

## KIRK FARM

### PRE-PRELIMINARY PLAN NO. 720240020



#### Description

Application to obtain binding direction from the Planning Board on site access and required improvements on Tall Timbers Road for the creation of one lot for one single-family detached unit.

No. 720240020

Completed: 10/21/2024

MCPB  
Item No.  
10/31/2024

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

## Planning Staff

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SP	Sandra Pereira, Supervisor, Upcounty Planning, <a href="mailto:Sandra.Pereira@montgomeryplanning.org">Sandra.Pereira@montgomeryplanning.org</a> , 301-495-4513
PB	Patrick Butler, Chief, Upcounty Planning, <a href="mailto:Patrick.Butler@montgomeryplanning.org">Patrick.Butler@montgomeryplanning.org</a> , 301-495-4561

### LOCATION/ADDRESS

2505 Tall Timbers Road, Olney

### MASTER PLAN

2005 Olney Master Plan

### ZONE

R-200

### PROPERTY SIZE

1.5 Acres

### APPLICANT

Marcella & Eliza Wozniak

### ACCEPTANCE DATE

7/10/2024

### REVIEW BASIS

Chapters 50 and 22A

### Summary:

- This Pre-Preliminary Plan Application requests binding direction from the Planning Board on site access and required improvements on Tall Timbers Road for the creation of one lot for one single-family detached unit.
- Staff supports one lot for one single-family detached unit accessed from Tall Timbers Road.
- No road improvements will be required on Tall Timbers Road besides the temporary turnaround and improvements along the Subject Property frontage on Tall Timbers Road.
- The Property is located in the Patuxent Primary Management Area, and as such, Staff does not support stream crossing and impacts to environmental buffers associated with access from Brooke Farm Drive.
- In addition, DPS Fire Access and Water Supply and Department of Transportation will require extensive improvements to Brooke Farm Road to meet Fire Code and Road Code requirements, respectively.
- Staff received citizen correspondence in opposition of the Application.

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SECTION 1: EXECUTIVE SUMMARY

Pre-Preliminary Plans can serve two purposes: to receive advisory recommendations from the Development Review Committee (DRC) or receive binding advice from the Planning Board on specific items decided at a public hearing. When presented to the Board, the Board must act to:

- 1. Approve the pre-preliminary submission,
- 2. Disapprove it stating the reasons,
- 3. Approve with conditions or modifications as the Board finds necessary.

Once binding advice is received from the Planning Board, the Applicant has 90 days to submit a Preliminary Plan application that is supported by the Board’s decision at the Pre-Preliminary Plan stage.

Pre-Preliminary Plan No. 720240020 was accepted on July 10, 2024 and is requesting a binding decision from the Board to create one (1) record lot that will have access on Tall Timbers Road.

## SECTION 2: STAFF RECOMMENDED BINDING ELEMENTS

### PRE-PRELIMINARY PLAN 720240020

Staff supports the submission of a preliminary plan application for one (1) lot to construct one (1) single-family detached unit accessed from Tall Timbers Road with the following binding elements:

1. No access is allowed from Brooke Farm Road and no stream crossing or disturbance of environmental buffers will be permitted on the Subject Property.
2. Access to the Subject Property is limited to Tall Timbers Road.
3. The Applicant will only be required to make the following improvements to Tall Timbers Road: the temporary turnaround and improvements along the Subject Property frontage on Tall Timbers Road per Montgomery County Department of Transportation (MCDOT) correspondence dated September 20, 2024, and Department of Permitting Services (DPS) Fire Access and Water Supply dated September 12, 2024 [Attachment C].

## SECTION 3: SITE DESCRIPTION

### VICINITY

The Subject Property is located in the “Southern Olney” area of the 2005 *Olney Master Plan* and falls within the Patuxent Management Area. The MedStar Montgomery Medical facility is directly north of the Subject Property across Brooke Farm Drive. The intersection of Prince Philip Drive and Olney Sandy Spring Road (MD 108) is southwest of the Subject Property. The Subject Property is zoned R-200 as are the lots directly south and west; properties to the north and east are zoned RE-2.



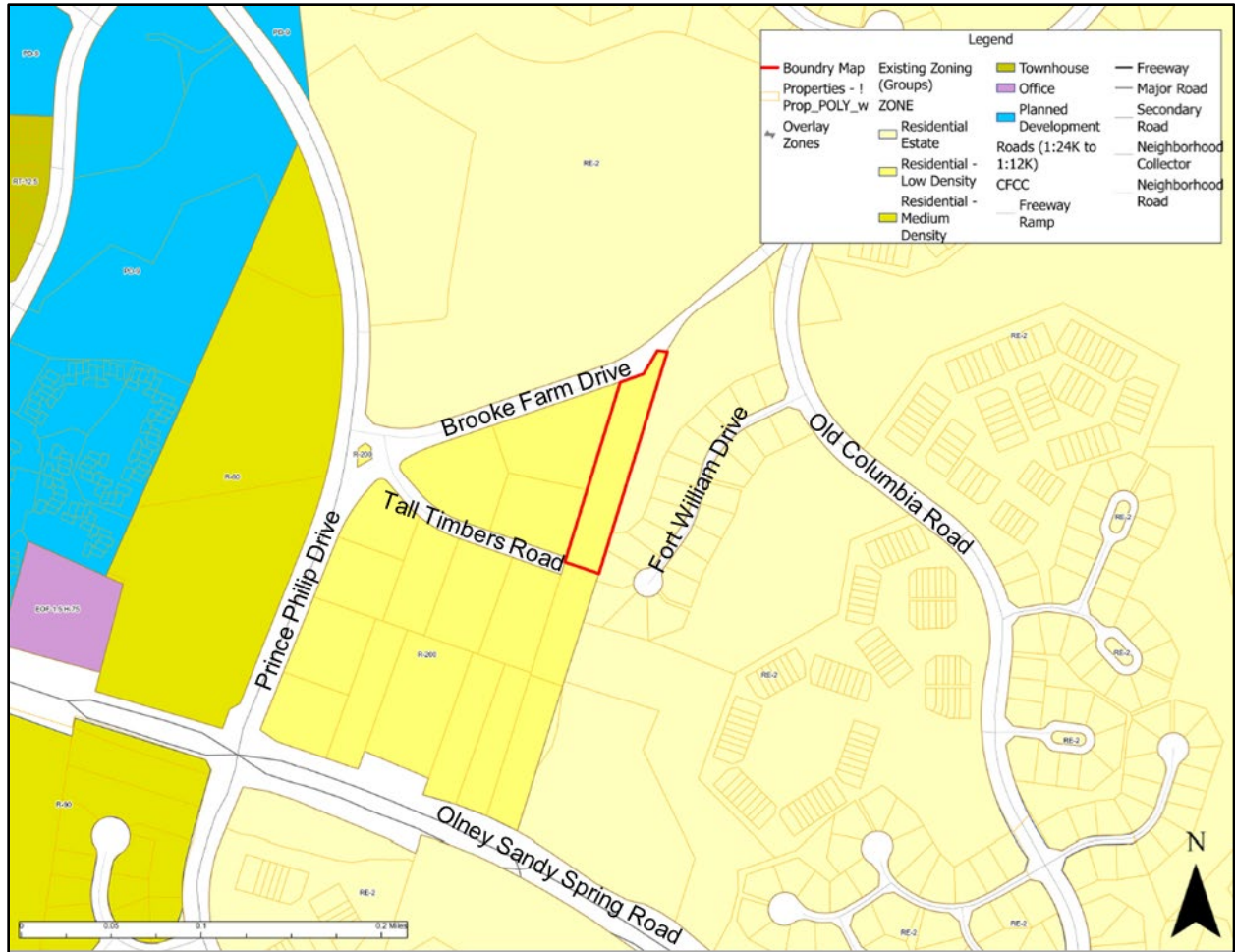


Figure 1 – Vicinity Map

## PROPERTY DESCRIPTION

The 1.5-acre Subject Property is a through parcel with frontage on two (2) public rights-of-way: Brooke Farm Drive to the north and Tall Timbers Road to the south. Tall Timbers Road, which ends at the south of the Subject Property, is a residential gravel street serving neighboring single family-detached dwelling units. The entire Subject Property is forested with a stream and associated 150-foot stream valley buffer covering the northern portion of the Subject Property. The Subject Property is within the Patuxent Management Area, a water quality protection and restoration area with protections to water quality in the rivers and streams to protect the Patuxent and Hawlings River watersheds.



Figure 2 – Subject Property

## SECTION 4: PRIOR APPLICATIONS

### Concept Plan No. 520240170

Concept Plan No. 520240170 was submitted February 7, 2024, by the Applicant. The reviewing agencies provided comments at the Development Review Committee meeting on March 12, 2024. The Concept Plan proposed a two (2) lot subdivision for two (2) single-family dwelling units with one unit accessed from Brooke Farm Road and the second unit accessed from Tall Timbers Road.



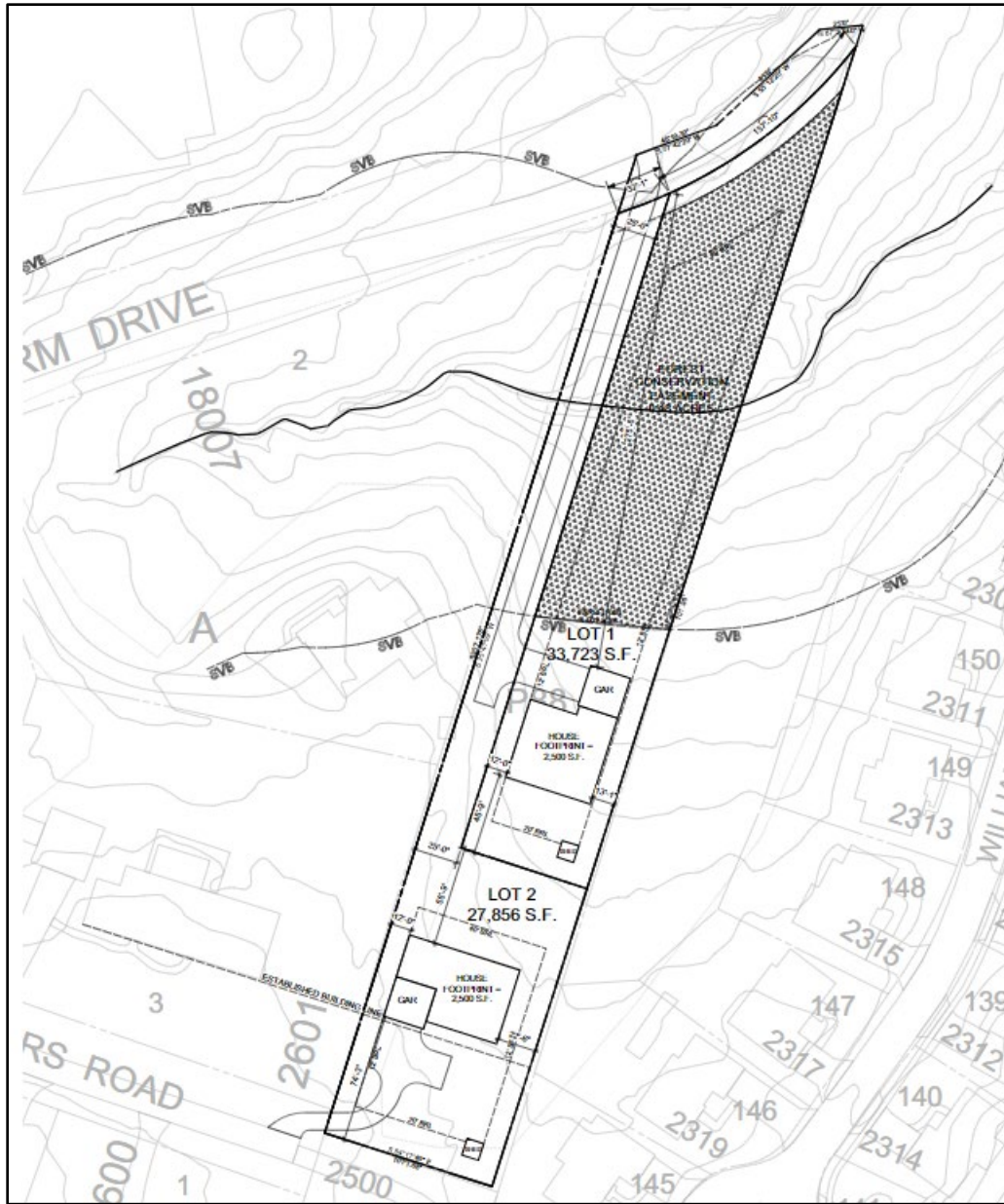


Figure 3 – Concept Plan Layout

While the Subject Property is large enough to comply with flag lot separation requirements, Staff did not support the proposed stream crossing and impacts to environmental buffers associated with access from Brooke Farm Road for one of the lots (proposed Lot 1 in Figure 4). In addition, DPS Fire Access and Water Supply required extensive road improvements to meet Fire Code criteria for two lots.

On July 10, 2024, the subject Pre-Preliminary Plan was accepted initially proposing a two (2) lot subdivision for two (2) single-family detached dwelling units accessed from Brooke Farm Drive that employed a flag lot configuration with a shared driveway and cul-de-sac between the units. A binding decision from the Planning Board was requested on the lot design's adherence to Section 59.50.4.3.C

## SECTION 5: PROPOSAL

The Applicant is currently proposing one lot for one (1) single-family detached unit accessed from Tall Timbers Road. The submitted drawings illustrate the installation of a temporary turnaround which connects to the proposed lot's private driveway and leads to the proposed unit's attached garage (Figure 4).



## SECTION 6: COMMUNITY OUTREACH

The Applicant has complied with all application submittal, noticing, and sign posting requirements under COMCOR 50.10.01.04 of the Subdivision Regulations. The required sign providing notice of the Public Hearing was posted at the Subject Property in conformance with the Administrative Procedures for Development Review. Written notice of the Application was mailed by the Applicant to all required parties.

Staff received comments from a neighboring resident living on Fort Williams Drive and a resident living on Tall Timbers Road based on the initial two-lot design. The Fort Drive resident raised concern about loss of privacy because of the proposed unit's proximity to her home, trespassers crossing her property and hopping her fence as a shortcut to the hospital, and increased flooding on her property. The resident claims that her property began to experience significant flooding when the single-family detached unit located on 2500 Tall Timbers Road was built, leading to the need for the to have a sump-pump constantly run when it rains and her neighbor installing a culvert. She requested moving the second proposed unit 20 feet north (closer to Old Baltimore Road) and relocating the garage and driveway to the other side of the lot. Staff responded by informing the resident that the project has been modified to propose one (1) lot for a single-family detached unit and explained that a Pre-preliminary Plan is an application to gain binding guidance from the Planning Board rather than a development application that precedes platting and building permits. Staff provided an updated application drawing via email, sent the contact information for the Manager of the Department of Permitting Services (DPS) Water Resources Section, and raised the concern with the Water Resource Manager and MCDOT staff. MCDOT included in their approval letter their standard condition that the Applicant shall submit a storm drain study at the Preliminary Plan or Administrative Subdivision phase of the project.

The Tall Timbers resident voiced issue with the clearing of trees, the proposed driveway running parallel to her own, and damage to Tall Timbers Road by trucks during construction. The resident stated a desire to create an HOA so that the hypothetical future residents of the Subject Property are held responsible for fixing the road. The resident went on to request that the driveway and garage be relocated to the other side of the home/lot. Staff responded by providing an updated application drawing to the applicant via email (eventually uploading the updated drawing to DAIC).

## SECTION 7: ANALYSIS

Staff's recommendations on the requested binding decisions are based on the review with county agencies, master plan conformance, and current requirements of the Subdivision Regulations, Zoning Code and Environmental Guidelines.

### ***Access from Tall Timbers Road and required improvements:***

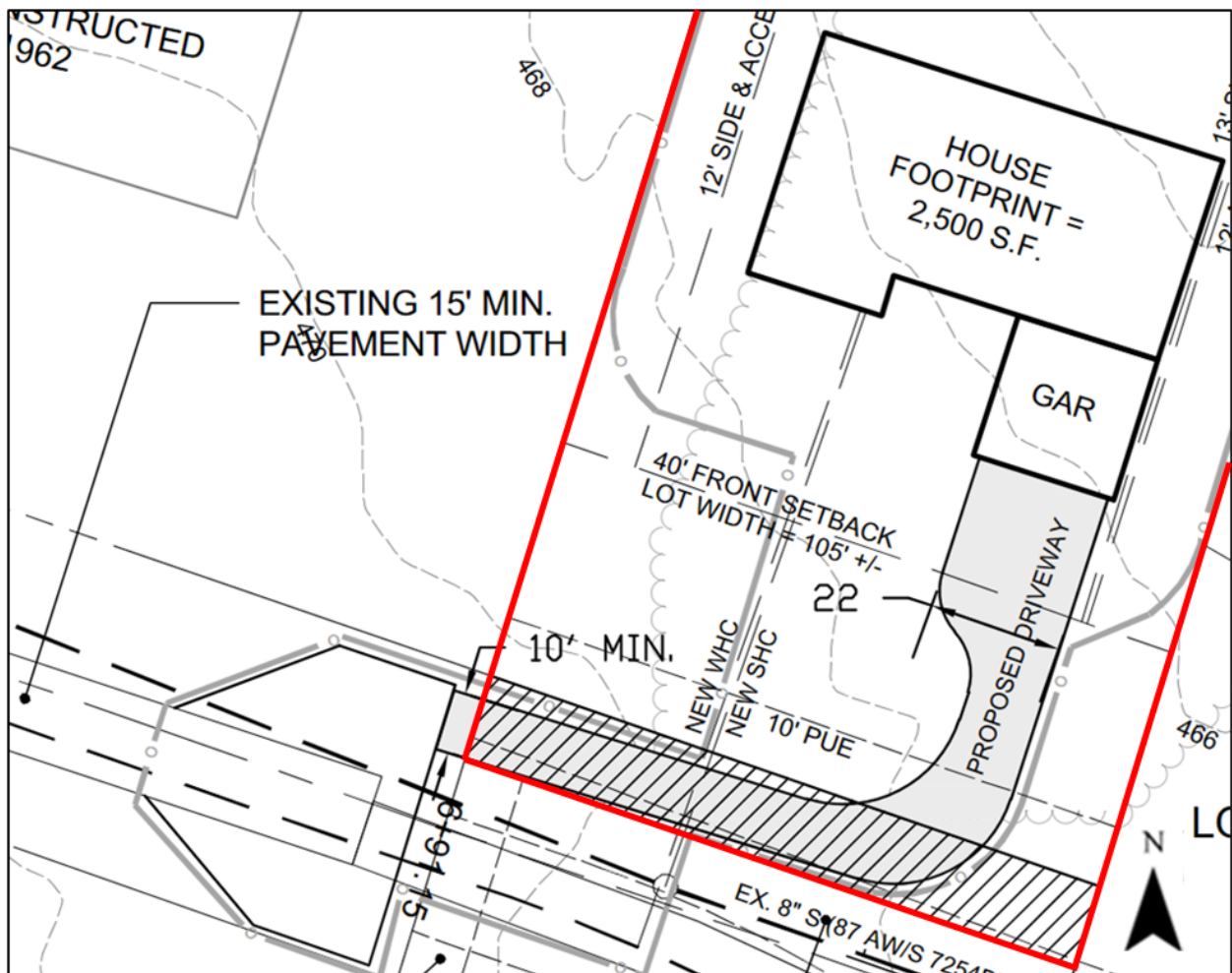


**Issue:**

Frontage on Tall Timbers Road is very narrow, measuring 14 feet, and Tall Timbers Road is sub-standard.

