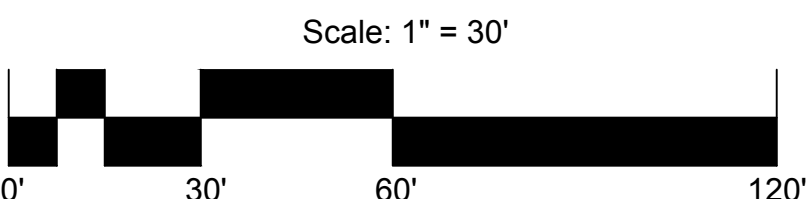
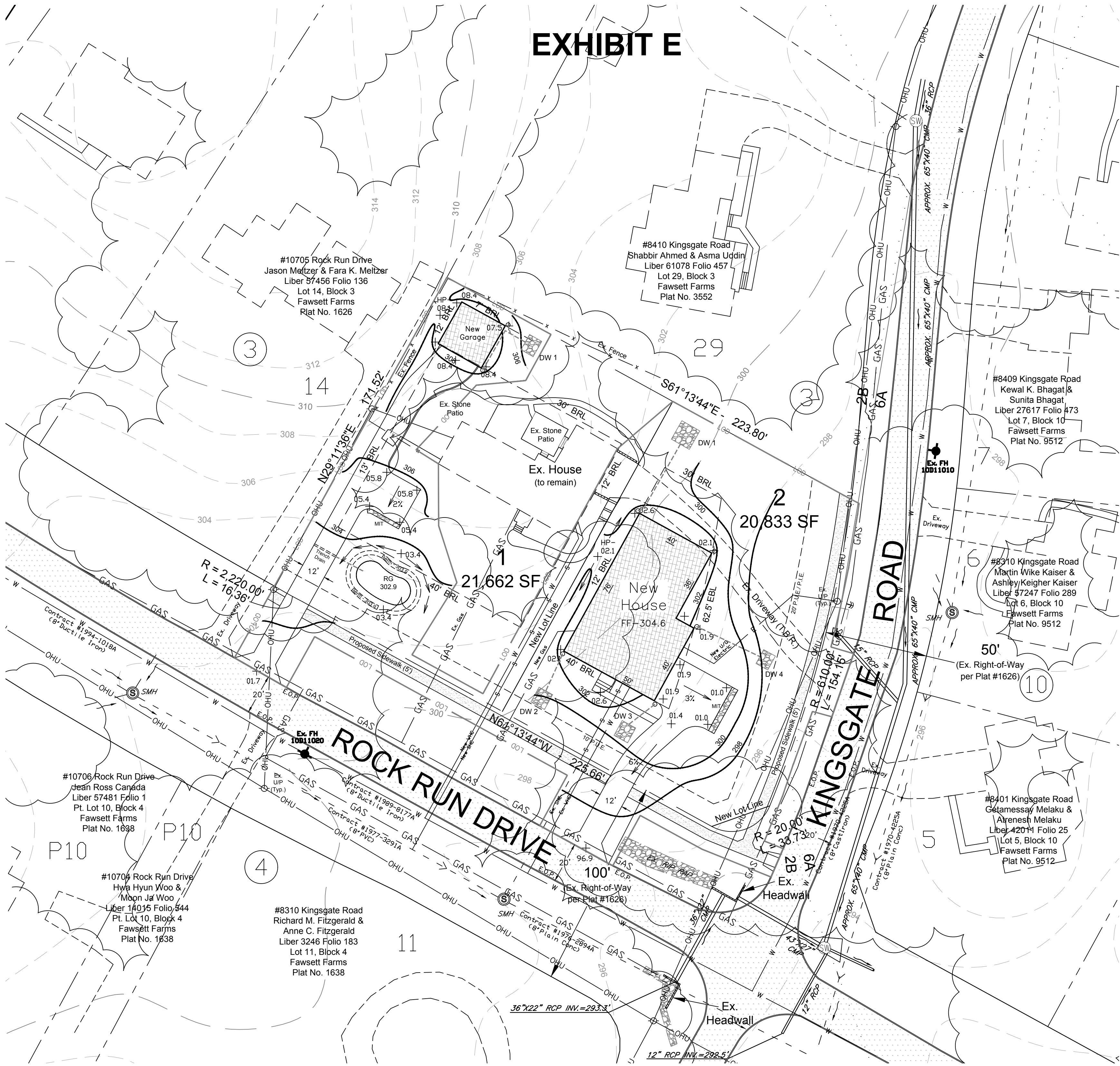


