

GRAPHIC SCALE
1 IN. = 100 FT.

CLARKE ENGINEERING & SURVEYING

CPJ

SEDIMENT CONTROL PLAN - OVERALL
PROJECT - BRIDGE AREA
CLARKE ENGINEERING & SURVEYING
ANNAPOLIS COUNTY, MARYLAND

Construction
We are a firm in professional opinion
SPECIAL PROTECTED AREA
To all persons who are engaged in
the work of construction within
the limits of the Special Protected Area
it is our duty to advise you that
you are in a Special Protected Area
and we hope you will help us to
keep it that way. We hope you will
let us know whether to keep it clean!

IT IS THE RESPONSIBILITY OF THE PERMITTEE TO OBTAIN ALL NECESSARY PERMITS TO CONDUCT THE WORK OF CONSTRUCTION WITHIN THE SPECIAL PROTECTED AREA.

NO.	DATE	DESCRIPTION	APPROVED	DATE
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

BEFORE BREAKING GROUND
READ AND UNDERSTAND THE ESSENCE
OF CONSTRUCTION ON YOUR
APPROVED SEDIMENT CONTROL
PLAN

LEGEND
E. LINE OF SEDIMENT CONTROL (SEE PARAGRAPHS 1 & 2)
LINE OF SEDIMENT CONTROL (SEE PARAGRAPHS 1 & 2)
PROPOSED BRIDGE (SEE PARAGRAPHS 1 & 2)
DITCH (SEE PARAGRAPHS 1 & 2)
SILT FENCE (SEE PARAGRAPHS 1 & 2)

FOR SEDIMENT CONTROL ONLY
SEE DETAILED
This plan is a preliminary plan and is subject to change without notice. It is the responsibility of the permittee to obtain all necessary permits to conduct the work of construction within the Special Protected Area. The Department of Permits and Inspections is not responsible for the accuracy of the information provided on this plan.

ANNAPOLIS COUNTY DEPARTMENT OF
PERMITTING SERVICES APPROVED FOR:
Permitting Services
Date: _____

DATE OF WORK AND THE PERMIT
NO. OF THE PERMIT
APPROVED FOR THE PROJECT
DATE: _____
PROJECT NO.: _____
PROJECT NAME: _____
PROJECT LOCATION: _____
PROJECT OWNER: _____
PROJECT ENGINEER: _____
PROJECT SURVEYOR: _____
PROJECT DESIGNER: _____
PROJECT DRAFTER: _____
PROJECT CHECKER: _____
PROJECT APPROVER: _____

Minimum Building Setbacks per Section 59-C-10.3.8.

Setbacks shown reflect a 50% reduction as previously approved by Planning Board during Project Plan and Preliminary Plan for this Development.

1. From one-family residential zoning 50'
2. From residential zoning other than one-family 15'
3. From any street 10'

8-90001

Minimum Lot, Yard and Height Requirements for Residential Lots - modification per Section 59-C-10.3.8. of the Zoning Ordinance:

	Single Family Detached	Townhomes	Courtyard Townhomes	Multi-Family
Net Lot Area in Square Feet	4,000	1,120	950	N/A
Front Yard Min.	10'	10'	10'	10'
Lot Width Min. at Street Line	25'	16'	20'	N/A
Lot Width Min. at Building Line	40'	16'	20'	N/A
Rear Yard Min.	25'	20'	6'	10'
Side Yard Min.				
One	0'	0'	0'	10'
Both	8'	0'	0'	20'
Min. Space Brwn End Buildings	N/A	* 20/4'	* 20/4'	30'
Maximum Height	35'	35'	35'	45'

