

Resolution No.:	<u>18-762</u>
Introduced:	<u>April 4, 2017</u>
Adopted:	<u>April 4, 2017</u>

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: DOT Docket No. AB749
Approval of Abandonment – Grant Street
Huntington Terrace Subdivision, Bethesda

Background

1. By letter dated February 21, 2016 Mr. Mark Navolio, the Applicant, requested the abandonment of a portion of Grant Street, approximately 18 feet by 120 feet in the Huntington Terrace Subdivision of Bethesda. The portion of the right-of-way for which abandonment is sought adjoins the Applicant's property located at 5500 Roosevelt Street.
2. Pursuant to Executive Order No. 13-16, Effective Date 4/01/16, a Public Hearing to consider the abandonment proposal was held on June 22, 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.
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 approval of the abandonment subject to the Applicant granting easements to Montgomery County for storm drainage facilities and to public utilities, as applicable. If Applicant's plans for a two-car addition are approved, Applicant must remove existing asphalt paving in the right-of-way and sod

the area; and Applicant also must extend the concrete curb and sidewalk to the entrance of the bike path pursuant to approval of the Department of Permitting Services.

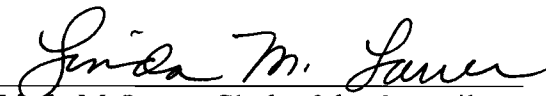
10. The Department of Fire and Rescue Services had no objection.
11. The County Executive recommends denial of the abandonment request.
12. Council staff recommends **approval** of the abandonment request.

Action

The County Council for Montgomery County, Maryland, finds that the portion of Grant Street right-of-way in the Huntington Terrace Subdivision of Bethesda proposed for abandonment is 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. The granting of easements to Montgomery County for storm drainage facilities and to public utilities, as applicable. If Applicant's plans for a two-car addition are approved, Applicant must remove existing asphalt paving in the right-of-way and sod the area; and Applicant also must extend the concrete curb and sidewalk to the entrance of the bike path pursuant to approval of the Department of Permitting Services.
2. The filing of a new record plat.
3. 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.

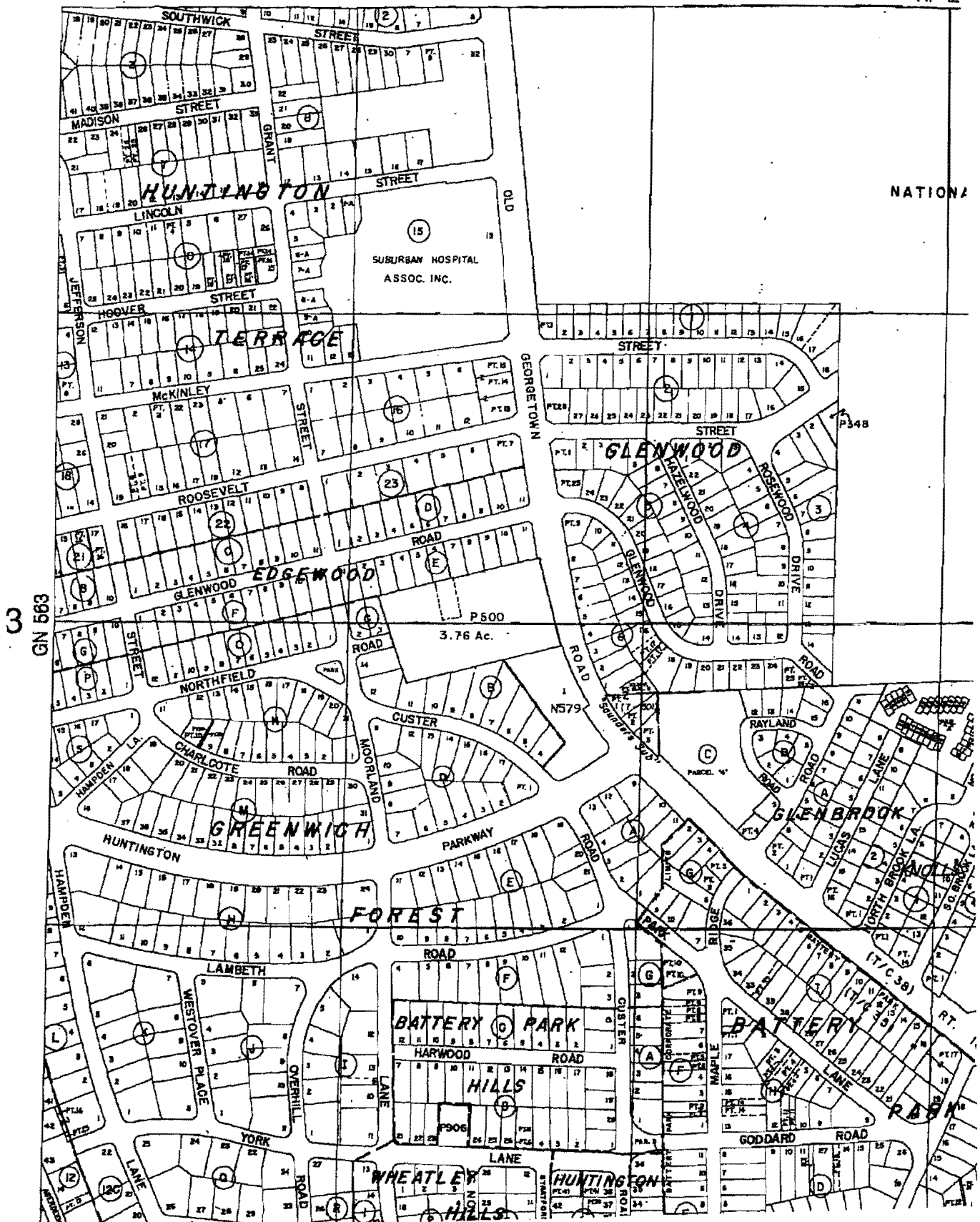
This is a correct copy of Council action.

