

Zoning Text Amendment No: 08-17
Concerning: Wheaton Central Business
District - Boundaries
Draft No. & Date: 1 – 12/3/08
Introduced:
Public Hearing:
Adopted:
Effective:
Ordinance No:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By: District Council at the Request of the Planning Board

AN AMENDMENT to the Montgomery County Zoning Ordinance for the purpose of:

- revising the boundaries of the Wheaton Central Business District

By amending the following section of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

| | |
|-----------------|-----------------------------------|
| ARTICLE 59-C | “ZONING DISTRICTS; REGULATIONS” |
| DIVISION 59-C-6 | “CENTRAL BUSINESS DISTRICT ZONES” |

EXPLANATION: ***Boldface** indicates a heading or a defined term.*
Underlining indicates text that is added to existing laws by the original text amendment.
[Single boldface brackets] indicate text that is deleted from existing law by the original text amendment.
Double underlining indicates text that is added to the text amendment by amendment.
[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.
** * * indicates existing law unaffected by the text amendment.*

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

1 **Sec. 1. DIVISION 59-C-6 is amended as follows:**

2 **DIVISION 59-C-6. CENTRAL BUSINESS DISTRICT ZONES**

3 **Sec. 59-C-6.1. Zones established.**

4 * * *

5 **59-C-6.12. Central business districts.**

6 The central business districts are located as follows, and may be amended in
7 accordance with the procedure for text amendments as set forth in division 59-H-9:

8 * * *

9 (d) **Wheaton Central Business District.** All of the area contained within the
10 metes and bounds description attached to Ordinance No. [8-86]
11 (APPROPRIATE NUMBER), adopted (DATE OF ADOPTION).

12

13 **Sec. 2. Effective date.** This ordinance becomes effective 20 days after the
14 date of Council adoption.

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16 This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council

Attachment to Ordinance No.

METES AND BOUNDS DESCRIPTION OF PROPOSED
WHEATON CENTRAL BUSINESS DISTRICT BOUNDARY
(as modified December 2008)

Being all of the lots, blocks parcels or portions thereof which are contained within the perimeter described as follows:

Beginning at a point on the north side of University Boulevard, West said point being the intersection of the west line of Lot 5 in Block A with the aforesaid right-of-way as shown on a plat of Triangle Park recorded October 11, 1926 in Plat Book 4, Plat 330 among the land records of Montgomery County, Maryland and running thence with said lot line N26°56' W approximately 60 feet to intersect a southwesterly prolongation of the west line of Lot 21 Block A as shown on the aforesaid subdivision of Triangle Park; thence with said southwesterly prolongation N13°26' E and crossing parts of Lot 5 and 4 in Block A approximately 112 feet to the southwest corner of said Lot 21, thence N13°26' E and with the west line of Lot 21, 171.55 feet to intersect the south right-of-way line of Kensington Boulevard; thence southeasterly and with said right-of-way line approximately 16 feet to intersect a southwesterly prolongation of the west line of Parcel B in Block 44, as shown on plat number 9 of Wheaton Hills as recorded November 18, 1947 in Plat Book 32, Plat #2058 among the Land Records of Montgomery County, Maryland; thence leaving said south right-of-way line and running with the aforesaid prolongation N10°42'40" E for a distance of 80 feet to intersect the north right-of-way line of Kensington Boulevard; thence N10°42'40" E and running with the aforesaid west line of Parcel B, 295.53 feet; thence N71°07'27"W, 49.30 feet; thence N76°40'40"W, 126.53 feet to the southwest corner of Lot 3 in Block 44 as shown on the aforesaid Plat 9 of Wheaton Hills; thence along the west line of said Lot 3, N15°17'58"E, 108.48 feet to intersect the south right-of-way line of Blueridge Avenue; thence N15°17'58"E, 25 feet to intersect the centerline of Blueridge Avenue; thence southeasterly along said centerline for a distance of approximately 602 feet to intersect the centerline of Georgia Avenue; [thence with the centerline of Georgia Avenue N1°15'30"W, 115 feet to intersect a westerly projection of the north line of the Villa Verde Subdivision, as recorded December 12, 1928 in Plat Book 4, Plat #388 among the Land Records of Montgomery County, Maryland; thence easterly with said westerly projection 50.5 feet to intersect the east right-of-way line of Georgia Avenue; thence continuing easterly with said north line of Villa Verde