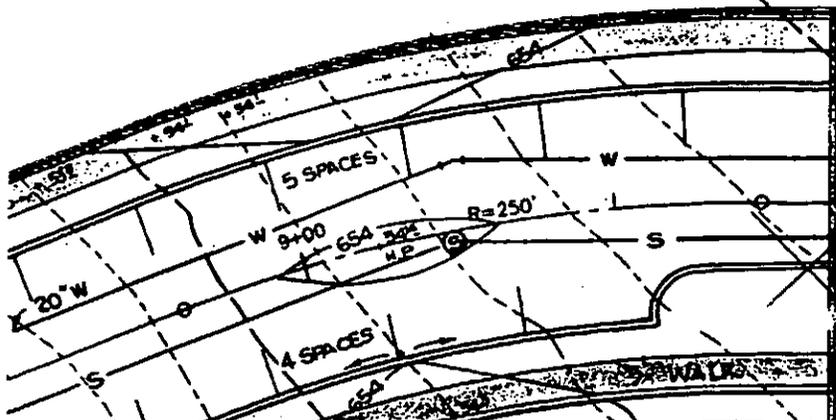
* MID-BLOCK SEPERATION BETWEEN END UNITS MAY BE REDUCED TO 4'.

Residential On-Site Accessory Buildings/Lot Standards:

