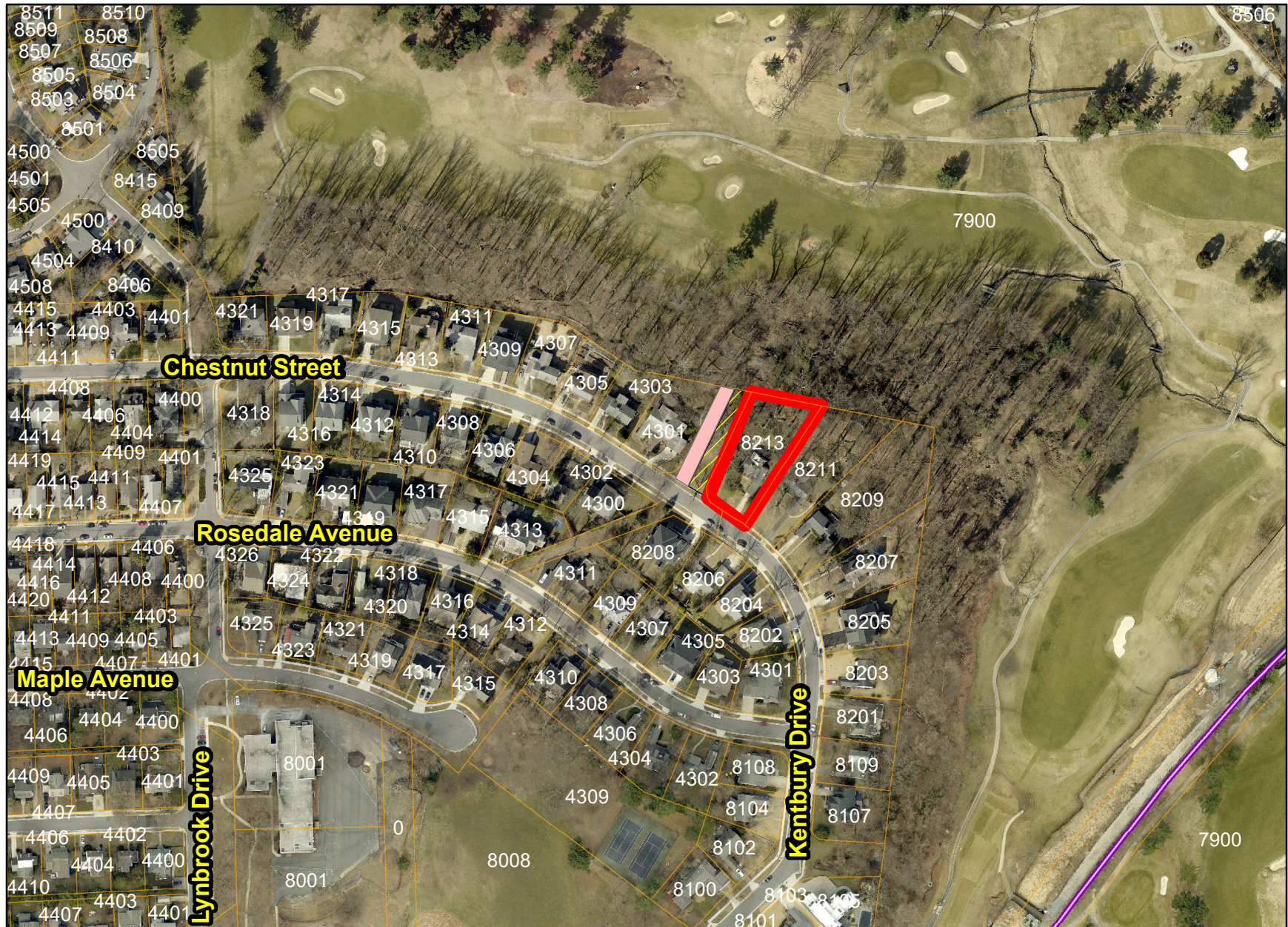





AB-775 Kentbury Drive

Attachment A

Bethesda/Chevy Chase Policy Area



Legend

-  Applicant's Property
-  Requested Abandonment
-  Previously Approved ROW Abandonment AB-765