**Staff Position:**

Staff supports Tall Timbers Road as access for one single-family detached unit on the Subject Property. A temporary turnaround will be installed at the end of Tall Timbers Road as depicted in the submitted drawings. As confirmed by Montgomery County Department of Transportation (MCDOT) and DPS Fire Access and Water Supply [Attachment C], the Subject Property has adequate frontage for vehicular access from Tall Timbers Road and no road improvements will be required besides the temporary turnaround and improvements along Subject Property frontage on Tall Timbers Road. Per DPS Fire Access and Water Supply policy, single-family units planned prior to 2010 are exempt from Fire Access review, so 12 feet will be sufficient for a driveway to meet DPS Fire Access and Water Supply standards for one (1) single-family detached dwelling unit (Figure 5).



## SECTION 8: CONCLUSION

Staff supports the submission of a preliminary plan application for one lot for one single-family detached dwelling unit on the Subject Property with access from Tall Timbers Road with the binding elements as outlined in this report. The Subject Property has adequate frontage for vehicular access from Tall Timbers Road and no road improvements will be required besides the temporary turnaround and improvements along Subject Property frontage on Tall Timbers Road.

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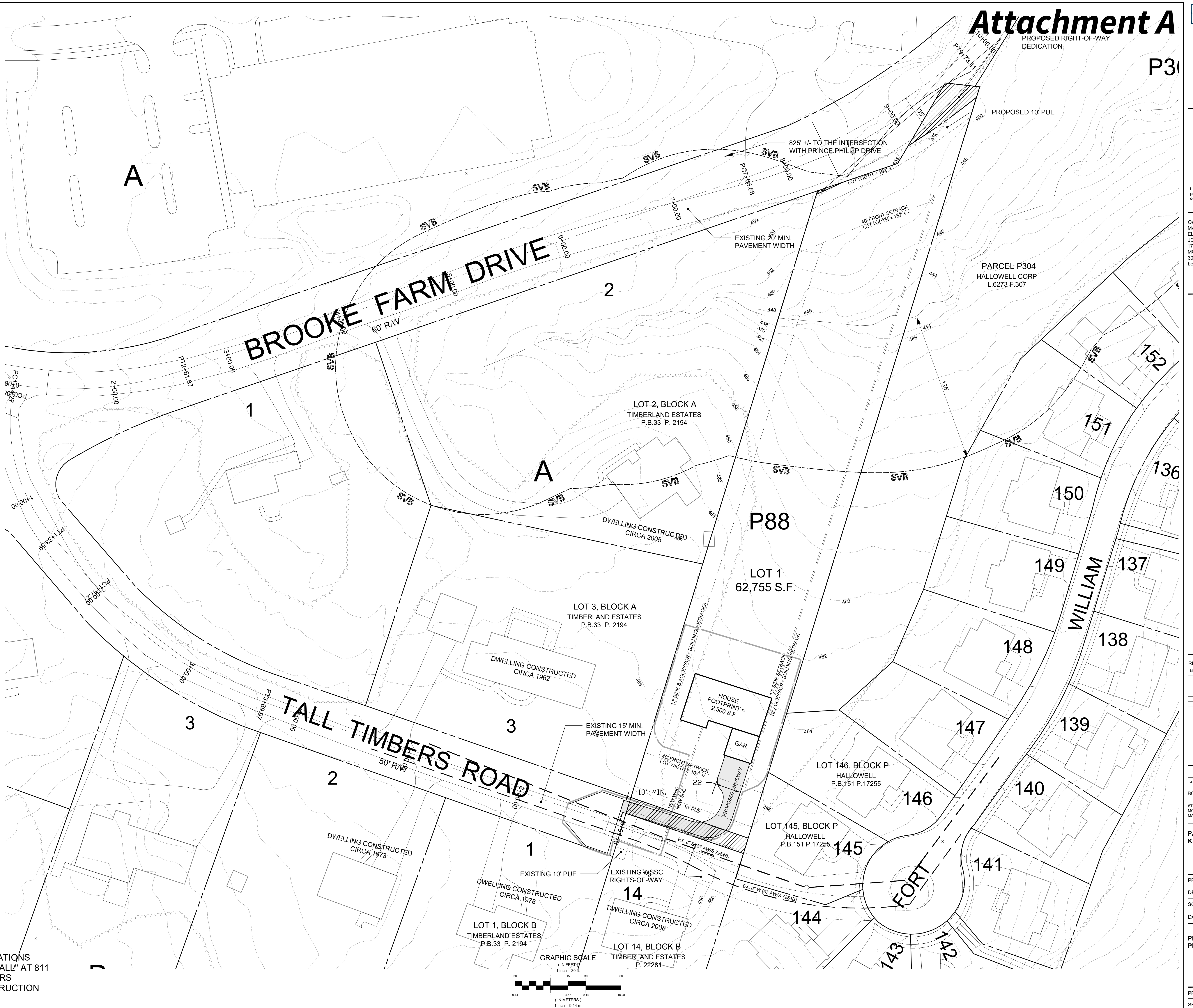
### ATTACHMENTS

*Attachment A: Pre-Preliminary Plan*

*Attachment B: Agency Letters*

*Attachment C: Community Correspondence*







# Attachment B



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## FIRE MARSHAL COMMENTS

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**DATE:** Thursday, September 12, 2024  
**TO:** Stephen Crum - [scrum@mhgpa.com](mailto:scrum@mhgpa.com)  
Macris, Hendricks & Glascock  
**FROM:** Marie LaBaw  
**RE:** Kirk Farm  
720240020

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**NO COMMENT**

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To The Applicant:

When Fire Department Access plans are ready for approval from the Fire Marshals Office, please provide the reviewer listed above with four folded copies. The copies will be stamped and an Approval letter will be provided.

\*\*\* Fire department access review under current code not required for one single family unit on property where one single family unit was planned prior to 2010. See supporting documentation. \*\*\*

**AFFIDAVIT OF JANICE M. WOZNIAK IN SUPPORT OF  
PRE-PRELIMINARY PLAN NO. 720240020**

I, Janice M. Wozniak, am over the age of eighteen (18) years and competent to testify to the matters set forth in this Affidavit.

1. On May 16, 1961, my husband, Albin S. Wozniak, and I purchased the property now commonly known as 2505 Tall Timbers Road, Olney, Maryland 20832 ("subject property"). See Exhibit 1. We owned the subject property until September 16, 2022, when our children, Marcella A. Wozniak, Elizabeth Mary Wozniak, and Joseph T. Wozniak took title.

2. My husband and I purchased the subject property with the intent of building a home to serve as our family's primary residence. As the American Home blueprint order form with our handwritten notes shows, my husband and I chose a home blueprint house plan that we intended to build on the subject property. See Exhibit 2.

3. We believed the subject property was able to be developed, due in part to our realtor's assurances, as well as the residential character of the area. We believed we had ingress and egress access to the subject property from at least Tall Timbers Road, but also potentially from Brooke Grove Road, in part because of the subject property's legal description of having "... frontage on Brooke Grove Road." See Exhibit 1.

4. Soon after purchasing the property in 1962, a percolation test on the subject property indicated the subject property would not support the construction of a home.

5. Accordingly, my husband and I purchased a home in Brookeville to raise our young children. However, approximately six (6) months after moving our family into our Brookeville residence, we were notified that the percolation test did in fact indicate the subject property was adequate for development. We were unable to build a home on the subject property at that time, though, because we could not financially support both our Brookeville home as well as the



construction of a new home.

6. We maintained ownership of the subject property, though, because we intended to use it for future development. Our primary intended use of the property was for it to be developed for our children to reside on when they became adults.

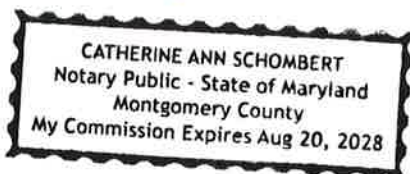
7. Throughout our ownership of the subject property, we put forth many efforts to maintain the development potential of the property. For example, in 1994, the Hallowell Corporation petitioned for the abandonment of a portion of Brooke Grove Road that, as originally proposed, would have eliminated the subject property's access to the road. In response, my husband advocated for the proposed abandonment to be altered to preserve the subject property's access. As the Hearing Examiner's Report and Recommendation in that case reflect, the subject property's access was specifically addressed by the Property Acquisition Specialist of the Montgomery County Department of Transportation and preserved in the final plan. See Exhibit 3 p. 5.

I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THE FOREGOING AFFIDAVIT ARE TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Janice M. Wozniak  
Janice M. Wozniak

9/12/24  
Date

Subscribed and sworn to before me, a Notary Public for Montgomery County, Maryland, this 12th day of Sept., 2024.



Catherine Ann Schombert  
Notary Public

My Commission expires: 8/20/2028

**This Deed**

Ma. 46400  
Made this 18<sup>th</sup> day of August in the year Nineteen hundred and Sixty-one by and between MARGARET BROOKE, unmarried, party of the first part; and ALBIN S. WOZNIAK and JANICE M. WOZNIAK, his wife, as tenants by the entirety, parties of the second part.

**Witnesseth.** that for and in consideration of the sum of Ten Dollars (\$10.00), said part y of the first part do grant and convey unto the said parties of the second part, in fee simple, as tenants by the entirety,

the following described land and premises, with the improvements, easements and appurtenances thereunto belonging, situate, lying and being in Montgomery County, State of Maryland, namely:

Part of a tract of land in Montgomery County, Maryland known as the "Fair Hill Farm", and being part of a parcel of land known as Lot 90 as shown on an unrecorded plat of Kirk Farm, made by J. L. Benson, C. E. in October 1923; and being part of the same land conveyed from Charles C. Tumbleson to Margaret Brooke by deed recorded November 25, 1946 among the Land Records of Montgomery County, Maryland in Liber 1049 at Folio 90.

BEGINNING for the same at the northwest corner of Lot 90, said corner being at the end of the first line of a conveyance made November 18, 1946 by Charles C. and Gladys B. Tumbleson to Margaret Brooke and recorded in Liber 1049 at Folio 90 among the Land Records of Montgomery County, Maryland thence to include 1.50 acres of said Lot 90 and running with the second, third, fourth, and fifth lines of above conveyance; (1) North 87° 37' 40" West 25.00 feet (2) South 55° 12' 20" West 81.00 feet (3) South 77° 42' 20" West 48.68 feet (4) South 25° 42' 20" West 590.73 feet, thence leaving outlines of said lot (5) South 64° 17' 40" East 101.14 feet to intersect the first line of above conveyance, thence with said line (6) North 25° 42' 20" East 701.08 feet to the place of beginning containing 1.50 acres of land.

**To Have and to Hold** the same unto and to the use of the said parties hereto of the second part, in fee simple, as tenants by the entirety.

**And** the said party of the first part, hereby covenant to warrant specially the property hereby conveyed, and to execute such further assurances of said land as may be requisite.



Witness her hand and seal on the day and year first herebefore written.

Signed, sealed and delivered in presence of,

Jean A. Hedgepeth  
Jean Hedgepeth

Margaret Brooke (SEAL)  
Margaret Brooke

(SEAL)

(SEAL)



JEAN A. HEDGEPETH

Margaret Brooke

known to me to be the person whose name is subscribed to the within instrument and acknowledged that s/he executed the same for the purposes therein contained.

IN WITNESS WHEREOF I have hereunto set my hand and official seal.

JEAN A. HERGENROTTER, Notary Public

*My Commission expires—*

ALL Taxes on assessments certified to the  
Collector of Taxes for Montgomery County  
Md by 2-28-61 have been on Dept. of  
Finance, Potomac Telephone Co., Md.  
This tax is in the process of being remitted  
reconciliation and to the extent that it fur-  
ther taxation even for prior periods, nor does it  
warrant satisfaction of outstanding tax sales.

[illegible]

Mail to grantees  
B ox 121  
Olney, Md

Mad. 116/1.00 PADI 12

Received AUG 20 PM 2:52

40  
8-27-61  
MARGARET BROOKE, unmarried  
Feb. 10, 1902

TO

AT.BTN S. WOZNIAK, et ux.

TANTCH, M. WOZNIAK, as

Tenants by the Entirety.

Received for Record on the 28 day  
of Aug., A.D. 1961  
at 1:52 o'clock P. M., and recorded in  
Liber No. 288 at folio 130.

one of the Land Records for the County of Montgomery State of Maryland.

Clerk

The District Title Insurance Co.  
The Wampana Title Insurance Co.  
The Wampana Title Insurance Co.  
1413 N. 14th Street, N. O.  
The Wampana Title Insurance Co.



May 16, 1961

Received from Albin S. Wozniak

a deposit of one hundred Dollars (\$ 100.)  
to be applied as part payment of the purchase of Lot -- in Block --, with  
no improvements thereon known as ~~Box~~ one and a half acres of Kirk Farm with  
frontage on Brooke Grove Road adjacent to Timberland Estates Sub-  
division

in the State of Maryland, upon the following terms of sale:

Total price of property three thousand Dollars (\$ 3,000.).

The purchaser agrees to pay three thousand Dollars (\$ 3,000.)  
cash at the date of conveyance, of which sum this deposit shall be a part.The purchaser is to assume, give, place, take title subject to, a first deed of trust secured on the  
premises ofDollars (\$ )  
due , 19--, bearing interest at the rate of per cent  
per annum, payable

The balance of deferred purchase money is to be secured by a deed of trust on said  
property, to be paid in monthly installments of Dollars (\$ ),  
or more, including interest at the rate of per cent per annum, each installment when so  
paid to be applied, first, to the payment of interest on the amount of principal remaining unpaid and  
the balance thereof credited to principal.

Trustees in all deeds of trust are to be named by the parties secured thereby.

The property is sold free of encumbrance except as aforesaid; title is to be good of record and in fact subject, however, to covenants,  
conditions and restrictions of record if any; otherwise said deposit is to be returned and sale declared off at the option of the purchaser, unless  
the defects are of such character that they may readily be remedied by legal action, but the seller and agent are hereby expressly released from all  
liability for damages by reason of any defect in the title. In case legal steps are necessary to perfect the title, such action must be taken by the  
seller promptly at his own expense, whereupon the time herein specified for settlement by the purchaser will thereby be extended for the period  
necessary for such prompt action.

Rents, taxes, water rent, insurance and interest on existing encumbrances, if any, and operating charges are to be adjusted to the  
date of transfer. Taxes, general and special, are to be adjusted according to the certificate of taxes issued by the Treasurer of the County,  
except that assessments for improvements completed prior to the date hereof, whether assessment therefor has been levied or not, shall be  
paid by the seller or allowance made therefor at the time of transfer. If the property is serviced by the Washington Suburban Sanitary Com-  
mission, annual benefit charges of said Commission are to be adjusted to date of transfer and assumed thereafter by purchaser.

Examination of title, tax certificate, conveyancing, notary fees and all recording charges, including those for purchase money trust, if any,  
are to be at the cost of the purchaser; provided, however, that if upon examination the title should be found defective the seller hereby agrees to pay  
the cost of examination of the title and also to pay to the agent herein a commission hereinafter provided for just as though the sale had actually  
been consummated and all the terms of this contract complied with.

Within sixty days from the date of acceptance hereof by the owner, or as soon thereafter as a report  
on the title can be secured if promptly ordered, the seller and purchaser are required and agree to make full settlement in accordance with the terms  
hereof. If the purchaser shall fail so to do, the deposit herein provided for may be forfeited at the option of the seller, in which event the purchaser  
shall be relieved from further liability hereunder, or without forfeiting the said deposit the seller may avail himself of any legal or equitable  
rights which he may have under this contract. In the event of the forfeiture of the deposit, the seller shall allow the agent one-half thereof as a  
compensation for his services to him.

Settlement is to be made at the office of

(Name of Broker)

or at the Title Company searching the title, and deposit with the Title Company or with

(Name of Broker)

of the purchase money, the deed of conveyance for execution and such other papers as are required by either party by the terms of this contract  
shall be considered good and sufficient tender of performance of the terms hereof.

Seller agrees to execute the usual special warranty deed. Property is sold subject to an existing tenancy as follows:

Seller agrees to give possession at time of settlement, and in the event he shall fail so to do he shall become and be thereafter a tenant  
by sufferance of the purchaser and hereby waives all notice to quit, as provided by the law. (Strike one of the two foregoing sentences.)

The risk of loss or damage to said property by fire or other casualty until the deed of conveyance is recorded is assumed by the seller.

All notices of violations of local ordinance or requirements, issued by legal authority or prosecutions in any court on account thereof  
against or affecting the property at the date of the settlement of this contract shall be defended or complied with by the seller and the property  
conveyed free thereof. This provision shall survive the delivery of the deed hereunder, regardless of knowledge or notice of the same on the part  
of the purchaser.

The seller agrees to pay to

(Name of Broker)

his agent, the regular rate of commission amounting to \$ , and the Title Company, or the Real Estate Office, through  
which settlement is made is hereby authorized and directed to make deduction of the aforesaid commission from the proceeds of the sale and  
to make payment thereof to the said agent. Entire deposit to be held by  
until settlement hereunder is made.

(Name of Broker)

The principals to this contract mutually agree that it shall be binding upon their respective heirs, executors, administrators or assigns.

This contract, made in triplicate, when ratified by the seller contains the final and entire agreement between the parties hereto and they shall  
not be bound by any terms, conditions, statements or representations, oral or written, not herein contained.

(Agent)

We, the undersigned, hereby ratify, accept and agree to the above memorandum of sale and ac-  
knowledge it to be our contract.