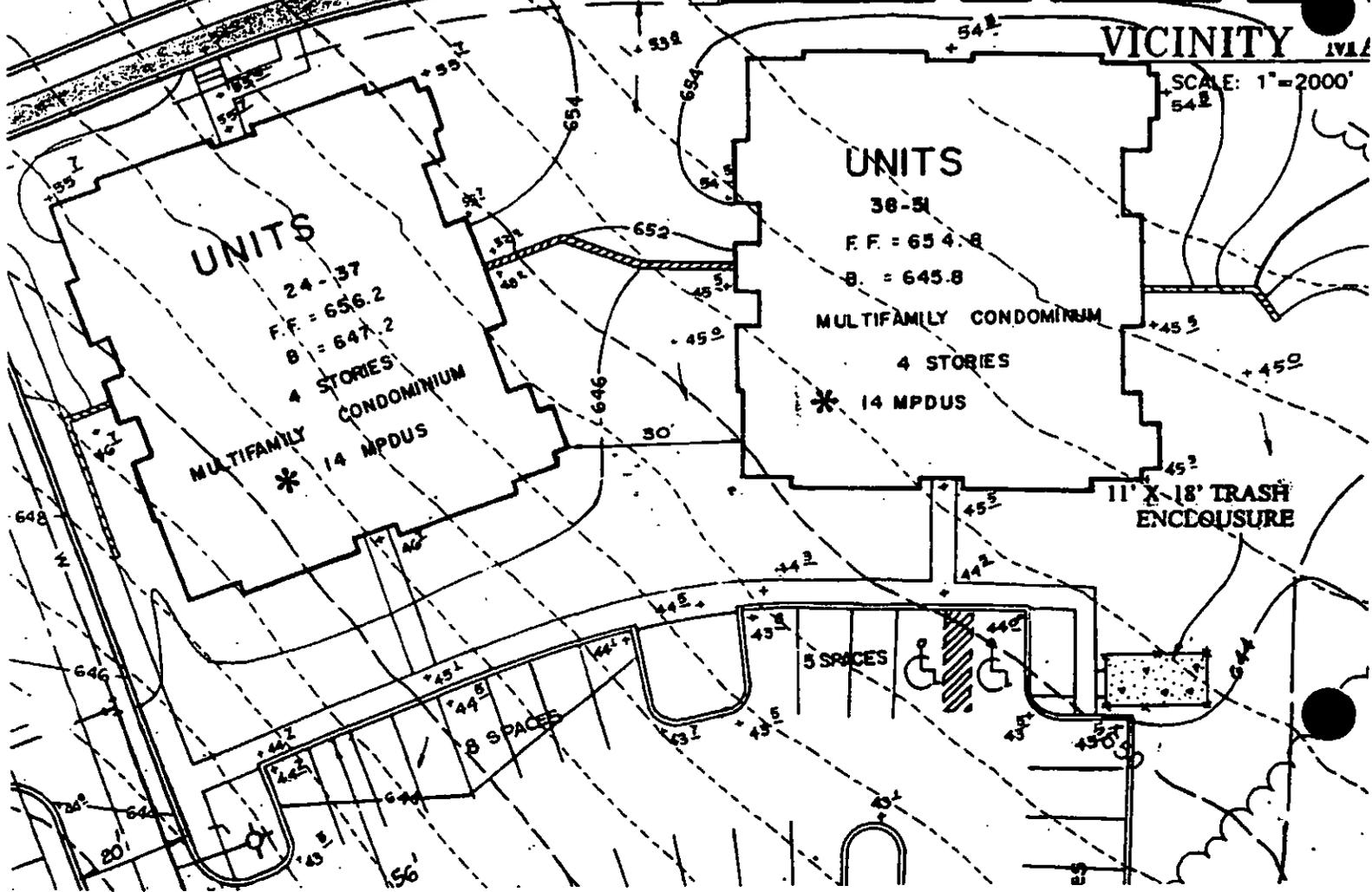
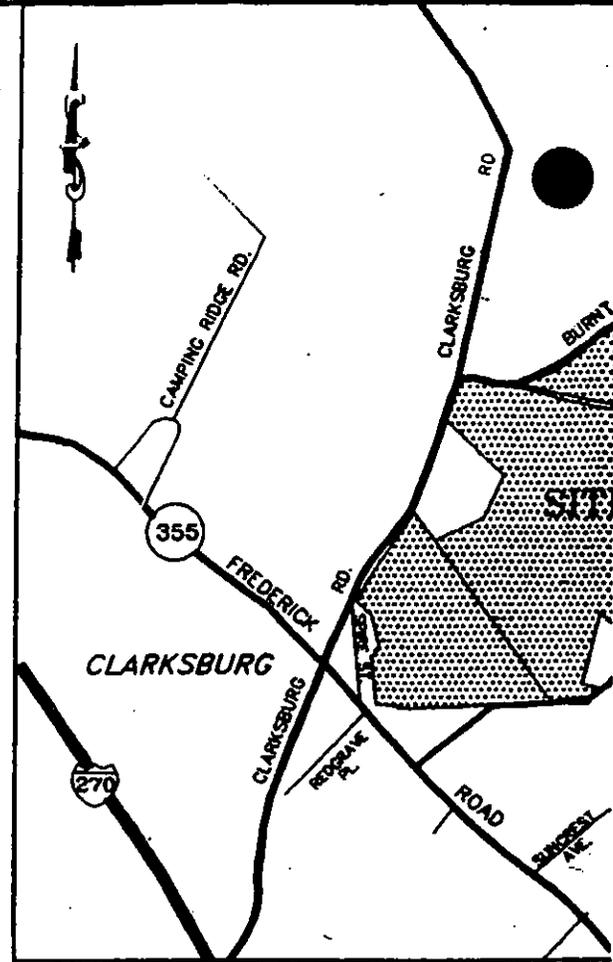
1. Coverage (maximum percentage of yard) 50%
2. Setback (minimum in feet - inside lot):
from front street line 60'