EXHIBIT E



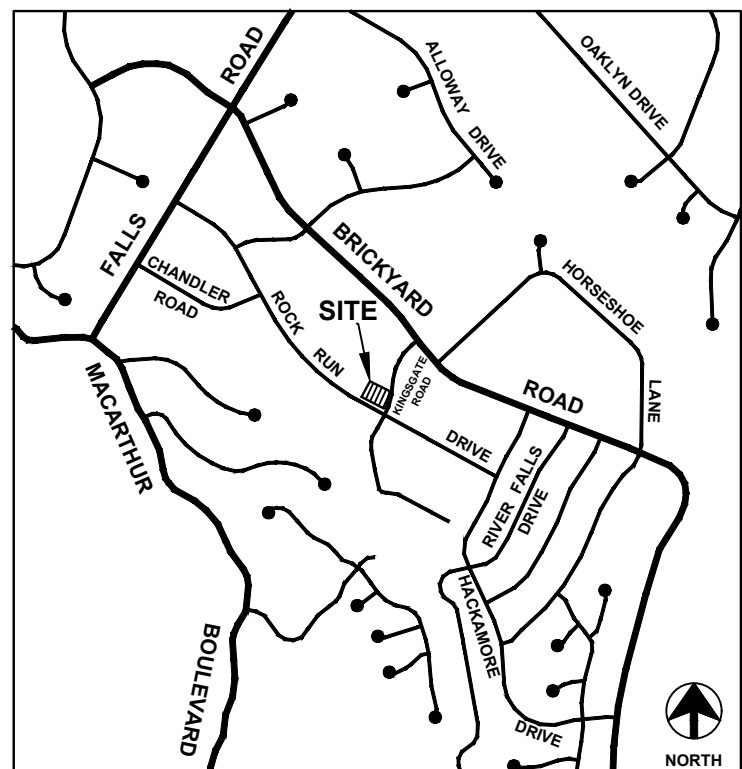
*ZONING DATA NOTES:

- Each lot will meet minimum lot areas and other dimensional requirements of the zone (no waivers); final lot areas, coverage maximums, and other dimensions to be determined at time of Record Plat.
- The requirement of Section 59-4.4.1.A (Established Building Line) is applicable to Kingsgate Road. The established building line (EBL) for Kingsgate Road has been determined to be 62.5 feet based upon the locations of existing homes within 300 feet of the property along Kingsgate Road.
- The EBL requirement of Section 59-4.4.1.A. is not applicable to Rock Run Drive for either lot based upon the following:
 - WSSC records indicate that the water line which exists in Rock Run Drive was installed on 04/19/1995
 - 3 houses exist within 300 feet of the western boundary of the subject property
 - 10705 Rock Run Drive was built in 2019
 - 10709 Rock Run Drive was built in 1971 (prior to public water)
 - 10715 Rock Run Drive was built in 1992 (prior to public water)
 - 10709 and 10715 are excluded from EBL determination per 59-4.4.1.A.3.a. (lots in the R-200 zone that are or were ever served by well or septic)
 - since only one building can be used to establish the building line (10705); the EBL does not apply
- The maximum lot coverage is 20% multiplied by the square foot of lot area for lots 20,000 square feet or larger per Section 59-4.4.1.B (Residential Infill Compatibility).

NOTES:

- AREA OF PROPERTY - 42,545 SF
- EXISTING ZONING - R-200
- NUMBER OF LOTS PERMITTED - 2
- NUMBER OF LOTS SHOWN - 2
- AREA TO BE DEDICATED TO STREETS - 0 SF
- SITE TO BE SERVED BY PUBLIC WATER AND SEWER.
- EXISTING SEWER & WATER SERVICE CATEGORIES: S-1, W-1
- LOCATED IN POTOMAC RIVER DIRECT WATERSHED, USE CLASS IP.
- UTILITIES TO BE PROVIDED BY: Washington Gas, Verizon, PEPCO
- TOPOGRAPHIC DATA FROM M-NCPPC GIS MAP 210NW11
- SUPPLEMENTED WITH SURVEY DATA PROVIDED BY POTOMAC VALLEY SURVEYS.

PREPARED FOR:
10701 ROCKRUN 2021 LLC
c/o Dinesh Jain
6116 Executive Boulevard - Suite 750
N. Bethesda, MD 20852
(301)251-2001
dj@classicmd.net



ZONING DATA TABLE*

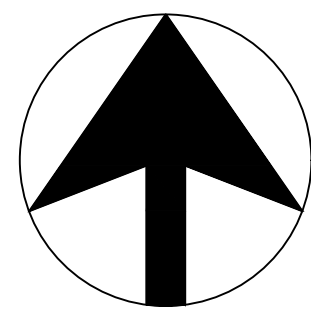
ZONE: R-200	Req.	Lot 1	Lot 2
Lot Size	20,000 sf	21,662 sf	20,883 sf
Front Setback	40' or EBL	40'	62.5' / 40'
Side Setback	12' min./ 25' Total	12' / 25' Total	12' Per Plan
Rear Setback	30'	30'	30'
Building Height	40' Max.	Max. of 40'	Max. of 40'
Lot Coverage	20%	4,332 sf	4,176 sf
Lot Width @ Building Line	100'	125'	133'
Frontage	25'	126'	299'