0 105 210 420 630 840 Feet





Figure 1: 8213 Kentbury Drive



Figure 2: Subject Abandonment (immediately west of Applicant property)

November 10, 2020

Christopher Conklin
Director, Department of Transportation
Montgomery County Government
101 Monroe Street, 10th Fl.
Rockville, MD 20850

NOV 17 2020

Request for abandonment of unimproved
Kentbury Drive ROW (Bethesda)

Dear Director Conklin,

We have owned and resided at our residential property, 8213 Kentbury Drive, Bethesda MD 20814, for 48 years. The east sideline of unimproved Kentbury Drive ROW property abuts the sideline of our property. The opposite west sideline of this unimproved ROW property abuts the sideline of 4301 Chestnut Street, the neighboring residential property for which the owners applied to the County for abandonment of the 50% of the ROW abutting their property, and which abandonment was approved by the County Council on May 19, 2020. The back line of our residential properties and the Kentbury ROW abuts Columbia Country Club property.

Accordingly, by this application we are requesting County abandonment to 8213 Kentbury Drive so that we can acquire the remaining 50% of the width of the Kentbury ROW property which abuts ours. In addition, we request this application be considered, if applicable, as a minor amendment to the existing abandonment, since no ownerships or conditions have changed from when the first 50% abandonment was approved.

Apparently the County has no intention of paving or other new uses for this remaining ROW portion, both because there has been no planning toward that purpose and now also because of the County's approval of abandonment of half of the ROW to our neighbor's property. We always have provided regular, basic maintenance of the ROW and occasional notifications to the County of corrective maintenance needed because of unsafe natural conditions that developed after storms. We do not expect to develop this additional property if it becomes part of our side yard, but it includes lawn and old woods for which we would undertake needed conservation for reforestation and erosion corrections that we have refrained from doing during County ownership.

As requested for this application, please see the following attachments:

1. Copy of the Montgomery County GIS map showing the location of 8213 Kentbury Drive and the adjacent unimproved Kentbury Drive ROW property, which we have marked to show the 50% ROW portion that we are requesting.

2a. Copy of the Boundary and Existing Conditions Survey (Lot & Topo Survey) for 8213 Kentbury Drive, also showing the 50% portion of the abutting Kentbury ROW, prepared by licensed land surveyor Thomas A Maddox, dated February 29, 2020.

and

2b. Copy of the Boundary and Existing Conditions Survey for 4301 Chestnut Street, which shows the other 50% of the abutting Kentbury ROW as approved for abandonment by the County on May 19.

Both surveys show: i) location of the Kentbury Drive ROW property boundaries, ii) location of the 50% split line for the ROW property, iii) location of the underground storm drain pipe that traverses the length of the ROW property to outfall at a creek on Columbia Country Club property, and iv) the 10'w easement lines on each side of the storm drain pipe centerline.

3. Our \$2500.00 abandonment process fee, payable to Montgomery County.

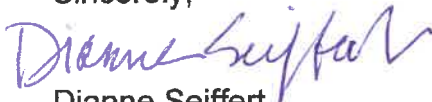
4. Letter from our neighbor Mary Sisak, owner of 4301 Chestnut Street, indicating her consent to this application and agreement for abandonment of the remaining Kentbury ROW property to us.

5. For reference: Link to Montgomery County Council Staff Senior Analyst Glenn Orlin's staff report and recommendation re DOT Docket No. AB 765, dated 5-19-20, to County Council for final action. This report incorporates all documentation regarding approval of abandonment by Council of 50% of Kentbury ROW to 4301 Chestnut Street. https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200519/20200519_2F.pdf

If you or Department staff have any questions or need additional information, please contact me at my cell phone or email.

Thank you for your attention to this matter.