(Seller)



(Purchaser)



(Purchaser)

Date of acceptance May 16, 1961

Box 121, Olney, Md. Sp 4-9810

(Address of Purchaser)

(Phone)

Property to be conveyed in the name of Albin S. Wozniak and Janice M. Wozniak

# Sales Contract

REAL ESTATE

BETWEEN

-----Albin S. Wozniak-----

-----Janice M. Wozniak-----  
Purchaser

AND

-----Margaret Brooke-----  
Owner

-----May 16, 1961-----  
=====



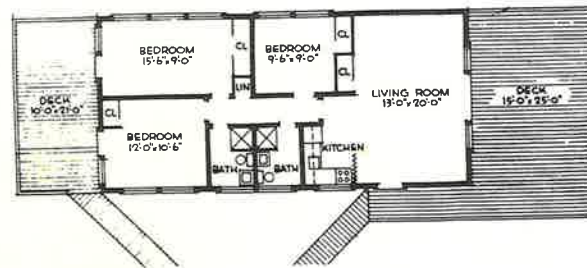
## Exhibit 2

### BLUEPRINT ORDER FORM

*Every set of American Home blueprints is complete with working drawings and list of materials. Simply turn the set over to your builder and he can start work immediately on the home of your choice.*

**One set of plans \$5.00. Three sets of the same plan on one order \$10.00. Send check or money order (no stamps please). New York City residents please add 3% City Sales Tax.**

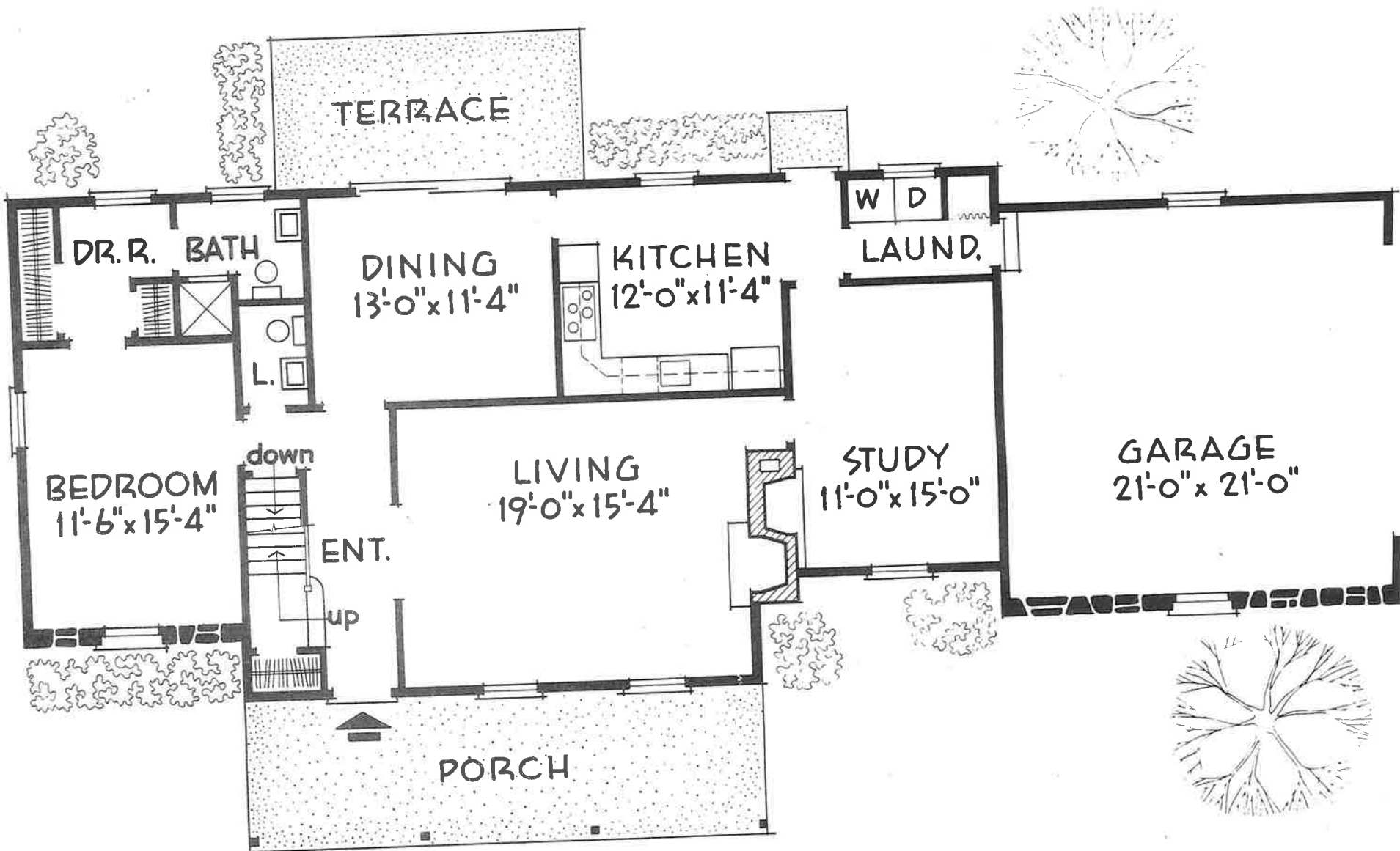
**Please allow three weeks for handling and mailing. Fill in coupon below and mail to**



**B.P. #67.** Expandable classic design can be completed in stages as family needs dictate. Living area: 1830 sq. ft. Overall size: 75' x 36', including garage.



MATERIAL LIST FOR  
THE AMERICAN HOME BLUEPRINT HOUSE PLAN #67





ITEM	MATERIAL	LABOR	PRODUCT	NET QUANTITY	✓	RATE	MATERIAL COST	✓	RATE	LABOR COST	✓
-EARTH EXCAVATION & GRADING-											
Topsoil	6" Grade	Exc. & Pile	8740 S								
Earth	Basement	" & Dispose	6730 C								
"	Crawl Space	" "	1650 C								
"	Foundation	" & B'fill	530 C								
" Hand	Footing	" "	535 C								
" "	Porch&Pl.Curb	" "	75 C								
Gravel	4"Flr.&Platf.	Sub-fill	1550 S								
Water	Encountered	Drainage	Sum								
-CONCRETE CONSTRUCTION & FINISH-											
2500% Conc.	Wall & Column	Footings	310 C								
" "	" "	" Forms	410 S								
" "	Porch&Platf.	Curbs	70 C								
" "	" "	" Forms	110 S								
" "	4"Flr.&Garage	Slab C.G.	1185 S								
" "	4" Porch	" "	225 S								
" "	4"Terrace	" "	130 S								
" "	4"Platform	" "	15 S								
" "	2"Crawl Space	" "	510 S								
" "	1'x3'6"x6"Step	Form & Finish	1 U								
" "	5'8x3'2x4"	Chimney Cap	1 U								
Monolithic	Floor	Finish	1695 S								
"	Porch, Terr. &	Platf. Fl. Fin.	370 S								
Kraft Paper	Slab	Prot. & Curing	2065 S								
Trade	Items	Set-In	Sum								
-BRICK & BLOCK CONSTRUCTION & VENEER-											
Conc. Block	12" Foundation	Wall	655 S								
" "	8" "	"	570 S								
" "	Chimney	Foundation	185 C								
Common Brick	"	Construction	265 C								
Used "	4" Chimney	C.-B. Veneer	45 S								
" "	2-5/8"x8"Fire	Pl. Sill Crse.	3 L								
" "	8"x2-5/8" "	" Mantle	5 L								
Slate	1"x6"Firepl.	Surround	9 L								
"	1'3x2"x4'4"	F.P. Hearth	1 U								
Flagstone	24"x15"x2"	Chimney Cap	1 U								
Fire Brick	4"Fireplace	Paving	10 S								
" "	4" "	Lining	30 S								
Terra Cotta	12"x8"Flue	"	30 L								
" "	12"x12" "	"	40 L								
Stucco	Wall	Finish	90 S								
"	Chimney	"	135 S								
Cem. Mortar	1/2"Found. Wall	Paving	630 S								
Mastic	1 Ct. "	Waterproofing	630 S								
Stone Ashlar	8"Exter. "	Veneer	265 S								



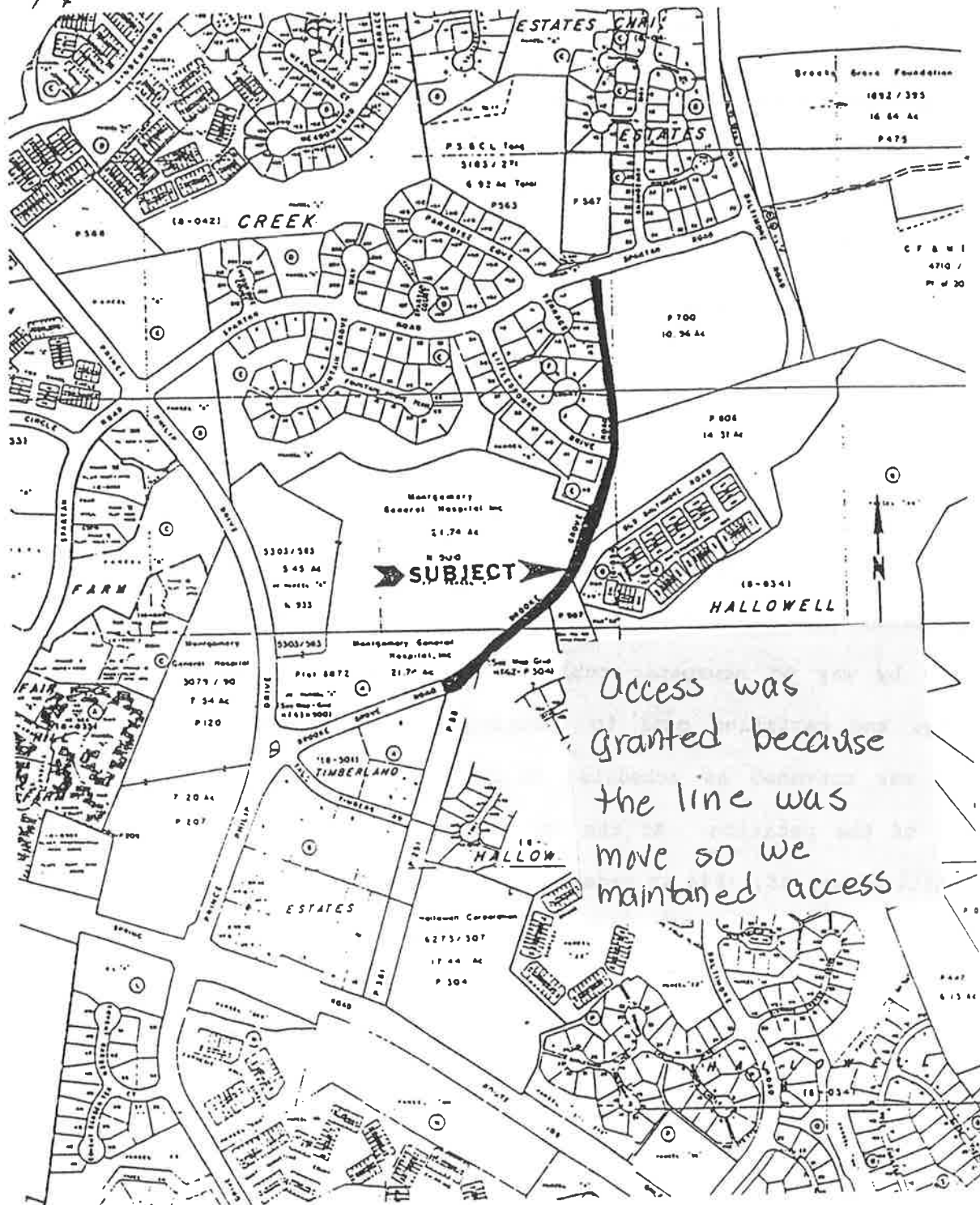
Office of Zoning and Administrative Hearings  
Stella B. Werner Council Office Building  
Rockville, Maryland 20850  
217-6660

★ ★ ★ ★ ★ ★ ★ ★ ★

Brooke Grove Road currently extends between Prince Philip Drive and Spartan Road through portions of the Hallowell Subdivision and adjacent to the James Creek Subdivision, Montgomery General Hospital and the Brooke Grove Elementary School. The portion of Brooke Grove Road proposed for abandonment extends in a northeast direction and lies within a variable right-of-way for about 2,000 feet in length between its proposed terminus about 800 feet northeast of



Prince Philip Drive and Spartan Road. The area of the proposed abandonment is depicted below.



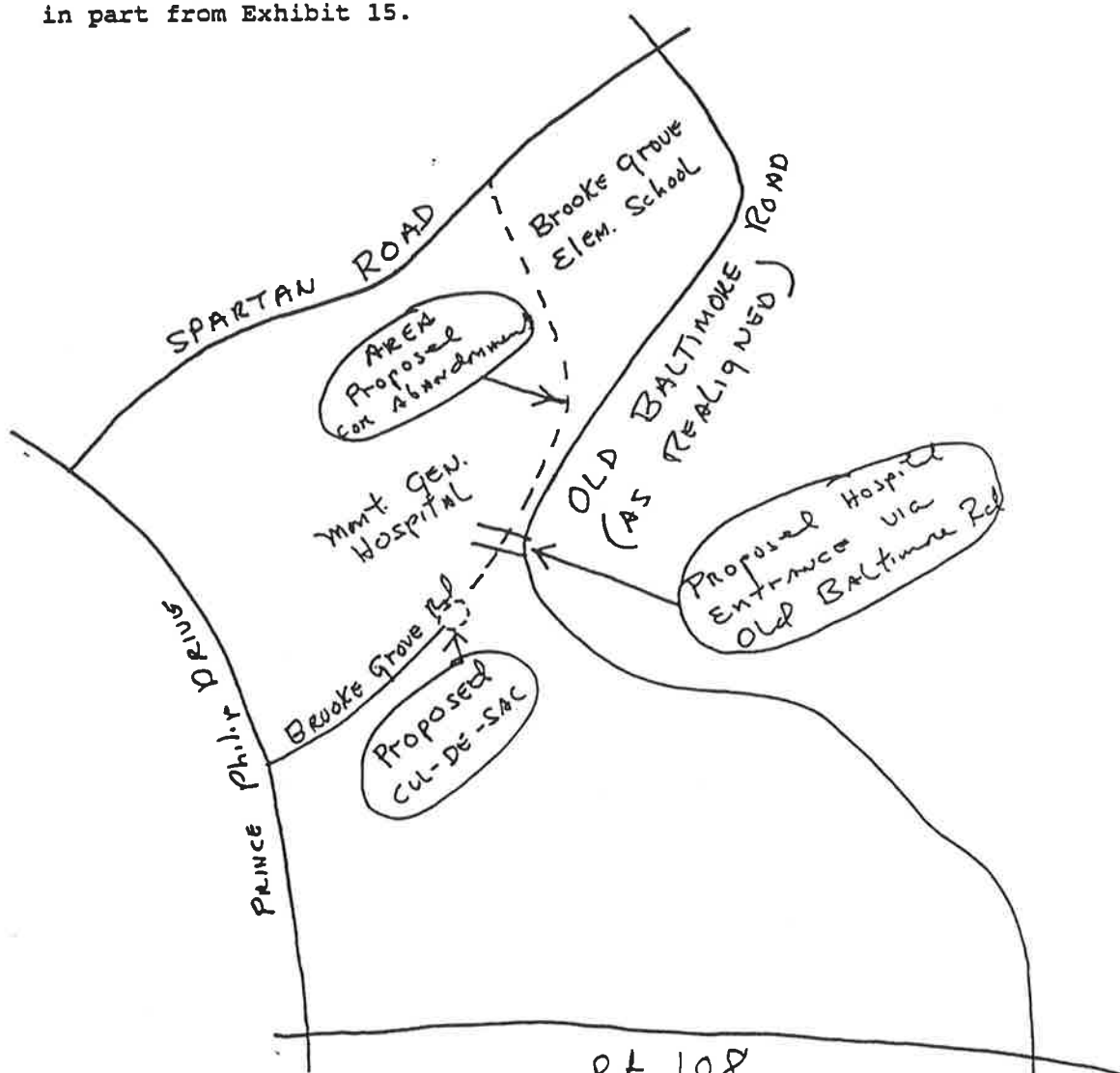
AB604

ABANDONMENT OF A PORTION OF BROOKE GROVE ROAD, FROM APPROXIMATELY 800 FEET EAST OF PRINCE PHILIP DRIVE TO SPARTAN ROAD, EIGHTH DISTRICT, OLNEY, MARYLAND



AREA TO BE ABANDONED

Any access lost by the proposed abandonment will be replaced by Old Baltimore Road which is being realigned as part of the Hallowell Subdivision. The realignment of Old Baltimore Road will intersect with the existing Brooke Grove Road right-of-way in a manner that will not permit its completion unless traffic on Brooke Grove Road is rerouted. Brooke Grove Road is proposed for a cul-de-sac at the end of its 800-foot connection to Prince Philip Drive. An access to Montgomery General Hospital is proposed over the right-of-way of Brooke Grove Road to connect with realigned Old Baltimore Road. Both the Montgomery County Department of Transportation (DOT) and the Maryland National-Capital Park and Planning Commission (M-NCPPC) propose to reserve a portion of the abandoned right-of-way for a hiker/biker trail which is opposed by residents of the James Creek Subdivision. The revised road network is depicted in a sketch reproduced below which was derived in part from Exhibit 15.



## III. SUMMARY OF TESTIMONY AND EVIDENCE OF RECORD

Under the provisions of Section 49-62, Montgomery County Code (1984, Supp. No. 16), several public agencies and utilities are required to review the petition. The Montgomery County Department of Police, by letter dated May 11, 1994, concluded that the proposed abandonment will not create any adverse impact for police services in the immediate area. The M-NCPPC, by letter dated June 17, 1994, recommended approval with several conditions including retention of part of the right-of-way for a hiker/biker trail. The Sandy Spring Volunteer Fire Department, by letter dated June 20, 1994, indicated no objection to the proposed abandonment because alternative routes exist to provide fire and rescue services. The Montgomery County DOT, by memorandum dated June 20, 1994, recommended approval with conditions which were supplemented by memorandum dated July 13, 1994. The Washington Suburban Sanitary Commission (WSSC) reviewed the application and, by letter dated July 6, 1994, indicated that it maintains an existing water main within the area proposed for abandonment and, therefore, recommended approval only on the condition that the Petitioners provide necessary easements which will protect the integrity of the existing line.

The Chesapeake and Potomac Telephone Company reviewed the petition and, by letter dated May 5, 1994, indicated the presence of telephone facilities within the right-of-way but indicated no objection if necessary easements are provided. The Potomac Electric Power Company (PEPCO) also reviewed the petition and, by letter dated May 9, 1994, indicated the presence of facilities within the proposed right-of-way but indicated no objection to the proposed abandonment if the necessary easements are provided. The Washington Gas Company reviewed the petition and, by letter dated May 12, 1994, indicated the presence of an existing gas pipeline within the area proposed for abandonment and concluded that the Petitioners must provide necessary easements if the abandonment proposal is to be supported.

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John Shaffer is a Property Acquisition Specialist with the Montgomery County DOT, and described the area proposed for abandonment as well as the surrounding vicinity. He submitted evidence of review by public agencies and affected utilities and presented the DOT's recommendation of approval with conditions. He indicated that the Petitioners must construct access to several properties in the vicinity and coordinate construction so that access will not be terminated by the proposed abandonment. In addition, DOT recommends that a 20-foot hiker/biker trail be reserved along the entire length of the area proposed for abandonment. He indicated the need to phase the abandonment so that the portion of Brooke Grove Road which overlaps with the right-of-way for realigned Old Baltimore Road is abandoned prior to the construction of the realigned road. He also indicated that the proposed cul-de-sac of Brooke Grove Road adjacent to the Montgomery General Hospital will preserve access to Parcel P88, the property of A. Wozniak.

