

PLEASE NOTE: When Montgomery County Schools are closed due to the weather, Board of Appeals hearings will not be held. When Montgomery County Schools announce a delayed opening, Board of Appeals hearings will also be delayed by the same amount of time.

**BOARD OF APPEALS  
for  
MONTGOMERY COUNTY**

**100 Maryland Avenue, Suite 217  
Rockville, MD 20850  
(240) 777-6600**

<http://www.montgomerycountymd.gov/boa/>

**CASE NO. A-6952**

**PETITION OF HERNAN BARON**

**NOTICE OF HEARING**

Please take notice that the Board of Appeals for Montgomery County, Maryland, will hold a public hearing in the Stella B. Werner Council Office Building Second Floor Davidson Memorial Hearing Room, at 100 Maryland Avenue, Rockville, Maryland, **on Wednesday, the 25th day of February, 2026, at 9:30 a.m.**, or as soon thereafter as this matter can be heard, on the application filed pursuant to Section 59.7.3.2.A of the Zoning Ordinance. As a property owner applying for the variance, you must attend the public hearing or have counsel appear on your behalf. If you have an architect, contractor, or engineer, they are welcome to appear and testify at the hearing, but can only do so if you or your attorney are present.

The existing and proposed construction require the following variances:

The existing pool house requires a 5.30 foot variance as it is within 1.70 feet of the rear lot line. The required setback is 7.0 feet, in accordance with Section 59.4.4.7.B.2 of the Zoning Ordinance.

The existing pavilion building requires a 2.6 foot variance as it is within 9.4 feet of the side lot line. The required setback is 12.0 feet, in accordance with Section 59.4.4.7.B.2 of the Zoning Ordinance. In addition, the existing pavilion building requires a variance to be located forward of the rear building line. In addition to the front setback minimum, any accessory structure must be located behind the rear building line of the principal building, in accordance with Section 59.4.4.7.B.2 of the Zoning Ordinance.

The proposed construction for a shed requires a 2.6 foot variance as it is within 9.4 feet of the side lot line. The required setback is 12.0 feet, in accordance with Section 59.4.4.7.B.2 of the Zoning Ordinance. The shed also requires a variance to be located forward of the rear building line. As noted above, in addition to the front setback minimum, any accessory structure must be located behind the rear building line of the principal building in accordance with Section 59.4.4.7.B.2 of the Zoning Ordinance.

The subject property is Lot 9, Block A, Robins Crest Subdivision, located at **19203 Liberty Mill Road, Germantown, Maryland 20874** in the R-200 Zone. (Tax Number Account No. 09-03464646)

Notices forwarded this 23<sup>rd</sup> day of January 2026, to:

Hernan Baron  
Corey Talcott, Associate County Attorney  
Elana Robison, Associate County Attorney  
Washington Suburban Sanitary Commission  
State Highway Administration County Board of Education  
Contiguous and confronting property owners  
Local Citizens Associations

County Board of Appeals

  
\_\_\_\_\_  
Barbara Jay  
Executive Director

**All parties who make submissions, after an initial filing, in Special Exception, Variance and Administrative Appeals cases, must furnish copies of the submission to all other parties in the case. For the purpose of this requirement, a party includes: (1) Counsel of record who have formally entered their appearance; (2) Any person to whom the Board of Appeals has granted Intervener status; and (3) The Applicant, Petitioner or Appellant in the case.**

**Submissions must be accompanied by a written statement certifying that copies have been sent to all parties. Effective September 6, 2002, failure to supply such written certification will result in refusal of the submission.**

**Case files are available for public review at the office of the Board of Appeals, Monday through Friday, 8:30 a.m. – 4:00 p.m.**

**BOARD OF APPEALS  
FOR  
MONTGOMERY COUNTY, MARYLAND  
(240) 777-6600**

Docket No. A- 6952  
Date Filed 12-21-25  
Hearing Date 2-25-26  
Time 9:30 a.m.

**PETITION FOR VARIANCE UNDER ZONING ORDINANCE**

(Please Note Instructions on Reverse Side)

(PLEASE PRINT)

Name of Petitioner(s): Hernan Baron

Address of Petitioner(s): 19203 Liberty Mill Road City Germantown Zip 20874

Description of property involved: Lot 9 Block A Parcel \_\_\_\_\_ Subdivision Robins Crest (Plat#618-63)

Street and No. \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_ Zone Classification R-200

Appellant's present legal interest in above property (check one): Tax Account No. 03464646

Owner (including joint ownership) \_\_\_\_\_ Other (describe) \_\_\_\_\_

If not owner, name and address of owner:  
\_\_\_\_\_

What variance is requested, and what is the pertinent section of the Zoning Ordinance? Variance request for rear and side lot line Section 59-4.4.7.B2

Check existing reason(s) why the Ordinance requirement(s) would result in practical difficulties for property owner:

narrowness \_\_\_\_\_ shallowness  shape \_\_\_\_\_ topography \_\_\_\_\_ other extraordinary situations or conditions peculiar to this property.

Describe this property's extraordinary situation or peculiar conditions compared to neighboring properties: The constraints imposed by the lot's shape, grading, and existing improvements create a unique condition compared to other properties in the R-200 Zone. See justification statement for more information.

How will the peculiar condition described above result in practical difficulty if the requested variance is not granted? It will create excessive burden of cost for homeowner and generate lot of waste by removing all existing structures. See justification statement for more information.

Date of recording of plat of present subdivision: Sept 05, 2002; or, if property is un-subdivided, date on which deed recorded, or state that such deed was first recorded prior to March 6, 1928: \_\_\_\_\_

Has any previous variance application involving this property been made to the Board of Appeals? If so, give Case Number(s): No

I have read the instructions on the reverse side of this form and am filing all required accompanying information. I hereby affirm that all of the statements and information contained in or filed with this petition are true and correct.

Name of Attorney/Agent (Print Name next to Signature) _____		Signature of Petitioner(s) (Print Name next to Signature) <u>Hernan Baron</u>	
Address of Attorney _____		Address of Petitioner <u>19203 Liberty Mill Road</u>	
Phone Number _____	Email Address _____	Home Phone <u>240-793-6534</u>	Work Phone _____
			Email Address <u>hernanbaron.hb@gmail.com</u>

# HOA & CIVIL ASSOCIATION INFORMATION WITHIN ½ MILE OF PROPERTY LOCATED AT 19203 LIBERTY MILL ROAD, GERMANTOWN, MD

## **HOMEOWNER ASSOCIATIONS:**

### **1. Waters Landing Homeowners Association, Inc.**

A large HOA covering many neighborhoods with amenities and a big member base in Germantown. Contact info includes:

- **Address:** 20000 Father Hurley Blvd, Germantown, MD 20874
- **Phone:** (301) 972-3681
- **Email:** [wla@waterslanding.org](mailto:wla@waterslanding.org) Waters Landing HOA

### **2. Germantown Estates Homeowners Association**

- **Address:** 20440 Century Blvd #100, Germantown, MD 20874
- **Phone:** 301-948-6666
- **Email:** [TMGAInc@TMGAInc.com](mailto:TMGAInc@TMGAInc.com)

### **3. Kingsview Village Homeowners Association**

- Serves homes around Leaman Farm Rd / west Germantown area. Managed by The Management Group Associates (TMGA).
- **Address:** 20440 Century Blvd #100, Germantown, MD 20874
- **Phone:** 301-948-6666
- **Email:** [TMGAInc@TMGAInc.com](mailto:TMGAInc@TMGAInc.com)

### **4. Autumn Glen HOA**

A smaller townhome/condo community in Germantown. [autumnglen.org](http://autumnglen.org). It is managed by <https://abarisrealty.com>

- **Address:** 7811 Montrose Road, Suite #110
- **Phone:** Potomac, MD 20854
- **Email:** [customer care@abarisrealty.com](mailto:customer care@abarisrealty.com)

## 5. Milestone HOA

A larger HOA community in Germantown — several hundred homes with recreational amenities. [milestonehoa.net](http://milestonehoa.net). . It is managed by <https://abarisrealty.com>

- **Address:** 7811 Montrose Road #110
- **Phone:** 301-468-8919
- **Email:** [customercare@abarisrealty.com](mailto:customercare@abarisrealty.com)

## 6. Fountain Hills Community Association

Serves the Fountain Hills section of Germantown with its own community association and governing documents. [Fountain Hills Community Association](#). It is managed by D.H. Bader Management Services, Inc.

- **Address:** 10408 Little Patuxent Parkway, Suite 1000
- **Phone:** 301-953-1955
- **Email:** [LEtchison@DHBader.com](mailto:LEtchison@DHBader.com)

## **CIVIC OR COMMUNITY ASSOCIATIONS**

### 1. Germantown Alliance (a civic association active in parts of Germantown)

**Address:** P.O. Box 702, Germantown, MD

**Phone:**

**Email:** [beverlymagda@gmail.com](mailto:beverlymagda@gmail.com)

**Date:** 12/21/2025

**Montgomery County Board of Appeals**

Department of Permitting Services  
2425 Reddie Drive, 7th Floor  
Wheaton, MD 20902

**Subject: Statement of Justification for Variance Request – 19203 Liberty Mill Road,  
Germantown, MD 20874**

Dear Members of the Board:

I respectfully submit this Statement of Justification in support of my request for several variances identified in the Building Permit Denial issued by the Department of Permitting Services (DPS) on November 25, 2025. These variances pertain to existing accessory structures—a pool house and a pavilion—as well as a proposed shed—located on my property at 19203 Liberty Mill Road in Germantown, Maryland.

**Background and Site Conditions**

My property is located in the R-200 Zone and contains several accessory structures that predate my ownership. These existing structures were built by a prior owner, and I became aware of their setback deficiencies only upon filing a permit application for a small shed. The property has physical characteristics—including an irregular lot configuration, limited buildable space behind the rear building line, and mature landscaping—that restrict the placement of accessory structures in full compliance with current zoning requirements.

**Variations Requested**

According to the DPS determination, the following variances are required for compliance with Section 59-4.4.7.B.2 of the Montgomery County Zoning Ordinance:

**1. Existing Pool House**

- Required rear setback: 7.0 ft
- Actual setback: 1.70 ft
- *Variance requested: 5.30 ft*

**2. Existing Pavilion Structure**

- Required side setback: 12.0 ft
- Actual setback: 9.4 ft
- *Variance requested: 2.6 ft*
- Additionally, the structure is forward of the rear building line.

### **3. Proposed Shed**

- Required side setback: 12.0 ft
- Proposed setback: 9.4 ft
- *Variance requested: 2.6 ft*
- Also located forward of the rear building line.

### **Practical Difficulties and Property Uniqueness**

The need for these variances arises from practical difficulties caused by the physical characteristics of the lot, not by any action taken by me as the current homeowner. Relocating or demolishing the existing structures would require significant expense, disruption, and waste, particularly given that the remaining space behind the principal dwelling does not reasonably allow for compliant relocation. The constraints imposed by the lot's shape, grading, and existing improvements create a unique condition compared to other properties in the R-200 Zone.

### **Necessary Findings**

Granting the requested variances will not adversely affect neighboring properties. The accessory structures have existed for many years without causing issues or complaints. They are residential in scale, screened by vegetation and fencing, and do not impact light, air, or sight lines for adjacent homeowners. The proposed shed will align with existing structures and will not alter the view or character of the surrounding neighborhood.

### **Consistence With Public Interest**

Approval of these variances will bring long-standing structures into conformance with county requirements, prevent unnecessary demolition of safe and stable buildings, and allow for continue responsible use and improvement of the property. Granting the variances supports the intent of the zoning ordinance without impairing the character or welfare of the community.

## **Conclusion**

For the reasons outlined above, I respectfully request that the Montgomery County Board of Appeals grant the variances required for the existing pool house, existing pavilion, and proposed shed. The variances are justified due to the unique physical constraints of the property, the practical difficulties in achieving full compliance, and the absence of any negative impact on neighboring properties or the general public.

Thank you for your time and consideration. I am available to provide any additional information the Board may require.

Sincerely,

*Hernan Baron*

**Hernan Baron**

Property Owner

19203 Liberty Mill Road

Germantown, MD 20874



VICINITY MAP (N.T.S.)

**GENERAL NOTES**

- SURVEY:**  
 - TOPOGRAPHY BASED ON THE FILED RUN TOP PERFORMED IN MAY 2023 BY KRIS CONSULTANTS, LLC.  
 - TO TITLE REPORT FURNISHED FOR THIS PLAN
- SITE ANALYSIS:**  
 - ADDRESS: 19203 LIBERTY MILL ROAD, GERMANTOWN, MD  
 - LOT AREA=33,042 SQ-FT (0.75 AC.)  
 - ELECTION DISTRICT: 09  
 - TAX ACCOUNT: 03464646  
 - BLOCK: A  
 - LOT P1, LIBER: 65505, FOLIO=00034  
 - PROPERTY ZONED: R-200 (RESIDENTIAL)  
 - EXISTING / PROPOSED USE: RESIDENTIAL  
 - WATERSHED: ROCK CREEK  
 - SUBWATERSHED: COQUELIN RUN
- SETBACKS:**  
 FRONT=40',  
 SIDE=TOTAL 25', ONE SIDE 12',  
 REAR=20'  
 - MAX. BUILDING HEIGHT: 50'
- DISTURBED AREA:**  
 - PROJECT TO DISTURB 16,093 SQ-FT  
 - PRIOR TO FINAL VEGETATIVE STABILIZATION, ALL DISTURBED AREA MUST BE TOP SOILED PER MDE TOP SOIL REQUIREMENT.

**STORMWATER MANAGEMENT:**  
 - TO MEET THE MONTGOMERY COUNTY CODE, SECTION 19-31(B) FOR STORMWATER MANAGEMENT (SWM) REQUIREMENTS, THREE DRYWELLS HAVE BEEN PROPOSED ON SITE.

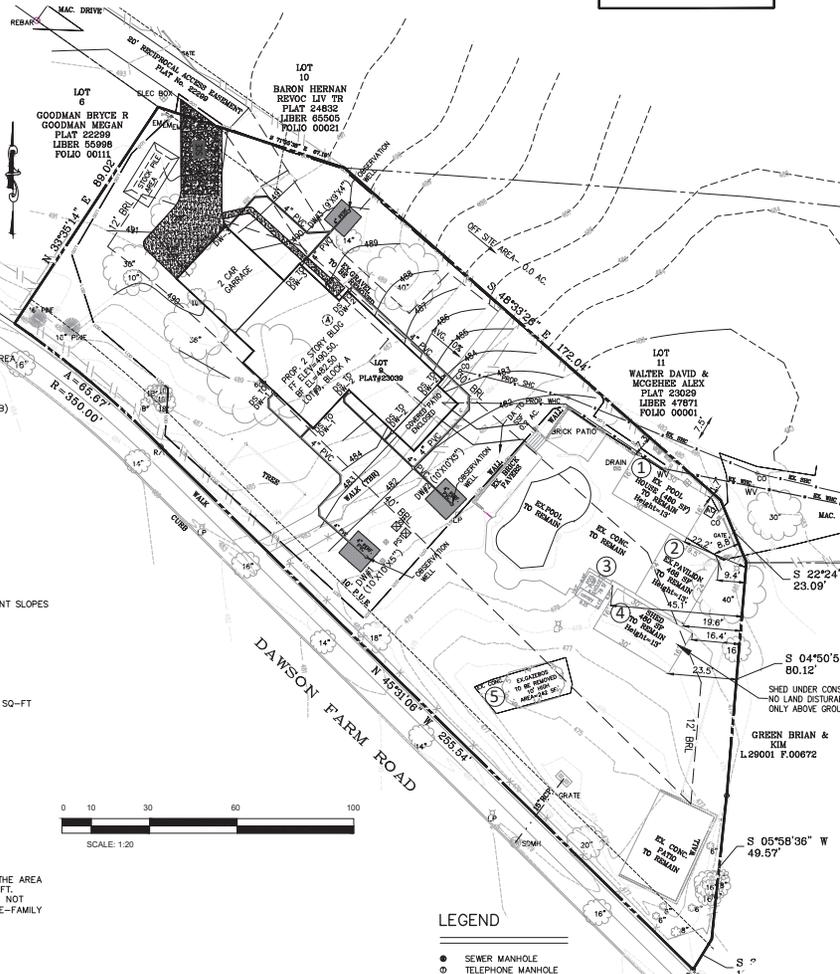
**UTILITIES:**  
 - THERE IS EXISTING WATER AND SEWER ON THE PROPERTY SO NEW UTILITY HAS BEEN PROPOSED.

**SEDIMENT CONTROL:**  
 - STABILIZED CONSTRUCTION ENTRANCE SHALL BE PLACES AS NEEDED DURING CONSTRUCTION BY THE AUTHORIZED M.C.D.P.'S REPRESENTATIVE.  
 - ALL STAGING AND STOCK PILING MUST BE ON THE LOT AND WITHIN THE LOD.

**SOILS:**  
 - NIRC'S WEB SOIL SURVEY MAP: ENTIRE LOT IS COVERED WITH BRINKLOW-BLOCKTOWN CHANNERY SILT LOAMS, 3 TO 8 PERCENT SLOPES TYPE C SOIL.

**LOT COVERAGE CALCULATION**

- LOT AREA=33,042 SQ-FT
- AREA OF PROPOSED BUILDING AND COVERED PORCH=3,042 SQ-FT
- AREA OF EXISTING ACCESSORY STRUCTURES=1,505 SQ-FT
- EX. POOL HOUSE=480 SF
- EX. PAVILION=467SF
- SHED UNDER CONSTRUCTION=480SF
- EX. POOL PUMP HOUSE=78SF
- TOTAL AREA OF PROPOSED BUILDING & ACCESSORY STRUCTURE=3,042+1,505+4,547 SQ-FT
- LOT COVERAGE=(4,547)/(33,042) = 13.76% < 20% ALLOWED FOR R-200 ZONE
- THE AREA OF ALL ACCESSORY STRUCTURE IS 1,505 SQ-FT THE AREA OF PROPOSED BUILDING AND COVERED PORCH IS 3,042 SQ-FT. THEREFORE THE AREA OF ALL ACCESSORY STRUCTURES DO NOT EXCEED 50% OF THE FOOTPRINT OF THE MAIN BUILDING (ONE-FAMILY DETACHED DWELLING).



**LEGEND**

- SEWER MANHOLE
- TELEPHONE MANHOLE
- ⊙ ELECTRIC MANHOLE
- ⊕ SIGN
- GUY WIRE
- ⊕ LIGHT POLE (LP)
- ⊕ VALVE
- ⊕ HANDICAP
- ⊕ LIGHT
- ⊕ WELL
- ⊕ MANHOLE
- TREE
- PINE TREE
- FENCE
- PROPERTY LINE
- PROP. DRYWELL
- LIMITS OF DISTURBANCES
- DRAINAGE DIVIDE
- ⊕ PROP. SOIL BORING
- SOIL BOUNDARY
- ⊕ SUMP PIT
- ⊕ ST-1 PRIMARY SEDIMENT TANK
- ⊕ STABILIZED CONSTRUCTION ENTRANCE
- TPF TREE PROTECTION FENCE
- SUPER SILT FENCE

**PROJECT NARRATIVES**

THE PROPERTY IS LOCATED AT 19203 LIBERTY MILL ROAD IN GERMANTOWN, MD THE TOTAL SITE AREA OF THE PROPERTY IS 33,042 SQUARE FEET. THE CURRENT PROPERTY IS DESCRIBED AS ZONE R-200 (RESIDENTIAL). THE PROPOSED USE OF THE PROPERTY AS A SINGLE-FAMILY HOME IS PERMITTED ACCORDING TO THE MONTGOMERY COUNTY ZONING CODE.