Sincerely,



Dianne Seiffert
cell: 301-928-8486
dianneseiffert@gmail.com

for

Dianne and Perry Seiffert, owners
8213 Kentbury Drive
Bethesda MD 20814

Montgomery County Map

8213 Kentbury Dr X

Show search results for

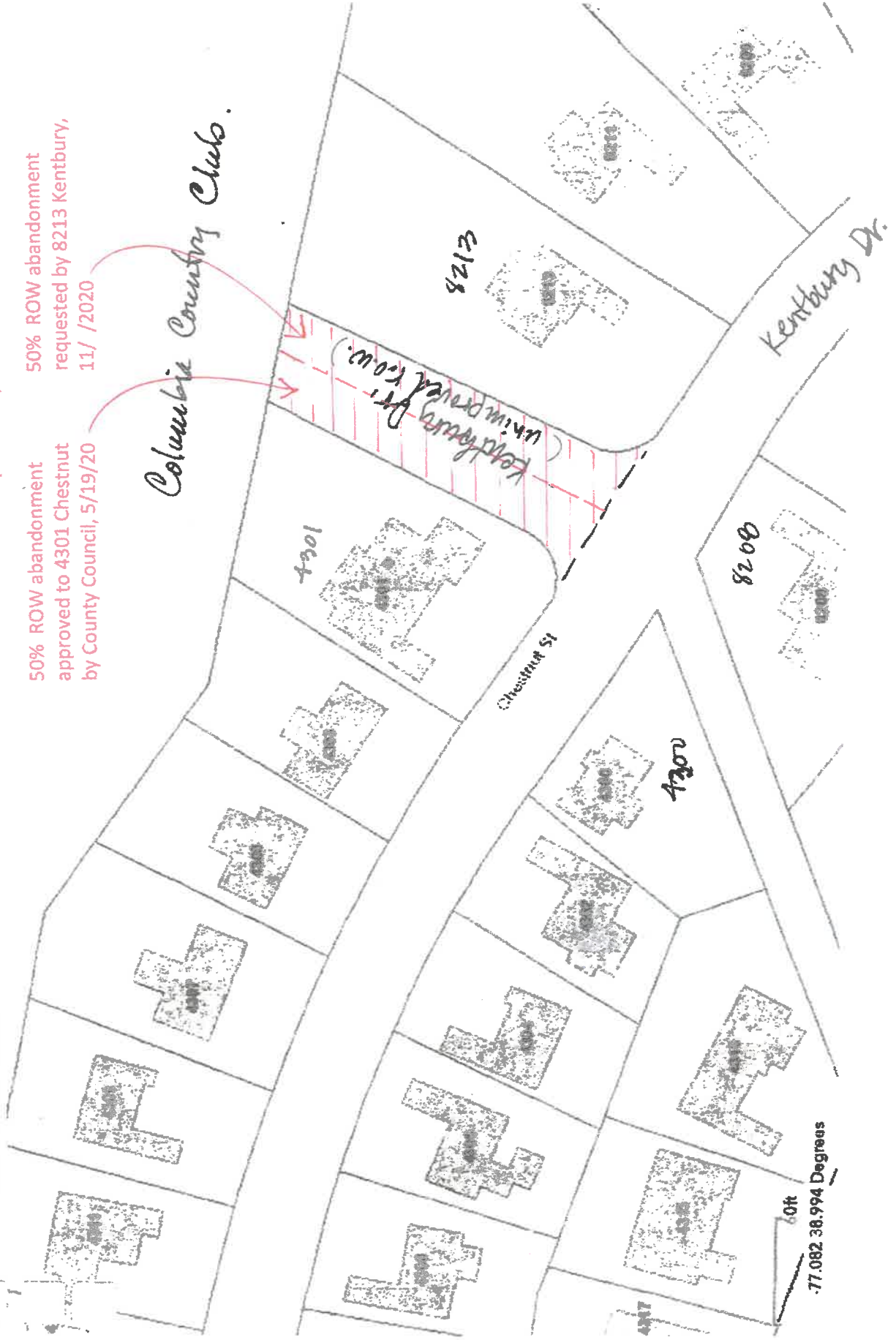
Mark-up in red by Dianne Seiffert:

50% ROW abandonment
approved to 4301 Chestnut
by County Council, 5/19/20

50% ROW abandonment
requested by 8213 Kentbury,
11/ /2020

Columbia Country Club

Kentbury Dr. (unimproved row.)