8-98001

Plan views
label buildings
as 4 stories.



MATCH LINE - SEE SHEET 2



8-98001 A & 8-98001 B

- staff learn approval revised to conform to condition #

MINIMUM BUILDING SETBACKS per SECTION 59-C-10.3.8

Setbacks shown reflect a 50% reduction as previously approved by the Planning Board during Project Plan and Preliminary Plan for this Development

- 1. From one-family residential zoning 50'
- 2. From residential zoning other than one-family 15'
- 3. From any street 10'

Minimum Lot Requirements for Residential Lots - modification per Section 59-c-10.3.8 of Zoning Ordinance

	SFD	TH's	Courtyard TH's	Multi-Family
Lot Area	4000 sqft	1120 sqft	950 sqft	NA
Front Yard	10'	10'	10'	10'
Lot Width @ Street	25'	16'	20'	NA
Min. Lot Width @ Bldg. line	40'	16'	20'	NA
Rear Yard	25'	20'	6'	10'
Side Yard	0'/8'	0'	0'	10'/20'
Min. space between End Bldgs.	NA	*20'/4'	*20'/4'	30'
Max. Height	*stair	*stair	*stair	*stair

* Mid-block separation between end units may be reduced to 4'.

Residential Accessory Buildings/Lot Standards

- 1. Coverage (Max. percentage of Lot) 50%
- 2. Setback (inside Lot)
 - From Front Street Line 60'
 - From Side/Rear Lot Line 0'
 - From Alley Line 0'
- Setback(Corner Lot)
 - From Side Street (Where abutting Lots Front) 10'
 - From Side Street (Where abutting Lots do not Front) 10'
 - From Rear Lot Line 0'
- Max. Height 27'

RESIDENTIAL ANALYSIS - PHASE 1B/PART TWO

BLOCK	SINGLE FAMILY DETACHED						SINGLE FAMILY ATTACHED-ALLEY					
	32'	40'	50'	60'	65'	70'	18'	20'	22'	24'	28'	20' in
C	6	15	1	0	0	0	6	0	12	0	0	0
D	4	5	0	0	0	0	6	0	12	13	0	6
E	4	1	0	0	0	0	0	0	0	0	19	5
Sub Total	14	21	1	0	0	0	12	0	24	13	19	11
Totals						36						

			"necessary elements" of development for Clarksburg Town Center.
Preliminary Plan	Planning Board Approved – March 26, 1996	<p>Background: "...the underlying development authority, Project Plan #9-94004, was approved by the planning board on May 11, 1995, after two prior planning board meetings (held on April 6 and 20, 1995). The record for the preliminary plan #1-95042 specifically includes the records from those prior hearings...</p> <p>Therefore, the planning board approves the plan. The approval is subject to the following conditions: ... #14. "Preliminary plan #1-95042 is expressly tied to and interdependent upon the continued validity of Project Plan #9-94004. <i>Each term, condition and requirement set forth in the Preliminary Plan and Project Plan are determined by the Planning Board to be essential components of the approved plans and are therefore not automatically severable.</i>"</p>	<p>The Planning Board itself determined all conditions, findings, or "requirements", as outlined in the Project Plan to be "essential components" of the approved plans and "NOT automatically severable." Therefore, the data sheet containing height definitions of 45' for residential and 50' for commercial can neither be ignored at Site Plan approval, nor arbitrarily over-ridden by any member of the M-NCPPC staff or by the developer. (See definition of "Minor Amendment" under Zoning Ordinance #59... Removing the height definitions would NOT be considered a Minor Amendment – i.e. not allowable without amendment hearing.)</p>
Montgomery County Zoning Ordinance #59	Various dates of acceptance/ amendment	<p>59-C-10.2 Methods of Development 2. Optional Method of Development – Under this method, general commercial uses and higher density residential uses are allowed in the RMX zone provided they are in accordance with the provisions of Section 59-C-10.3 as well as the density, <i>numerical limitations</i> and other guidelines contained in the applicable Master Plan approved by the district Council. In addition, a Project Plan and Site Plan must be approved by the Planning Board.</p> <p>59-C-10.3 Optional Method of Development Regulations – This optional method of development accommodates mixed use development comprised of planned retail centers and residential uses at appropriate locations in the County. <i>This method of development is a means to encourage development in accordance with the recommendations and guidelines of approved and adopted Master</i></p>	<p>The Optional Method of Development, is the option under which CTC is zoned for RMX2 development. This option explicitly requires adherence to the Master Plan/Project Plan and Site Plans in accordance with the Project Plan.</p> <p>According to 59-C-10.2, #2, under the Optional Method of Development, the commercial uses and higher density residential uses are allowed only provided that they are in accordance with "<i>numerical limitations</i>" and guidelines of the plans approved.</p> <p>59-C-10.3 states that the Optional Method of Development is a "means to encourage development in accordance with" recommended guidelines. (Clearly shows the intent to regulate development under "Optional Method" vs. leaving development open to interpretation under general</p>