THERE ARE SOME EXISTING FEATURES ON THE PROPERTY WHICH INCLUDE ONE STORY FRAME STRUCTURE, FEW PORCHES, CONCRETE PATIO AND EXISTING POOL TO THE SOUTH SIDE OF THE PROPERTY. THE PROPOSED DEVELOPMENT CONSISTS OF A TWO-STORY SINGLE-FAMILY RESIDENTIAL HOME, A BBQ PATIO, CONCRETE PATIO AND A DRIVEWAY.

**DRAINAGE STATEMENT**

I UNDERSTAND THAT DPS APPROVAL OF THIS SEDIMENT CONTROL/STORMWATER MANAGEMENT PLAN IS FOR DEMONSTRATED COMPLIANCE WITH REQUIRED ENVIRONMENTAL BEST PRACTICE TREATMENT STANDARDS. THIS DPS SEDIMENT CONTROL/STORMWATER MANAGEMENT PLAN APPROVAL DOES NOT RELIEVE ME OF PROFESSIONAL RESPONSIBILITY. I HAVE ANALYZED THE PROPOSED DESIGN FOR SEDIMENT CONTROL PERMIT NO. 290030 AND HEREBY STATE THAT, BASED UPON MY BACKGROUND, TRAINING AND EXPERIENCE, I HAVE DETERMINED THAT THE IMPROVEMENTS SHOWN ON THIS PLAN MEET RELEVANT LAWS AND REGULATIONS. I HEREBY ACKNOWLEDGE THAT I HAVE ANALYZED THE POST DEVELOPMENT DRAINAGE PATTERNS FOR THE PROJECT FROM THE STANDPOINT OF "DO" THE REQUIREMENTS UNDER CURRENT REGULATIONS. I HAVE DETERMINED THAT PERMISSION IS REQUIRED FROM ADJACENT PROPERTY OWNERS, IT HAS BEEN OBTAINED AND COPIES OF THOSE PERMISSIONS HAVE BEEN MADE AVAILABLE TO DPS.

ENGINEER'S SIGNATURE: JONESH SHEPA, P.E. DATE: \_\_\_\_\_  
 PRINTED NAME: \_\_\_\_\_

**OWNER'S / DEVELOPER'S CERTIFICATION**

I/WE HEREBY CERTIFY THAT ALL CLEARING, GRADING, CONSTRUCTION, AND/OR DEVELOPMENT WILL BE DONE PURSUANT TO THIS PLAN AND THAT ANY RESPONSIBLE PERSONNEL INVOLVED IN THE CONSTRUCTION PROJECT WILL HAVE A CERTIFICATE OF ATTENDANCE AT THE DEPARTMENT OF NATURAL RESOURCES APPROVED TRAINING PROGRAM FOR THE CONTROL OF SEDIMENT AND EROSION BEFORE BEGINNING THE PROJECT.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 PRINT NAME AND TITLE: HERNAN BARON - PROPERTY OWNER

**DESIGN CERTIFICATION**

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE "2011 MARYLAND STANDARDS AND SPECIFICATION FOR SOIL EROSION AND SEDIMENT CONTROL", MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES EXECUTIVE REGULATIONS 5-90, 7-20AM AND 36-90, AND MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION "STORM DRAIN DESIGN CRITERIA" DATED AUGUST 1988.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 PRINT NAME AND TITLE: JONESH SHEPA, PE LICENSE NO. 38490, EXPIRATION DATE: 03/17/2026

**CERTIFICATE OF QUANTITIES**

I HEREBY CERTIFY THAT THE ESTIMATED TOTAL AMOUNT OF EXCAVATION AND FILL AS SHOWN ON THESE PLANS HAS BEEN COMPUTED TO 500 CUBIC YARDS OF EXCAVATION, 50 CUBIC YARDS OF FILL AND THE TOTAL AREA TO BE DISTURBED AS SHOWN ON THESE PLANS HAS BEEN DETERMINED TO BE 16,093 SQUARE FEET.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 PRINT NAME AND TITLE: JONESH SHEPA, PE LICENSE NO. 38490, EXPIRATION DATE: 03/17/2026

**OWNER/APPLICANT INFO**  
 HERNAN BARON  
 19203 LIBERTY MILL ROAD  
 SILVERSPRING, MD 20874  
 PHONE: 240-793-6534

**TECHNICAL REVIEW OF SEDIMENT CONTROL**

REVIEWED: \_\_\_\_\_ DATE: \_\_\_\_\_

**TECHNICAL REVIEW OF STORMWATER MANAGEMENT**

REVIEWED: \_\_\_\_\_ DATE: \_\_\_\_\_

**ADMINISTRATIVE REVIEW**

REVIEWED: \_\_\_\_\_ DATE: \_\_\_\_\_

**SMALL LOT DRAINAGE APPROVAL**

REVIEWED: \_\_\_\_\_ DATE: \_\_\_\_\_

NOTE: THIS APPROVAL DOES NOT NEGATE THE NEED FOR A MCDPS ACCESS PERMIT.  
 MCDPS APPROVAL OF THIS PLAN WILL EXPIRE TWO YEARS FROM THE DATE OF APPROVAL IF THE PROJECT HAS NOT STARTED.

DPS approval of a sediment control or stormwater management plan is for demonstrated compliance with minimum environmental runoff treatment standards and does not create or imply any right to divert or concentrate runoff onto any adjacent property without that property owner's permission. If does not relieve the design engineer or other responsible person of professional liability or ethical responsibility for the adequacy of the drainage design as it affects uphill or downhill properties.

290030  
 SEDIMENT CONTROL PERMIT NO.

SM. FILE NO.  
 STORMWATER MANAGEMENT:

*Malissa Goutos*  
 Denial Letter #419833  
 Zone: R-200 11/25/2025

**PROFESSIONAL CERTIFICATION**

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38490, EXPIRATION DATE: 03/17/2026.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_



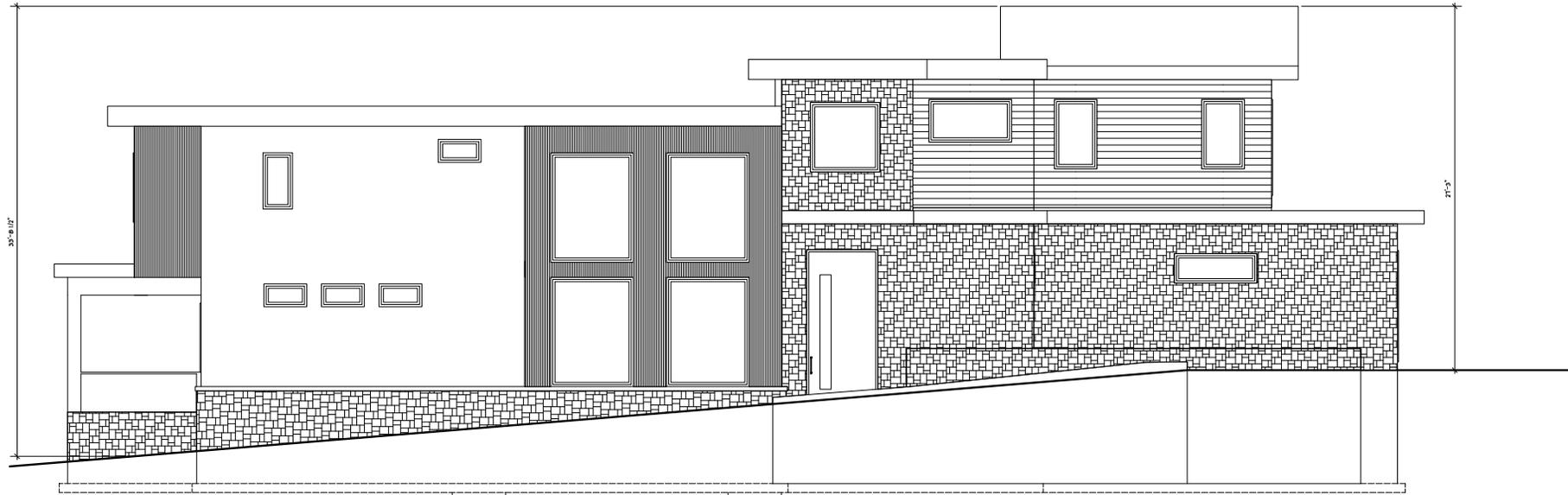
**REVISIONS**

**ENGINEER**  
 VENUS CONSULTANTS, LLC  
 ENGINEERING PLANNING CONSULTING  
 6468 ERIN DRIVE, CLARKSVILLE, MD 21029  
 TEL: (202) 431-1458  
 EMAIL: venusllc@gmail.com  
 jgoutos1074@gmail.com

**HERNAN RESIDENCE**  
 OWNER: HERNAN BARON  
 19203 LIBERTY MILL ROAD  
 GERMANTOWN, MONTGOMERY COUNTY, MD  
 LOT 10, BLOCK A  
 PH NO. 240-793-6534  
 EMAIL: hernanbaron.hb@gmail.com

**SITE GRADING/STORMWATER MANAGEMENT /SEDIMENT CONTROL PLAN**

SHEET-SCSF001 OF 4  
 DRAWN BY: JS DATE: 09/15/2023  
 SCALE: AS SHOWN



**FRONT ELEVATION**

SCALE: 1/4" = 1'-0"

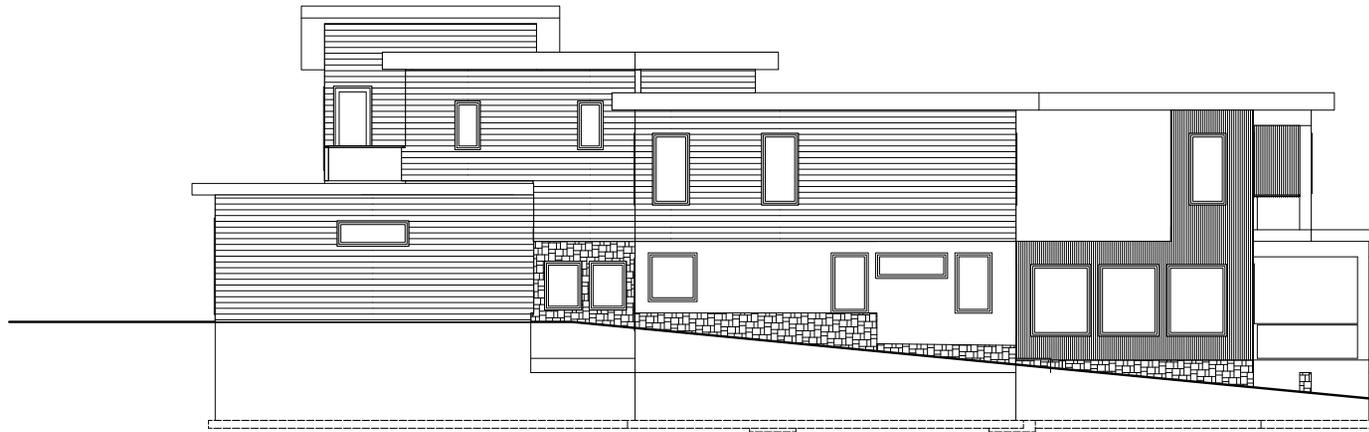
SHEET  
A001

RESIDENCE FOR:  
SCORPION  
GROUP, LLC

BUILDING SITE:  
13203 LIBERTY RD  
GERMANTOWN, MD 20814

SUNSET DESIGN  
591 MORAN COURT  
ANNAPOLIS, MD 21401  
PHONE: 443-995-5585  
DRAWN BY: MICHAEL STEVENSON

DATE: 12/1/25  
REVISIONS



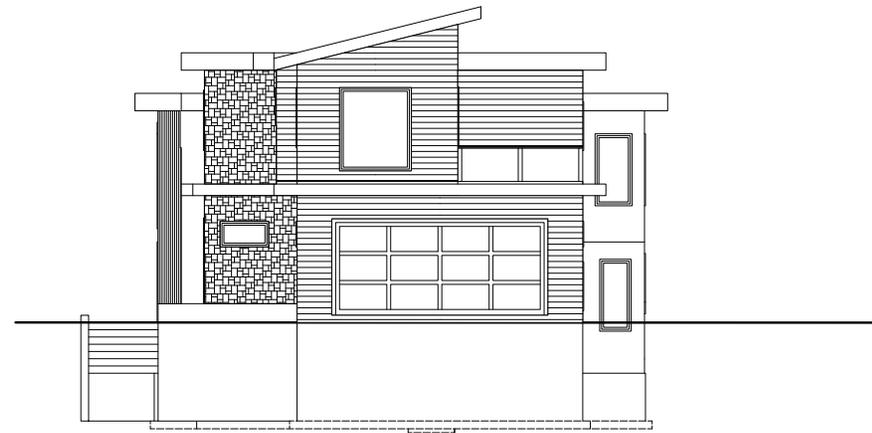
**REAR SIDE ELEVATION**

SCALE: 3/16" = 1'-0"



**LEFT ELEVATION**

SCALE: 3/16" = 1'-0"



**RIGHT SIDE ELEVATION**

SCALE: 3/16" = 1'-0"

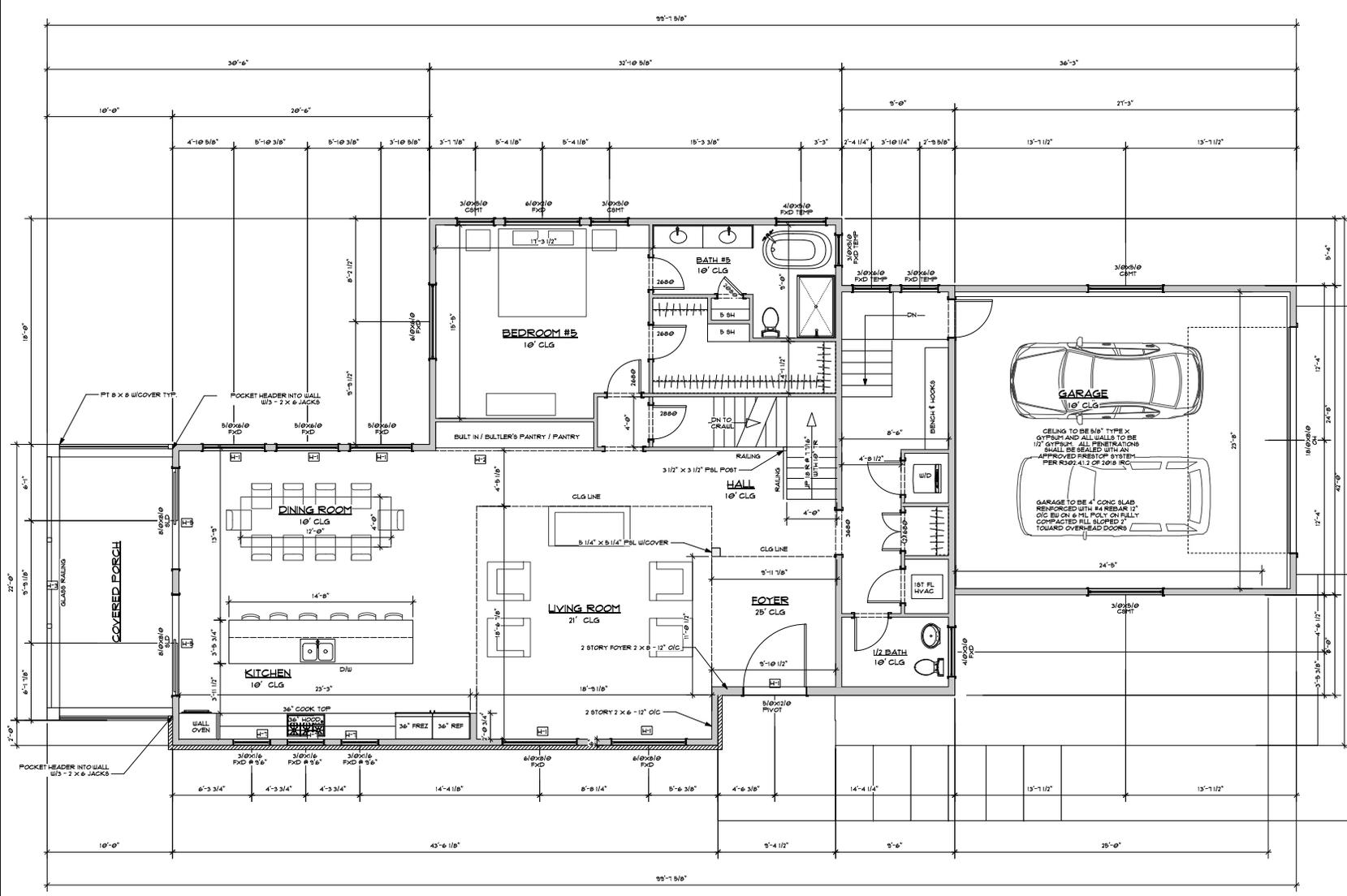
DATE: 12/1/25  
REVISIONS

**SUNSET DESIGN**  
591 MORAN COURT  
ANNAPOLIS, MD 21401  
PHONE: 443-935-5585  
DRAWN BY: MICHAEL STEVENSON

**BUILDING SITE:**  
13203 LIBERTY RD  
GERMANTOWN, MD 20874

**RESIDENCE FOR:**  
SCORPION  
GROUP, LLC

SHEET  
**A002**



- NOTES:**
- PROVIDE 2\"/>

NOTES LOAD BEARING POST WITH NUMBER OF STUDS

**HEADERS:**

H1	2 - 1 3/4\"/>
H2	3 - 1 3/4\"/>
H3	2 - 1 3/4\"/>
H4	4 - 1 3/4\"/>
H5	2 - 2 x 12 W 2 - 2 x 6 JACKS BS
H6	3 - 1 3/4\"/>
H7	2 - 1 3/4\"/>
H8	4 - 1 3/4\"/>

INTERIOR WALLS TO BE 2 X 4 STUDS 16\"/>

EXTERIOR WALLS TO BE 2 X 6 STUDS 16\"/>

STRAPPING IS REQUIRED WHERE SHEATHING DOES NOT LAP OVER RIGHT JOIST.