59 S86°12'30"E, 507.34 feet to the northeast corner of Lot 8 in the aforesaid Villa
60 Verde Subdivision; thence S3°47'30"E, 115 feet to intersect the centerline of
61 Blueridge Avenue; thence easterly with said centerline of Blueridge Avenue 35
62 feet to intersect the centerline of Elkin Street; thence in a southerly direction and
63 with said centerline for an approximate distance of 325 feet;] thence with the
64 centerline of Georgia Avenue N1°33'10"W, 630 feet to a point perpendicular to the
65 westerly end of the northerly line described in a deed from James S. Netterstrom,
66 Personal Representative of the Estate of Harriet R. Jones, to Washington
67 Metropolitan Area Transit Authority, dated February 27, 1985 and recorded among
68 the Land Records of Montgomery County, Maryland in Liber 6703 at folio 542;
69 thence crossing Georgia Avenue N88°26'50"E, 46 feet to the easterly right-of-way
70 line of Georgia Avenue and the westerly end of the northerly line described in
71 Liber 6703 at folio 542; thence running with the northerly and easterly lines
72 described in Liber 6703 at folio 542 N87°36'47"E, 517.38 feet and S01°20'09.7"E,
73 402.74 feet to a point at the westerly end of the northeasterly line of Parcel C of the
74 Villa Verde Subdivision as recorded in Plat Book 106, Plat 12251 among the Land
75 Records of Montgomery County, Maryland; thence running with the northeasterly
76 line of said Parcel C; S75°58'10"E, 96.65 feet to the easterly end of the
77 northeasterly line of said Parcel C and the westerly right-of-way line of Elkin
78 Street; thence S68°31'39"E, 35 feet to intersect the centerline of Elkin Street;
79 thence in a southerly direction and with said centerline for an approximate distance
80 of 575 feet; thence with the westerly prolongation of a Commercial Zoning
81 Boundary (C-2) as shown on the identification plat filed July 27, 1953 in Zoning
82 Application A-1054; thence with said prolongation N88°40'30"E approximately 37
83 feet to intersect the east right-of-way line of Elkin Street; thence along said zoning
84 boundary and crossing a part of Lot 2, Block 2 in Wheaton Manor Subdivision,
85 recorded April 14, 1953 in Plat Book 45, Plat 3390 among the Land Records of
86 Montgomery County, Maryland, N88°40'30"E, 90.76 feet; thence continuing with
87 said zoning boundary S75°04'20"E, 324.54 feet to intersect the west line of Lot 1,
88 Block 2 in the aforesaid Wheaton Manor Subdivision; thence crossing said Lot 1 in
89 Block 2, S75°04'20"E, approximately 101 feet to intersect the west right-of-way
90 line of Amherst Avenue; thence S75°04'20"E, 35 feet to the centerline of Amherst
91 Avenue; thence southwesterly and with said centerline 210 feet to intersect the
92 centerline of University Boulevard West; thence N75°04'20"W, 20 feet to intersect
93 a northeasterly prolongation of the centerline of the adjacent southerly segment of
94 Amherst Avenue; thence southerly along the aforesaid centerline, 820 feet to
95 intersect the adjacent southerly segment of the centerline of Amherst Avenue,
96 located at the intersection of Reddie Drive; thence southerly with said centerline
97 965 feet to intersect the centerline of Prichard Road; thence southwesterly along
98 said centerline 495 feet to intersect the centerline of Veirs Mill Road; thence

99 northwesterly along said centerline 2075 feet to intersect the centerline of
100 University Boulevard West; thence northeasterly with said centerline 460 feet to
101 intersect the southeasterly prolongation of the west lot line of Lot 5 Block A in the
102 Triangle Park Subdivision as recorded October 11, 1926 in Plat Book A, Plat 338
103 among The Land Records of Montgomery County, Maryland; thence N26°56'W,
104 50 feet to the point of beginning.

105

106 Explanation:

107 Underlining indicates material added to the description attached to Ordinance 8-86.

108 [Brackets] indicates material deleted from the description attached to Ordinance 8-
109 86.

110

111 This description is based on deeds and plats of record and does not represent a
112 boundary survey of any of the properties currently lying in the Wheaton CBD zone
113 or to be added to the Wheaton CBD zone.