The Petitioners were represented at the hearing by Edward C. Wallington of Loiederman Associates, Inc., and he explained the purpose of the abandonment as part of the completion of the approved subdivision and site plans for the Hallowell and James Creek Subdivisions. He indicated that the proposed abandonment will not cut off any access to abutting properties as the road network in the vicinity is being realigned according to the recommendations of the Olney Master Plan. For example, Old Baltimore Road is being realigned in a manner that will require it to extend over part of the right-of-way of the existing Brooke Grove Road and it will constitute a primary road when constructed and opened to traffic. The realigned road will provide necessary access for existing and proposed homes in the area. The realigned road network will also provide access to the abutting properties in the following manner: Brooke Grove Elementary School will be accessed by Spartan Road, a relatively new primary road which will convey traffic from Prince Philip Drive; Montgomery General Hospital will be partially accessed through a driveway



connection to Old Baltimore Road that will traverse the right-of-way proposed for abandonment; a WSSC pumping station was abandoned and an existing driveway providing access to that pumping station is no longer necessary; and, 44 townhouses within the Hallowell Subdivision will be accessed by the realigned Old Baltimore Road. He concluded that the road network realignment will provide for improved traffic circulation in the area.

A. Wozniak is a resident of Brookeville who owns land identified as Parcel P88, which connects with Brooke Grove Road next to the area proposed for abandonment. He expressed concern that his access may be terminated. Mr. Wallington responded to this concern by indicating that the proposed cul-de-sac of Brooke Grove Road will provide adequate access to Parcel P88. Both Mr. Wozniak and Montgomery General Hospital will share part of the abandoned right-of-way that abuts their properties and both property owners will have a role in the future determination of the exact configuration of the proposed cul-de-sac and the size of the access points from it.

Richard G. Baum is a resident of Littlebrooke Court in the James Creek Subdivision which abuts the portion of Brooke Grove Road proposed for abandonment. He represented the James Creek Homeowners Association which supports the abandonment with some qualifications. The abandonment itself from the north entrance of the Montgomery General Hospital to the west entrance of the Brooke Grove Elementary School is consistent with the Olney Master Plan upon which many homeowners relied when purchasing property within the James Creek Subdivision. Brooke Grove Road is current constructed below County design standards and the proposed realignment of Old Baltimore Road will provide for a safer and more efficient road network. However, Mr. Baum on behalf of the Homeowners Association requested that the above-ground utility poles be removed as an eyesore and the existing pavement of Brooke Grove Road be removed and replaced with grass. He also testified against the DOT and M-NCPPC proposal for retaining a paved portion of

Brooke Grove Road for purposes of a hiker/biker trail because Old Baltimore Road as realigned will contain sidewalks and there is no need for a pedestrian path or bikeway that will intrude into the backyards of the James Creek residents. Mr. Baum supplemented his testimony with a letter, dated July 6, 1994, which reiterated opposition to the proposed hiker/biker trail and was supported by a petition of 23 residents of the James Creek Subdivision.

#### IV. FINDINGS AND CONCLUSIONS

The abandonment of road rights-of-way is governed by the provisions of Chapter 49, Montgomery County Code, §§ 62 and 63 (1984, Supp. No. 16). These two sections establish procedural and substantive requirements. The provisions of Section 49-62 permit application for abandonment by any person, provide for public agency and utility company review, and require a public hearing with notice. These procedural requirements have been satisfied. All relevant public agency and utility company comments have been filed as exhibits of record.

The substantive requirements provide for two alternative grounds for abandonment: lack of need and general public interest. The evidence submitted by the Petitioner demonstrates that the proposed abandonment will satisfy both requirements. Brooke Grove Road, which is currently obsolete and constructed below County design standards, will be replaced by realigned Old Baltimore Road. The proposed abandonment and realignment of the road system will advance the public interest because it will allow for the reconfiguration of Old Baltimore Road in a manner that will provide for safer and more efficient vehicular and pedestrian traffic movements and will implement the recommendations of the Olney Master Plan. Finally, the proposed abandonment will not cut off the sole means of ingress or egress of any property because the proposed realignment of the road network will provide for replacement access for all properties that currently abut the right-of-way.

The abandonment itself is uncontested although one of the conditions supported by DOT and the M-NCPPC concerning a permanent hiker/biker trail is a point of contention for abutting property owners who believe the trail represents an unnecessary and unwanted intrusion into an area that the master plan designated to be an abandoned right-of-way and a passive use. The DOT and the M-NCPPC contend that the hiker/biker trail will provide for safer access and promote recreational objectives for the area. This issue is a policy determination that can be made without affecting the petition itself because it involves one of the proposed conditions. If it is determined that the hiker/biker trail is necessary to promote the public interest, the condition can remain as part of the abandonment action. There is sufficient evidence of record to support the condition as in the public interest. However, should the County Executive or County Council find otherwise, the condition can be removed and the abandonment approved without it.

The community's request to remove utility poles will require agreement with the affected utilities and abutting property owners with respect to cost and other factors connected with relocation of utility lines. Absent an agreement on cost, this issue should not delay consideration of the Petition.

#### V. RECOMMENDATION

Based on a thorough review of all the testimony and evidence of record, I recommend that the petition to abandon a portion of Brooke Grove Road consisting of a variable right-of-way located about 800 feet northeast of the intersection with Prince Philip Drive and extending 2,000 feet in length to Spartan Road, as reflected in Exhibit No. 1, and located in Olney, in the 8th Election District, be granted with the following conditions:

1. That Old Baltimore Road be completed and accepted for County maintenance prior to the abandonment of Brooke Grove Road;
2. That the Petitioners construct access to all abutting properties in the following manner: access be provided to the eastern parking lot

of Montgomery General Hospital from Old Baltimore Road; access be provided to Lot 43, Block E, James Creek Subdivision from Littlebrooke Drive; and a secondary, open section cul-de-sac be provided as a permanent terminus of Brooke Grove Road in the vicinity of Parcel P88, and Petitioners ensure that access to the parcel is not cut off and coordinate right-of-way and construction easements needed for this construction with the adjacent owners;


3. That the construction of a cul-de-sac on Littlebrooke Drive within the limits of the proposed abandonment not commence prior to the abandonment of Brooke Grove Road;
4. That the Petitioners provide all necessary easements for the Potomac Electric Power Company, the Chesapeake and Potomac Telephone Company, the Washington Gas Company, and the WSSC to permit access to existing facilities for purposes of repair and maintenance, and the Petitioners bear all costs for preparation and recordation of easement documents;
5. The Petitioners coordinate construction activities with the Montgomery County DOT, the Board of Education, and all abutting property owners; and
6. That a 20-foot wide sidewalk/bikeway easement be retained across the area to be abandoned and the existing roadway remain in place as a sidewalk/bikeway in the following manner: the sidewalk/bikeway be appropriately barricaded to prevent vehicular access; the area where Old Baltimore Road will overlap with the Brooke Grove Road right-of-way must include a 10-foot wide sidewalk/bikeway along Old Baltimore Road over the stream crossing with appropriate transitions to existing Brooke Grove Road pavement and a dedicated 20-foot wide



perpetual sidewalk/bikeway easement for the transition area; and the  
Petitioners must revise storm drain and paving plans to accommodate  
the aforesaid realignment.

Dated: September 8, 1994

Respectfully Submitted,

  
Philip J. Tierney  
Hearing Examiner

PJT:nz

The Hearing Examiner's Recommendations have been reviewed and are approved.

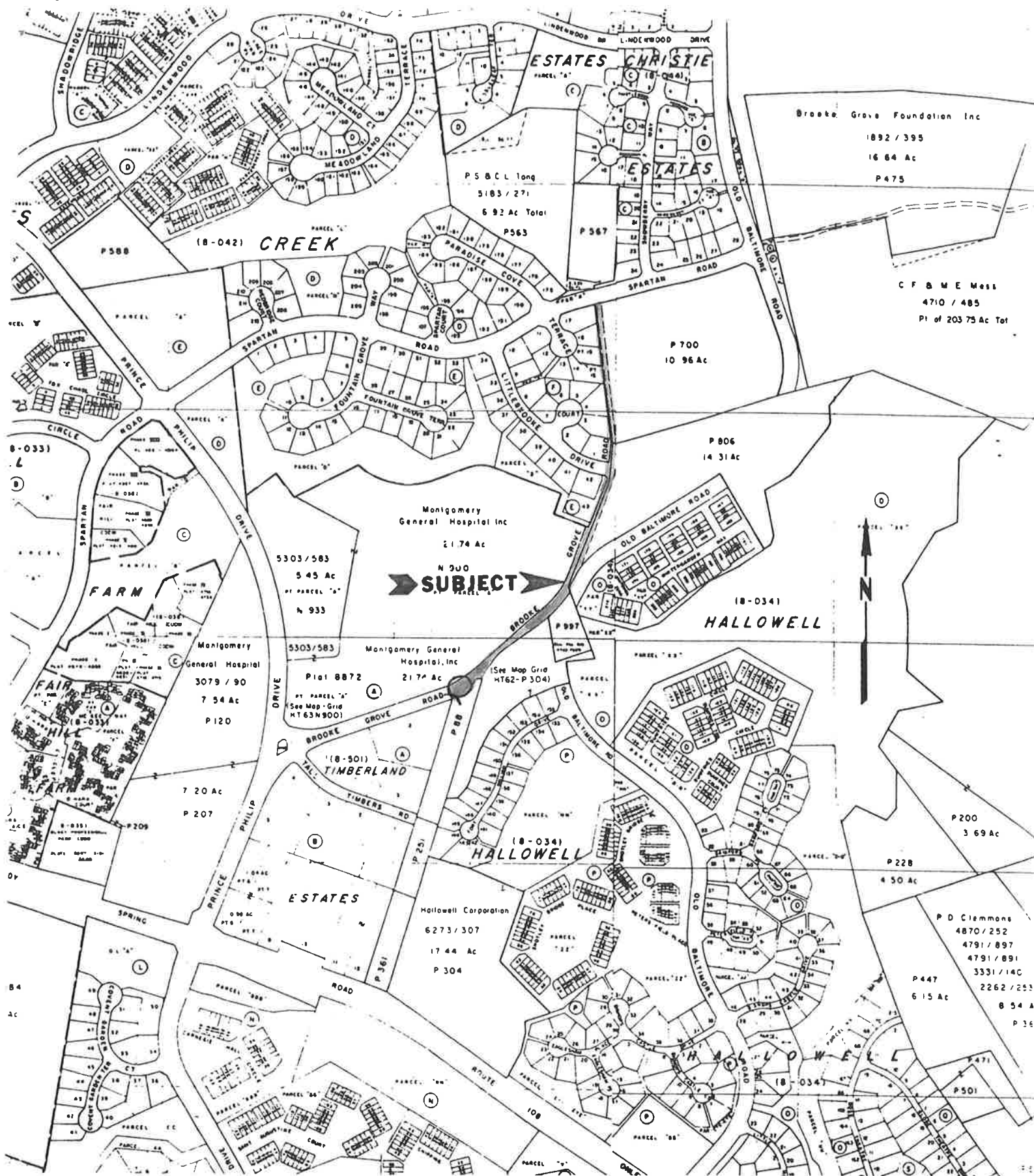
Date: Oct. 21, 1994

  
Neal Potter  
County Executive

Date: Oct. 20 1994

  
Gene Lynch  
Chief Administrative Officer

-AREA TO BE ABANDONED



AB604

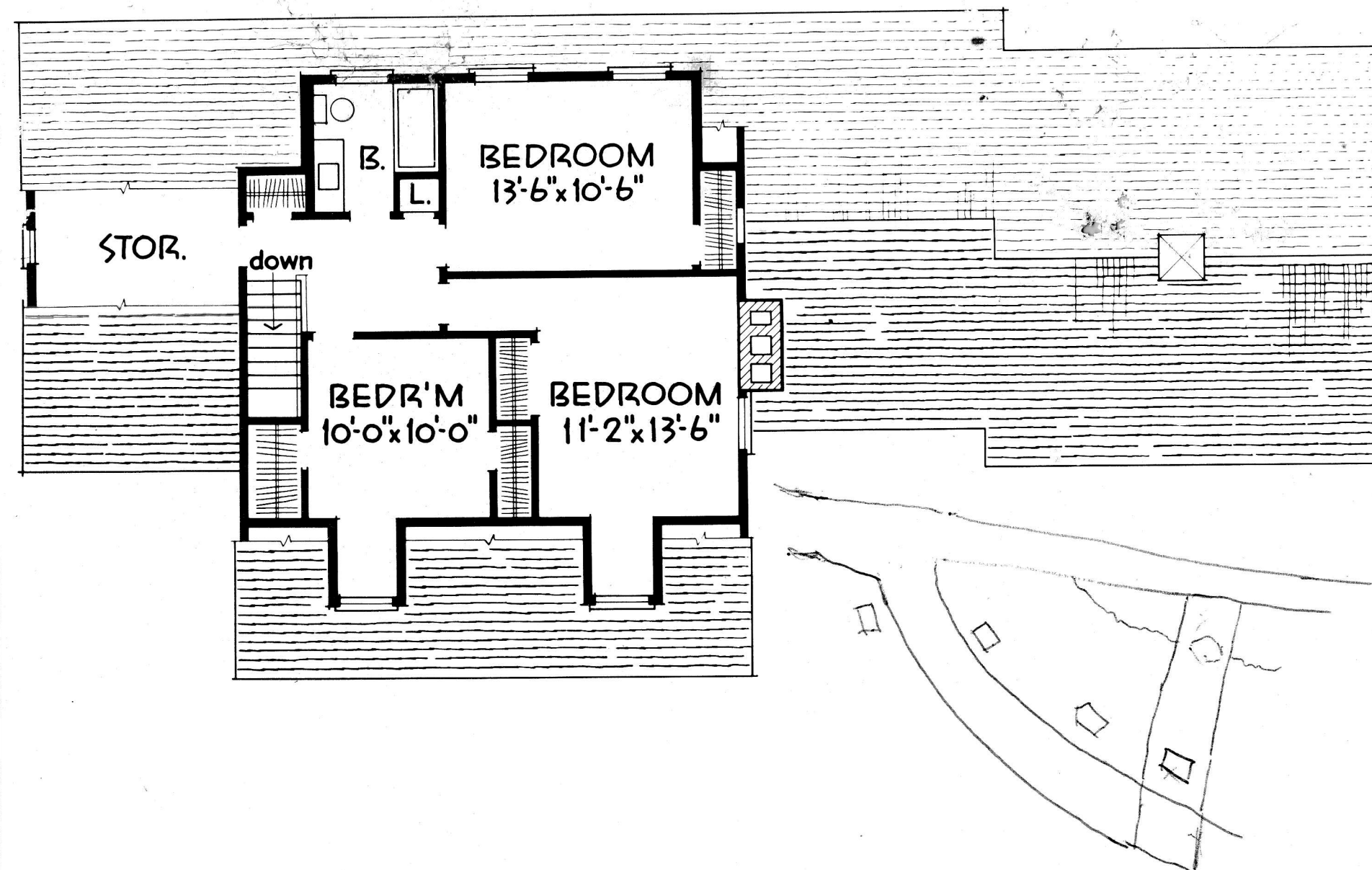
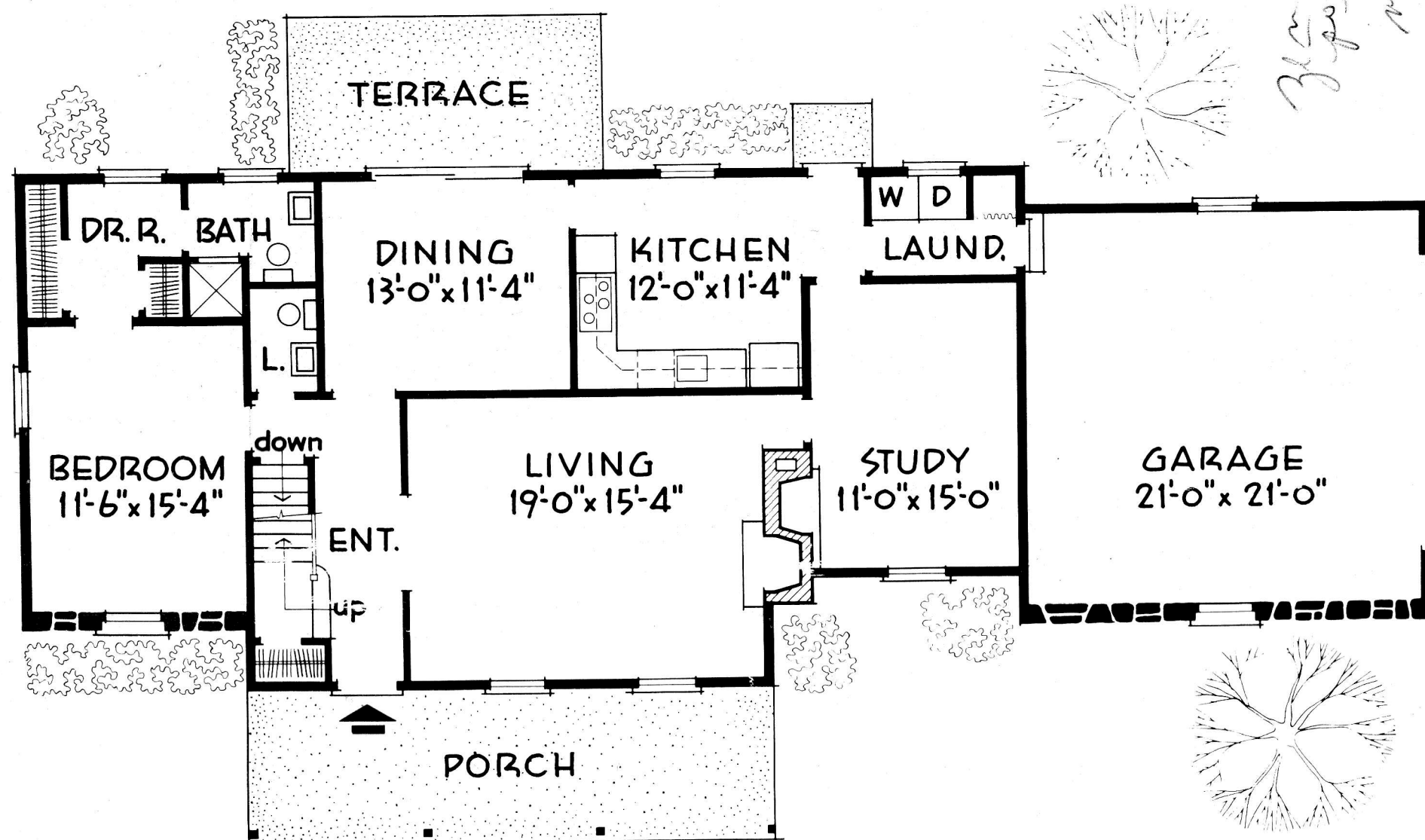
ABANDONMENT OF A PORTION OF BROCKE GROVE ROAD, FROM APPROXIMATELY 800 FEET EAST OF PRINCE PHILIP DRIVE TO SPARTAN ROAD, EIGHTH DISTRICT, OLNEY, MARYLAND