USE SHIPSON LSTA-36 AT SECOND FLOOR DECK LAPPING 12\"/>

USE SHIPSON LSTA-24 AT FIRST FLOOR DECK LAPPING 12\"/>

INSULATION TO BE PER 2015 IRC

CEILING TO BE R 40 WITH R 38 OVER EXTERIOR WALL AT TRUSS HEAD, PER 1602.2 (R602.2)

WALLS TO BE R 21 Batts

**FIRST FLOOR PLAN**  
SCALE: 1/4\"/>

DATE 12/1/25

REVISIONS

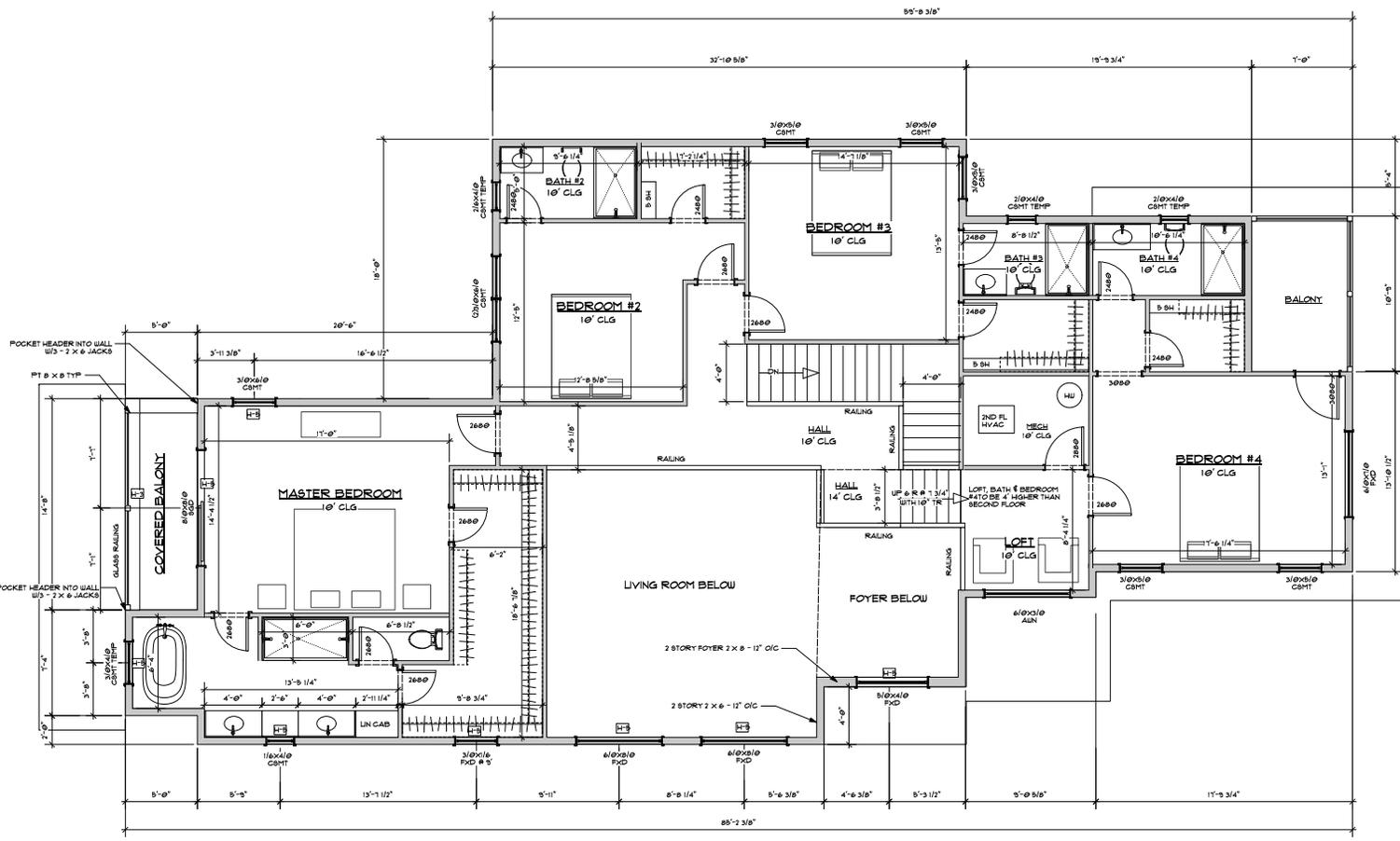
**SUNSET DESIGN**  
591 MORAN COURT  
ANNAPOLIS, MD 21401  
PHONE 443-995-5565  
DRAWN BY: MICHAEL STEVENSON

**BUILDING SITE:**  
13203 LIBERTY RD  
GERMANTOWN, MD 20814

**RESIDENCE FOR:**  
**SCORPION GROUP, LLC**

SHEET  
A003

Exhibit 5(c)



**NOTES:**  
PROVIDE 10 CFM EXHAUST FANS IN ALL BATHS VENTED TO EXTERIOR.

NOTES LOAD BEARING POST WITH NUMBER OF STUDS

**HEADERS:**  
ALL HEADERS SHALL BE 2 - 2 X 12 WITH DBL JACK UNLESS OTHERWISE NOTED

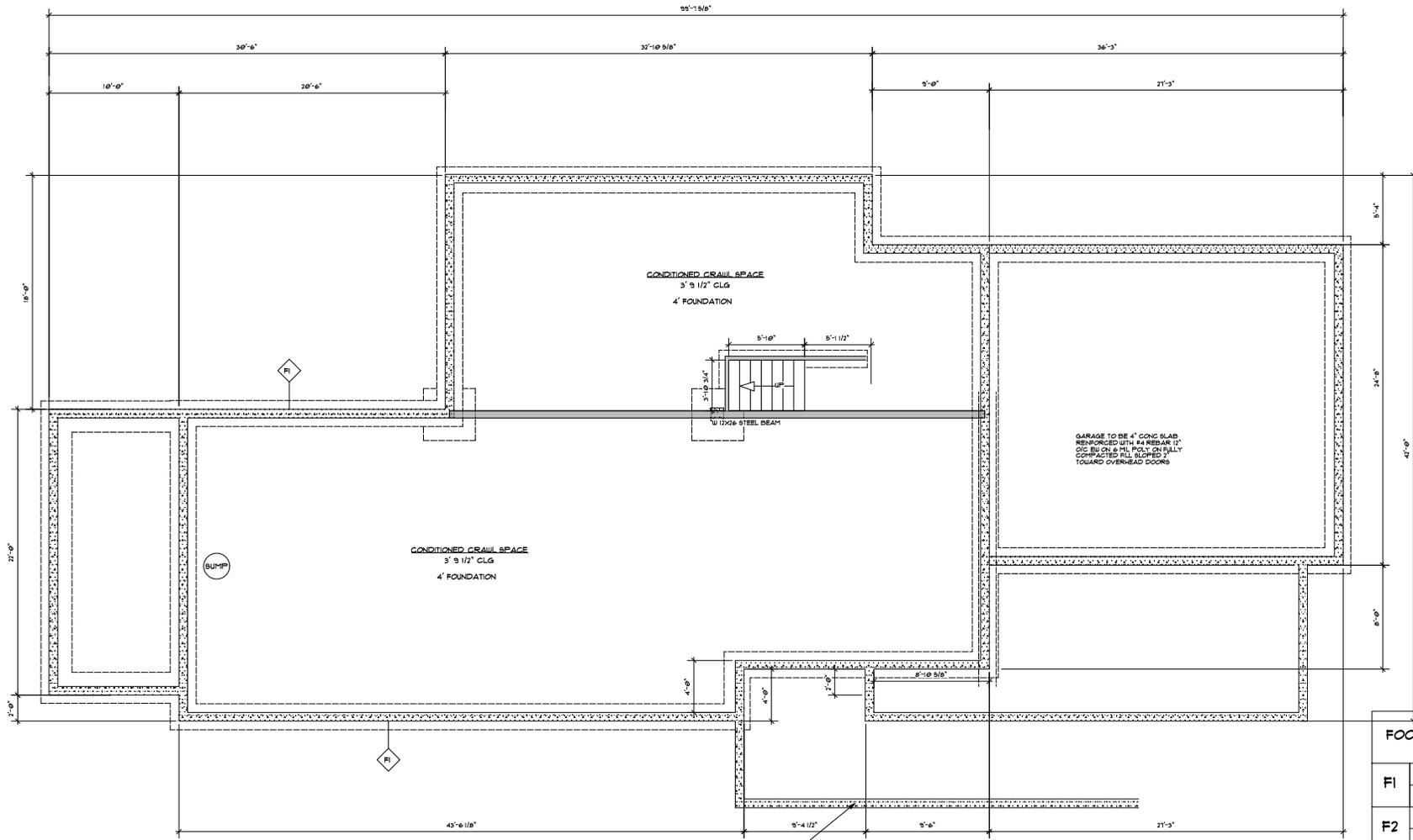
H1	2 - 1 3/4" X 11 7/8" LVL W/ 3 - 2 X 6 JACKS BS
H2	3 - 1 3/4" X 11 7/8" LVL W/ 3 - 2 X 6 JACKS BS
H3	2 - 1 3/4" X 14" LVL W/PT 8 X 8 BS
H4	4 - 1 3/4" X 14" LVL W/PT 8 X 8 BS
H5	2 - 2 X 12 W/ 2 - 2 X 6 JACKS BS
H6	3 - 1 3/4" X 16" LVL W/ 4 - 2 X 6 JACKS BS
H7	2 - 1 3/4" X 14" LVL W/ 4 - 2 X 6 JACKS BS IN FLOOR ABOVE SEE SECOND FLOOR FRAMING

INTERIOR WALLS TO BE 2 X 4 STUDS 16" O/C UNLESS OTHERWISE NOTED  
EXTERIOR WALLS TO BE 2 X 6 STUDS 16" O/C W/ 1/2" WALL SHEATHING UNLESS OTHERWISE NOTED

STRAPPING IS REQUIRED WHERE SHEATHING DOES NOT LAP OVER RHT JOIST.  
USE SIMPSON LSTA-26 AT SECOND FLOOR DECK LAPPING 12" ON FIRST FLOOR WALLS AND 12" ON SECOND FLOOR WALLS 48" O/C  
USE SIMPSON LSTA-24 AT FIRST FLOOR DECK LAPPING 12" ON FIRST FLOOR WALLS 48" O/C  
INSULATION TO BE PER 2015 IRC  
GELING TO BE R 49 WITH R 38 OVER EXTERIOR WALL AT TRUSS HEEL PER N1612 (R4912)  
WALLS TO BE R 71 BATHS

FIRST FLOOR HEATED:	2128 SQ. FT.
SECOND FLOOR HEATED:	1,992 SQ. FT.
TOTAL HEATED:	4,020 SQ. FT.
KITCHEN COVERED PORCH:	110 SQ. FT.
REAR COVERED PORCH:	12 SQ. FT.
BEDROOM #4 BALCONY:	15 SQ. FT.
MASTER COVERED BALCONY:	14 SQ. FT.
GARAGE:	516 SQ. FT.

**SECOND FLOOR PLAN** SCALE: 1/4" = 1'-0"



**FOUNDATION PLAN**

SCALE: 1/4" = 1'-0"

FOOTING/FOUNDATION TYPE	
F1	8" X 24" CONT. SEE 9@12 D-1 & D-1A
F2	8" X 24" CONT. SEE 9@12 D-2
F3	8" X 24" CONT. SEE 9@12 D-3
F4	42" X 42" X 12" W/ 5 #5 REBAR EW BOTTOM MAT SEE 9@14 D-1
F5	42" X 42" X 36" SEE 9@14 D-8
F6	42" X 42" X 48" +/-" BEAR ON HOUSE FOOTING
F7	48" X 48" X 12" W/ 4 #5 REBAR EW BOTTOM MAT

DATE 12/1/25	REVISIONS
<b>SUNSET DESIGN</b> 591 MORAN COURT ANNAPOLIS, MD 21401 PHONE 443-935-5585 DRAWN BY: MICHAEL STEVENSON	
<b>BUILDING SITE:</b> 13203 LIBERTY RD GERMANTOWN, MD 20834	
<b>RESIDENCE FOR:</b> SCORPION GROUP, LLC	
SHEET <b>A005</b>	



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Rabbiah Sabbakhan
Director

BUILDING PERMIT DENIAL

The Department of Permitting Services cannot issue a building permit for the property indicated below without a variance from the Montgomery County Board of Appeals.

NAME: Hernan Baron

ADDRESS: 19203 LIBERTY MILL RD
GERMANTOWN, MD 20874

LOT - BLOCK: 9 - A ZONE: R-200

THE VARIANCE REQUEST IS FOR

- N EXISTING STRUCTURE Y PROPOSED STRUCTURE
N NON-CONFORMING Y NON-COMPLYING
N NEW SINGLE-FAMILY DWELLING

TYPE OF CONSTRUCTION:

- N ROOM ADDITION N SWIMMING POOL
N PORCH N DECK
Y SHED N FENCE/RETAINING WALL
Y ACCESSORY STRUCTURE N GARAGE/CARPORT
N OTHER

The existing pool house requires a 5.30 ft. variance as it is within 1.70 ft. of the rear lot line. The required setback is 7.0 ft. in accordance with Section 59-4.4.7.B.2.

The existing pavilion building requires a 2.6 ft. variance as it is within 9.4 ft. of the side lot line. The required setback is 12.0 ft. in accordance with Section 59-4.4.7.B.2.

The proposed construction for shed requires a 2.6 ft. variance as it is within 9.4 ft. of the side lot line. The required setback is 12.0 ft. in accordance with Section 59-4.4.7.B.2.

The existing pavilion requires a variance because the building is forward of the rear building line. In addition to the front setback minimum, any accessory structure must be located behind the rear building line of the principal building in accordance with Section 59-4.4.7.B.2.

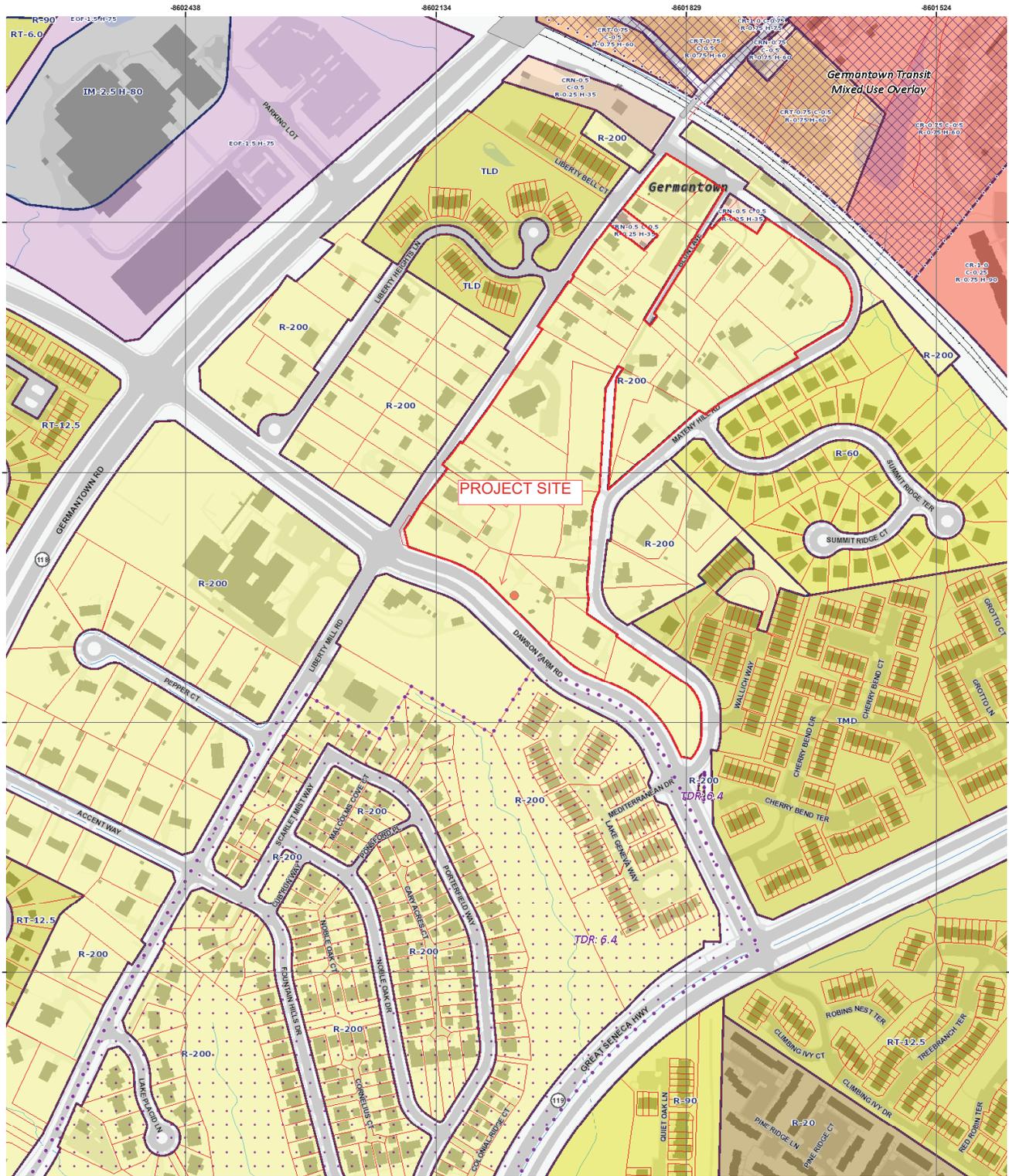
The proposed shed requires a variance because the building is forward of the rear building line. In addition to the front setback minimum, any accessory structure must be located behind the rear building line of the principal building in accordance with Section 59-4.4.7.B.2.

Melissa Goutos

11/25/2025

Signature

Date



NOTES CONCERNING ZONING IN RIGHTS-OF-WAY  
 1. Zone boundaries must not be depicted in public rights-of-way but must run to the centerline of each right-of-way.  
 2. Zone boundaries within rights-of-ways previously delineated by plat or other method of subdivision can be included in map amendments for density purposes; right-of-way included in a map amendment boundary assume the new zoning assigned in the map amendment.

# MONTGOMERY COUNTY ZONING MAP

The Maryland-National Capital Park and Planning Commission      Montgomery County Planning Department



Printed: 12/1/2025

1 inch = 250 feet

Account #	03464646
Address	19203 LIBERTY MILL RD GERMANTOWN, 20874
Landuse	Vacant
Legal Description	ROBINS CREST
Zone	R-200
Overlay Zone	N/A
TDR Overlay Zone	N/A
Parking District	N/A
CBD	N/A
Parcel, Lot, Block	N/A, 9, A

Special Protection Area	N/A
Urban District	N/A
Enterprise Zone	N/A
Arts & Ent. District	N/A
Special Tax District	N/A
Bike/Ped Priority Area	N/A
Urban Renewal Area	N/A
Metro Station Policy Area	N/A
Priority Funding Area	Yes
Septic Tier	Tier 2: Sewer planned
Municipality	N/A
Master Plan	MARC RAIL COMMUNITIES PLAN
Historic Site/District	N/A

WSSC Grid	226NW13
Map Amendments	G-652 G-956 H-133
Water/Sewer Categories	W-3 / S-3

I certify that this document is a copy of the official Montgomery County Zoning Map as downloaded on 12/1/2025 from [mcatlas.org/zoning](http://mcatlas.org/zoning).

