

Resolution No.:	<u>18-703</u>
Introduced:	<u>January 31, 2017</u>
Adopted:	<u>January 31, 2017</u>

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: DOT Docket No. AB752
Denial of Abandonment – McKinley Street
Bradmoor Subdivision, Bethesda

Background

1. By letter dated April 1, 2016 Mr. Young M. Chung, the Applicant, requested the abandonment of a portion of McKinley Street totaling 1,613 square feet in the Bradmoor Subdivision of Bethesda. The portion of the right-of-way for which abandonment is sought adjoins the Applicant's property located at 8618 Ewing Drive. A metes and bounds description and drawing by Snider & Associates were enclosed.
2. Pursuant to Executive Order No. 100-16, Effective Date 6/22/16, a Public Hearing to consider the abandonment proposal was held on August 31, 2016 by the designee of the County Executive.
3. Verizon did not respond within 60 days and therefore, concurrence is presumed.
4. Washington Suburban Sanitary Commission consented without conditions.
5. Washington Gas did not respond within 60 days and therefore, concurrence is presumed.
6. PEPCO did not respond within 60 days and therefore, concurrence is presumed.
7. The Montgomery County Police Department did not respond within 60 days and therefore, concurrence is presumed.
8. The Montgomery County Planning Board did not respond within 60 days and therefore, concurrence is presumed.
9. The Department of Transportation (DOT) recommended denial of the abandonment request and that the Applicant should be required to move his fence which is encroaching upon the right-of-way.

10. The Department of Fire and Rescue Service had no objection.
11. The County Executive recommends denial of the proposed abandonment.

Action

The County Council for Montgomery County, Maryland, finds that the portion of the McKinley Street right-of-way in the Bradmoor Subdivision of Bethesda proposed for abandonment is necessary for public use, pursuant to Section 49-63 of the Montgomery County Code, and denies the abandonment.

1. The Applicant must remove his fence from the right-of-way within 60 days of the date of Adoption of this Resolution.
2. Any person aggrieved by the action of the Council for abandonment may appeal to the Circuit Court within 30 days after the date such action is taken by Council.

This is a correct copy of Council action.

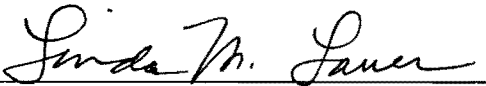

Linda M. Lauer, Clerk of the Council

EXHIBIT "B"
PART OF PUBLIC RIGHT OF WAY
FOR MCKINLEY STREET
PLAT BOOK 54 ~ PLAT 4269
BETHESDA (7th) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

LOT 78
"HILLHEAD-BRADLEY HILLS"
PLAT No. 6973

LOT 17
PLAT BOOK 62 PLAT 5394

MCKINLEY STREET
(50' R/W-Per Plat)

6' Public Path
(PLAT LINE) L1

Abandonment
1,613 S.F.
0.03708 Ac.

S 87°16'10" W 90.00' (PLAT LINE)

P.O.B.

LOT 84
P.B.105
PLAT No.12011

LOT 18 ~ BLOCK 3
BRADMOOR
P.B.54 ~ P.4269

LOT 86
P.B.107 PLAT
No.12387

LOT 19

EWING DRIVE
(60' R/W)



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	DIRECTION	DISTANCE
C1	19.24'	35.00'	31°29'31"	N 58°31'22" E	19.00'
C2	20.52'	26.16'	44°56'03"	N 65°14'37" E	19.99'
C3	19.16'	20.00'	54°53'42"	N 65°16'59" W	18.44'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 02°43'50" W	3.12'
L2	N 74°16'07" E	8.08'
L3	N 87°42'39" E	42.39'
L4	S 37°50'08" E	38.36'
L5	S 87°16'10" W	90.00'



SNIDER & ASSOCIATES
LAND SURVEYORS
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info@snidersurveyors.com