AREA TO BE ABANDONED



# MATERIAL LIST FOR THE AMERICAN HOME BLUEPRINT HOUSE PLAN #67



ITEM	MATERIAL	LABOR	PRODUCT	NET QUANTITY	✓	RATE	MATERIAL COST	✓	RATE	LABOR COST	✓
-EARTH EXCAVATION & GRADING-											
Topsail	6" Grade	Exc. & Pile		8740	S						
Earth	Basement	" & Dispose		6730	C						
"	Crawl Space	" "		1650	C						
"	Foundation	" & B'fill		530	C						
" Hand	Footings	" "		535	C						
" "	Perch&Pl.Curb	" "		75	C						
Gravel	4" Flr.&Platf.	Sub-fill		1550	S						
Water	Encountered	Drainage		Sum							
-CONCRETE CONSTRUCTION & FINISH-											
2500% Conc.	Wall & Column	Footings		310	C						
" "	" "	" Forms		410	S						
" "	Porch&Platf.	Curbs		70	C						
" "	" "	" Forms		110	S						
" "	4" Flr.&Garage	Slab O.G.		1185	S						
" "	4" Porch	" "		225	S						
" "	4" Terrace	" "		130	S						
" "	4" Platform	" "		15	S						
" "	2" Crawl Space	" "		510	S						
" "	1'x3'6x6" Step	Form & Finish		1	U						
" "	5'8x3'2x4"	Chimney Cap		1	U						
Monolithic	Floor	Finish		1695	S						
"	Perch,Terr.&	Platf.,Fl.,Fin.		370	S						
Kraft Paper	Slab	Prot.&Curing		2065	S						
Trade	Items	Set-In		Sum							
-BRICK & BLOCK CONSTRUCTION & VENEER-											
Conc.Flock	12" Foundation	Wall		655	S						
" "	8" "	" "		570	S						
" "	Chimney	Foundation		185	C						
Common Brick	" "	Construction		265	C						
Used "	4" Chimney	C.-B.Veneer		45	S						
" "	2-5/8"x8" Fire	Pl.Sill Crse.		3	L						
" "	8"x2-5/8" "	" Mantle		5	L						
Slate	1"x6" Firepl.	Surround		9	L						
" "	1'3x2"x4'4"	F.P.Hearth		1	U						
Flagstone	24"x15"x2"	Chimney Cap		1	U						
Fire Brick	4" Fireplace	Paving		10	S						
" "	4" "	Lining		30	S						
Terra Cotta	12"x8" Flue	" "		30	L						
" "	12"x12" "	" "		40	L						
Stucco	Wall	Finish		90	S						
" "	Chimney	" "		135	S						
Cem.Mortar	1/2" Found.Wall	Parging		630	S						
Mastic	1 Ct. "	Waterproofing		630	S						
Stone Ashlar	8" Exter. "	Veneer		265	S						
Acid & Mortar	Expos.Block	Clean & Point		785	S						
" "	" Brick	" "		95	S						
Trade	Items	Built-In		Sum							
-LUMBER FRAMING & CONSTRUCTION-											
4x10" Fir-D2S	Perch Roof	Beam		44	L						
4x4" " D4S	" "	Posts		32	L						
3x10" "	Floor	Joists		665	L						
2x10" "	" "	" "		730	L						
" "	" "	Headers		55	L						
2x8" "	" "	Joists		475	L						
" "	Roof	Ridge		75	L						
3-2x8" "	Floor	Beam		25	L						
2-2x8" "	" "	Headers		10	L						
2x8" "	" "	" "		50	L						
2x6" "	Roof	Rafters		2080	L						
" "	Ceill.&Soffit	Joists		825	L						
" "	Wall	Studs		100	L						
" "	" "	Sills		10	L						
" "	" "	Bolted Plates		250	L						
" "	" "	Horiz.Bracing		10	L						
" "	Dormer	Ridge		20	L						
2-2x6" "	Wall	Plates		10	L						
" "	Door & Window	Lintels		75	L						
" "	Roof	Headers		16	L						
2x4" "	Wall & Part.	Studs		5130	L						
" "	" "	Sills		515	L						
" "	" "	Plates		150	L						
" "	Door & Window	Bucks		525	L						
" "	Dormer	Rafters		65	L						
" "	" "	Hip "		20	L						
" "	Roof	Collar Beams		115	L						
" "	Raised Platf.	Framing		50	L						
" "	Kitchen Cab.	Furred Down		50	L						
2-2x4" "	Door	Lintels		60	L						
" "	Wall & Part.	Plates		430	L						
" "	Window	Sub-sill		55	L						
2x4" "	Wall & Part.	Horiz.Bracing		515	L						
1x6" "T&G	Roof	Lining		5325	L						
" "	Exter.Wall	" "		4560	L						
" "	Floor	" "		3035	L						
" "	Storage Room	Flooring		560	L						
" "	Catwalk	" "		210	L						
1x3" "	Joists	X-Bridging		425	L						
5/8" Plysoord	Floor	Lining		320	S						
Asph.Felt	Roof	Isolation		2665	S						
DIVISION	DIRECT	MAT. & LAB.	COST	TOTAL	\$	Cont.					

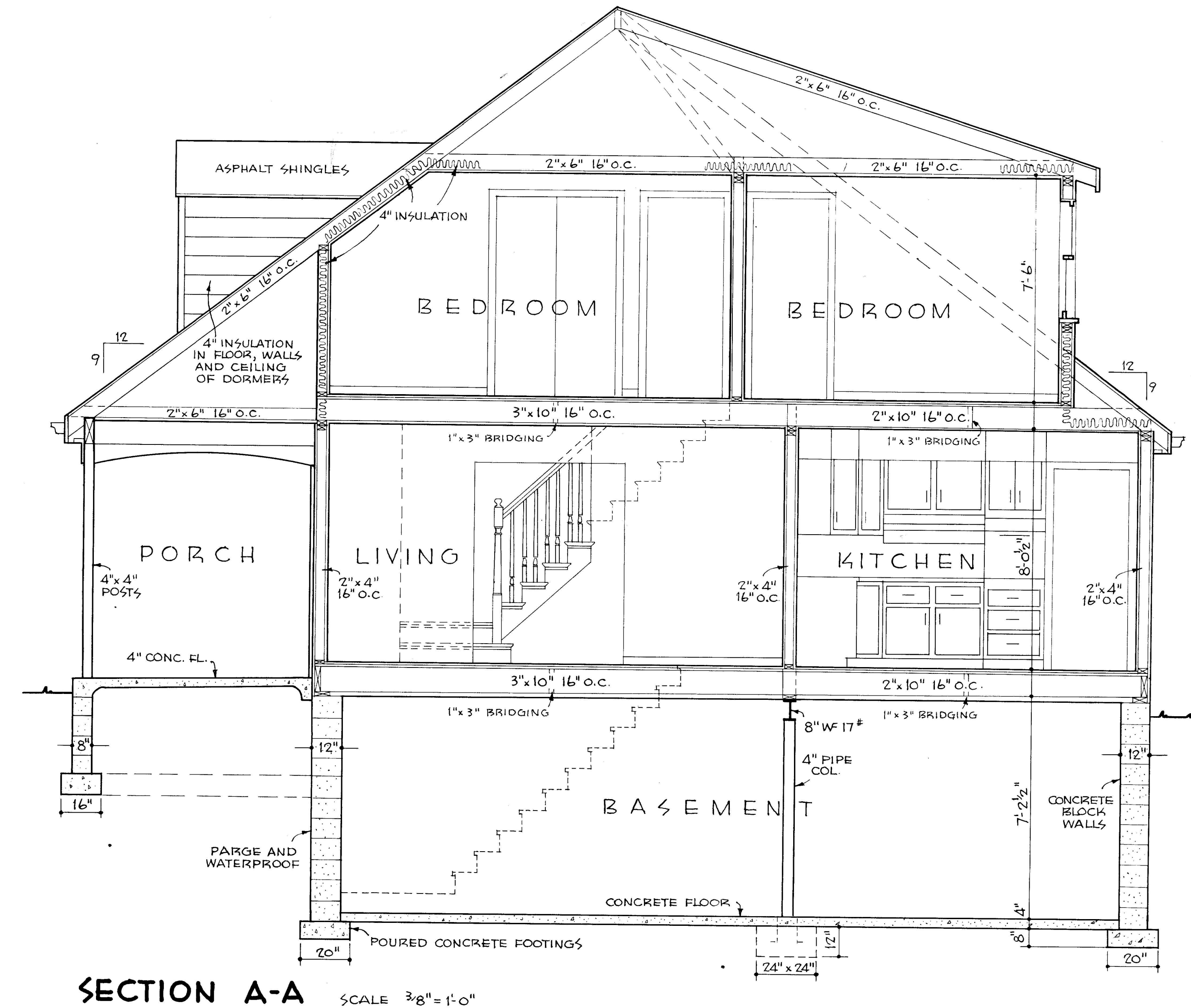
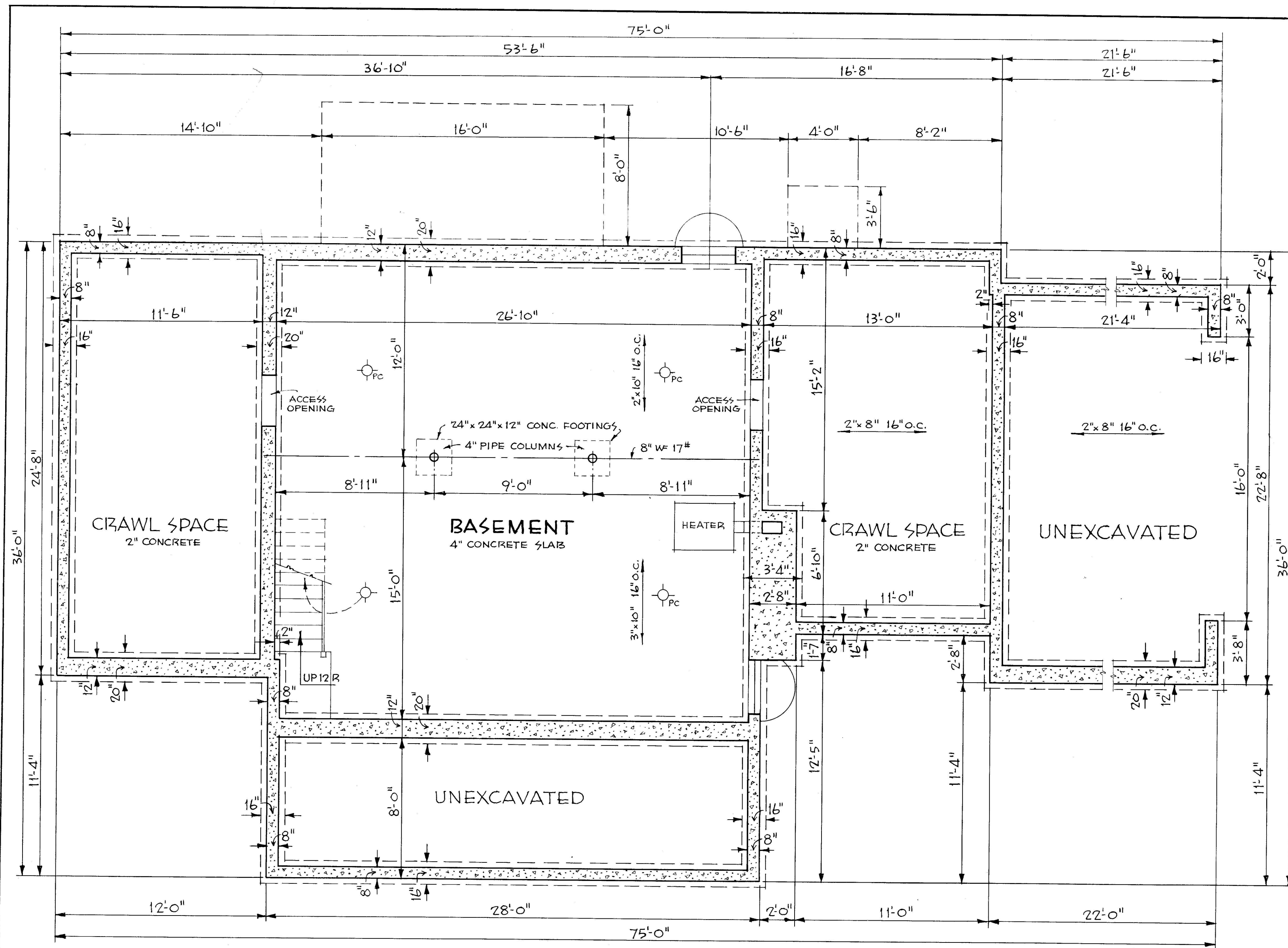
S - SQUARE FEET L - LINEAR FEET U - UNITS C - CUBIC FEET LC - LESSER COST AC - ADDITIONAL COST IC - INDEFINITE COST



ITEM	MATERIAL	LABOR	PRODUCT	NET QUANTITY	✓	RATE	MATERIAL COST	✓	RATE	LABOR COST	✓
Cont.	Asph. & Felt	Wall	Isolation	2280 S							
	Cedar	Exter. Wall	Clapboards	1785 S							
	Blanket	4" "	Insulation	290 S							
	"	4" Ceiling	"	2400 S							
	215#Asphalt	Roof	Shingles	2665 S							
	Wood Misc.	Furring &	Grounds	Sum							
	Metal	Structural	Hardware	"							
	-METAL SHEET WORK-										
	26ga. Glv. Mtl.	4"x5" Roof	Gutter & Acc.	150 L							
	"	4" d. "	Leader & "	65 L							
	"	7" "	Eaves Flash.	200 L							
	"	12" Valley	"	115 L							
	"	24" Stepped	"	16 L							
	"	10" Dormer	"	30 L							
	"	10" Cupola	"	10 L							
	"	6" Dr. & Window	"	70 L							
	-METAL ORNAMENT & MISC. WORK-										
	4" d. Steel	7" lally	Column & Acc.	2 U							
	8W "	1 7/8" Floor	Beam	28 L							
	4"x3"x5/16" S.	7.2"xF. Place	Lintel	4 L							
	Cast Iron	12"x12" C. C.	Door & Frame	1 U							
	Corr. Metal	4"x2" Light	Well	2 U							
	1/2"x12" Steel	Sill Anchor	Bolts	63 U							
	Aluminum	3/8"x2" Door	Saddle	6 L							
	Stain. Steel	3/4"x2"x1'	Range Hood	1 U							
	-GYPSUM BOARD WALL & CEIL. BOARDING-										
	Gypsumboard	3/8" Wall	Lathing	4440 S							
	"	3/8" Ceiling	"	1850 S							
	"	1/2" T. J. Wall	Boarding	540 S							
	26ga. Metal	Corner	Beads	200 L							
	-PLASTER WALL & CEILING FINISH-										
	Gypsum Plas.	1/2" Wall	2 Cts. O. L.	4100 S							
	"	1/2" Ceiling	2 " "	1840 S							
	-WH. PINE & GL. D. H. & CAS. T. WINDOWS & ACC.-										
	1 1/2" W. Pine & Gl.	3'x4'8" D. H.	Wind. Fr. & Trim	5 U							
	1 1/2" " "	3'x4' "	" " "	10 U							
	1 1/2" " "	3'x2'3" "	" " "	2 U							
	1 1/2" " "	1'8x2'2" Case.	" " "	1 U							
	1 1/2" " "	3'x1'6" Proj.	" " "	2 U							
	-METAL & MESH ATTIC & C. SPACE LOUVRES-										
	Metal & Mesh	4'x1'6" Attic	Gable Louvres	3 U							
	"	3'6x1'6" "	" " "	1 U							
	"	1'8x1'4" Cr.	Space	5 U							
	-CERAMIC FLOOR & WALL & CEIL. TILING-										
	Ceramic	1/4" Floor	Tiling	100 S							
	"	1/4" Wall	"	350 S							
	"	1/4" Ceiling	"	10 S							
	"	1/2"x6" Wall	Base	65 L							
	"	4"x5" Shower	Curb	2 L							
	-VINYL & OAK FLOORING & TILING-										
	Vinyl Asbes.	1/16" Floor	Tiling	210 S							
	Oak	25/32" Finish	Flooring	1520 S							
	-WOOD EXT. & INT. MILLWORK-										
	1x10" W. Pine	Roof	Fascia	175 L							
	1x8" " "	" Eaves	Soffit Board.	150 L							
	1x10" " "	" "	" "	25 L							
	1x6" " "	" "	Rake	170 L							
	1x3" " "	Dormer Roof	Fascia	35 L							
	1-1/8x4" W. P.	Exter. Wall	Corner Beads	140 L							
	1x10" W. Pine	Porch	Valence	45 L							
	1x3" " "	Shelf	Cleats	85 L							
	1x8" " "	F. P. Mantle	Apron	5 L							
	1x3" " "	Fireplace	Cove Mould.	11 L							
	1x8" " "	"	Mantle	5 L							
	1x4" " "	"	Trim	13 L							
	" " "	"	Crown Mould.	7 L							
	" " "	Wall	Base	540 L							
	3/4" Qtr. Rd. W. P.	Roof Eaves	Moulding	225 L							
	White Pine	3'x2'x3'6"	Stook Cupola	1 U							
	"	1'6x6'8" Door	Shutters	2 U							
	"	1'6x4'8" Wind.	"	8 U							
	"	1'6x4' "	"	2 U							
	"	1'6x2'3" "	"	2 U							
	Rand. T&G W. P.	Wall	Vert. Board	375 S							
	" " "	Porch Soffit	Boarding	470 S							
	Dress Fir	3' Stair	Railing	11 L							
	"	11Rx2'10"	Base 't. Stairs	1 U							
	"	3'x2'10x8"	Stair Platf'm	1 U							
	Oak & Pine	13Rx3' Inter.	"	1 U							
	"	3' Stair	Railing	15 L							
	3/4" Plywood	18" Storage	Shelves	15 L							
	3/4" " "	12" Closet	"	40 L							
	1-1/8" d. Hwd.	"	Pole & Supp't	40 L							
	Wire Mesh	2" Soffit	Screen	150 L							
	-WOOD EXT. & INT. DOORS & TRIM-										
	1 1/2" Fir & Glass	16'x7'0. Head	Door & Acc.	1 U							
	3/4" " Plywd.	2'x3' Access	" , F&T	1 U							
	1 1/2" Wh. Pine	3'x6'8" Gl. Ent.	"	1 U							
	1 1/2" " "	2'8x6'8" Ext.	"	1 U							
	1-3/8" W. Pine	4'x6'8" Dbl. Sh.	"	1 U							
	1-3/8" " "	2'6x6'8" Shutt.	"	1 U							
	"	3'x6'8" Cased	Open, "	2 U							
	1-3/8" Bir. V.	2'6x6'8" Flush	Int. Door, F&T	9 U							
	1-3/8" " "	2'4x6'8" "	"	8 U							
	1-3/8" " "	2'x6'8" "	"	1 U							
	1-3/8" " "	1'8x6'8" "	"	1 U							
	1-3/8" " "	4'x6'8" Dbl.	"	1 U							
	1-3/8" " "	2'6x6'8" Swing	"	1 U							
	-PRE-FINISH FLOOR & WALL CABINETS-										
	Pre-fin. B. V.	3'4x2'x3' Rang.	Cabin. & Hdwe.	1 U							
	"	2'x2'x7' Oven	"	1 U							
	"	3'8x2'x3' Sink	"	1 U							
	"	10'6x2'6x1' Wl.	"	1 U							
	"	5'x1'9x1' "	"	1 U							
	"	1'1x2'6x1' "	"	1 U							
	"	1'6x2'6x2' "	" (Corn) "	1 U							
	"	1'x2'x3' Base	"	2 U							
	"	2'x2'x3' "	" (Corn) "	1 U							
	"	2'4x2' D. W.	Counter	1 U							
	"	4'x1'8x3' Van.	Cabin. & Hdwe.	1 U							
	Formica	Counter	Tops & S. B.	35 S							
DIVISION	DIRECT	MAT. & LAB.	COST	TOTAL	\$						
S - SQUARE FEET L - LINEAR FEET U ± UNITS C = CUBIC FEET LC - LESSER COST AC + ADDITIONAL COST IC ± INDEFINITE COST											