*Russell Corbin*



**From:** [Alex McGehee](#)  
**To:** [Board of Appeals](#)  
**Subject:** Objection Filing on Case No. A-6952 - Petition of Hernan Baron  
**Date:** Tuesday, February 24, 2026 6:09:02 PM

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**[EXTERNAL EMAIL]**

**To: The Board of Appeals for Montgomery County, Md.  
Memorandum: Feb. 24, 2026, Tuesday  
Concerning CASE NO. A-6952  
PETITION OF HERNAN BARON**

Scheduled for Wed. 25th day of February; 9:30 a.m.  
Pursuant to Section 59.7.3.2.A of the County Zoning Ordinance

To: Chair, Caryn Hines  
Vice Chair: Richard Melnick  
Members: Amit Sharma, Donald Silverstien, Alan Sternstein

From: William (Alex) McGehee, adjacent property owner to  
petitioner Hernan Baron  
19120 Mateny Hill Rd.  
Germantown, MD, 20874  
(808) 292-1912

The above adjacent property resident requests that a visual inspection of the petitioner's property be conducted before any approval is given for zoning and property variances.

Such an inspection would reveal that the petitioner's use of the words, "existing pool house" is at variance with reality. The petitioner converted the "pool house" into a principal residence at least three years ago. Evidence of this can be seen in an eight-foot tall brick chimney atop the structure which leads to a fire place. An external HVAC unit which provides central heating and cooling to the "pool house", and numerous first hand observations that the petitioner lives in the structure full-time.

Attached to this structure, which sits adjacent to my property, is an outdoor pavilion, complete with indoor furniture and a large chandelier (!). Next to this is the (now) blue-tarp covered structure which the petitioner claims is a shed he wishes to complete and is the subject of your hearing. Before it was covered, the structure revealed a two story wood frame and poured concrete foundation. All of this assemblage sits closer to separate property lines of two individual property owners than is allowed by County property code.

The petitioner has indicated he wishes to store vehicles in the to-be-

finished shed. A cursory visual examination would reveal to the Board of Appeals that there is little if any access through which vehicles to be stored in this shed could be driven. There is evidence that the petitioner has connected water and sewer lines to the "shed" structure. The petitioner accomplished this by using legal easement provisions provided in his and our property deeds. However, no evidence of any permit requirements for this completed water line connection has been seen.

I own and have lived in this home on Mateny Hill Road, which is more than a hundred years old and is adjacent to the petitioner. It is listed on the historical registry for the County of Montgomery and is one of the few remaining structures which gives Germantown its sense of living history. We have spent in excess of \$100,000 making improvements both inside and outside the property in the past years. Every step we have taken has been reviewed and approved by the County's Historic Preservation Commission and its staff.

It is with deep appreciation for the work the members of the Board of Appeals do for *all* the residents of Montgomery County, that the Board will delay a decision of the petitioner's project until such time as all laws and regulations of the County pertaining to this matter have been correctly applied and that the neighborhood surrounding this area has been fully informed of its findings.

Sincerely,

*William Alexander McGehee*

Alex McGehee

**From:** [Kimberly Green](#)  
**To:** [Board of Appeals](#)  
**Subject:** Statement re Case No. A-6952  
**Date:** Wednesday, February 25, 2026 8:54:33 AM  
**Attachments:** [Document2.docx](#)

---

**[EXTERNAL EMAIL]**

Dear Madam Chair:

Attached is a statement regarding the subject case that I respectfully submit and ask that it be considered in your deliberations. Also attached are several pictures for your reference.

Respectfully,  
Kim Green

Sent from my iPhone

Begin forwarded message:

**From:** Kimberly Green <Kimberly.Green@nrc.gov>  
**Date:** February 25, 2026 at 8:47:18 AM EST  
**To:** [ajg0723@hotmail.com](mailto:ajg0723@hotmail.com)  
**Subject:** Questions for BOA

EXHIBIT NO. 10

Dear Madam Chair Hines and Board of Appeals Members:

I am writing in reference to Case No. A-6952 being heard today, February 25, 2026, in reference to the application filed by Mr. Hernan Baron pursuant to Section 59.7.3.2.A of the Zoning Ordinance.

My name is Kim Green, and along with my husband, I am the owner of 19110 Mateny Hill Road, Germantown, MD. My property is adjacent to Lot 9, Block A, Robins Crest Subdivision, located at 19203 Liberty Mill Road, Germantown, MD 20874. Unfortunately, due to my job, I am unable to attend the hearing in person this morning; however, I respectfully ask that you consider my written statement herein.

Mr. Baron is petitioning for a variance under the stated Zoning Ordinance. He requires this variance for two structures that previously existed prior to his ownership of the property, and one large shed (reportedly 480 square feet) that he is in the process of building.

In Mr. Baron's Statement of Justification dated December 21, 2025, he states that he became aware of the setback deficiencies for the existing structures only upon filing a permit application for a "small shed." As the homeowner of 19110 Mateny Hill Road, I can attest to the fact that the "pool house" and "pavilion" did previously exist before Mr. Baron purchased 19203 Liberty Mill Road. However, the "small shed" that is in progress was purposely placed on the property by Mr. Baron without regard for the County's regulations and zoning requirements. The only reason that Mr. Baron applied for a building permit for the "small shed" is because I filed a complaint with the county when I discovered that he had not applied for a building permit as required by the county regulations. Now that Mr. Baron wants to complete the building of his "small shed," in order to receive the building permit, he now needs several variances.

First, I do not view the "small shed" as small. He claims that it is 480 square feet. While I cannot say what the exact square footage is, I can tell you that Mr. Virts, a county inspector, has termed the shed to be "a large storage shed," as documented in SR Number 200099118. I quote Mr. Virts below:

Violation found, Large Storage shed next to pool area without required permit,  
NOV to be issued -Virts 5/11/23

Mr. Baron chose not to follow the county's requirements by obtaining the proper permit prior to beginning to build the shed and now expects to receive a variance instead of moving the shed 2.6 feet because, according to his appeal, "would require significant expense, disruption, and waste." He further states that "the need for these variances arises from practical difficulties caused by the physical characteristics of the lot, not by any action taken by me as the current homeowner." I find this statement to be only partially true as it pertains to the two existing structures, but false as it pertains to his purposeful placement of the shed without a proper permit. The shed in question is currently covered by a large blue tarp. I have enclosed pictures for reference.

It is my understanding that Mr. Baron plans to build a 4,617 square foot residence on the same property and that the three mentioned auxiliary structures in the appeal total less than 50% of the square footage of the primary residence. There is a fourth structure on the property that is not mentioned and that is a gazebo whose current placement, made by Mr. Baron without a permit, is also close to my property line and is questionable. I respectfully ask that you consider this auxiliary structure as well in the counting of the total square footage. I realize it is small in

EXHIBIT NO. 10

comparison, but nonetheless, it is an auxiliary structure. I would also respectfully ask that you question Mr. Baron as to whether he moved the gazebo from its original location and whether he obtained a permit to do so (I'm not sure if one is required but its current location may not meet county regulations due to its proximity to my property line).

I would respectfully ask that you question Mr. Baron on the following to understand his intent and honest in all matters related to the property at 19203 Liberty Mill Road, Germantown, MD:

1. Did Mr. Baron alter the existing pool house (enclose it with a solid wall, extend the footprint, and add a working gas fireplace) without a required permit?
2. Did Mr. Baron being the building of the shed without a required permit?
3. Did Mr. Baron remove then initially replace a fence without a required permit?
4. Did Mr. Baron relocate a gazebo from it's original location without a required permit (not sure if a permit is required to relocate a gazebo)?
5. Does Mr. Baron or anyone reside in the "pool house"?

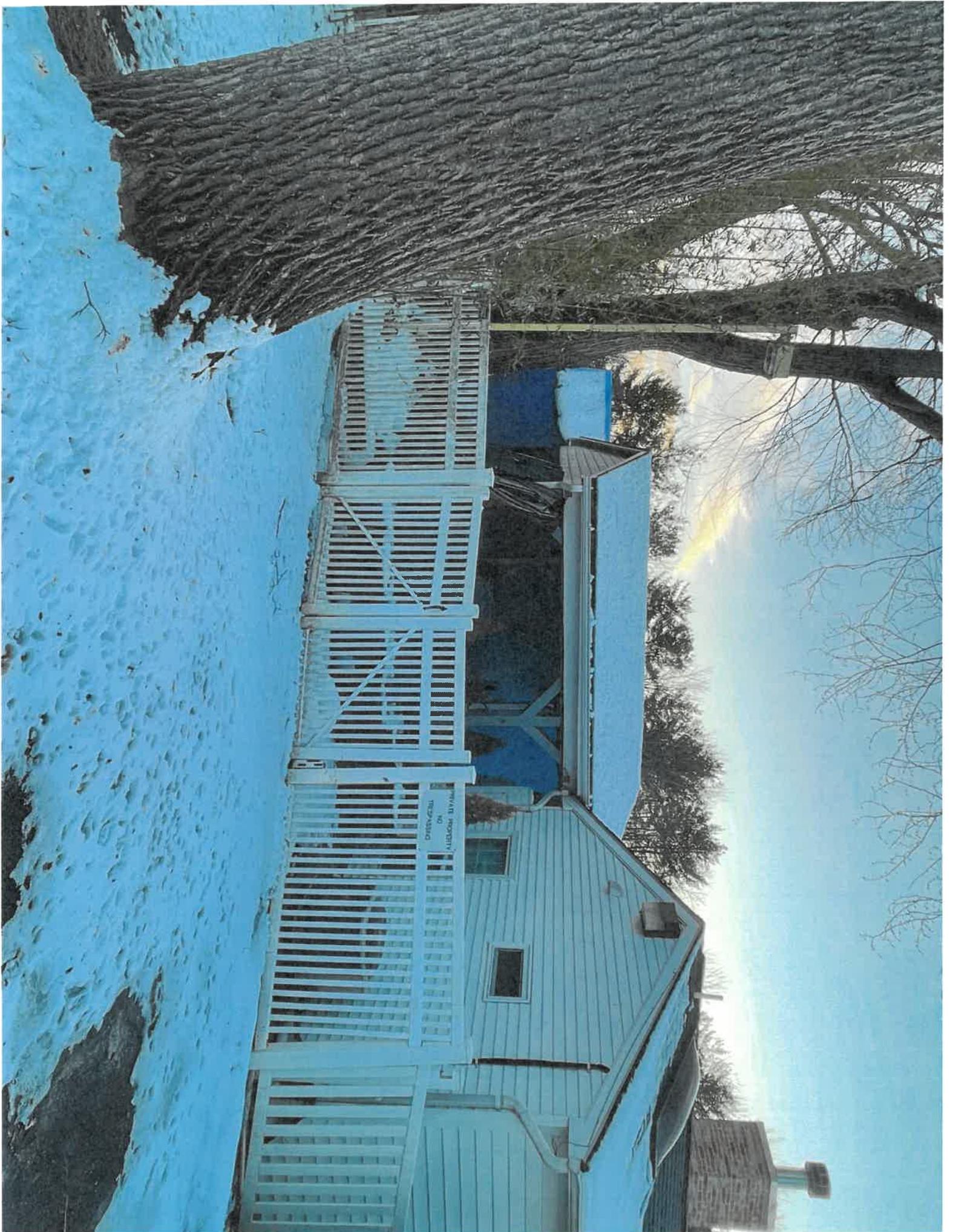
I could provide you with more stories about the underhanded ways Mr. Baron conducts matters with regard to his property, but these are not at issue in the matter before the BOA today. But I would like you to know and understand that Mr. Baron's conduct has been less than compliant with the county's ordinances and regulations and not very neighborly.

Thank you for your consideration of my comments in this matter.

Respectfully,  
Kim Green  
Homeowner of 19110 Mateny Hill Road, Germantown, MD















Casey L. Cirner  
301.517.4817  
[ccirner@milesstockbridge.com](mailto:ccirner@milesstockbridge.com)

March 18, 2026

Caryn Hines, Esq. Chair  
Members of the Board of Appeals  
Montgomery County Board of Appeals  
100 Maryland Avenue, Room 217  
Rockville, Maryland 20850

Re: Case No. A-6952  
Petition of Hernan Baron  
19203 Liberty Mill Road, Germantown, MD 20874 (the “Property”)  
Supplemental Statement in Support of Variance Application

Dear Chair Hines and Members of the Board:

This firm represents Mr. Hernan Baron, the applicant in the above-captioned matter (“Applicant”).<sup>1</sup> We write on behalf of the Applicant to supplement the variance application pending before the Montgomery County Board of Appeals with additional exhibits and justification on how the variance application meets all necessary findings under §59.7.3.2.E of the Montgomery County Zoning Ordinance (“Zoning Ordinance”) and to respond to the concerns raised by adjacent property owners.

The Property is zoned R-200 and improved with a pool house, pavilion and incomplete storage shed.<sup>2</sup> The Applicant also intends to construct his principal residence on the Property as depicted in Board Exhibits 4 and 5(a) – (e). However, that structure is not part of this application, but is included for context.

Rather, the Applicant seeks variances from the accessory structure setbacks in the R-200 zone for: (1) the existing pool house located 1.70 feet from the rear lot line (requiring a 5.30-foot variance from the 7.0-foot setback requirement); (2) the existing pavilion located 9.4 feet from the side lot line (requiring a 2.6-foot variance from the 12.0-foot setback requirement) and forward of the rear building line; and (3) the proposed shed being forward of the rear building line, in

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<sup>1</sup> Hernan Baron is the Trustee of the Hernan Baron Revocable Living Trust, the owner of the Property.

<sup>2</sup> The Property is zoned R-200, which permits by right single-family residential uses and customary accessory structures such as pool houses, pavilions, and storage sheds. The requested variances pertain to the setback and placement requirements for accessory structures that are otherwise permitted in conjunction with primary residential use in the R-200 zone. Accordingly, granting the variances would only authorize uses that are allowed by the underlying zone and are depicted in the application in conjunction with the proposed principal residence.

accordance with §59.4.4.7.B.2 of the Montgomery County Zoning Ordinance.<sup>3</sup> The Applicant respectfully requests that this Board grant the requested variances for the reasons set forth below:

## I. VARIANCE FINDINGS

This Board may grant a variance upon finding that the application meets the criteria set forth in §59.2.7.3.2.E of the Zoning Ordinance. The below statements further demonstrate how this application meets those standards.

*a. Unusual or Extraordinary Situations or Conditions Exist on the Property by way of Exception Narrowness, Shallowness, Shape, Topographical Conditions, or other Extraordinary Conditions Peculiar to the Property.*

The Property exhibits exceptional narrowness, an unusual shape, and topographical conditions that distinguish it from neighboring lots in the R-200 zone.

First, the Property is narrow in shape with side lot lines approximately 89 feet and 129 feet respectively, which significantly constrains the building envelope and limits the placement of both the principal residence and accessory structures. This narrowness is compounded by the irregularly lot lines and unusual orientation of the lot. Although the Property is accessed from and oriented toward Liberty Mill Road, the front setback is measured from Dawson Farm Road. This configuration effectively reduces the usable building area by imposing for a significant distance (approximately 255 feet) a front setback requirement along a road that does not functionally serve as the Property's frontage. The "corners" of the lots are also truncated to exacerbate the irregular shape of the Property. The result is a building envelope that is far more constrained than would be typical for a lot of this size in the R-200 zone. It also creates a shallow rear yard that limits the area behind the rear building line, causing the accessory structures to be slightly forward of that line.

Second, the Property features unique topography in which the pool area, pavilion and storage shed are situated approximately two (2) to three (3) feet lower than the remainder of the Property where the principal residence will be constructed. As depicted on the Site Plan filed herewith, this elevation change that slopes from the west down to the east necessitates steps leading down from the proposed home site to the pool and accessory structures, creating what effectively functions as two distinct tiers of usable space on a single lot.

Moreover, the Property slopes down from Dawson Farm Road (from the west down to the east) before rising back up toward the shed, pavilion and pool house area. This creates a shallow swale through the Property. This drainage area is evidenced by a grate on the Property that connects to a storm drainpipe and is subject to a storm drain easement in favor of Montgomery

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<sup>3</sup> Upon further review of the Site Plan, the shed is located 16.4 feet from the side yard, thereby complying with the 12.0-foot side yard setback for accessory structures. Therefore, a variance is no longer needed for the shed's setback. The Department of Permitting Services has issued the revised Building Permit Denial dated March 18, 2026.

County encumbering the Property.<sup>4</sup> See the Site Plan. The Property also slopes up to the adjoining neighbor's property, which is evidenced by a retaining wall. These topographical features constrain the practical placement of accessory structures and significantly limit the Applicant's ability to relocate existing structures to achieve full compliance with setback and placement requirements. The constraints imposed by the lot's shape, topography, and existing improvements create a unique condition compared to other properties in the R-200 zone, particularly those other lots along Liberty Mill Road and Mateny Hill Road.

In addition, the pool house and pavilion are existing structures that were constructed by the Applicant's predecessor in title and are reflected in aerial photography since at least 1993. In fact, we surmise that the pool and pavilion served the house located at 19125 Liberty Mill Road on the west side of Dawson Farm Road as all that land was under common ownership by the Applicant's predecessor in title and a contiguous piece of property prior to the construction of Dawson Farm Road. See the 1993 photograph submitted herewith. Accordingly, the development utilizes existing legal nonconforming property features, satisfying §59.7.3.2.E.2.a of the Zoning Ordinance.

*b. The Special Circumstances or Conditions Are Not the Result of Actions by the Applicant*

The pool house and pavilion are conditions predating the Applicant's ownership by approximately 30 years that the Applicant inherited upon purchasing the Property in March 2021. The proposed shed is being constructed on the existing foundation of a gazebo that was also installed by the Applicant's predecessor in title. The setback deficiencies for the existing pool house and pavilion are the direct result of construction decisions made by a prior owner that were compounded by the County's construction of Dawson Farm Road, not by the Applicant. The Applicant did not create the nonconforming conditions affecting the pool house and pavilion, and the topographical features of the lot that constrain the placement of accessory structures are natural conditions which the Applicant cannot control.

With respect to the proposed shed, the Applicant is constructing the structure on the existing foundation of a previously removed gazebo that exceeds the side yard setback. The placement of the shed in front of the rear building line was dictated by the location of the pre-existing gazebo foundation and the topographical constraints of the lot, not by arbitrary action on the part of the Applicant.

*c. The Requested Variance Is the Minimum Necessary to Overcome Practical Difficulties*

The variances requested represent the minimum relief necessary to permit the continued use of existing structures and the completion of the proposed shed. The variances will result in the structures satisfying the minimum setback requirements, along with allowing their location in front of the rear building line.

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<sup>4</sup> See the Quitclaim Deed and Reservation of Easement dated February 23, 2003 in favor of Montgomery County, Maryland and recorded on March 14, 2003 among the Land Records for Montgomery County, Maryland in Liber 23284, folio 336.

