

Resolution No.: 18-1222
Introduced: September 18, 2018
Adopted: September 18, 2018

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: DOT Docket Nos. AB761
Abandonment – Planning Place
Woodside Park Subdivision, Silver Spring

Background

1. By letter dated September 20, 2017 from Lerch Early & Brewer on behalf of its client, SC/BA Silver Spring Apartments, LLC (the “Applicant”), the Applicant requested that the County abandon a portion of the right-of-way for Planning Place in the Woodside Park Subdivision in Silver Spring. The portion of the right-of-way for which abandonment is sought consists of 1,743 square feet as shown on the drawing by Bohler Engineering. It adjoins property under contract to the Applicant.
2. A Public Hearing to consider the abandonment proposal was held on January 23, 2018 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 did not respond within 60 days and therefore, concurrence is presumed.
5. Washington Gas expressed no issues.
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 Fire Marshal voiced no objection.
9. The Montgomery County Planning Board staff recommended approval.

10. The Department of Transportation (DOT) recommended approval with the following conditions: the Applicant must dedicate a portion of Planning Place as shown in an attached drawing by Bohler Engineering for public use to maintain pedestrian connectivity along Planning Place at Georgia Avenue (MD 97).
11. The County Executive recommends approval of the proposed abandonments.

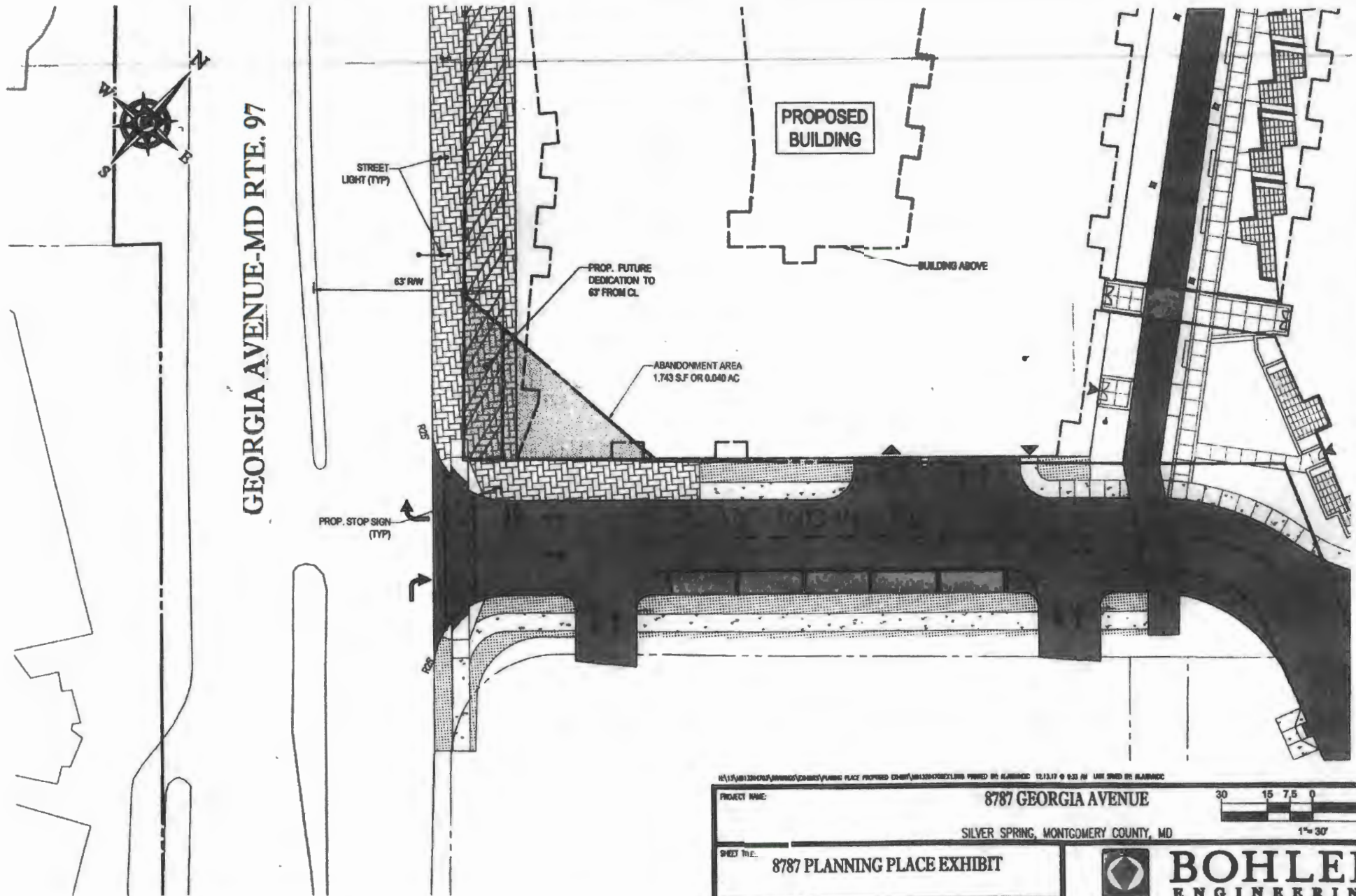
Action

The County Council for Montgomery County, Maryland, finds that the subject portion of the Planning Place right-of-way is no longer necessary for public use and pursuant to Section 49-63 of the Montgomery County Code, approves the abandonment subject to the following conditions which must be satisfied at Applicant's sole cost and expense prior to the abandonment becoming effective:

1. Applicant must dedicate a portion of Planning Place as shown in the attached drawing by Bohler Engineering for public use to maintain pedestrian connectivity along Planning Place at Georgia Avenue;
2. Applicant must file a new record plat incorporating the former right-of-way and showing the new dedication;
3. The County Attorney must record among the Land Records of Montgomery County, Maryland, a copy of this Resolution approving the abandonment of the subject area; and
4. Any person aggrieved by the action of the Council for the abandonments 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.


Megan Davey Limarzi, Esq.
Clerk of the Council



18/15/MB13204703/ANNEX/EXHIBIT PLANNING PLACE PROPOSED EXHIBIT/MB13204703/EXHIBIT PRINTED BY: 12/13/17 @ 9:23 AM UNIT: GRID BY: BLANDMC

PROJECT NAME:

8787 GEORGIA AVENUE

SILVER SPRING, MONTGOMERY COUNTY, MD

SHEET TITLE:

8787 PLANNING PLACE EXHIBIT

SCALE:

1"=30'

DATE:

11/30/17

CD: EX1

PROJECT NUMBER:

MB13204703

30 15 7.5 0
1"=30'



BOHLER
ENGINEERING

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GEORGIA AVENUE - MD RTE. 97
VARIABLE WIDTH RIGHT-OF-WAY
SRC NO. 8904

LOT 2 BLOCK C
WOODSIDE PARK
PLAT NO. 11049

LANDS OF
THE MARYLAND-NATIONAL CAPITAL PARK
AND PLANNING COMMISSION
LIBER 2165 FOLIO 565
TM: JN23 162

PARCEL D
WOODSIDE PARK
PLAT NO. 21574

LANDS OF
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
LIBER 16328 FOLIO 238
TM: JP31 N972

PARTIAL ABANDONMENT
OF PLANNING PLACE
AREA: 1,743 SF, OR 0.040 AC.

PLANNING PLACE
60' WIDE RIGHT-OF-WAY
PLAT NO. 5839 & PLAT NO. 21574



BOHLER
ENGINEERING

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PARTIAL STREET
ABANDONMENT EXHIBIT
GEORGIA AVENUE AND PLANNING PLACE
WHEATON (NO. 13) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 30' DATE: 09/19/17