REFERENCES	PLAT BOOK: 54 PLAT: 4269	SCALE: 1"=30'	DRAWN BY: M.N.B.	JOB NO.: 04-9003-ESMT
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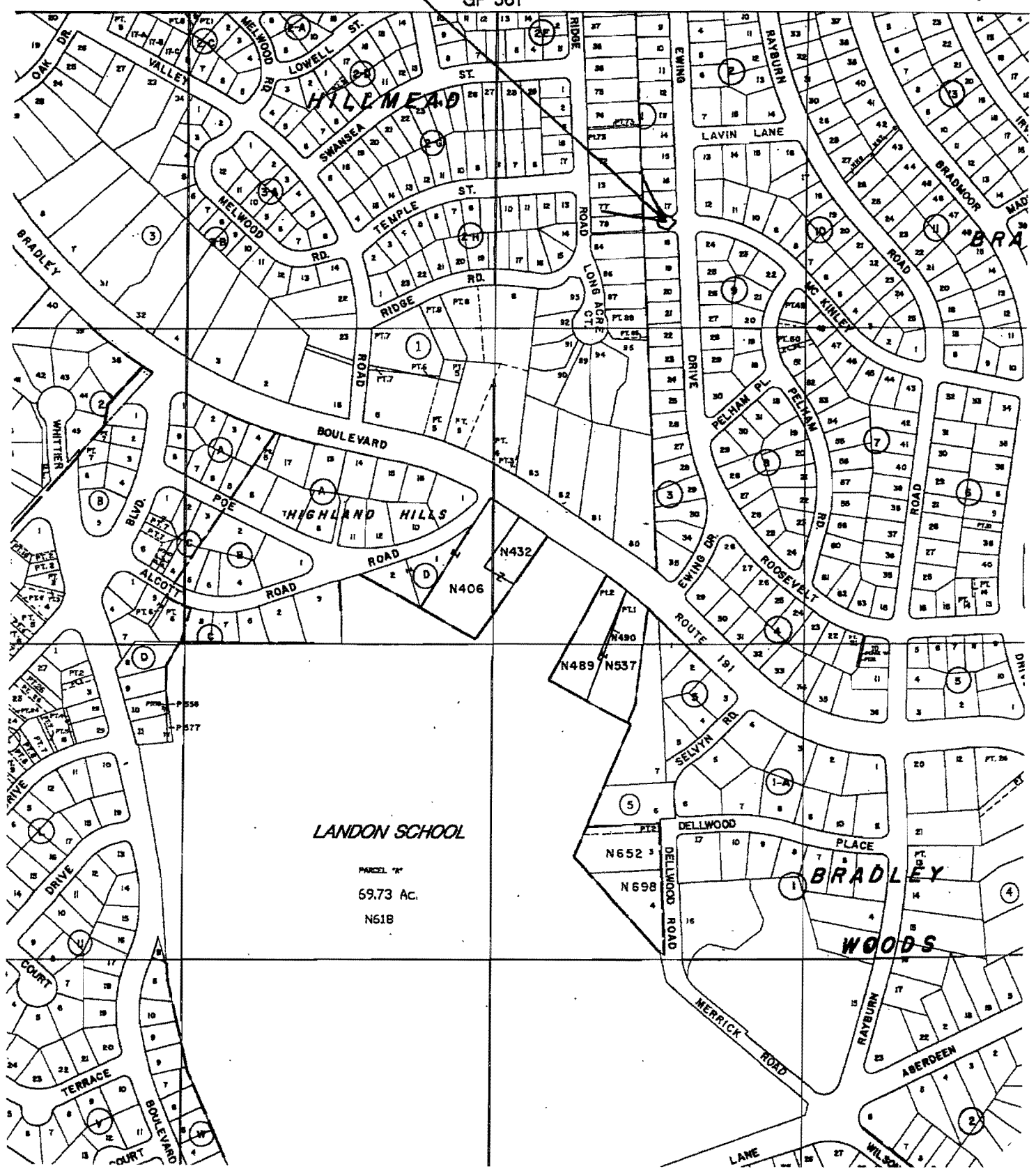
Site

Tax Map GN63

5

GP 561

G 6



MAP
5407

A 6 NW

B

C

5 NW D

E

F

G 4 NW

77°07'30"

77°06'45"

77°06'00"

77°05'15"

Joins Map 5285

77°05'15"

210 NW
2

205 NW
3

480,000 FT
4

38°56'30"
5

6

207 NW
7

206 NW
8

9

Joins Map 5406 208 NW

Joins Map 5406 207 NW

Joins Map 5406 206 NW