The proposed shed requires only a variance from the placement requirement (behind the rear building line) and is being constructed on an existing foundation, representing the minimum deviation necessary to allow completion of this accessory structure. Denying the variance would create excessive burden of cost for the Applicant, would ignore the environmental benefits from the reuse of construction materials without demolition, and generate significant waste by requiring removal of existing structures and an existing foundation. The shed also sits at a lower elevation than Dawson Farm Road and the adjoining neighbor's property and will therefore have minimal visual impact.

*d. The Variance Can Be Granted Without Substantial Impairment to the General Plan and Applicable Master Plan*

The Property is located within a Corridor Focused Growth Area under the Thrive Montgomery 2050 Plan ("General Plan"). The General Plan established policies of "accommodat[ing] new development with a context sensitive approach to architecture and landscape design that acknowledges neighboring structures, local climate, and topography," and "preserv[ing] renew[ing], and reus[ing] existing and historic buildings, districts, and landscapes to affirm the continuity and evolution of communities while celebrating local culture and identity." General Plan, p. 99. Further, the General plan recommends minimizing impervious surfaces in redevelopment, where feasible. General Plan, p. 60.

The Property is also located within the boundaries of the April 30, 2019 MARC Rail Communities Sector Plan ("Sector Plan"). A key focus of the Sector Plan is to "strengthen and enhance historic areas and residential neighborhoods by allowing infill development that echoes the existing patterns of nearby historic resources and residential neighborhoods." Sector Plan, p. 69. To further that goal, the Sector Plan recommends "maintain[ing] the setbacks of older structures to support the historic character and development patterns of Germantown" and "acknowledg[ing] the area's unusual geology, its influence on the area's natural character and the constraints it imposes on development." Sector Plan, pp. 78, 98.

Approval of these variances will bring long-standing structures into conformance with county requirements, prevent unnecessary demolition of safe and stable structures, and allow for continued responsible use and improvement of the Property where unusual topography and a condensed building envelope constrain development. No new impervious surface is created as the proposed shed will be located on an existing foundation. The accessory structures are residential in scale and consistent with the character of the surrounding neighborhood. Therefore, granting the setback variances supports the intent of the applicable plans without impairing the welfare of the community.

*e. Granting the Variance Will Not Be Adverse to the Use and Enjoyment of Abutting or Confronting Properties*

The pool house and pavilion have existed for many years, predating the adjacent neighbor's ownership of their respective properties. The proposed shed will be located where a gazebo once

was, will align with existing structures, and will not alter the view or character of the surrounding neighborhood. The Applicant's proposed single-family residence and accessory structures represent an appropriate residential use that is consistent with the established character of the neighborhood.

## II. RESPONSE TO NEIGHBOR CONCERNS

Two adjacent property owners filed letters opposing the Board's action on the variance.<sup>5</sup> The Applicant respectfully responds to these concerns as follows:

The neighbors assert that the pool house has been converted into a "principal residence" based on observations of a brick chimney, HVAC unit, and the Applicant's alleged full-time occupancy. However, Mr. Baron does not use the pool house as a principal residence, nor does the existing structure support its use as a principal residence. There are no sleeping quarters in the pool house. The Applicant did perform maintenance of the pool house, including repairing the existing brick chimney (a chimney was not added to the pool house), updating the flooring, cabinets, and bathroom, and replacing the aged water pipes serving the bathroom. Mr. Baron resides in a dwelling across Liberty Mill Road that he owns (19208 Liberty Mill Road), but he does use the pool house consistent with his ownership of the Property. Notably, the Applicant is proposing to construct a single-family residence on the Property, which will serve as his new principal dwelling.

The neighbors also question the size and location of the proposed shed, characterizing it as a "two story wood frame and poured concrete foundation" structure and suggesting the Applicant intends to store vehicles in it. To reiterate, the shed complies with the setback requirements from the neighbors' properties and is being constructed on the existing foundation of a gazebo that was previously located on the Property. The placement of the shed is a function of the Property's topography, not arbitrary placement by the Applicant. Further, as stated above, the unusual topography of the Property would not reasonably permit the driving to and storage of cars at the shed. Plus, the lower tier of the Property is enclosed by a fence which is required by the County for swimming pools. Finally, the variance application identifies the proposed structure as a 480-square-foot shed, which is an accessory structure permitted in the R-200 zone. Accordingly, the evidence demonstrates that the requested variances satisfy all necessary findings under the Zoning Ordinance.

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<sup>5</sup> We note that the opposition raise several concerns that are not pertinent to the current variance request. The variance application before this Board concerns only the setback requirements for accessory structures under §59.4.4.7.B.2 of the Zoning Ordinance, not the permissible use or size of those structures. Other concerns raised by the opposition, such as permitting compliance, historic preservation considerations, and neighbor relations, are also matters separate from the variance request before the Board. The Applicant is committed to being a good neighbor and is actively working with the Department of Permitting Services to obtain all necessary approvals.

### III. CONCLUSION

For the foregoing reasons, we respectfully request that the Board grant the requested variances required for the existing pool house, existing pavilion, and proposed shed. Granting the requested relief will allow the Applicant to complete the development of the Property in a manner consistent with the intent and purpose of the Zoning Ordinance.

The Applicant reserves the right to further supplement the record with testimony at the March 25, 2026 public hearing.

Very truly yours,



Casey L. Cirner, Esq.

Miles & Stockbridge P.C.  
Attorneys for the Applicant



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Rabbiah Sabbakhan
Director

BUILDING PERMIT DENIAL

The Department of Permitting Services cannot issue a building permit for the property indicated below without a variance from the Montgomery County Board of Appeals.

NAME: Hernan Baron

ADDRESS: 19203 LIBERTY MILL RD
GERMANTOWN, MD 20874

LOT - BLOCK: 9 - A ZONE: R-200

THE VARIANCE REQUEST IS FOR

- N EXISTING STRUCTURE Y PROPOSED STRUCTURE
N NON-CONFORMING Y NON-COMPLYING
N NEW SINGLE-FAMILY DWELLING

TYPE OF CONSTRUCTION:

- N ROOM ADDITION N SWIMMING POOL
N PORCH N DECK
Y SHED N FENCE/RETAINING WALL
Y ACCESSORY STRUCTURE N GARAGE/CARPORT
N OTHER

The existing pool house requires a 5.30 ft. variance as it is within 1.70 ft. of the rear lot line. The required setback is 7.0 ft. in accordance with Section 59-4.4.7.B.2.

The existing pavilion building requires a 2.6 ft. variance as it is within 9.4 ft. of the side lot line. The required setback is 12.0 ft. in accordance with Section 59-4.4.7.B.2.

The existing pavilion requires a variance because the building is forward of the rear building line. In addition to the front setback minimum, any accessory structure must be located behind the rear building line of the principal building in accordance with Section 59-4.4.7.B.2.

The proposed shed requires a variance because the building is forward of the rear building line. In addition to the front setback minimum, any accessory structure must be located behind the rear building line of the principal building in accordance with Section 59-4.4.7.B.2.

Melissa Goutos

3/18/2026

Signature

Date



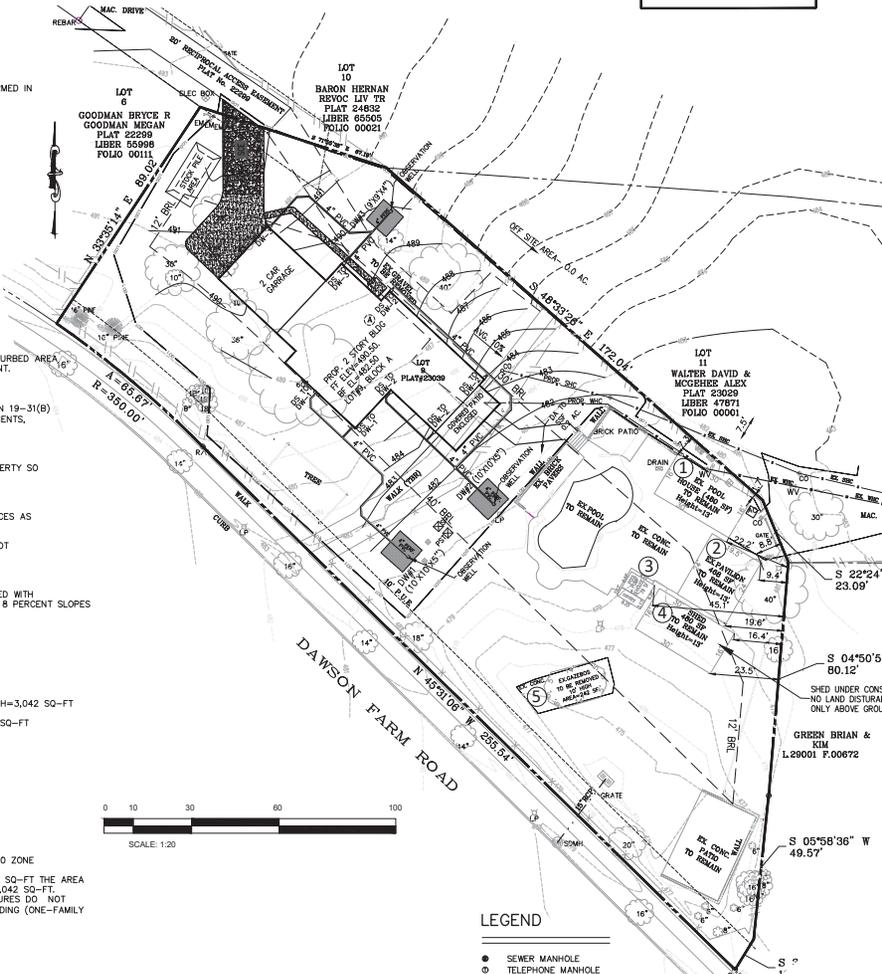
VICINITY MAP (N.T.S.)

**GENERAL NOTES**

- SURVEY:**  
 - TOPOGRAPHY BASED ON THE FILED RUN TOP PERFORMED IN MAY 2023 BY KRIS CONSULTANTS, LLC.  
 - TO TITLE REPORT FURNISHED FOR THIS PLAN
- SITE ANALYSIS:**  
 - ADDRESS: 19203 LIBERTY MILL ROAD, GERMANTOWN, MD  
 - LOT AREA=33,042 SQ-FT (0.75 AC.)  
 - ELECTION DISTRICT: 09  
 - TAX ACCOUNT: 03464646  
 - BLOCK: A  
 - LOT P1, LIBER: 65505, FOLIO=00034  
 - PROPERTY ZONED: R-200 (RESIDENTIAL)  
 - EXISTING / PROPOSED USE: RESIDENTIAL  
 - WATERSHED: ROCK CREEK  
 - SUBWATERSHED: COQUELIN RUN
- SETBACKS:**  
 FRONT=40',  
 SIDE=TOTAL 25', ONE SIDE 12',  
 REAR=20'  
 - MAX. BUILDING HEIGHT: 50'
- DISTURBED AREA:**  
 - PROJECT TO DISTURB 16,093 SQ-FT  
 - PRIOR TO FINAL VEGETATIVE STABILIZATION, ALL DISTURBED AREA MUST BE TOP SOILED PER MDE TOP SOIL REQUIREMENT.
- STORMWATER MANAGEMENT:**  
 - TO MEET THE MONTGOMERY COUNTY CODE, SECTION 19-31(B) FOR STORMWATER MANAGEMENT (SMM) REQUIREMENTS, THREE DRYWELLS HAVE BEEN PROPOSED ON SITE.
- UTILITIES:**  
 - THERE IS EXISTING WATER AND SEWER ON THE PROPERTY SO NEW UTILITY HAS BEEN PROPOSED.
- SEDIMENT CONTROL:**  
 - STABILIZED CONSTRUCTION ENTRANCE SHALL BE PLACES AS NEEDED DURING CONSTRUCTION BY THE AUTHORIZED M.C.D.P.'S REPRESENTATIVE  
 - ALL STAGING AND STOCK PILING MUST BE ON THE LOT AND WITHIN THE LOD.
- SOILS:**  
 - NRCS WEB SOIL SURVEY MAP: ENTIRE LOT IS COVERED WITH BRINKLON-BLOCKTOWN CHANNERY SILT LOAMS, 3 TO 8 PERCENT SLOPES TYPE C SOIL

**LOT COVERAGE CALCULATION**

- LOT AREA=33,042 SQ-FT
- AREA OF PROPOSED BUILDING AND COVERED PORCH=3,042 SQ-FT
- AREA OF EXISTING ACCESSORY STRUCTURES=1,505 SQ-FT
- EX. POOL HOUSE=480 SF
- EX. PAVILION=467SF
- SHED UNDER CONSTRUCTION=480SF
- EX. POOL PUMP HOUSE=78SF
- TOTAL AREA OF PROPOSED BUILDING & ACCESSORY STRUCTURE=3,042+1,505+4,547 SQ-FT
- LOT COVERAGE=(4,547)/(33,042) = 13.76% < 20% ALLOWED FOR R-200 ZONE
- THE AREA OF ALL ACCESSORY STRUCTURE IS 1,505 SQ-FT THE AREA OF PROPOSED BUILDING AND COVERED PORCH IS 3,042 SQ-FT. THEREFORE THE AREA OF ALL ACCESSORY STRUCTURES DO NOT EXCEED 50% OF THE FOOTPRINT OF THE MAIN BUILDING (ONE-FAMILY DETACHED DWELLING).



**LEGEND**

- SEWER MANHOLE
- TELEPHONE MANHOLE
- ⊙ ELECTRIC MANHOLE
- ⊕ SIGN
- + GUY WIRE
- ⊗ LIGHT POLE (LP)
- ⊕ VALVE
- ⊕ HANDICAP
- ⊕ LIGHT
- ⊕ WELL
- ⊕ MANHOLE
- TREE
- PINE TREE
- - - FENCE
- - - PROPERTY LINE
- PROP. DRYWELL
- - - LIMITS OF DISTURBANCES
- - - DRAINAGE DIVIDE
- ⊕ PROP. SOIL BORING
- - - SOIL BOUNDARY
- ⊕ SUMP PIT
- ⊕ ST PRIMARY SEDIMENT TANK
- ⊕ STABILIZED CONSTRUCTION ENTRANCE
- - - TPF
- - - TREE PROTECTION FENCE
- - - SUPER SILT FENCE

**PROJECT NARRATIVES**

THE PROPERTY IS LOCATED AT 19203 LIBERTY MILL ROAD IN GERMANTOWN, MD THE TOTAL SITE AREA OF THE PROPERTY IS 33,042 SQUARE FEET. THE CURRENT PROPERTY IS DESCRIBED AS ZONE R-200 (RESIDENTIAL). THE PROPOSED USE OF THE PROPERTY AS A SINGLE-FAMILY HOME IS PERMITTED ACCORDING TO THE MONTGOMERY COUNTY ZONING CODE.

THERE ARE SOME EXISTING FEATURES ON THE PROPERTY WHICH INCLUDE ONE STORY FRAME STRUCTURE, FEW PORCHES, CONCRETE PATIO AND EXISTING POOL TO THE SOUTH SIDE OF THE PROPERTY. THE PROPOSED DEVELOPMENT CONSISTS OF A TWO-STORY SINGLE-FAMILY RESIDENTIAL HOME, A BBQ PATIO, CONCRETE PATIO AND A DRIVEWAY.

**DRAINAGE STATEMENT**

I UNDERSTAND THAT DPS APPROVAL OF THIS SEDIMENT CONTROL/STORMWATER MANAGEMENT PLAN IS FOR DEMONSTRATED COMPLIANCE WITH REQUIRED ENVIRONMENTAL BEST PRACTICE TREATMENT STANDARDS. THIS DPS SEDIMENT CONTROL/STORMWATER MANAGEMENT PLAN APPROVAL DOES NOT RELIEVE ME OF PROFESSIONAL RESPONSIBILITY. I HAVE ANALYZED THE PROPOSED DESIGN FOR SEDIMENT CONTROL PERMIT NO. 290030 AND HEREBY STATE THAT, BASED UPON MY BACKGROUND, TRAINING AND EXPERIENCE, I HAVE DETERMINED THAT THE IMPROVEMENTS SHOWN ON THIS PLAN MEET RELEVANT LAWS AND REGULATIONS. I HEREBY ACKNOWLEDGE THAT I HAVE ANALYZED THE POST DEVELOPMENT DRAINAGE PATTERNS FOR THE PROJECT FROM THE STANDPOINT OF "DO" REQUIREMENTS UNDER CURRENT REGULATIONS. I HAVE DETERMINED THAT PERMISSION IS REQUIRED FROM ADJACENT PROPERTY OWNERS, IT HAS BEEN OBTAINED AND COPIES OF THOSE PERMISSIONS HAVE BEEN MADE AVAILABLE TO DPS.