D

		<p>conditions associated with the plan that does not entail matters that are fundamental determinations assigned to the Planning Board. A minor amendment is an amendment that does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board in its review of the Plan. A minor amendment may be approved, in writing, by the Planning Board staff. Such amendments are deemed to be administrative in nature and concern only matters that are not in conflict with the Board's prior action.</p> <p>59-D-3.6 Failure to Comply</p> <p>If the Planning Board finds for any plan approved under this section on its own motion or after a complaint is filed with the Planning Board or the department that any of the terms, conditions or restrictions upon which the site plan was approved are not being complied with, the Planning Board after due notice to all parties concerned, and a hearing, may revoke its approval of the site plan or approve a plan of compliance which would permit the applicant to take corrective action to comply with the site plan... The Planning Board may revoke its approval of the site plan or take other action necessary to ensure compliance, including imposing civil fines, penalties, stop work orders and corrective orders under Chapter 50... Upon decision by the Planning Board to revoke approval of a site plan, any applicable building permits and use and occupancy permits issued pursuant to a prior Planning Board approval are hereby declared invalid.</p>	<p>Wynn were to position this as a "Minor Amendment" there is no documentation – i.e. approval "in writing by the Planning Board staff" to support that as a deliberate action by the Planning Board staff.)</p> <p>If the site plan, as confirmed by M-NCPPC staff members (Michael Ma, Wynn Witthans, Rose Krasnow), merely showed "4 stories" as the height notation for the buildings in question, even as approved by the Planning Board, it still does not authorize those "4 stories" to exceed the height limitations as defined within the Project Plan findings and approved by the Planning Board. Under the "Optional Method of Development" the Developer is still obligated to ensure that the "4 stories" comply with the conditions and findings of the Project Plan. The Planning Board is also obligated to enforce those conditions and findings.</p>
<p>Site Plan Review (Wynn Witthans' - Staff Report submission & Planning Board Opinion)</p>	<p>Planning Board Opinion - January 22, 1998</p>	<p>Site Plan Review: Staff Recommendation; Proposal</p> <p>Findings for Site Plan review (Page 35):</p> <p>"#1 Site Plan is consistent with the Project Plan approved for this site utilizing the RMX2 optional method of development. (See discussion above.)</p> <p>#2 The Site Plan meets all of the</p>	<p>This is the excerpt from the Staff Report prepared by Wynn Witthans and presented to the Board for approval of the Phase 1 Site Plan.</p> <p>"Within Wynn's Staff Opinion, submitted as part of the site plan review documentation for the Board, is a data table that varies from the data table included in</p>

D

8-98001 C

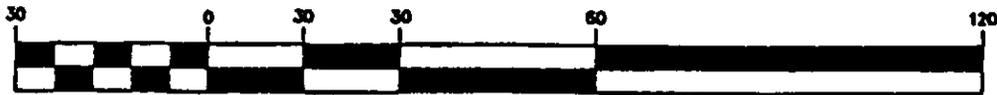
Staff Level Approval

no wt stated in chart

types of bldg - not above 4 stories

N/.

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

MINIMUM BUILDING SETBACKS per SECTION 59-C-10.3.8

Setbacks shown reflect a 50% reduction as previously approved by the Planning Board during Project Plan and Preliminary Plan for this Development

- | | |
|--|-----|
| 1. From one-family residential zoning | 50' |
| 2. From residential zoning other than one-family | 15' |
| 3. From any street | 10' |

Minimum Lot Requirements for Residential Lots - modification per Section 59-c-10.3.8 of Zoning Ordinance

	SFD	TH's	Courtyard TH's	Multi-Family
Lot Area	4000 sqft	1120 sqft	950 sqft	NA
Front Yard	10'	NA	NA	10'
Lot Width @ Street	25'	16'	20'	NA
Min. Lot Width @ Bldg. line	40'	16'	20'	NA
Rear Yard	AS SHOWN	AS SHOWN	AS SHOWN	AS SHOWN
Side Yard	3'	0'	0'	10'/20'
Min. space between End Bldgs.	NA	6	6	30'

* Mid-block separation between end units may be reduced to 4'.

Residential Accessory Buildings/Lot Standards

- | | |
|---|-----|
| 1. Coverage (Max. percentage of Lot) | 50% |
| 2. Setback (Inside Lot) | |
| From Front Street Line | 60' |
| From Side/Rear Lot Line | 0' |
| From Alley Line | 0' |
| Setback(Corner Lot) | |
| From Side Street (Where abutting Lots Front) | 10' |
| From Side Street (Where abutting Lots do not Front) | 10' |
| From Rear Lot Line | 0' |
| Max. Height | 27' |