LEGEND:

Property Line	N 67°04'00" W
New Buildings	[Symbol]
New Lot Line	[Symbol]
Sewer House Connection	S
Water House Connection	W
Ex. Contour	404
Proposed Contour	412
Building Restriction Line	12' BRL
Limit of Disturbance	100
Drywell	[Symbol]
Ex. Canopy	[Symbol]
Ex. Building	[Symbol]
Ex. Streets	[Symbol]
Porous Pavement (Public Sidewalk)	[Symbol]
Rain Garden	RG

VICINITY MAP
SCALE: 1" = 2,000'

Revisions



date: 01/07/2022

scale: 1" = 30'

Benning & Associates, Inc.
Land Planning Consultants
8933 Shady Grove Court
Gaithersburg, MD 20877
(301)948-0240

B&A

ADMINISTRATIVE SUBDIVISION PLAN

Fawcett Farms

Lot 30, Block 3 - 10701 Rock Run Drive

Montgomery County, Maryland

WSSC GRID 210NW11

TAX MAP FN123

M-NCPPC FILE NO. 620220030

SHEET 3 OF 3

Montgomery County Zoning

Date: 2/15/2022



Montgomery County
Planning Department
ITI Division



Account #	00867974
Address	10701 ROCK RUN DR POTOMAC, 20854
Zone	R-200
Overlay Zone	N/A
TDR Overlay Zone	N/A
Landuse	Single Family Detached
Parcel, Lot, Block	N/A, 30, 3
WSSC Grid	210NW11
Map Amendments	G-247 G-800 G-956

Parking District	N/A
CBD	N/A
Special Protection Area	N/A
Urban District	N/A
Enterprise Zone	N/A
Arts & Ent. District	N/A
Special Tax District	N/A
Legal Description	FAWSETT FARMS

Bike/Ped Priority Area	N/A
Urban Renewal Area	N/A
Metro Station Policy Area	N/A
Priority Funding Area	N/A
Septic Tier	Tier 1: Sewer existing
Municipality	N/A
Master Plan	POTOMAC SUBREGION 2002
Historic Site/District	N/A
Water/Sewer Categories	W-1/ S-1



1 inch = 450 feet

Casey, Jonathan

From: Gary Oshinsky <goshinsky@yahoo.com>
Sent: Monday, February 14, 2022 4:12 PM
To: MCP-Chair; Casey, Jonathan
Subject: Division of 0.98 acre lot - 10701 Rock Run Drive, Potomac, Maryland, Administrative Subdivision Plan Number 620220030 - Request For Hearing

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Tracked To Dynamics 365

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Montgomery County Planning Department:

I am writing to object to the proposed division of a 0.98 acre lot located at 10701 Rock Run Drive, Potomac, Maryland, 20854. The owner of the house seeks to divide the current lot, which contains one house, into two separate lots to build two houses. Most of Rock Run Drive is made up of single family homes on one acre lots, thereby creating a feeling of spaciousness, privacy and peacefulness throughout the neighborhood. That was the main reason I purchased my house, at great expense, in this neighborhood almost 20 years ago. Many of my neighbors share this same sentiment. Subdividing 10701 Rock Run Drive will very likely lead to a domino effect. Many of the houses on the block are old, and developers have been buying them up and replacing them with large homes. Dividing up 10701 will incite developers (who presumably have no concern for our quiet residential neighborhood) to try to divide up other lots up and down Rock Run Drive doubling the number of houses, all at the expense of the neighborhood and the folks that live here, such as myself. This could lead to overcrowding and increased traffic, not only on Rock Run Drive itself, but also the feeder roads, including Brickyard Road, Falls Road and MacArthur Blvd, all of which are two-lane roads in this area. This would have a very negative effect on property values. Doubling the number of houses would also mean crowding the schools and the school buses. The Planning Department should certainly not approve an action like this one, which is based solely on pecuniary interests that injure the residents of Rock Run Drive and this area as a whole. Accordingly, I am requesting a hearing on this matter.

I would appreciate an acknowledgement of this email. Thank you for your attention to this important matter.