ENGINEER'S SIGNATURE: JONESH SHEPA, P.E. DATE: \_\_\_\_\_  
 PRINTED NAME: \_\_\_\_\_

**OWNER'S / DEVELOPER'S CERTIFICATION**

I/WE HEREBY CERTIFY THAT ALL CLEARING, GRADING, CONSTRUCTION, AND/OR DEVELOPMENT WILL BE DONE PURSUANT TO THIS PLAN AND THAT ANY RESPONSIBLE PERSONNEL INVOLVED IN THE CONSTRUCTION PROJECT WILL HAVE A CERTIFICATE OF ATTENDANCE AT THE DEPARTMENT OF NATURAL RESOURCES APPROVED TRAINING PROGRAM FOR THE CONTROL OF SEDIMENT AND EROSION BEFORE BEGINNING THE PROJECT.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 PRINT NAME AND TITLE: HERNAN BARON - PROPERTY OWNER

**DESIGN CERTIFICATION**

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE "2011 MARYLAND STANDARDS AND SPECIFICATION FOR SOIL EROSION AND SEDIMENT CONTROL", MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES EXECUTIVE REGULATIONS 5-90, 7-20AM AND 36-90, AND MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION "STORM DRAIN DESIGN CRITERIA" DATED AUGUST 1988.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 PRINT NAME AND TITLE: JONESH SHEPA, PE LICENSE NO. 38490, EXPIRATION DATE: 03/17/2026

**CERTIFICATE OF QUANTITIES**

I HEREBY CERTIFY THAT THE ESTIMATED TOTAL AMOUNT OF EXCAVATION AND FILL AS SHOWN ON THESE PLANS HAS BEEN COMPUTED TO 500 CUBIC YARDS OF EXCAVATION, 50 CUBIC YARDS OF FILL AND THE TOTAL AREA TO BE DISTURBED AS SHOWN ON THESE PLANS HAS BEEN DETERMINED TO BE 16,093 SQUARE FEET.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 PRINT NAME AND TITLE: JONESH SHEPA, PE LICENSE NO. 38490, EXPIRATION DATE: 03/17/2026

<b>OWNER/APPLICANT INFO</b>	
HERNAN BARON 19203 LIBERTY MILL ROAD SILVERSPRING, MD 20874 PHONE: 240-793-6534	
<b>TECHNICAL REVIEW OF SEDIMENT CONTROL</b>	
REVIEWED	DATE
<b>STORMWATER MANAGEMENT</b>	
REVIEWED	DATE
<b>ADMINISTRATIVE REVIEW</b>	
REVIEWED	DATE
<b>SMALL LOT DRAINAGE APPROVAL</b>	
REVIEWED	DATE
NOTE: THIS APPROVAL DOES NOT NEGATE THE NEED FOR A MCDPS ACCESS PERMIT	
MCDPS APPROVAL OF THIS PLAN WILL EXPIRE TWO YEARS FROM THE DATE OF APPROVAL IF THE PROJECT HAS NOT STARTED	
DPS approval of a sediment control or stormwater management plan is for demonstrated compliance with minimum environmental runoff treatment standards and does not create or imply any right to divert or concentrate runoff onto any adjacent property without that property owner's permission. If does not relieve the design engineer or other responsible person of professional liability or ethical responsibility for the adequacy of the drainage design as it affects uphill or downhill properties.	
290030	
SEDIMENT CONTROL PERMIT NO.	
SM. FILE NO.	
STORMWATER MANAGEMENT:	

*Malissa Goutos*  
 Denial Letter #419833  
 Zone: R-200 11/25/2025

**PROFESSIONAL CERTIFICATION**

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38490, EXPIRATION DATE: 03/17/2026.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_



**REVISIONS**

**ENGINEER**  
 VENUS CONSULTANTS, LLC  
 ENGINEERING PLANNING CONSULTING  
 6468 ERIN DRIVE, CLARKSVILLE, MD 21029  
 TEL: (202) 431-1458  
 EMAIL: venusllc@gmail.com  
 jgoutos1074@gmail.com

**HERNAN RESIDENCE**  
 OWNER: HERNAN BARON  
 19203 LIBERTY MILL ROAD  
 GERMANTOWN, MONTGOMERY COUNTY, MD  
 LOT 10, BLOCK A  
 PH NO. 240-793-6534  
 EMAIL: hernanbaron.hb@gmail.com

**SITE GRADING/STORMWATER MANAGEMENT /SEDIMENT CONTROL PLAN**

SHEET- SCSF0001 OF 4

DRAWN BY: JS DATE: 09/15/2023  
 SCALE: AS SHOWN

142

MONTGOMERY COUNTY, MD  
APPROVED BY [Signature]

MAR 08 2021

~~\$2025.00~~ RECORDATION TAX PAID  
~~\$2500.00~~ TRANSFER TAX PAID

D E E D

THIS DEED, Made this 25 day of January, 2021, by and between BERT J. O'DELL, Trustee of the Bert J. O'Dell Revocable Trust, dated December 27, 2007, party of the first part and HERNAN BARON, sole owner, party of the second part:

WITNESSETH, that in consideration of the sum of \$250,000.00, the said party of the first part does grant and convey unto the party of the second part, his heirs and assigns, in fee simple, all of its right, title and interest in and to all that piece or parcel of land situate, lying and being in Montgomery County, State of Maryland, and being described as follows, to wit:

**Lot numbered Nine (9) in Block lettered A, in the Subdivision known as ROBIN'S CREST, as per plat thereof recorded in Plat No. 23039, one of the Land Records of Montgomery County, Maryland.**

Subject to easements, covenants and restrictions of record.

BEING all of the same property granted and conveyed unto Bert J. O'Dell, Trustee of the Bert J. O'Dell Revocable Trust by deed recorded among said Land Records at Liber 36063, folio 085.

TOGETHER with the buildings and improvements thereupon erected, made, or being; and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said piece or parcel of land and premises above described, and hereby intended to be conveyed, together with the rights, privileges, appurtenances, and advantages thereto belonging or appertaining unto and to the only proper use, benefit and behoof forever of the said party of the second part.

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) BHM 62161 p.0288 MSA\_CE\_63\_62118. Date available 3/16/2021. Printed 3/17/2026.

250  
20  
40  
AV

AND the said party of the first part covenants that he will warrant specially the property hereby conveyed and that he will execute such further assurances of said land as may be requisite.

WITNESS my hand and seal.

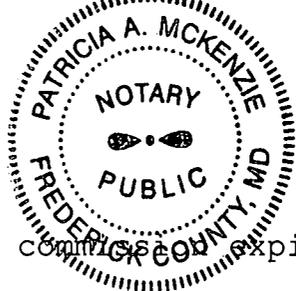
BERT J. O' DELL REVOCABLE TRUST

Bert J. O'Dell  
BERT J. O' DELL  
Trustee

STATE OF MARYLAND  
COUNTY OF MONTGOMERY, to wit:

ON this 25 day of January, 2021, before me, the undersigned officer, personally appeared BERT J. O' DELL, Trustee of the BERT J. O' DELL REVOCABLE TRUST, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Patricia A. McKenzie  
Notary Public PATRICIA A. MCKENZIE

My commission expires: 12/22/21

I, the undersigned, hereby certify that I am an Attorney duly admitted to practice before the Court of Appeals of the State of Maryland, and that the within instrument was prepared under my supervision.

Patricia A. McKenzie  
PATRICIA A. MCKENZIE, ESQ.

Parcel ID Number: 09-03464646  
Title Insurer: FIDELITY NATIONAL TITLE INSURANCE COMPANY  
Property Address: 19203 Liberty Mill Road  
Germantown, MD 20874  
Return To: Patricia A. McKenzie, P.A.  
26317 Ridge Road  
Damascus, MD 20872  
(301) 253-0552  
File No 4562-21

MARYLAND FORM WH-AR

Certification of Exemption from Withholding Upon Disposition of Maryland Real Estate Affidavit of Residence or Principal Residence

2021

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor Bert J. O'Dell Revocable Trust

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).

19203 Liberty Mill Rd., Germantown, MD 20874

3. Reasons for Exemption

Resident Status [ ] As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.

[x] Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence [ ] Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

Name \*\*Date

Signature

3b. Entity Transferors

Patricia A. McNeely Witness/Attest

Bert J. O'Dell Revocable Trust Name of Entity

Bert J. O'Dell By

Bert J. O'Dell Name 1/25/2021 \*\*Date

Trustee Title

\*\* Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) BHM 62161 p.0290 MSA\_CE\_63\_62118. Date available 3/16/2021. Printed 3/17/2026.

Baltimore City  County: Montgomery

Information Provided is for the use of the Clerks Office, State Department of Assessments and Taxation and County Finance Office Only.  
(Type or Print in Black Ink Only - All Copies Must be Legible)

1	Type(s) of Instruments	( <input type="checkbox"/> Check Box if Addendum Intake Form is Attached.)						
		<input checked="" type="checkbox"/> Deed	<input checked="" type="checkbox"/> Mortgage	<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____			
		<input type="checkbox"/> Deed of Trust	<input type="checkbox"/> Lease					
2	Conveyance Type Check Box	<input type="checkbox"/> Improved Sale Arms-Length [1]	<input type="checkbox"/> Unimproved Sale Arms-Length [2]	<input type="checkbox"/> Multiple Accounts Arms-Length [3]	<input type="checkbox"/> Not an Arms- Length Sale [9]			
3	Tax Exemptions (if applicable) Cite or Explain Authority	<b>Recordation</b>						
		<b>State Transfer</b>						
		<b>County Transfer</b>						
4	Consideration and Tax Calculations	Consideration Amount			Finance Office Use Only			
		Purchase Price/Consideration	\$	250,000.00	Transfer and Recordation Tax Consideration			
		Any New Mortgage	\$	257,200.00	Transfer Tax Consideration	\$		
		Balance of Existing Mortgage	\$		X ( )% =	\$		
		Other:	\$		Less Exemption Amount	\$		
		Other:	\$		Total Transfer Tax =	\$		
		Full Cash Value	\$		Recordation Tax Consideration	\$		
				X ( ) per \$500 =	\$			
				<b>TOTAL DUE</b>	\$			
5	Fees	Amount of Fees		Doc. 1	Doc. 2	Agent:		
		Recording Charge	\$		\$	Tax Bill:		
		Surcharge	\$		\$	C.B. Credit:		
		State Recordation Tax	\$		\$	Ag. Tax/Other:		
		State Transfer Tax	\$		\$			
		County Transfer Tax	\$		\$			
		Other	\$		\$			
		Other	\$		\$			
6	Description of Property  <small>SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).</small>	District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG [ ] (5)	
			<b>09-03464646</b>					
			Subdivision Name	Lot (3a)	Block (3b)	Sect/AR(3c)	Plat Ref.	Sq.Ft./Acreage (4)
			Location/Address of Property Being Conveyed (2)					
			<b>19203 Liberty Mill Road, Germantown, MD 20874</b>					
			Other Property Identifiers (if applicable)				Water Meter Account No.	
			Residential <input checked="" type="checkbox"/> or Non-Residential [ ]	Fee Simple <input checked="" type="checkbox"/> or Ground Rent [ ]		Amount:		
			Partial Conveyance? [ ] Yes <input checked="" type="checkbox"/> No	Description/Amt. of Sq Ft/Acreage Transferred:				
			If Partial Conveyance, List Improvements Conveyed:					
7	Transferred From	Doc. 1-Grantor(s) Name(s)			Doc. 2-Grantor(s) Name(s)			
		<b>Bert J. O'Dell Revocable Trust</b>						
		Doc.1-Owner(s) of Record, if Different from Grantor(s)			Doc.2-Owner(s) of Record, if Different from Grantor(s)			
8	Transferred To	Doc. 1-Grantee(s) Name(s)			Doc. 2-Grantee(s) Name(s)			
		<b>Hernan Baron</b>						
		New Owner's (Grantee) Mailing Address						
		<b>19205 Liberty Mill Road, Germantown, MD 20874</b>						
9	Other Names to Be Indexed	Doc. 1-Additional Names to be Indexed (Optional)			Doc. 2-Additional Names to be Indexed (Optional)			
10	Contact/Mail Information	Instrument Submitted By or Contact Person				<input checked="" type="checkbox"/> Return to Contact Person		
		Name: <b>Patricia A. McKenzie</b>				<input type="checkbox"/> Hold for Pickup		
		Firm: <b>Patricia A. McKenzie, P.A.</b>				<input type="checkbox"/> Return Address Provided		
		Address: <b>26317 Ridge Road Damascus, MD 20872</b> Phone: <b>(301) 253-0552</b>						
11	Space Reserved for County Validation	<b>IMPORTANT: BOTH THE ORIGINAL DEED AND PHOTOCOPY MUST ACCOMPANY EACH TRANSFER</b>						
		Assessment Information	[ ] Yes [ <input checked="" type="checkbox"/> ] No	Will the property being conveyed be the grantee's principal residence?				
			[ ] Yes [ <input checked="" type="checkbox"/> ] No	Does the transfer include personal property? If yes, identify:				
			[ ] Yes [ <input checked="" type="checkbox"/> ] No	Was the property surveyed? If yes, attach copy of survey (if recorded, no copy required.).				
		Assessment Use Only - Do Not Write Below This Line						
		[ ] Terminal Verification	[ ] Agricultural Verification	[ ] Whole	[ ] Part	[ ] Tran. Process Verification		
		Transfer Number	Date Received:	Deed Reference:	Assigned Property No.:			
		Year	20	20	Geo.	Map	Sub	Block
		Land			Zoning	Grid	Plat	Lot
		Buildings			Use	Parcel	Section	Occ.Cd.
	Total			Town Cd.	Ex St.	Ex. Cd.		
	REMARKS:							

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) BHM 62161 p.0291 MSA\_CE\_63\_62118. Date available 3/16/2021. Printed 3/17/2026.

LR - Deed (w Taxes)  
 Recording only ST20.00  
 Name: Baron  
 Ref:  
 LR - Deed (with Taxes)  
 Surcharge 40.00  
 LR - Deed State  
 Transfer Tax 1,250.00  
 LR - NR Tax - 1kd 0.00  
 =====  
 SubTotal: 1,310.00  
 =====  
 Total: 1,370.00  
 03/11/2021 11:09  
 CC15-EV  
 #14632963 CC0602 -  
 Montgomery  
 County/CC06.02.06 -  
 Register 06



**DOCUMENT VALIDATION PAGE**  
**FOR CLERK'S USE ONLY**  
**(EXCLUDED FROM PAGE COUNT FOR CERTIFIED COPY)**

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**BARBARA H. MEIKLEJOHN**  
 Clerk of the Circuit Court for Montgomery County  
 50 Maryland Avenue  
 Rockville, Maryland 20850  
 Recording and Licensing  
 (240) 777-9470

Montgomery County, MD  
Approved by KJC 03/30/2022  
Recordation Tax Paid \$0.00  
CIP2 Paid \$0.00  
Transfer Tax Paid \$0.00

EXEMPTION CODE: 12-108 (ee)

Montgomery County Circuit Court  
IMP FD SURE \$40.00  
RECORDING FEE \$20.00

TOTAL \$60.00  
KAB CP Mar 30, 2022 01:25 pm

NO CONSIDERATION  
NO TITLE EXAM  
D E E D

THIS DEED, Made this 29 day of March, 2022,  
by and between HERNAN BARON, party of the first part and HERNAN BARON,  
Trustee under the HERNAN BARON REVOCABLE LIVING TRUST, dated March  
29, 2022, party of the second part:

This No Consideration Deed transfers an interest in real property to the grantor's revocable trust in which grantor is a primary beneficiary.

WITNESSETH, that under the penalty of perjury and in consideration of the sum of \$0.00, the said party of the first part does grant and convey unto the party of the second part, his successors and assigns, in fee simple, all of his right, title and interest in and to all that piece or parcel of land situate, lying and being in Montgomery County, State of Maryland, and being described as follows, to wit:

Lot numbered Nine (9) in Block lettered A, in the subdivision known as ROBINS CREST, as per plat thereof recorded as Plat No. 23039, one of the Land Records of Montgomery County, Maryland.

Subject to easements, covenants and restrictions of record.

BEING all of the same property granted and conveyed unto said party of the first part by deed recorded among said Land Records at Liber 62161, folio 288.

TOGETHER with the buildings and improvements thereupon erected, made, or being; and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said piece or parcel of land and premises above described, and hereby intended to be conveyed, together with the rights, privileges, appurtenances, and advantages thereto

belonging or appertaining unto and to the only proper use, benefit and behoof forever of the said party of the second part.

AND the said party of the first part covenants that he will warrant specially the property hereby conveyed and that he will execute such further assurances of said land as may be requisite.

WITNESS my hand and seal.

WITNESS:

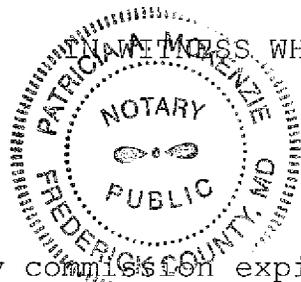


(SEAL)

HERNAN BARON

STATE OF MARYLAND  
County OF MONTGOMERY, to wit:

On this 29 day of March, 2022, before me, the undersigned officer, personally appeared HERNAN BARON known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.



IN WITNESS WHEREOF, I hereunto set my hand and official seal.



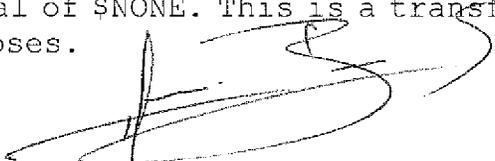
Notary Public

PATRICIA A. MCKENZIE

My commission expires: 12/22/25

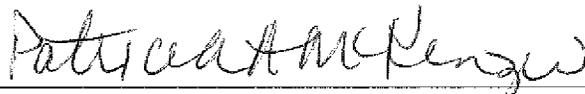
AFFIDAVIT OF CONSIDERATION

I hereby certify under the penalties of perjury that the actual consideration paid or to be paid for the foregoing conveyance, including the amount of any mortgage or deed of trust assumed by the grantee, is in the sum total of \$NONE. This is a transfer into a trust for estate planning purposes.



HERNAN BARON

I, the undersigned, hereby certify that I am an Attorney duly admitted to practice before the Court of Appeals of the State of Maryland, and that the within instrument was prepared under my supervision.



PATRICIA A. MCKENZIE, Esq.

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) KAB 65505 p.0035 MSA\_CE\_63\_65462. Date available 4/1/2022. Printed 3/17/2026.

Parcel ID Number: 09-03464646

Title Insurance: None

Property Address: 19203 Liberty Mill Road  
Germantown, Maryland 20874

Return to: Patricia A. McKenzie, P.A.  
26317 Ridge Road  
Damascus, MD 20872

State of Maryland Land Instrument Intake Sheet

Baltimore City  County: MONTGOMERY

Information Provided is for the use of the Clerks Office, State Department of Assessments and Taxation and County Finance Office Only.  
(Type or Print in Black Ink Only - All Copies Must be Legible)

<b>1</b>	Type(s) of Instruments	<input type="checkbox"/> Check Box if Addendum Intake Form is Attached.						
		<input checked="" type="checkbox"/> Deed	<input type="checkbox"/> Mortgage	<input type="checkbox"/> Other	<input type="checkbox"/> Other	<input type="checkbox"/> Other		
		<input type="checkbox"/> Deed of Trust	<input type="checkbox"/> Lease					
<b>2</b>	Conveyance Type Check Box	<input type="checkbox"/> Improved Sale Arms-Length [1]	<input type="checkbox"/> Unimproved Sale Arms-Length [2]	<input type="checkbox"/> Multiple Accounts Arms-Length [3]	<input type="checkbox"/> Not an Arms- Length Sale [9]			
<b>3</b>	Tax Exemptions (if applicable) Cite or Explain Authority	Recordation State Transfer County Transfer	<b>DEED</b>					
<b>4</b>	Consideration and Tax Calculations	Consideration Amount			Finance Office Use Only			
		Purchase Price/Consideration	\$	Transfer and Recordation Tax Consideration				
		Any New Mortgage	\$	Transfer Tax Consideration				
		Balance of Existing Mortgage	\$	X ( ) % =				
		Other:	\$	Less Exemption Amount -				
		Other:	\$	Total Transfer Tax =				
		Full Cash Value	\$	Recordation Tax Consideration				
				X ( ) per \$500 =				
				TOTAL DUE				
<b>5</b>	Fees	Amount of Fees		Doc. 1	Doc. 2	Agent:		
		Recording Charge	\$	<b>60.00</b>	\$		Tax Bill:	
		Surcharge	\$		\$		C.B. Credit:	
		State Recordation Tax	\$		\$		Ag. Tax/Other:	
		State Transfer Tax	\$		\$			
		County Transfer Tax	\$		\$			
		Other	\$		\$			
<b>6</b>	Description of Property <small>SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).</small>	District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG	
		<b>09</b>	<b>034646410</b>					[ ] (5)
		Subdivision Name	Lot (3a)	Block (3b)	Sect/AR(3c)	Plat Ref.	Sq.Ft./Acreage (4)	
		Location/Address of Property Being Conveyed (2)						
		<b>19203 Liberty Mill Road, Germantown, MD 20874</b>						
		Other Property Identifiers (if applicable)					Water Meter Account No.	
		Residential <input checked="" type="checkbox"/> or Non-Residential [ ]		Fee Simple <input checked="" type="checkbox"/> or Ground Rent [ ]		Amount:		
		Partial Conveyance? [ ] Yes [ <input checked="" type="checkbox"/> No		Description/Amt. of Sq Ft/Acreage Transferred:				
		If Partial Conveyance, List Improvements Conveyed:						
<b>7</b>		Transferred From	Doc. 1-Grantor(s) Name(s)			Doc. 2-Grantor(s) Name(s)		
	<b>Hernan Baron</b>							
		Doc.1-Owner(s) of Record, if Different from Grantor(s)			Doc.2-Owner(s) of Record, if Different from Grantor(s)			
<b>8</b>	Transferred To	Doc. 1-Grantee(s) Name(s)			Doc. 2-Grantee(s) Name(s)			
		<b>Hernan Baron, Trustee</b>						
		New Owner's (Grantee) Mailing Address						
		<b>19205 Liberty Mill Road, Germantown, MD 20874</b>						
<b>9</b>	Other Names to Be Indexed	Doc. 1-Additional Names to be Indexed (Optional)			Doc. 2-Additional Names to be Indexed (Optional)			
<b>10</b>	Contact/Mail Information	Instrument Submitted By or Contact Person				<input checked="" type="checkbox"/> Return to Contact Person		
		Name: <b>Patricia A. McKenzie</b>				<input type="checkbox"/> Hold for Pickup		
		Firm: <b>Patricia A. McKenzie, Esq</b>				<input type="checkbox"/> Return Address Provided		
		Address: <b>26317 Ridge Road Damascus, MD 20872</b> Phone: <b>(301) 253-0552</b>						
<b>11</b>	Space Reserved for County Validation	IMPORTANT: <b>BOTH THE ORIGINAL DEED AND PHOTOCOPY MUST ACCOMPANY EACH TRANSFER</b>						
		Assessment Information	[ ] Yes [ <input checked="" type="checkbox"/> No	Will the property being conveyed be the grantee's principal residence?				
			[ ] Yes [ <input checked="" type="checkbox"/> No	Does the transfer include personal property? If yes, identify:				
			[ ] Yes [ <input checked="" type="checkbox"/> No	Was the property surveyed? If yes, attach copy of survey (if recorded, no copy required).				
		Assessment Use Only - Do Not Write Below This Line						
	[ ] Terminal Verification		[ ] Agricultural Verification		[ ] Whole [ ] Part [ ] Tran. Process Verification			
	Transfer Number	Date Received:		Deed Reference:		Assigned Property No.:		
	Year	20	20	Geo.	Map	Sub		
	Land			Zoning	Grid	Plat		
	Buildings			Use	Parcel	Section		
	Total			Town Cd.	Ex St.	Ex. Cd.		
	REMARKS:							

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) KAB 65505 p.0037 MSA\_CE\_63\_65462. Date available 4/1/2022. Printed 3/17/2026.