November 8, 2020

Christopher Conklin
Director, Department of Transportation
Montgomery County Government
101 Monroe Street, 10th Fl.
Rockville, MD 20850

Dear Mr. Conklin,

This letter is to state that I do not object to the application by Dianne and Perry Seiffert requesting County abandonment of 50% of the width of the Kentbury Drive ROW property which abuts their property at 8213 Kentbury Drive, Bethesda, MD. I also do not object to their request that the application be considered as an amendment to the existing abandonment as reflected in Resolution 19-461, adopted May 19, 2020, on the condition that no changes be made to the Resolution and the four conditions contained therein and applicable to me in connection with the abandonment of the 50% of the width of the ROW abutting my property at 4301 Chestnut Street, Bethesda, MD 20814.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary J. Sisak".

Mary J. Sisak
301-718-2670



MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject: Abandonment – AB775 Kentbury Drive – Chevy Chase, MD	Executive Order No. 053-21	Subject Suffix
Originating Department: Transportation	Department Number PA 15-21	Effective Date 6/21/21

1. Pursuant to Section 49-62 of Montgomery County Code (2014) as amended, the County Executive or his Designee shall conduct a virtual Public Hearing

At 1:00 p.m. on Wednesday, September 15th, 2021 via the internet-based platform known as Zoom™

to consider an application received from Perry and Dianne Seiffert (the “Applicant”), seeking the abandonment of a portion of the Kentbury Drive right of way in adjacent to their property in Bethesda.

2. The Hearing shall be conducted virtually via Zoom™. A link to the virtual meeting space will be provided to all registrants several days prior to the Hearing date. Special accommodations will be addressed as needed
3. After the aforesaid Hearing, the presiding Hearing Officer shall report the Officer’s findings and recommendations to the County Executive for further consideration as prescribed by County Code.

Approved as to Form and Legality:
Office of the County Attorney

Rob Birenbaum

By: _____
Date: 06/15/2021

APPROVED:

A. Jerome Fletcher

Jerome Fletcher
Deputy Chief Administrative Officer
Date: 6/21/21

Distribution:

Department of Transportation
Department of Finance
Office of County Attorney

Resolution No.:	<u>19-461</u>
Introduced:	<u>May 19, 2020</u>
Adopted:	<u>May 19, 2020</u>

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: DOT Docket Nos. AB765
Abandonment – Portion of Kentbury Drive Right of Way
Bethesda, 7th Election District

Background

1. By letter dated February 20, 2019, Ms. Mary Sisak, who is the owner of property located adjacent to the subject right of way (the “Applicant”), requested the abandonment of a portion of the right of way for Kentbury Drive in Bethesda.
2. A Public Hearing to consider the abandonment proposal was held on June 26, 2019 by the designee of the County Executive.
3. The County Executive forwarded to the County Council the application for abandonment, a report based on the record of the proceedings, together with exhibits relied upon and a transcription of the hearing, and recommended approval of the proposed abandonment request subject to conditions contained in the Executive’s report.

Action

The County Council for Montgomery County, Maryland, finds that the portion of the Kentbury Drive right of way consisting of 3,750 square feet, more or less, that is 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 abandonment becoming effective:

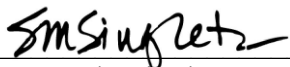
1. Applicant must grant, to the satisfaction of the County, any necessary easements for the existing County storm drainage system that is located within the abandoned area; or, with the County’s approval, relocate the existing storm drainage system and grant the necessary easements for the relocated system;

2. Applicant must grant, to the satisfaction of the County, any necessary public utility easements for existing utilities that are located within the abandoned area, if any; or, with the approval of the County, relocate the existing utilities, if any, and grant the necessary easements for the relocated utilities;
3. Applicant must grant the aforementioned storm drainage and public utility easements as directed by the County and in the County's sole discretion as to the dimensions of the required easement areas;
4. Applicant must prepare and record a new record plat incorporating the abandoned area into the Applicant's adjacent property.

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.

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.



Selena Mendy Singleton, Esq.
Clerk of the Council



Montgomery County Map



Show search results for 4301 C...

