

**ADDITION TO RAY'S ADVENTURE,
PRELIMINARY PLAN NO. 120200030
REGULATORY REVIEW EXTENSION REQUEST NO. 4**

Description

Request to extend the regulatory review period by 3 months until April 13, 2023 for a Preliminary Plan application to create three lots for three single-family detached homes.

No. 120200030

Completed: 12-30-2022

MCPB

1-12-2023

Montgomery County

Planning Board

2425 Reedie Drive,

Floor 14

Wheaton, MD 20902

Planning Staff

PE

Phillip Estes, AICP, Planner III, Upcounty Planning, Phillip.Estes@montgomeryplanning.org, 301-495-2176

SP

Sandra Pereira, RLA, Supervisor, Upcounty Planning, Sandra.Pereira@montgomeryplanning.org, 301-495-2186

PB

Patrick Butler, AICP, Chief, Upcounty Planning, Patrick.Butler@montgomeryplanning.org, 301-495-4561

Summary

- Section 50.4.1.E of the Subdivision Regulations generally states that the Planning Board shall hold a public hearing for Preliminary Plans no later than 120 days after the date the application is accepted.
- Preliminary Plan No. 120200030 was accepted on December 1, 2021, which established a Planning Board date no later than March 31, 2022. On March 31, 2022, the Planning Board approved a first extension until June 23, 2022. On June 23, 2022, the Planning Board approved a second extension until October 27, 2022. On November 3, 2022, the Planning Board approved a third extension until January 12, 2023.
- The Applicant has worked with staff, the MC Department of Transportation and MD State Highway Administration to address comments related to roadway connectivity and right-of-way dedication. The last extension was granted to allow the Applicant to consult with newly hired legal counsel to address comments. The Applicant is requesting a fourth extension to revise their proposal by eliminating one of the lots, which had no frontage, and obtain all necessary approvals (Attachment A). Granting the extension establishes a Planning Board date no later than April 13, 2023.
- Staff recommends approval of this extension request.

LOCATION/ADDRESS

Approximately 225 feet south of the intersection of Woodfield Road and Log House Road

MASTER PLAN

2006 *Damascus Master Plan*

ZONE

R-200 Zone

PROPERTY SIZE

1.65 Acres

APPLICANT

Alejandro Martinez

ACCEPTANCE DATE

December 1, 2021

REVIEW BASIS

Chapter 50 and 59



2425 Reedy Drive
 Wheaton, Maryland 20902

www.montgomeryplanning.org

Effective: January 29, 2021

Phone 301.495.4550
 Fax 301.495.1306

REGULATORY REVIEW EXTENSION REQUEST

Request #1 Request #4

M-NCPPC Staff Use Only			
File Number	_____	MCPB Hearing Date	_____
Date Received	_____		

Plan Name: Addition to Ray's Adventure **Plan No.** 120200030

This is a request for extension of: Project Plan Sketch Plan
 Preliminary Plan Site Plan

The Plan is tentatively scheduled for a Planning Board public hearing on: 01/13/2023

The Planning Director may postpone the public hearing for up to 30 days without Planning Board approval. Extensions beyond 30 days require approval from the Planning Board.

Person requesting the extension:

Owner, Owner's Representative, Staff (check applicable.)

Michele McDaniel Rosenfeld		The Law Office of Michele Rosenfeld LLC	
<i>Name</i>		<i>Affiliation/Organization</i>	
1 Research Court, Suite 450			
<i>Street Address</i>			
Rockville		MD	20850
<i>City</i>		<i>State</i>	<i>Zip Code</i>
(301) 204-0913		michele@marylandpropertylaw.com	
<i>Telephone Number</i>	<i>Fax Number</i>	<i>E-mail</i>	

We are requesting an extension for 90 months until 04/13/2023

Describe the nature of the extension request. Provide a separate sheet if necessary.

Staff had requested a 60-foot width road dedication and construction of the roadway within a small 3-lot subdivision. The last extension was granted to allow the applicant to consult with newly-hired legal counsel, and applicant representatives and staff met to discuss possible alternatives to staff's recommended road conditions. Since those discussions, the applicant has explored alternative subdivision layouts, including reducing the number of lots. Based on subsequent discussions with staff, it appears as if a mutually agreeable approach has been reached. A follow-up discussion with DOT and Fire/Rescue representatives is needed, which is tentatively scheduled for early January. The applicant expects to amend its application based on those follow-up discussions and submit for presentation to the Board. We request a 90-day extension with the expectation that the case will be concluded before then.

Signature of Person Requesting the Extension

Michele McDaniel Rosenfeld
Signature

12/20/2022
Date

Extension Review

Planning Director Review for Extensions 30 days or less

I, the Planning Director, or Director's designee, have the ability to grant extensions of the Planning Board public hearing date of up to 30 days and approve an extension of the Planning Board public hearing date from _____ until _____.

Signature

Date

Planning Board Review for Extensions greater than 30 days

The Montgomery County Planning Board reviewed the extension request on _____ and approved an extension for more than 30 days of the Planning Board public hearing date from _____ until _____.