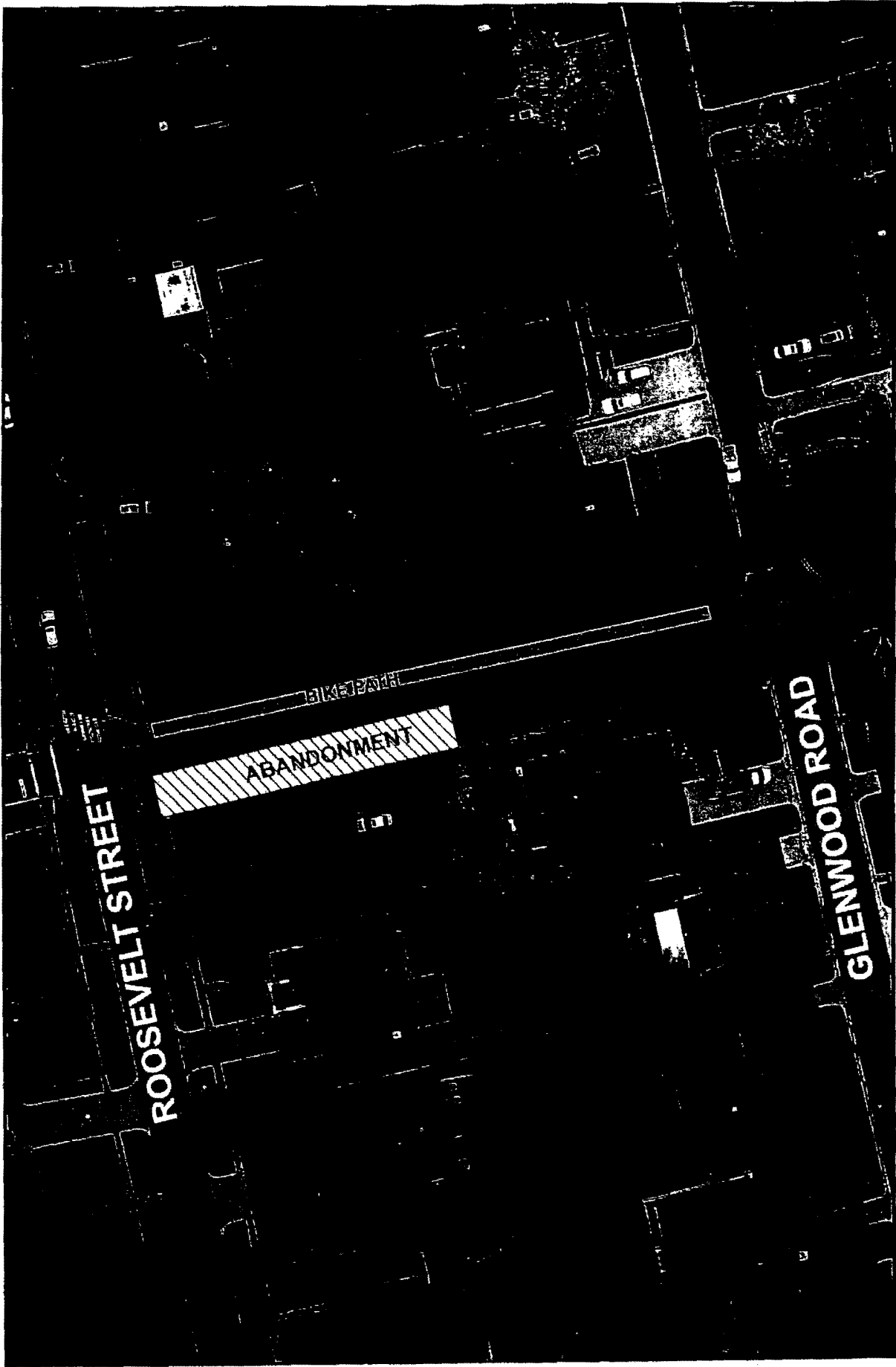

Linda M. Lauer, Clerk of the Council

Tax Map HN 13

H 1

HP 12





Abandonment Case AB-749
Grant Street