ITEM	MATERIAL	LABOR	PRODUCT	NET QUANTITY	✓	RATE	MATERIAL COST	✓	RATE	LABOR COST	✓
-ALUM. & GLASS SLID. & SHOWER DOORS & ACC.-											
	Alum. & Glass	8'x6'8" Slid.	Door, F&A	1 U							
	"	2'x6' Shower	"	1 U							
-METAL & GLASS TOILET ACCESSORIES-											
	Metal & Gl.	18x24" Medio.	Cabin. & Acc.	2 U							
	" & "	48x24" "	" & "	1 U							
	Chrome Metal	Toilet Paper	Holder	3 U							
	"	Soap	"	3 U							
	"	Towel	Racks	5 U							
	"	Grab Bar &	Soap Dish	2 U							
	"	T.B. & Tumbler	Holder	3 U							
	Metal & Fabr.	5' Shower Rod	& Curtain	1 U							
-METAL FINISHED HARDWARE-											
	Metal	Ext. Cylinder	Looks	2 U							
	"	Interior	Latch	19 U							
	"	Ext. Door	Hinge Set	2 U							
	"	Int. "	"	20 U							
	"	Swing "	"	1 U							
	"	Window	Looks	20 U							
	"	Sliding Door	"	1 U							
	"	Access "	Hardware	1 U							
	"	Double "	Latch	2 U							
-PAINT EXT. & INT. FINISH-											
	Lead & Oil	Ext. Millwork	3 Coats	1250 S							
	"	Int. "	2 "	400 S							
	"	Gypbd. Wall	2 "	540 S							
	"	Plaster "	2 "	4100 S							
	"	" Ceiling	2 "	1840 S							
	"	Ext. Siding	3 "	1785 S							
	"	Misc. Metal	2 "	75 S							
	"	Windows	3 "	400 S							
	"	Doors	3 "	325 S							
	Stain & Varn.	"	3 "	1250 S							
	"	Int. Millwork	4 "	500 S							
	Machine	Floor	Sanding	1520 S							
	Sealer Oak	"	2 Coats	1520 S							
-PLUMBING SYSTEM & FIXTURES-											
	Water Serv.	Connection &	Piping	1 U							
	Sanit. "	"	"	1 U							
	Gas "	"	"	1 U							
	" Furnace	"	" & Acc.	1 U							
	Hose Bibb,	"	"	3 U							
	Lavatory,	Piping &	Accessories	3 U							
	Bath Tub,	"	"	1 U							
	Water Closet	"	"	3 U							
	Kitchen Sink	"	"	1 U							
	Shower Head,	"	"	2 U							
	Elec. H. Water,	"	"	1 U							
	Shower Recep.	"	"	1 U							
	Laundry Wash	"	"	1 U							
	"	Dryer &	Vent	1 U							
-HEATING SYSTEM & FIXTURES-											
	Gas Warm Air	Furnace &	Accessories	1 U							
	" " "	Underflr. Duct	& Registers	20 U							
	" " "	Temp. Control	Equipment	1 U							
	" " "	Vent Flue &	Connection	1 U							
-ELECTRIC SYSTEM & FIXTURES-											
	Electric	Service	Connection	1 U							
	"	" Panel &	Switch	1 U							
	Telephone	"	Connection	1 U							
	H.W. Heater	Connection &	Wiring	1 U							
	Gas Furnace	"	"	1 U							
	Oven,	"	"	1 U							
	Range,	"	"	1 U							
	Exhaust Fan,	" (Hood)	"	1 U							
	Sgle. Switch,	Outlets &	"	17 U							
	3 Way "	"	"	10 U							
	Power Recept.	"	"	1 U							
	Conven. "	"	"	32 U							
	W.P. "	"	"	1 U							
	Light	"	"	20 U							
	Entr. P.B.	" (Chime)	"	2 U							
	Ceiling	Fixture &	Bulbs	12 U							
	Wall	"	"	4 U							
	Exterior Wl.	"	"	4 U							
BASEMENT FLOOR AREA 700 S											
FIRST " " 1230 S											
SECOND " " 600 S											
GARAGE " " 485 S											
TERRACE, PORCH & PLAT. " 370 S											
-SUMMARY-											
	Earth	Excavation &	Grading								
	Concrete	Construction &	Finish								
	Brick & Block	"	& Veneer								
	Lumber	Framing &	Construction								
	Metal	Sheet	Work								
	"	Orna. & Misc.	"								
	Gypsum Board	Wall & Cell.	Boarding								
	Plaster	" & "	Finish								
	Wh. Pine & Gl.	D.H. & Cas't	Windows & Acc.								
	Metal & Mesh	Attic & C.Space	Louvers								
	Ceramic	Floor, Wl. & Cell.	Tiling								
	Vinyl & Oak	Flooring &	"								
	Wood	Ext. & Int.	Millwork								
	"	" & "	Doors & Trim								
	Pre-finished	Floor & Wall	Cabinets								
	Metal & Glass	Toilet	Accessories								
	Alum. & "	Sliding & Shower	Door, F.&A.								
	Metal	Finished	Hardware								
	Paint	Ext. & Int.	Finish								
	Plumbing	System &	Fixtures								
	Heating	" &	"								
	Electrical	" &	"								
DIRECT MATERIAL COST											
" LABOR "											
" MAT. & LAB. "											
INDIRECT " " .. + INS. & PROFIT %											
DIR. & INDIRECT CONSTRUCTION " TOTAL \$											
ASSURANCE CUBAGE AND RATE 38 M C \$											
S - SQUARE FEET L - LINEAR FEET U ± UNITS C = CUBIC FEET LC - LESSER COST AC + ADDITIONAL COST IC ± INDEFINITE COST											

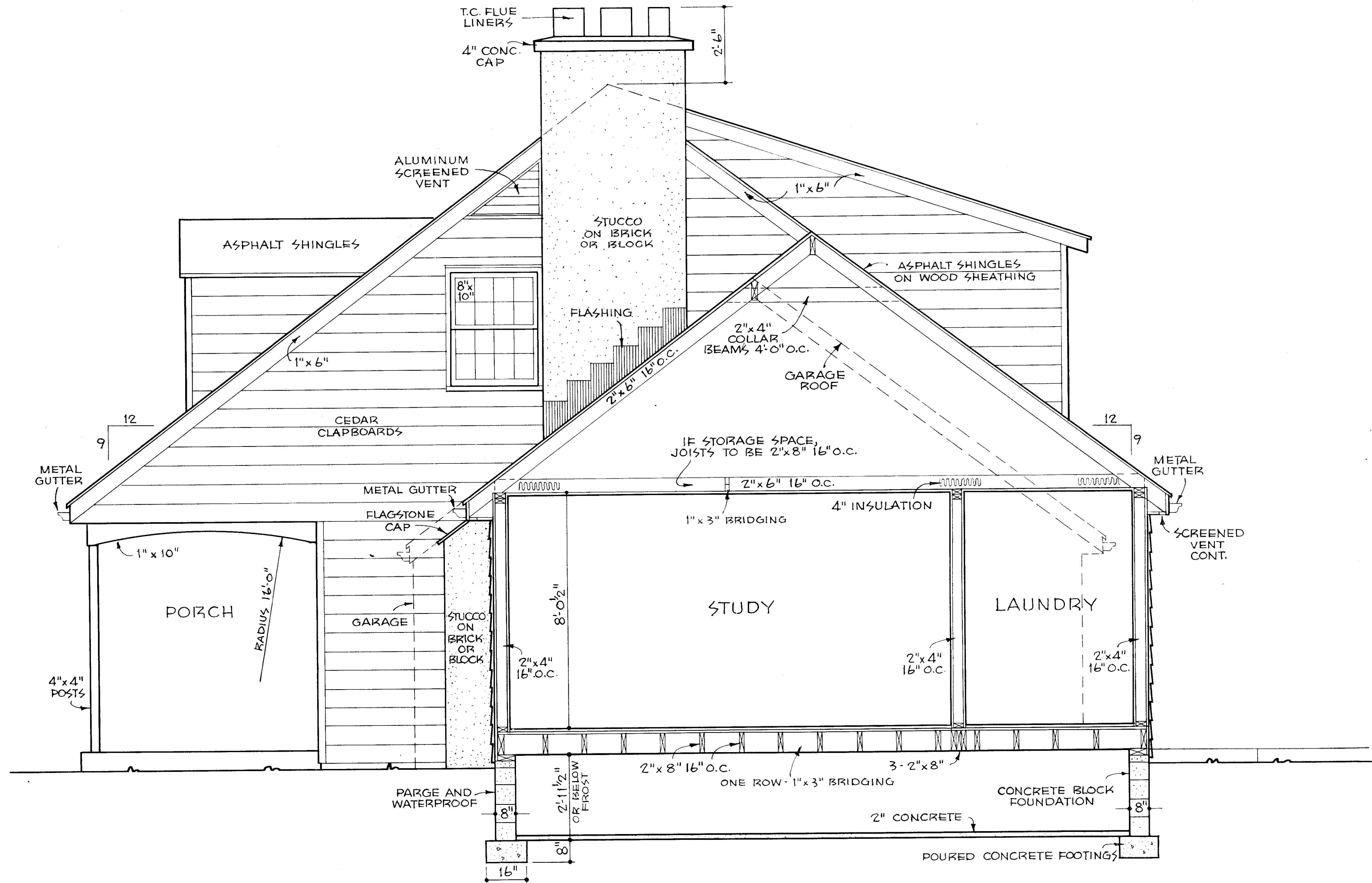
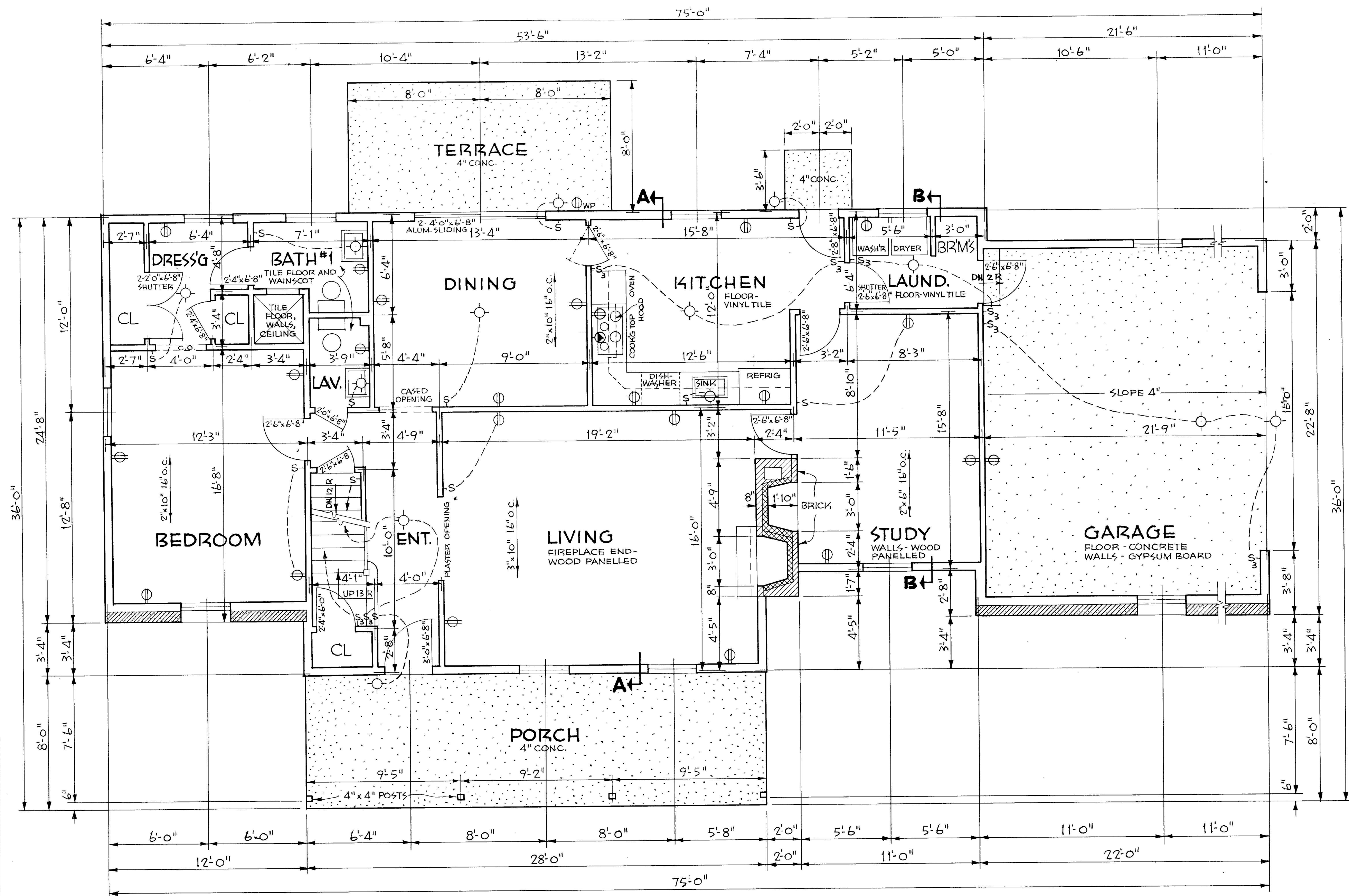




<b>THE AMERICAN HOME</b> BLUEPRINT HOUSE No 67 COPYRIGHT 1961 THE CURTIS PUBLISHING COMPANY	TITLES OF DRAWINGS BASEMENT PLAN, SECTION	
	SCALE - $\frac{1}{4}" = 1'-0"$ , $\frac{3}{8}" = 1'-0"$	SHEET <b>No 1 of 5</b>

