

Resolution No.: 18-711  
Introduced: February 7, 2017  
Adopted: February 7, 2017

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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Lead Sponsor: County Council

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**SUBJECT:** DOT Docket No. AB751  
Abandonment –Rugby Avenue and Alley  
Samuel T. Robertson’s Addition to Bethesda Subdivision, Bethesda

**Background**

1. By letter dated May 17, 2016 from Linowes and Blocher on behalf of its client, Christ Evangelical Lutheran Church of Bethesda-Chevy Chase (the Applicant) to the County Executive a request was made for the County to abandon a portion of Rugby Avenue (4,043 square feet) and an alley (1,970 square feet) off Glenbrook Road in the Samuel T. Robertson’s Additional to Bethesda Subdivision in Bethesda.
2. 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 consent conditioned upon being granted an easement to protect the integrity of existing lines and infrastructure.
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 Department of Transportation (DOT) by memorandum dated August 31, 2016 recommended approval of the abandonment request conditioned upon (a) Applicant constructing a turnaround at the end of Rugby Avenue; (b) granting any necessary easements for County storm drains and public utility facilities or at Applicant’s expense relocating these facilities and granting easements; and (c) filing a new record plat incorporating the former rights-of-way.

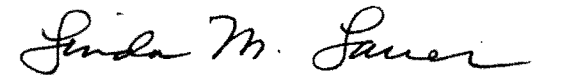
9. The Office of the Fire Marshal by e-mail dated 08/16/16 requires either installation of a compliant emergency vehicle turnaround or a compliant connection from Rugby Avenue to Old Georgetown Road.
10. The Montgomery County Planning Board did not respond within 60 days and therefore, concurrence is presumed.
11. The County Executive recommends approval of the proposed abandonment.

### Action

The County Council for Montgomery County, Maryland, finds that the portion of Rugby Avenue and the 20-foot alley off Glenbrook Road in the Samuel T. Robertson's Addition to Bethesda Subdivision of Bethesda as shown on the attached metes and bounds description and drawing by Loiederman Soltesz Associates, Inc. proposed for abandonment are no longer necessary for public use, pursuant to Section 49-63 of the Montgomery County Code, and approves the abandonment subject to the following conditions which must be satisfied at Applicant's sole cost and expense prior to the abandonments becoming effective:

1. Either the installation of a compliant emergency vehicle turnaround or a compliant connection from Rugby Avenue to Old Georgetown Road as required by the Department of Fire and Rescue Service vehicular access and water supply plan;
2. Granting WSSC a sufficient easement to protect the integrity of existing lines and infrastructure;
3. The granting of any necessary easements for County storm drains and public utility facilities, or at Applicant's expense, relocating those facilities and the granting of appropriate easements; and
4. The filing of a new record plat.
5. 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.



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Linda M. Lauer, Clerk of the Council