Gary A. Oshinsky
10612 Rock Run Drive
Potomac, Maryland

Casey, Jonathan

From: Jean R Canada <jeancan1@verizon.net>
Sent: Thursday, February 17, 2022 4:13 PM
To: Casey, Jonathan
Subject: Residential Property Located at 10701 Rock Run Drive, Potomac MD

Follow Up Flag: Follow up
Flag Status: Completed

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

February 17, 2021

Dear Mr. Casey:

I write to express several preliminary concerns and objections as the neighboring property owner of 10701 Rock Run Drive, Potomac MD. The proposed plan (No. 620220030), seeks to subdivide a single-family residential lot into two (2) single-family residential lots. Apparently, under the proposal, the existing house is to remain; a separate, stand-alone garage for that house is to be built, two new driveways are to be built, and the developer plans to build a second home on the same property, after subdividing it. I wish to bring several problems with the proposed plan to your attention. As an initial matter, the subject property has already been subdivided, and this proposal apparently seeks to subdivide it a second time. According to Plat No. 1626 (1945), the current property at 10701 Rock Run Drive was part of a larger lot 13, which backed directly to a similarly sized lot 12. A later plat shows that lots 13 and 12 were both subdivided to add two additional residential lots – both of which now have homes built on them. What the developer seeks to do now is further subdivide one of those lots to squeeze in an additional home. This subdivision would set a bad precedent—creating much smaller lots in an area where the other lots are at least twice the size. The present size of the lot of concern is 0.98 acres. The other lots located in Block 3 of this subdivision are uniformly comprised of larger (or roughly equivalent) lots of approximately one(1) acre. A further subdivision of the property would make this lot a substantial outlier.

As a neighboring property owner, I am very concerned about the negative impact the proposed plan would have on the visual aesthetics and property values of the neighborhood. Virtually all homes on this section of Rock Run Drive consist of a 1-acre lot. Subdividing an already subdivided lot is not consistent with the current characteristics of the neighborhood. The developer does not live on Rock Run Drive or Kingsgate Road, and is apparently not concerned or interested in these issues. Rather, the developer appears to simply be trying to increase his profit by squeezing in another home on what should clearly be a single-family residential lot. Moreover, the proposed plan also apparently includes the addition of a sidewalk, but a limited one, that only runs in front of a few homes, making the appearance (and abrupt end) of a sidewalk very awkward. There is currently no sidewalk in this neighborhood, and the addition of a small sidewalk in front of only a couple homes would not be aesthetically pleasing or appropriate.

I am also highly concerned with the impact of the proposed subdivision, construction of two new structures and two new driveways, and attendant removal of trees and other drainage area, on stormwater management. Indeed, the proposed construction will apparently impact existing tree cover and require the removal of several very old and large trees. The drainage ditch in front of neighboring property (10705 Rock Run Drive) that runs parallel to the road already pools when it rains hard due to apparent insufficient downslope/downstream grading of the property next door where the construction is proposed. The drainage ditch on my side of the road is already over burdened as well. I do not know (and am very concerned about) what impact the proposed plan will have on the already strained/apparently inadequate drainage system in the same location. Finally, it looks like the proposed plan seeks to construct a new driveway for the existing house right along the property line where above-ground power lines currently run. I am highly concerned about the danger/impact of the proposed driveway construction at this location on the power lines, especially because there are a number of trees that run along the property line where the power lines are. As neighboring property owners, this proposed subdivision would have a significant negative effect on us, as well as other property owners in the neighborhood, and the neighborhood generally. In the event that the plan is not promptly rejected, we request a public hearing on the proposal. I also reserve all rights in connection with the plan and proposed construction, including to submit further comments and objections, appear at the public hearing, and take further legal action. Please feel free to reach out with any questions or if I can provide further information. Thank you for your attention to and consideration of these matters.

Jean R. Canada
10706 Rock Run Dr.
Potomac, MD

jeancan1@verizon.net

240-678-2197

Casey, Jonathan

From: Anne Fitzgerald <afitz41@comcast.net>
Sent: Friday, May 6, 2022 1:57 PM
To: Casey, Jonathan
Subject: Residential Property Located at 10701 Rock Run Drive, Potomac MD

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Mr. Casey

We are writing to express our strong opposition to the proposed plans to sub-divide Lot 1 Block 3 10701 Rock Run Drive, Potomac, MD.

This property is located directly across the street from our home. We feel this project would have an undesirable effect on the surrounding homes, in particular those located at the intersection of Rock Run Drive and Kingsgate Rd, all of which conform with their neighbors.

Our opposition to this project is primarily based on the fact that the front elevation of the proposed new home will sit 50 ft closer to the street than it's neighbors and about 100 ft closer than the home just a few doors away.

To completely ignore the established set backs of the current houses in block 3 would set a poor precedent for future construction and unfair to the residents in Fawcett Farms who have respected the conformity of the neighborhood. On that note, we must respectfully request this project be denied on all fronts.

Thank you for your time consideration on this matter.

Richard & Anne Fitzgerald
8310 Kingsgate Road
Potomac, Maryland

Afitz41@comcast.net. 301-299-8310

Sent from my iPad