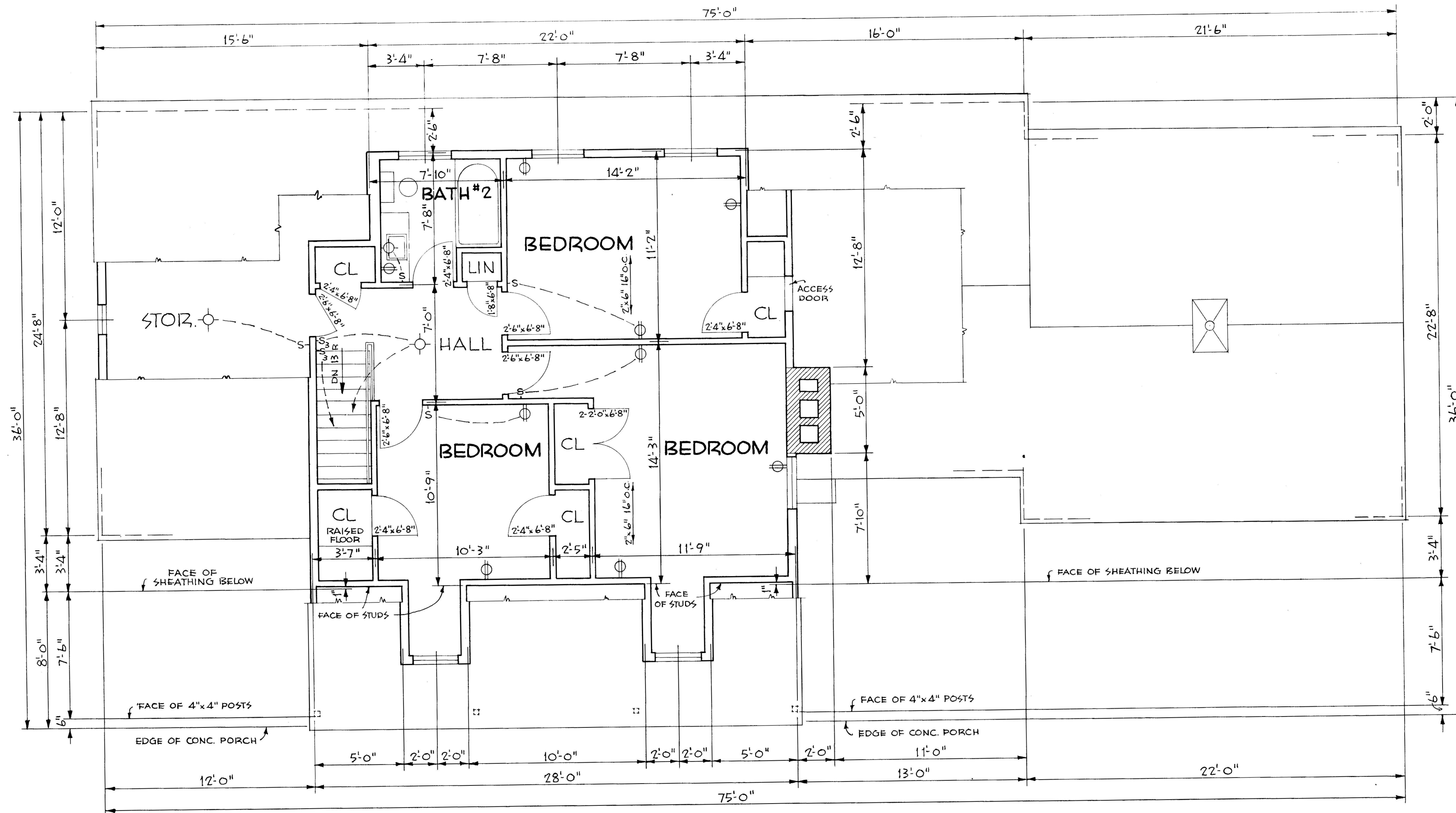
DESIGNED BY  
 GEORGE HAY, ARCHITECT  
 MEDIA, PENNSYLVANIA



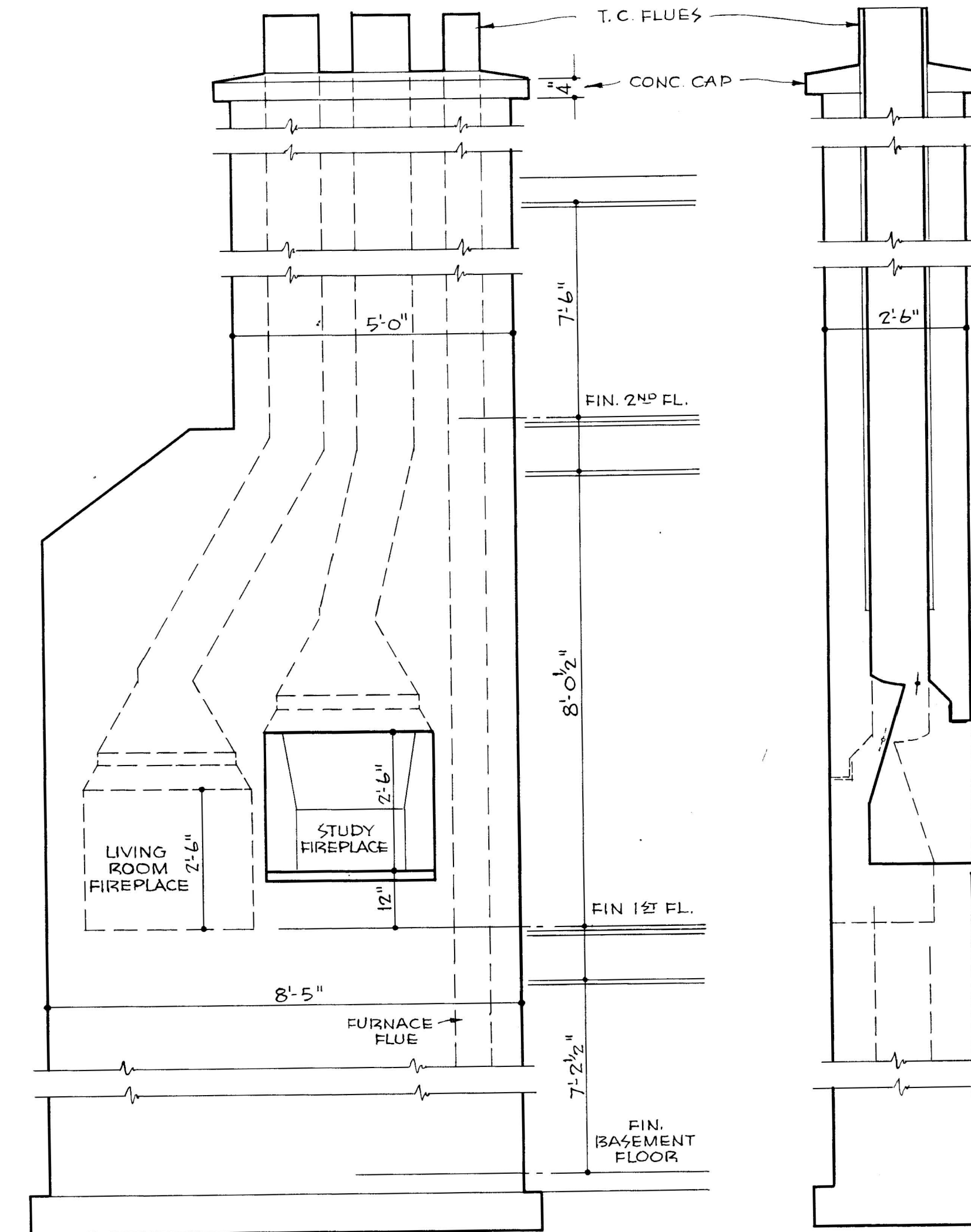


<b>THE AMERICAN HOME</b> BLUEPRINT HOUSE NO 67 COPYRIGHT 1961 THE CURTIS PUBLISHING COMPANY	TITLES OF DRAWINGS	
	FIRST FLOOR PLAN, SECTION	
	SCALE • 1/4" = 1'-0", 3/8" = 1'-0"	
	DESIGNED BY GEORGE HAY, ARCHITECT MEDIA, PENNSYLVANIA	SHEET No 2 OF 5

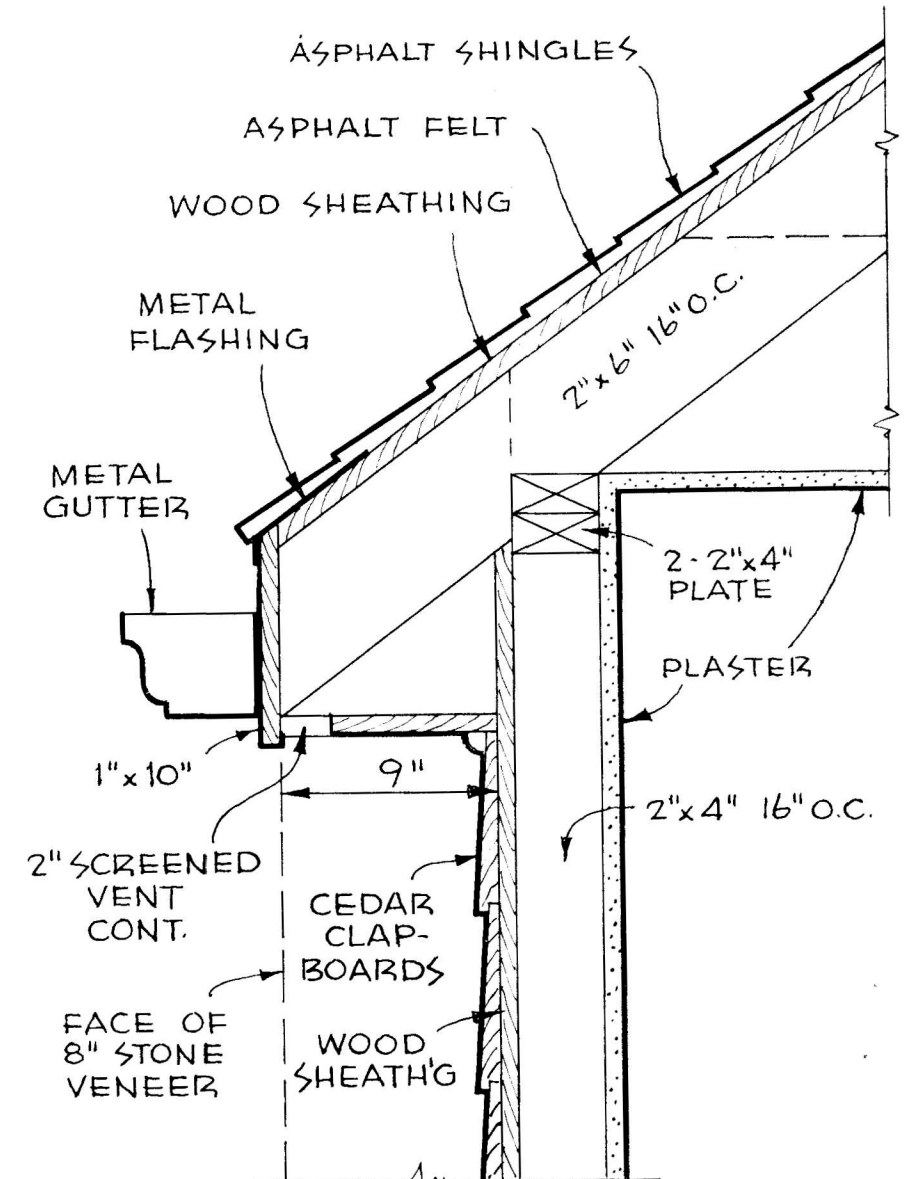




**SECOND FLOOR PLAN.** SCALE  $\frac{1}{4}" = 1'-0"$   
 FLOORS ARE WOOD, WALLS AND CEILINGS ARE PLASTER, EXCEPT BATH WHICH HAS TILE FLOOR AND WAINSCOT

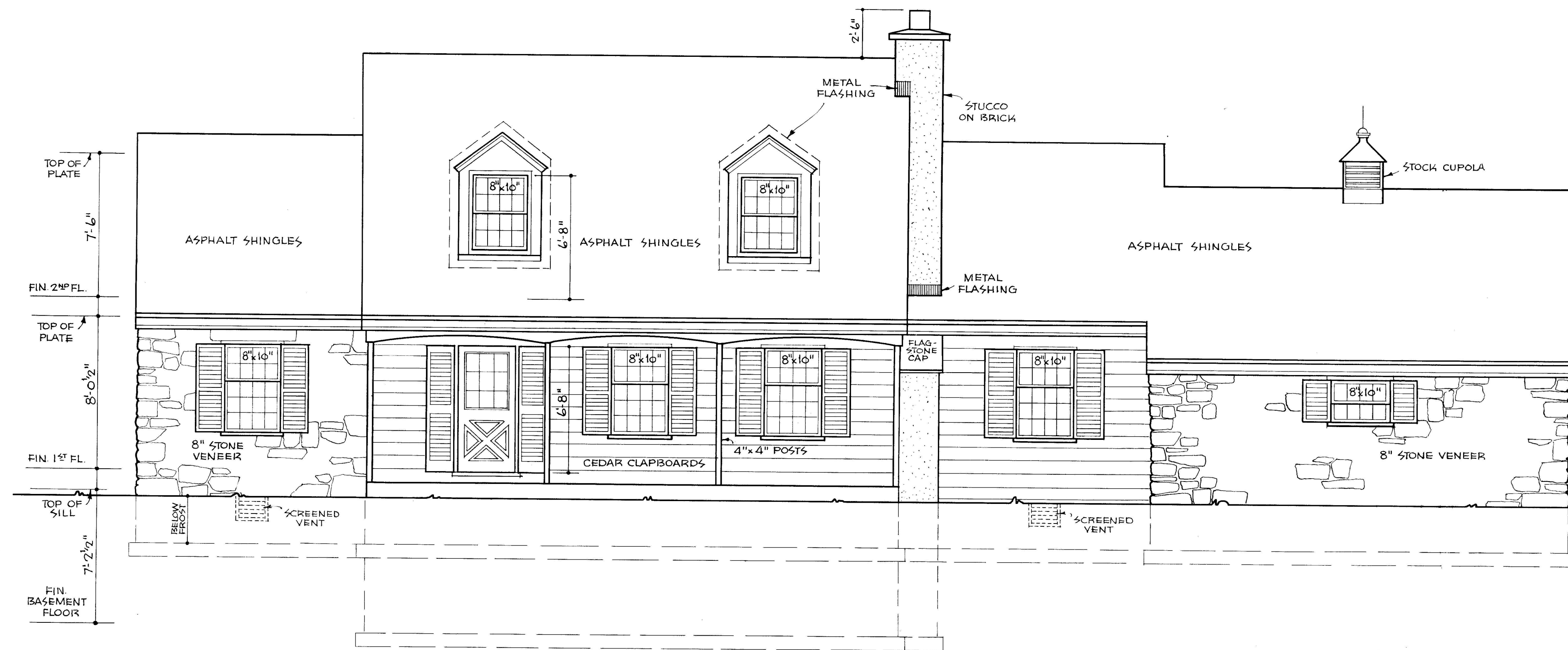


**CHIMNEY DETAILS** SCALE  $\frac{1}{2}" = 1'-0"$

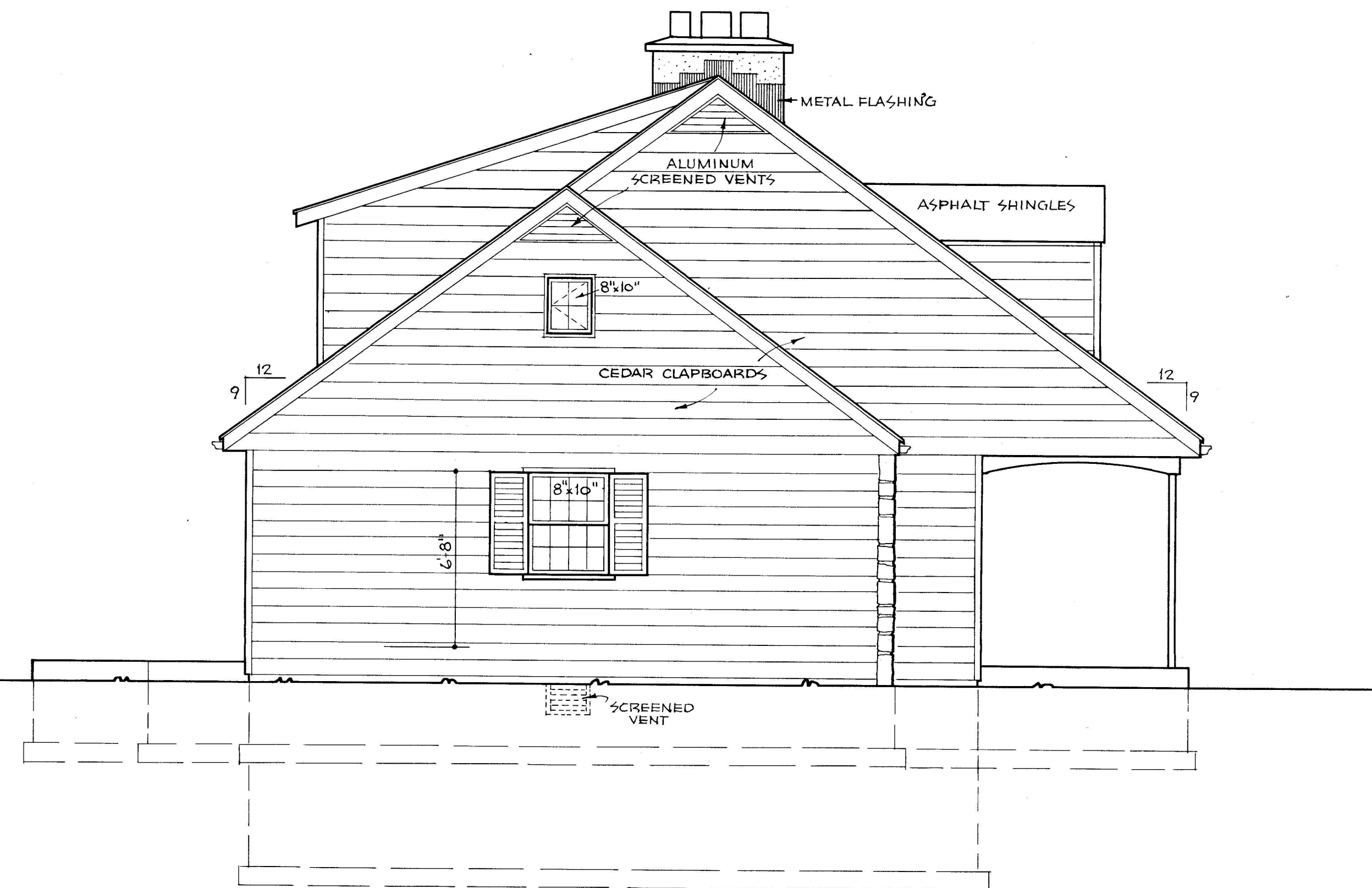


**TYPICAL EAVE**  
 SCALE  $1\frac{1}{2}" = 1'-0"$

THE <b>AMERICAN HOME</b> BLUEPRINT HOUSE NO <b>67</b> COPYRIGHT 1961 THE CURTIS PUBLISHING COMPANY	TITLES OF DRAWINGS SECOND FLOOR PLAN, CHIMNEY DETAILS, TYPICAL EAVE		
	SCALE $\frac{1}{4}" = 1'-0"$ , $\frac{1}{2}" = 1'-0"$ , $1\frac{1}{2}" = 1'-0"$		
	DESIGNED BY GEORGE HAY, ARCHITECT MEDIA, PENNSYLVANIA		SHEET <b>No 3 of 5</b>



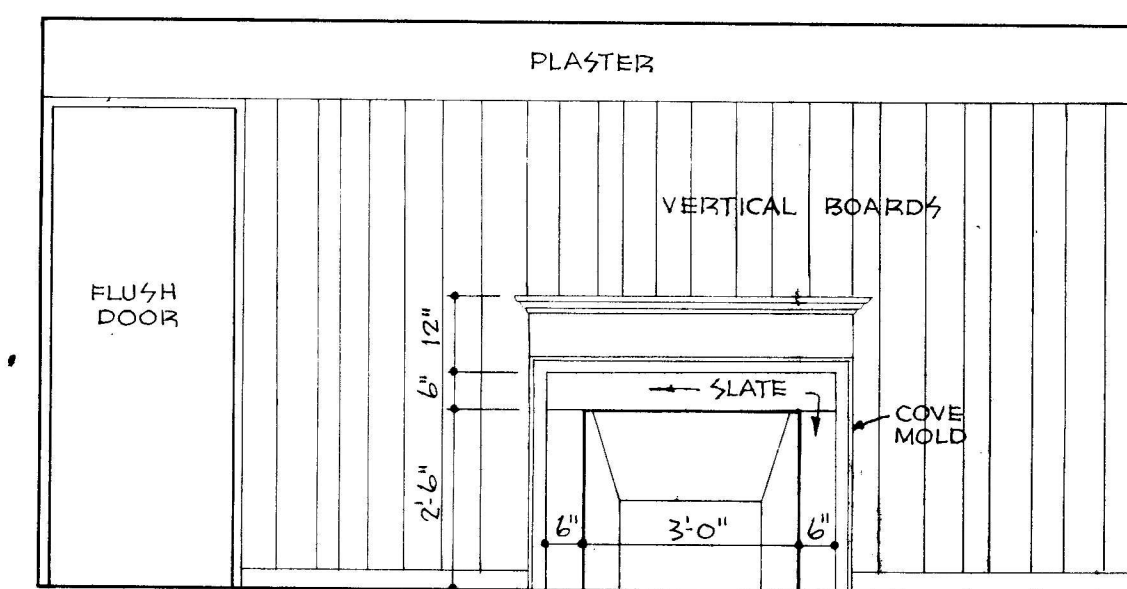
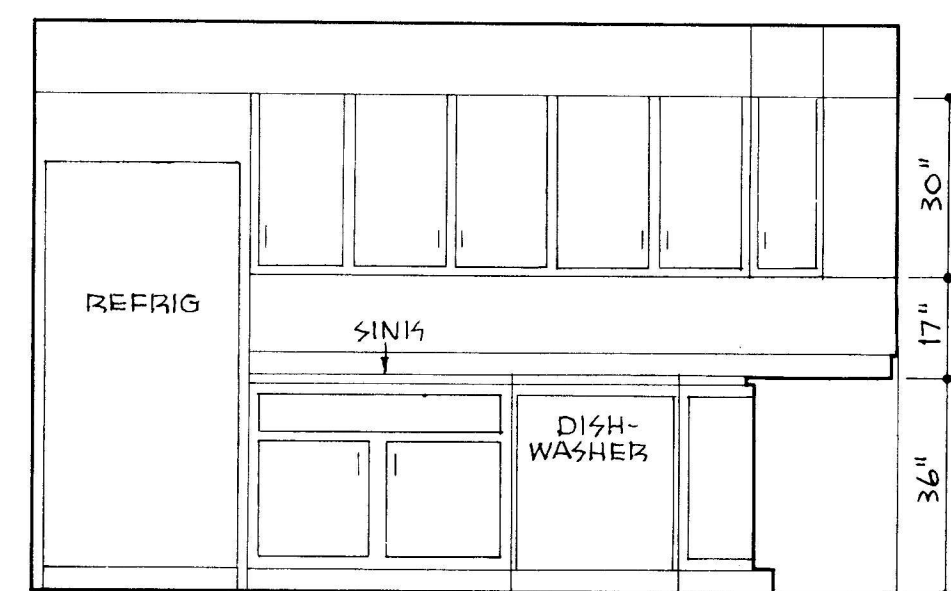
FRONT ELEVATION SCALE  $\frac{1}{4}" = 1'-0"$