Exhibit 15(a)(i)



Exhibit 15(ii)



Exhibit 15(a)(iii)











Exhibit 15(f)

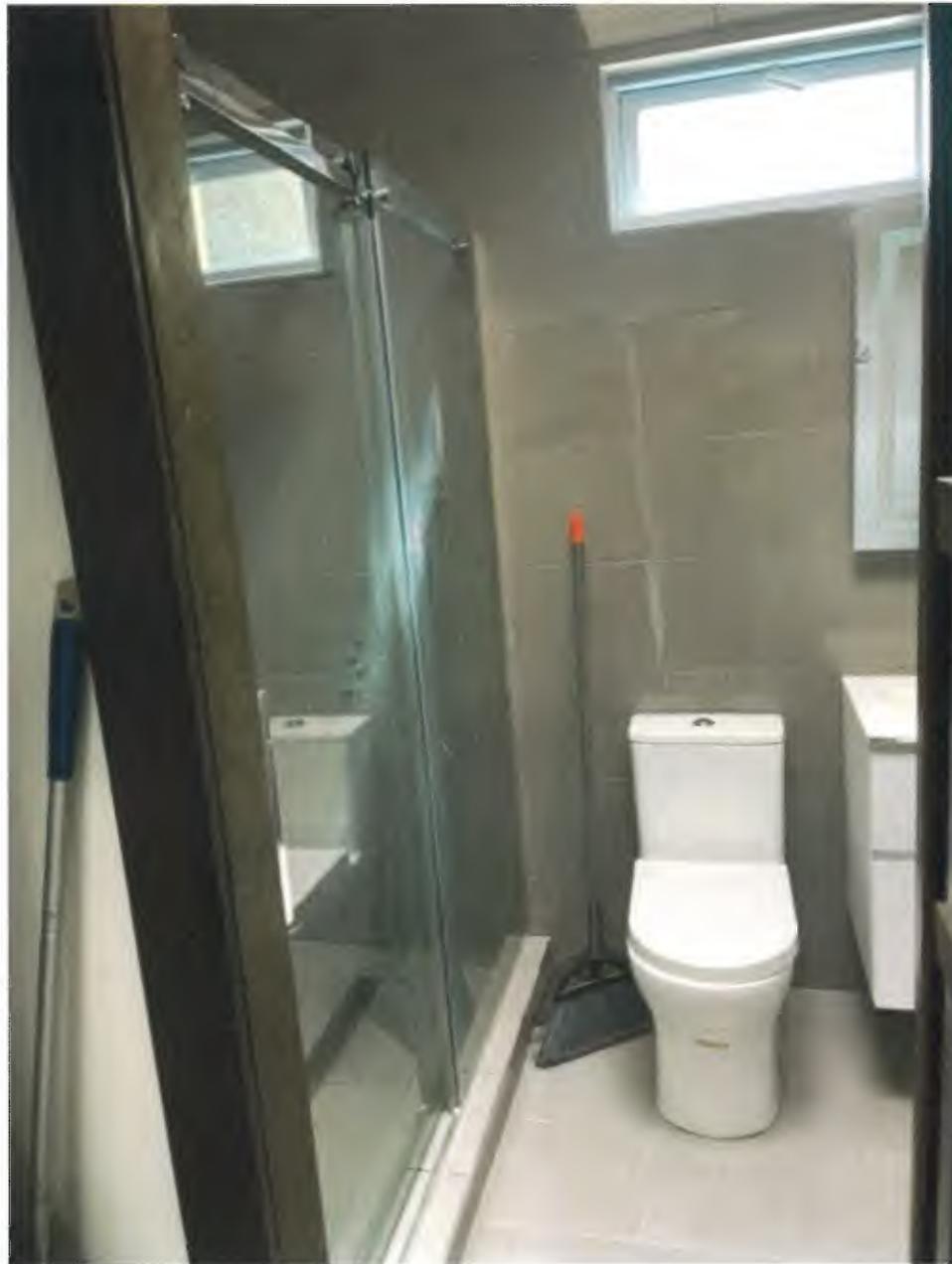


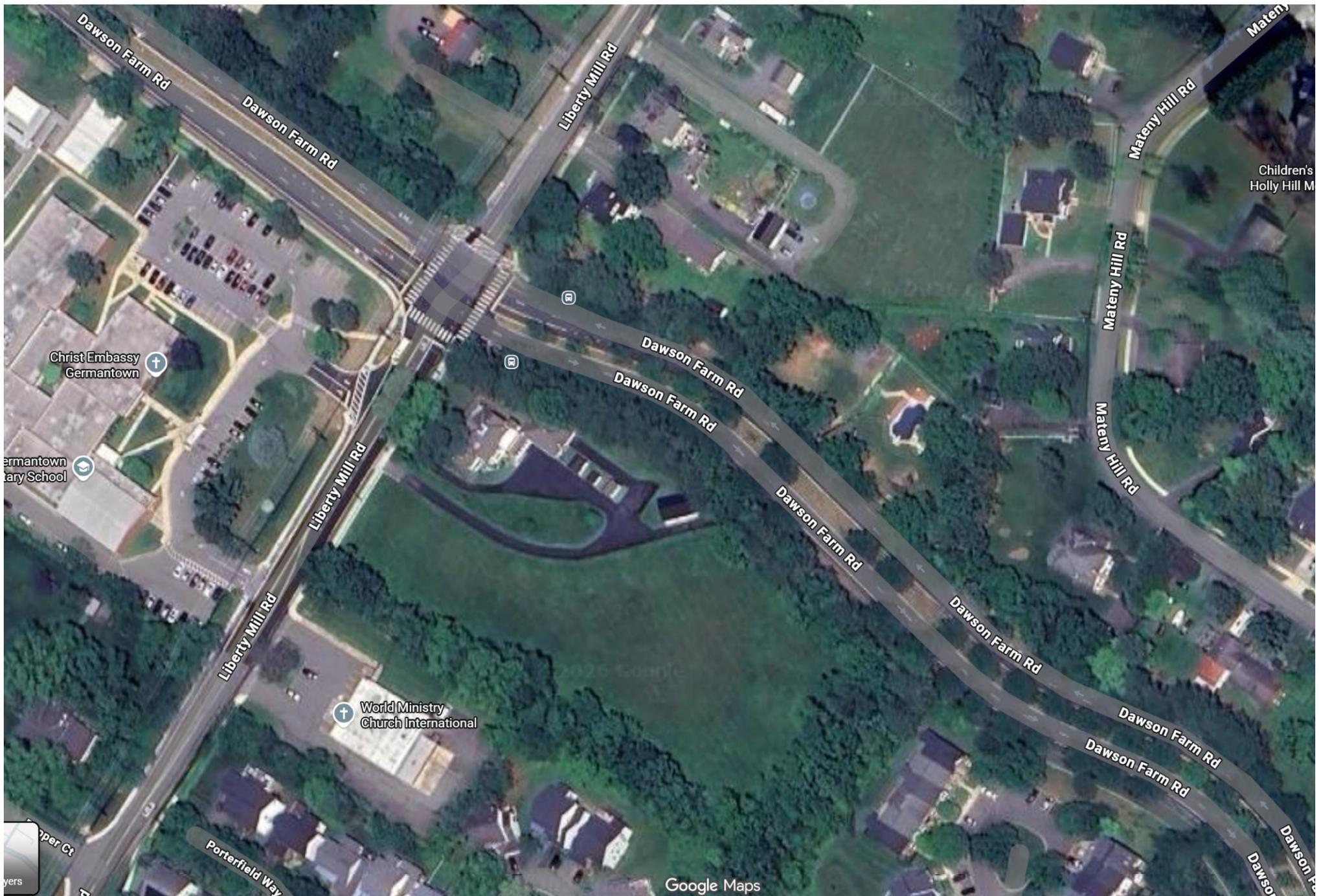
Exhibit 15(g)







Exhibit 16(a)



OWNER'S CERTIFICATE

WE, THE UNDERSIGNED, OWNERS OF THE PROPERTY SHOWN HEREON AND DESCRIBED IN THE SURVEYORS CERTIFICATE, HEREBY ADOPT THIS SUBDIVISION RECORD PLAT AND ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, SUBJECT TO ALL CURRENT AND APPLICABLE REGULATIONS OF ALL FEDERAL, STATE AND LOCAL GOVERNING AGENCIES. THE OWNERS HEREBY CERTIFY THAT A LICENSED LAND SURVEYOR WILL BE ENGAGED TO SET ALL PROPERTY CORNER MARKERS IN ACCORDANCE WITH SECTION 50-24 (e) OF THE SUBDIVISION REGULATIONS OF MONTGOMERY COUNTY, MARYLAND

THERE ARE NO SUITS, ACTIONS AT LAW, LEASES, LIENS, MORTGAGES OR TRUSTS INCLUDED IN THIS PLAT OF RESUBDIVISION

8/31/2004

DATE

Betty Kneal

WITNESS

8/31/2004

DATE

Betty Kneal

WITNESS

BERT J O'DELL (OWNER)

Bert J O'Dell

CAROLYN H O'DELL (OWNER)

Carolyn H O'Dell

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT, THAT IT IS PART OF THE LANDS ACQUIRED BY BERT J O'DELL AND CAROLYN H O'DELL BY FOUR (4) CONVEYANCES, THE FIRST (1ST) FROM FROM ABRAHAM B BERNSTEIN AND BETSY S ALGIRE BY DEED DATED MAY 2, 1988 AND RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN LIBER 8261 AT FOLIO 751, THE SECOND (2ND) FROM MANNAHAYA L KIRANEY AND HIRU D KHANAY BY DEED DATED DECEMBER 19, 1988 AND RECORDED AMONG THE AFORESAID LAND RECORDS IN LIBER 8620 AT FOLIO 323, THE THIRD (3RD) FROM MONTGOMERY COUNTY, MARYLAND BY DEED DATED SEPTEMBER 25, 1995 AND RECORDED AMONG THE AFORESAID LAND RECORDS IN LIBER 13696 AT FOLIO 154 AND, THE FOURTH (4TH) FROM RAY D WALTON JR BY DEED DATED OCTOBER 31, 1987 AND RECORDED AMONG THE AFORESAID LAND RECORDS IN LIBER 15322 AT FOLIO 529, THAT IT IS A RESUBDIVISION OF LOTS 5, 7 & 8, BLOCK A AS SHOWN ON A SUBDIVISION RECORD PLAT ENTITLED "BLOCK A" LOTS 5 THROUGH 8, ROBINS CREST" AND RECORDED AMONG THE AFORESAID LAND RECORDS AS PLAT NUMBER 22299

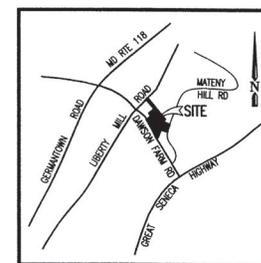
THAT THE TOTAL AREA INCLUDED IN THIS SUBDIVISION RECORD PLAT IS 82,392 SQUARE FEET OR 1.89 ACRES OF LAND, OF WHICH THERE IS NO STREET DEDICATION

Aug 24 2004

DATE

Ronald L Collier  
PROFESSIONAL LAND SURVEYOR  
MD REG No 20014

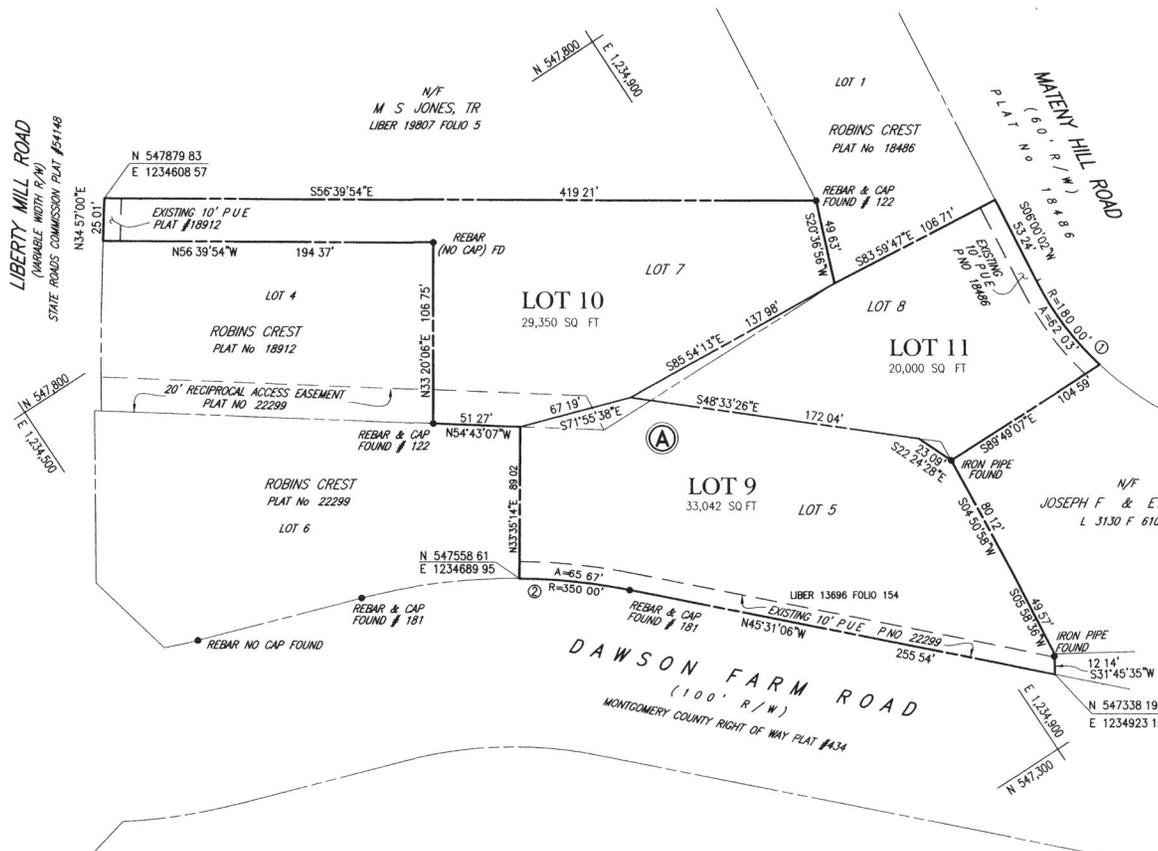
RECORDED  
PLAT NO 23039



VICINITY MAP  
NOT TO SCALE

NOTES

- 1 THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND USE, NOR EVERY MATTER RESTRICTING THE OWNERSHIP AND USE OF THE PROPERTY. THE SUBDIVISION RECORD PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPICT ALL MATTERS AFFECTING TITLE
- 2 ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, PROJECT PLAN OR OTHER PLAN, ALLOWING DEVELOPMENT OF THE PROPERTY, APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD ARE INTENDED TO SURVIVE AND NOT BE EXTINGUISHED BY THE RECORDED OF THIS PLAT, UNLESS EXPRESSLY CONTEMPLATED BY THE PLAN AS APPROVED. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND ARE AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS
- 3 THE SOLE PURPOSE OF THIS SUBDIVISION RECORD PLAT IS TO MAKE A MINOR LOT LINE ADJUSTMENT TO THE COMMON DIVISION LINES BETWEEN LOTS 5 AND 8, BLOCK "A" AND LOTS 7 AND 8, BLOCK "A", "ROBINS CREST" TO CORRECT THE MINIMUM REQUIRED LOT SIZE OF LOT 8, BLOCK "A" THIS PLAT CONFORMS WITH THE REQUIREMENTS OF SECTION 50-35A(6) OF THE MONTGOMERY COUNTY CODE
- 4 LOTS 9, 10 & 11 ARE A RESUBDIVISION OF LOTS 5, 7 & 8, BLOCK "A" "ROBINS CREST", AND REMAIN SUBJECT TO ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS AND ASSOCIATIONS OR ORGANIZATIONS ASSOCIATED WITH THE ROBINS CREST SUBDIVISION
- 5 TAX MAP REFERENCES EU 31, EU 41
- 6 THE PROPERTY IS SERVED BY PUBLIC WATER AND SEWER ONLY
- 7 WSSC 200 SCALE REFERENCE 226 NW 13
- 8 ALL EXISTING AND PROPOSED DEVELOPMENT ON THIS PROPERTY IS SUBJECT TO THE STANDARDS UNDER MONTGOMERY COUNTY ZONING ORDINANCE, R-200 ZONE CLASSIFICATION



CURVE	RADIUS	ARC	DELTA	TANGENT	BEARING	CHORD
1	180.00	62.03	19°44'41"	31.33	S03°52'19"E	61.72
2	350.00	65.66	10°44'58"	32.93	N50°53'34"W	65.57

205014 Minor (1) 191021 R200

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
MONTGOMERY COUNTY PLANNING BOARD

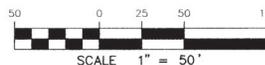
APPROVED July 22, 2004  
Doreen B... CHAIRMAN  
ASST SECRETARY-TREASURER

DEPARTMENT OF PERMITTING  
SERVICES, MONTGOMERY COUNTY

APPROVED October 11, 2004  
John... DIRECTOR

MNCP&PC Record File No 624-52

Plotted Aug 23, 2004



SUBDIVISION RECORD PLAT  
LOTS 9, 10 & 11, BLOCK A  
A RESUBDIVISION OF  
LOTS 5, 7 & 8, BLOCK "A"

ROBINS CREST

GAITHERSBURG (9TH) DISTRICT  
MONTGOMERY COUNTY, MARYLAND  
AUGUST, 2004 SCALE 1"=50'

Charles P Johnson & Associates, Inc  
PLANNING ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS  
1501 ELLEN ROAD SUITE 300 SILVER SPRING MARYLAND 20908  
PHONE: 301.584.7000 FAX: 301.584.7000  
WWW.CPJASSOCIATES.COM



JED DFD  
21-010-15-01R

Dwg M\31010\dwg\15 01 RESUB Xref

2-05014

624-52

23284 336

MONTGOMERY COUNTY, MD  
APPROVED BY D

Parcel ID No. 9-1-3155240

2003 MAR 14 P 2: 13 8

MAR 14 2003

\$ 483.00 RECORDATION TAX PAID  
\$ 200.00 TRANSFER TAX PAID

FILED  
MOLLY Q. RUHL  
CLERKS OFFICE

QUITCLAIM DEED AND RESERVATION OF EASEMENT

THIS QUITCLAIM DEED AND RESERVATION OF EASEMENT made this 27th day of February, 2003, by and between Montgomery County, Maryland, hereinafter called GRANTOR, and Bert J. and Carolyn O'Dell, as tenants by the entireties, hereinafter called GRANTEES.