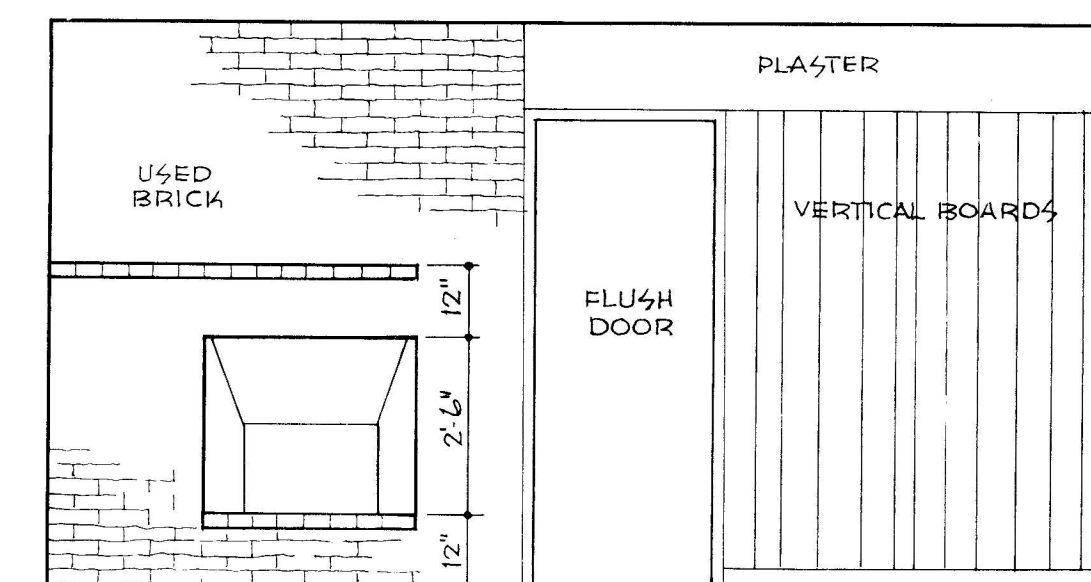
LEFT END ELEVATION SCALE  $\frac{1}{4}" = 1'-0"$



KITCHEN ELEVATIONS SCALE  $\frac{3}{8}" = 1'-0"$



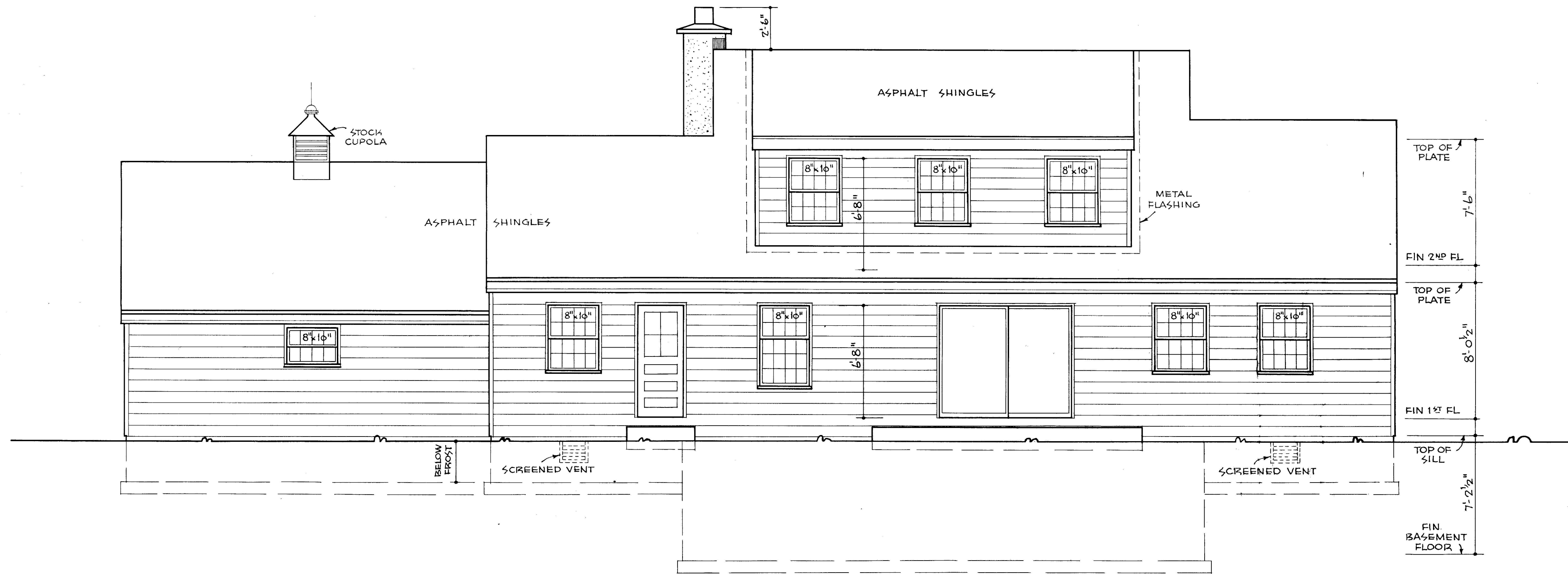
LIVING ROOM FIREPLACE SCALE  $\frac{3}{8}" = 1'-0"$



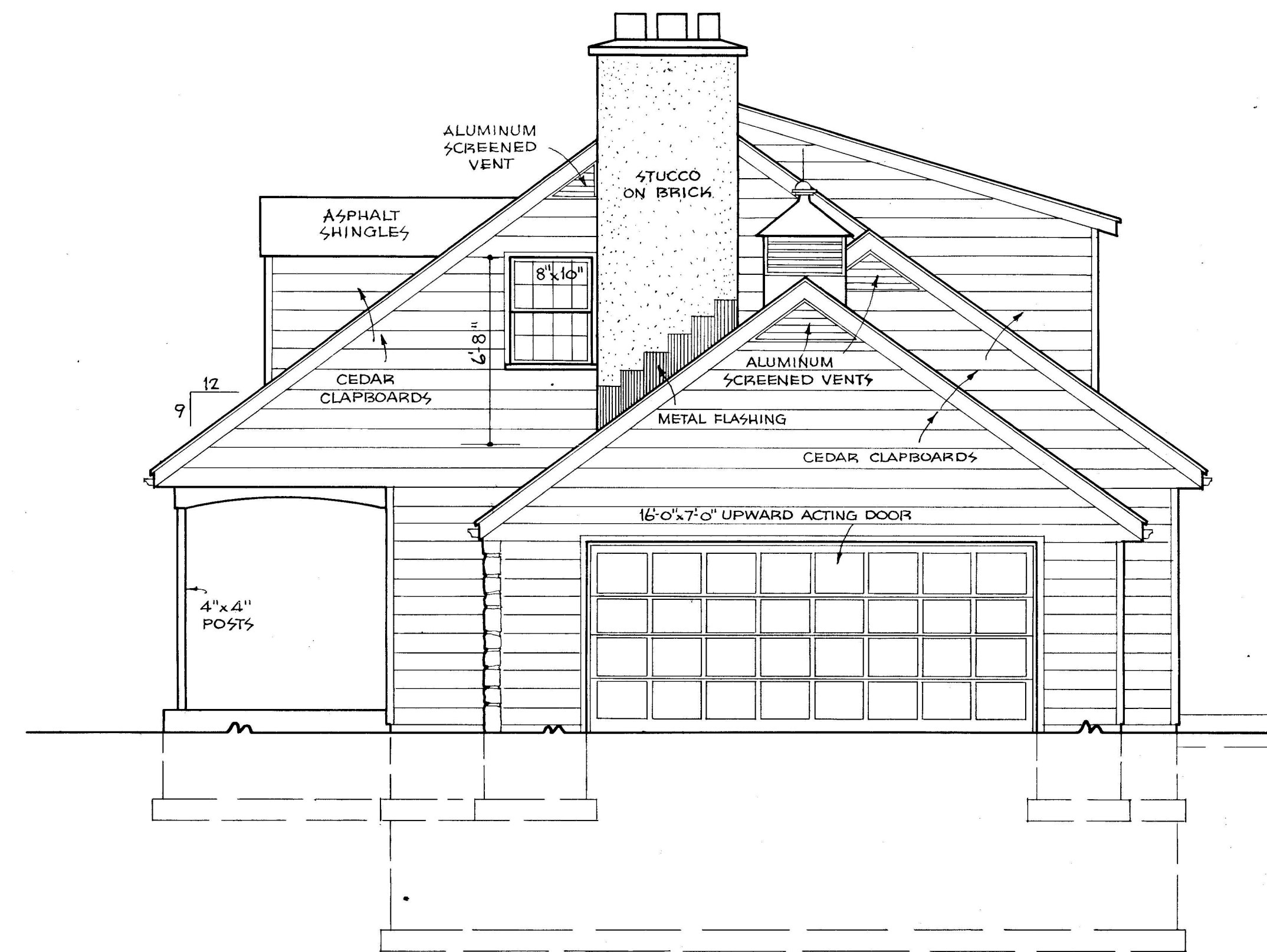
STUDY FIREPLACE SCALE  $\frac{3}{8}" = 1'-0"$

<b>THE AMERICAN HOME</b> BLUEPRINT HOUSE No 67 COPYRIGHT 1961 THE CURTIS PUBLISHING COMPANY	TITLES OF DRAWINGS FRONT AND LEFT ELEVATIONS, INTERIOR ELEVATIONS	
	SCALE - $\frac{1}{4}" = 1'-0"$ , $\frac{3}{8}" = 1'-0"$	
	DESIGNED BY GEORGE HAY, ARCHITECT MEDIA, PENNSYLVANIA	SHEET No 4 of 5

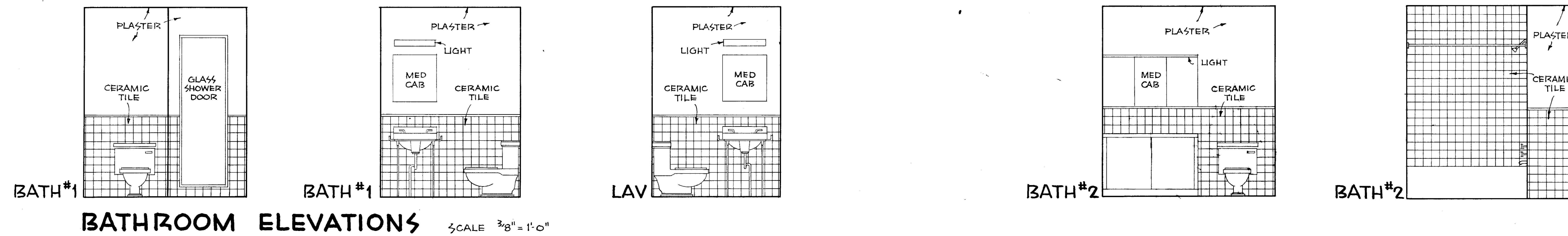




REAR ELEVATION SCALE  $\frac{1}{4}'' = 1'-0''$



RIGHT END ELEVATION SCALE  $\frac{1}{4}'' = 1'-0''$



BATHROOM ELEVATIONS SCALE  $\frac{3}{8}'' = 1'-0''$

THE  
**AMERICAN HOME**  
BLUEPRINT  
HOUSE NO **67**  
COPYRIGHT 1961  
THE CURTIS PUBLISHING COMPANY

TITLES OF DRAWINGS  
REAR AND RIGHT ELEVATIONS,  
BATHROOM ELEVATIONS  
SCALE  $\frac{1}{4}'' = 1'-0''$ ,  $\frac{3}{8}''$   
DESIGNED BY HEET  
GEORGE HAY, ARCHITECT  
MEDIA, PENNSYLVANIA



DEPARTMENT OF TRANSPORTATION

Marc Elrich  
*County Executive*

Christopher R. Conklin  
*Director*

September 20, 2024

Mr. Ugonna Njeze, Regulatory Planner II  
Upcounty Planning Division  
The Maryland-National Capital  
Park & Planning Commission (M-NCPPC)  
2425 Reddie Drive  
Wheaton, Maryland 20902

RE: Pre-Preliminary Plan Letter  
No. 720240020  
Kirk Farm

Dear Mr. Njeze:

We have completed our review of the Pre-Preliminary Plan uploaded to eplans on September 3, 2024. A previous version of this plan was reviewed by the Development Review Committee at its meeting on July 30, 2024. We offer the following comments:

**Applicant's Request:** The applicants requested a determination that they not be required to improve Tall Timbers Road to current County standards.

**MCDOT Response:** The applicants submitted an affidavit and supporting documents to Dr. Marie LaBaw of MCDPS-Fire & Rescue Services. Dr. LaBaw reviewed the documents and determined that this property was planned to be developed as a single-family unit prior to 2010. Per internal MCDPS policy, single-family units planned prior to 2010 are exempt from fire access review. Therefore, MCDOT agrees that the applicants shall not be required to improve Tall Timbers Road to current County standards.

**Office of the Director**

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101 Monroe Street 10<sup>th</sup> Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX  
[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)

*Located one block west of the Rockville Metro Station*



In addition to the above comments, please see below for some additional comments and concerns which shall be addressed at the preliminary plan:

1. On the certified plan, remove the cross-hatched dedication and P.U.E. shown along the Tall Timbers Road property frontage.
2. Pay the Montgomery County Department of Transportation plan review fee in accordance with Montgomery County Council Resolution 16-405 and Executive Regulation 28-06AM ("Schedule of Fees for Transportation-related Reviews of Subdivision Plans and Documents").
3. The applicant will be required to construct a hammerhead turnaround at the terminus of Tall Timbers Road.
4. The applicant will be required to submit a storm drain study. Follow the checklist in the link below and also located on the MCDOT website:  
<https://www.montgomerycountymd.gov/dot-dir/Resources/Files/StormDrainRevChecklist.pdf>
5. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
6. Show all existing topographic details (paving, storm drainage, driveways adjacent and opposite the site, sidewalks and/or bikeways, utilities, rights of way and easements, etc.) on the preliminary plan.
7. Permit and bond for required public improvements (to be determined at the preliminary plan stage) will be required prior to approval of the record plat.

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

Sincerely,

*William Whelan*

William Whelan  
Development Review Team  
Office of Transportation Policy

Mr. Ugonna Njeze  
Pre-Preliminary Plan No. 720240020  
September 20, 2024  
Page 3

SharePoint\teams\DOT\Director's Office\Development Review\WhelanW\720240020 Kirk Farm - MCDOT Review Letter  
092024.docx

cc: Sharepoint Correspondence FY-24

cc-e:	Steve Crum	Macris, Hendricks & Glascock
	Chris Van Alstyne	MNCP&PC
	Justine Gonzalez-Velez	MNCP&PC
	Sam Farhadi	MCDPS RWPR
	Marie LaBaw	MCDPS FRS

# ***Attachment C***

or responding.

I am a resident in Lake Hallowell and this construction abuts on my property. Can you please contact me to discuss the development plan?

Thank you,

Patricia Beaston  
2319 Fort William Dr.  
Olney, MD 20832  
301-529-0399

Thank you for responding.

I would prefer a call.

Thank you

Sent from my iPhone

On Sep 12, 2024, at 4:00 PM, Njeze, Ugonna <[Ugonna.Njeze@montgomeryplanning.org](mailto:Ugonna.Njeze@montgomeryplanning.org)> wrote:

Good Afternoon,

Thank you for reaching out. Do you prefer an overview via an email message or scheduling time for a or phone/virtual call?

Best,

Ugo

<image001.png>

**Ugonna Njeze**

**Regulatory Planner II, Upcounty Division**

Montgomery County Planning Department

2425 Reddie Drive, 13<sup>th</sup> Floor, Wheaton, MD 20902

[ugonna.njeze@montgomeryplanning.org](mailto:ugonna.njeze@montgomeryplanning.org)

o: 301.495.1320

<image002.png>

<image003.png>

<image004.png>

<image005.png>

<image006.png>

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**From:** Patricia Beaston <[prbeaston@gmail.com](mailto:prbeaston@gmail.com)>

**Sent:** Thursday, September 12, 2024 3:32 PM

**To:** Njeze, Ugonna <[Ugonna.Njeze@montgomeryplanning.org](mailto:Ugonna.Njeze@montgomeryplanning.org)>

**Subject:** Plan 720240020

**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links,



**From:** [Njeze, Ugonna](#)  
**To:** [Patricia Beaston](#)  
**Subject:** RE: Plan 720240020  
**Date:** Tuesday, September 17, 2024 2:46:00 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)

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Good Afternoon,

Below is text from an email from the Department of Permitting Services Water Resources Section Manager Mark C. Ethridge:

“since at the conceptual stage we’re not normally looking at the actual design plans for the proposed house, and the house that’s eventually constructed on the property could be quite different than the conceptual layout, it would be up to the design engineer at the time of permit review to determine whether there is an offsite drainage concern, and to determine how they want to deal with it. In this particular case it looks like it would be easy enough for them to grade the property to reduce the runoff to 2321 and 2319 Fort Williams Drive and we would encourage them to do that. However, it would be up to applicant.”

You can reach Mr. Ethridge at 240-777-6338 / [Mark.etheridge@montgomerycountymd.gov](mailto:Mark.etheridge@montgomerycountymd.gov).

Best,

Ugo



**Ugonna Njeze**

**Regulatory Planner II, Upcounty Division**  
Montgomery County Planning Department  
2425 Reedie Drive, 13<sup>th</sup> Floor, Wheaton, MD 20902  
[ugonna.njeze@montgomeryplanning.org](mailto:ugonna.njeze@montgomeryplanning.org)  
o: 301.495.1320



Let's Plan Our Future. Together. **THRIVE**  
THRIVEMONTGOMERY.COM

---

**From:** Patricia Beaston <[prbeaston@gmail.com](mailto:prbeaston@gmail.com)>  
**Sent:** Monday, September 16, 2024 10:26 AM  
**To:** Njeze, Ugonna <[Ugonna.Njeze@montgomeryplanning.org](mailto:Ugonna.Njeze@montgomeryplanning.org)>  
**Subject:** Re: Plan 720240020

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

**From:** [Njeze, Ugonna](#)  
**To:** [mjgeraci@gmail.com](mailto:mjgeraci@gmail.com)  
**Subject:** Kirk Farm  
**Date:** Wednesday, September 18, 2024 2:51:00 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[06-PREL-720240020-003.pdf](#)

---

Attached is the most recent iteration of the Kirk Farm pre-preliminary plan application.



**Ugonna Njeze**

**Regulatory Planner II, Upcounty Division**  
Montgomery County Planning Department  
2425 Reedy Drive, 13<sup>th</sup> Floor, Wheaton, MD 20902  
[ugonna.njeze@montgomeryplanning.org](mailto:ugonna.njeze@montgomeryplanning.org)  
o: 301.495.1320



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