RECITALS:

1. By Inquisition dated September 21, 1995 and recorded at Liber 13696, Folio 154 in the Land Records for Montgomery County, Maryland, GRANTOR acquired title to certain land described generally as "part of that property situated in the 9<sup>th</sup> Election District of Montgomery County, Maryland, Parcel ID No. 776388, and being part of that parcel of land conveyed to Burt O'Dell and Carolyn O'Dell by Henry W. Setzer and Elizabeth Setzer, his wife, by deed dated June 29, 1981, and recorded at Liber 5723, Folio 91, among the Land Records of Montgomery County, Maryland, as shown on Right -of-way plat 434, recorded among the Land Records of Montgomery County, Maryland, consisting of 78,094 square feet, more or less in fee simple and 11, 887 square feet, more or less in revertible easement," for which the GRANTOR paid just compensation in the amount of Three Hundred Thousand Dollars (\$300,000.00).
2. By Option Contract dated March 23, 1998 and accepted by Executive Order No. 83-98 PAS, effective April 30, 1998, the GRANTOR agreed to convey certain remnant land from the acquisition described in Recital 1 above in exchange for GRANTEES agreement to convey certain land and easements to GRANTOR.
3. The consideration for this conveyance to the Grantee is the value of the land and rights being conveyed to the Grantee by this Quitclaim Deed and pursuant to the Option Contract referenced in Recital 2, which for purposes of this exchange is Seventy Thousand Dollars (\$70,000.00).

IN CONSIDERATION of the foregoing recitals and the terms of this Quitclaim Deed and Reservation of Easement, the GRANTOR does hereby grant, convey and forever quitclaim in fee simple, and release unto the GRANTEES, all those pieces or parcels of ground and other rights situate and lying in Montgomery County, Maryland, and more particularly described as follows:

DESCRIPTION - Being a strip or parcel of land containing 18,670 square feet of land, more or less and hereinafter described, being part of the property acquired from Grantees by inquisition in Civil Action No. 119188 and recorded in Liber 13696 at Folio 154 among the Land Records of Montgomery County, Maryland; said property also being referred to as Parcel 462 as shown on Montgomery County Tax Map No. EU341; and shown as Outlot "C" on Montgomery County Department of Transportation Right of Way Plan File No. 434, a copy of which is attached hereto as Exhibit A; and

AGRICULTURE TRANSFER TAX IN 2003

AMOUNT OF \$ N/A  
SIGNATURE [Signature]

RECEIVED FOR TRANSFER  
State Department of  
Assessments & Taxation  
for Montgomery County

261737 3/14/03

Exhibit 18

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) MQR 23284 p.0336 MSA\_CE\_63\_23238. Date available 9/15/2005. Printed 3/16/2026.

NO FEE

2003 MAR 14 P 2: 12 9

FILED  
MOLLY Q. RUHL  
CLERKS OFFICE  
MONTGOMERY CO, MD

TOTAL 0.00  
RCPT#999999  
MQR ORC BLK#6278  
MAR 14 2003 02:09 PM

Saving and Excepting therefrom Item No. 86866 containing 1,448 square feet more or less of land as shown on Maryland DOT Plat 54148, an excerpt of which is attached hereto and incorporated herein as Exhibit "B";  
and

Saving and Excepting a perpetual storm drain easement containing 784 square feet of land, more or less as described on Exhibit "C" attached hereto and incorporated herein.

AND FURTHER SUBJECT TO REVERTIBLE SLOPE AND CONSTRUCTION EASEMENTS reserved by the Grantor as shown on Maryland DOT plat 54148.

TOGETHER WITH ALL the rights, privileges, easements, appurtenances and advantages thereto belonging or appertaining.

TO HAVE AND TO HOLD the above granted property and rights unto the said GRANTEES, their successors or assigns in fee simple.

[signature page follows]

WITNESS their hands and seals the day and year first above written.

MONTGOMERY COUNTY, MARYLAND

by: *Douglas M. Duncan*  
Douglas M. Duncan, County Executive

STATE OF MARYLAND )  
 ) ss:  
COUNTY OF MONTGOMERY )

I hereby certify that on this 27th day of February, 2003, before the subscriber, a Notary Public in and for the aforementioned State and County personally appeared Douglas M. Duncan, as County Executive for Montgomery County, Maryland, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and did acknowledge the foregoing to be his act as County Executive for Montgomery County, Maryland.

*JoAnne Poore*  
Notary Public

My Commission expires:  
*June 1, 2006*

I hereby certify that I am an attorney duly admitted to practice before the Court of Appeals of Maryland and that the within instrument was prepared under my supervision.

*Diane R. Schwartz Jones*  
Diane R. Schwartz Jones  
Associate County Attorney

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) MQR 23284 p.0338 MSA\_CE\_63\_23238. Date available 9/15/2005. Printed 3/16/2026.

**SURVEYOR'S AND ENGINEER'S CERTIFICATE**

WE HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT; THAT IT IS A PLAN OF RIGHT OF WAY FOR DAWSON FARM ROAD, LOCATED IN THE GAITHERSBURG (9th) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND; THAT IT IS BASED ON AN ACTUAL FIELD SURVEY AND THAT IT DELINEATES LAND TO BE ACQUIRED BY MONTGOMERY COUNTY, MARYLAND IN CONNECTION WITH THIS ROAD IMPROVEMENT. WE FURTHER CERTIFY THAT IRON PIPES WILL BE SET AS REQUIRED AND IN ACCORDANCE WITH SECTION 50-24e OF THE MONTGOMERY COUNTY CODE.

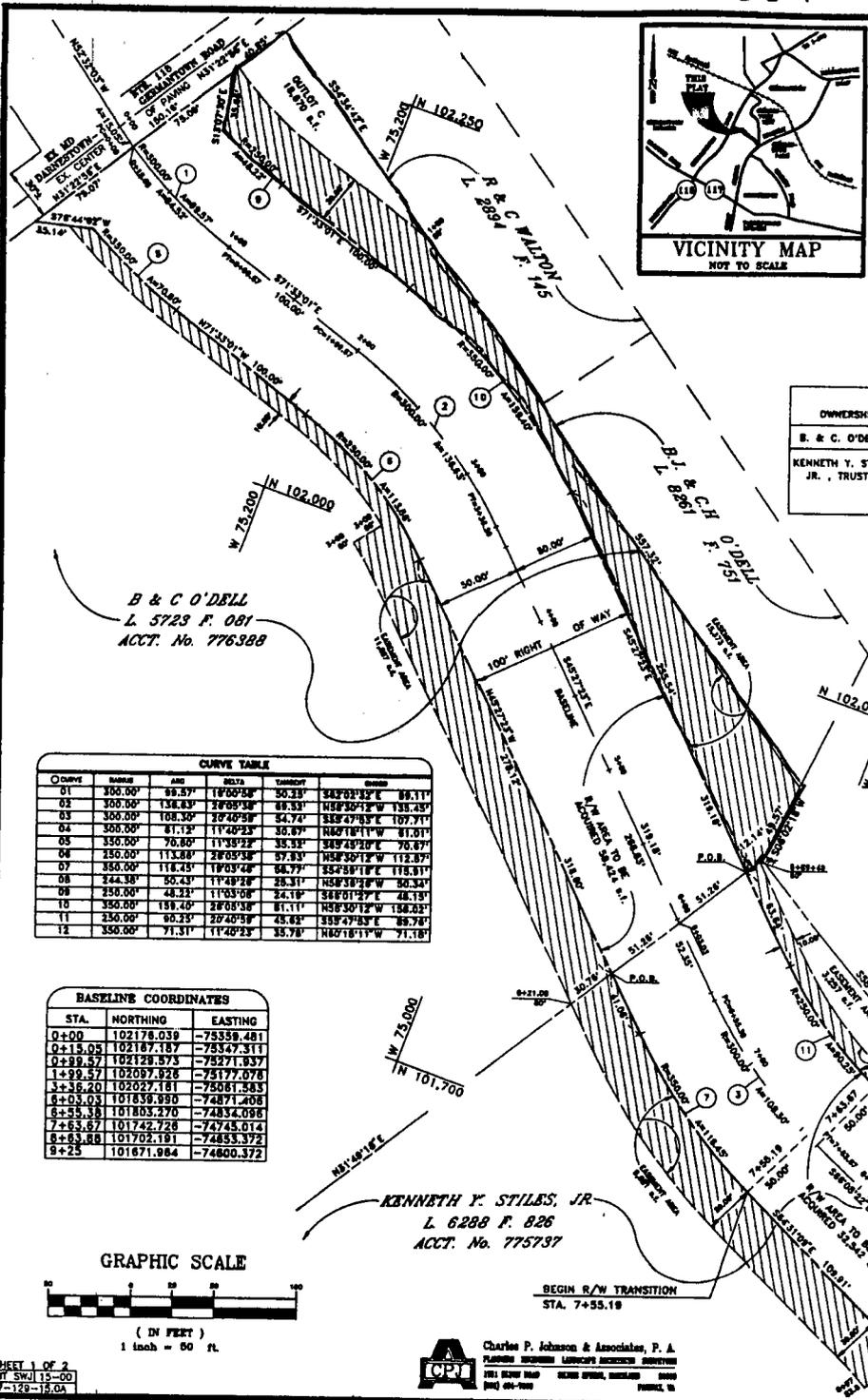
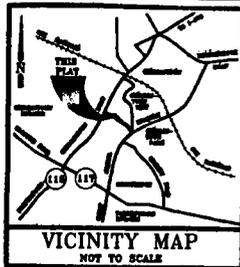
DATE: 5-24-93

*Ronald L. Collier*  
RONALD L. COLLIER  
REGISTERED PROPERTY LINE SURVEYOR  
MARYLAND REG. # 307

*David M. O'Bryan*  
DAVID M. O'BRYAN  
REGISTERED PROFESSIONAL ENGINEER  
MARYLAND REG. # 14752

NAME AND TAX ACCOUNT NUMBERS OF REPORTED PROPERTY OWNERS SHOWN HEREON WERE OBTAINED FROM AVAILABLE LAND RECORDS AT THE TIME OF PREPARATION OF THIS PLAN AND ARE SUBJECT TO THE FINDINGS OF A TRUE TITLE SEARCH. THE INFORMATION SHOWN HEREON DOES NOT CONSTITUTE A BOUNDARY SURVEY FOR ANY INDIVIDUAL PROPERTY.

OWNERSHIP	DEED REFERENCE	ACCOUNT NO.	R/W AREA THIS PLAN	TOTAL R/W AREA	SLOPE/CONST. EASEMENTS THIS PLAN	TOTAL EASEMENT AREA
B. & C. O'DELL	L. 5723 F. 081	9-1-776386	59,424 #	59,424 #	27,280 #	27,280 #
KENNETH Y. STILES, JR., TRUSTEE	L. 6288 F. 826	9-1-775737	32,542 #	95,284 #	12,348 #	23,741 #

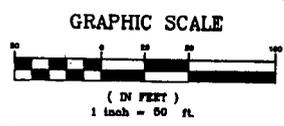


**CURVE TABLE**

Curve	Station	Angle	Radius	Chord	Delta	
01	300.00'	58.57°	17607.50'	55.23'	541.632°E	58.11'
02	300.00'	138.83°	2709.38'	89.33'	N58°30'12"W	135.25'
03	300.00'	108.30°	2949.59'	54.74'	S89°47'33"E	107.71'
04	300.00'	81.12°	11420.23'	30.67'	N60°18'11"W	81.01'
05	350.00'	76.86°	11389.22'	35.32'	S49°48'20"E	76.67'
06	250.00'	113.88°	7283.38'	57.33'	N58°30'12"W	112.87'
07	350.00'	118.45°	11803.48'	54.77'	S57°28'11"E	118.31'
08	244.38'	50.43°	11429.28'	28.31'	N58°38'38"W	50.34'
09	250.00'	48.22°	11403.08'	24.18'	S68°01'27"E	48.15'
10	350.00'	158.40°	2760.38'	81.11'	N58°30'12"E	158.23'
11	350.00'	80.25°	2040.58'	45.82'	S59°47'33"E	89.78'
12	350.00'	71.31°	11420.23'	35.78'	N60°18'11"W	71.18'

**BASELINE COORDINATES**

STA.	NORTHING	EASTING
0+00	102178.039	-75339.481
0+15.05	102187.157	-75347.311
0+29.57	102128.573	-75271.937
1+99.57	102097.926	-75177.078
3+36.20	102027.181	-75061.383
6+03.03	101836.950	-74871.408
8+54.38	101803.270	-74834.098
7+63.87	101742.728	-74745.014
8+63.88	101702.191	-74653.372
9+25	101671.984	-74600.372



**RIGHT OF WAY PLAT #1**  
**DAWSON FARM ROAD**  
FROM STATION 0+00 TO  
STATION 9+25  
GAITHERSBURG (9TH) ELECTION DISTRICT  
MONTGOMERY COUNTY, MARYLAND  
SCALE: 1"=50' MAR. 1993

*Received*  
*7-26-93*

PREPARED FOR:  
MONTGOMERY COUNTY  
DEPARTMENT OF TRANSPORTATION  
DATE: MAY 5, 1993  
PROJECT NUMBER 803400  
RIGHT OF WAY PLAT FILE NO. 434

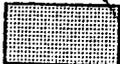
Charles P. Johnson & Associates, P. A.  
PLANNING ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS  
101 BERRY ROAD SUITE 200A, GAITHERSBURG, MD 20878  
(301) 991-7000

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) MQR 23284 p.0339 MSA\_CE\_63\_23238. Date available 9/15/2005. Printed 3/16/2026.

Exhibit A

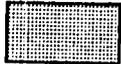
MONTGOMERY COUNTY CIRCUIT COURT (Land Records) MQR 23284 p.0340 MSA\_CE\_63\_23238. Date available 9/15/2005. Printed 3/16/2026.

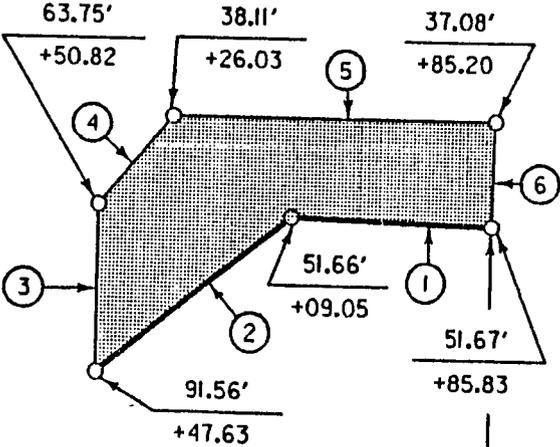
23284 -340

STILES FARM, L.C. ITEM NO. 86790.		
REC'D LIBER	FOLIO	
1	S 34°39'03" W	210.80'
2	R=6755.74 CHD N 31°18'00" E	19.41' 19.41'
3	N 31°22'56" E	191.09'
4	S 58°25'42" E	12.05'
FEE SIMPLE AREA = 1,271 SQ. FT. OR 0.029 AC. ± SHOWN THUS: 		

STILES FARM, L.C. ITEM NO. 86790		
REC'D LIBER	FOLIO	
1	S 58°25'42" E	45.00'
2	S 31°34'18" W	35.00'
3	N 58°25'42" W	60.00'
4	N 31°34'18" E	10.00'
5	S 58°25'42" E	15.00'
6	N 31°34'18" E	25.00'
PERPETUAL EASEMENT AREA = 1,725 SQ. FT. OR 0.040 AC. ± SHOWN THUS: 		

END OF S 58°25'42" E 270.00  
FOOT LINE IN DEED RECORDED  
JANUARY 10, 1995, FROM  
KENNETH Y. STILES, TRUSTEE,  
TO STILES FARM, L.C. IN  
LIBER 13198, FOLIO 122.

MONTGOMERY COUNTY, MD ITEM NO. 86866		
REC'D LIBER	FOLIO	
1	S 32°51'21" W	23.22'
2	S 13°07'54" E	55.50'
3	R=250.00' L= CHD N 63°42'30" W	28.01' 28.00'
4	N 13°07'54" W	35.66'
5	N 31°22'56" E	40.85'
6	S 54°39'58" E	14.61'
FEE SIMPLE AREA = 1,448 SQ. FT. OR 0.033 AC. ± SHOWN THUS:  INSERT 'A'		



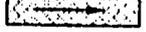
POINT OF BEGINNING

g:\dgn\186-64\18\rw\54148.dgn (54148.pr.f)

"I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN HEREON ARE A CORRECT INTERPRETATION OF THE FIELD SURVEYS SUPPLIED TO ME BY LOIEDERMAN ASSOCIATES, INC."

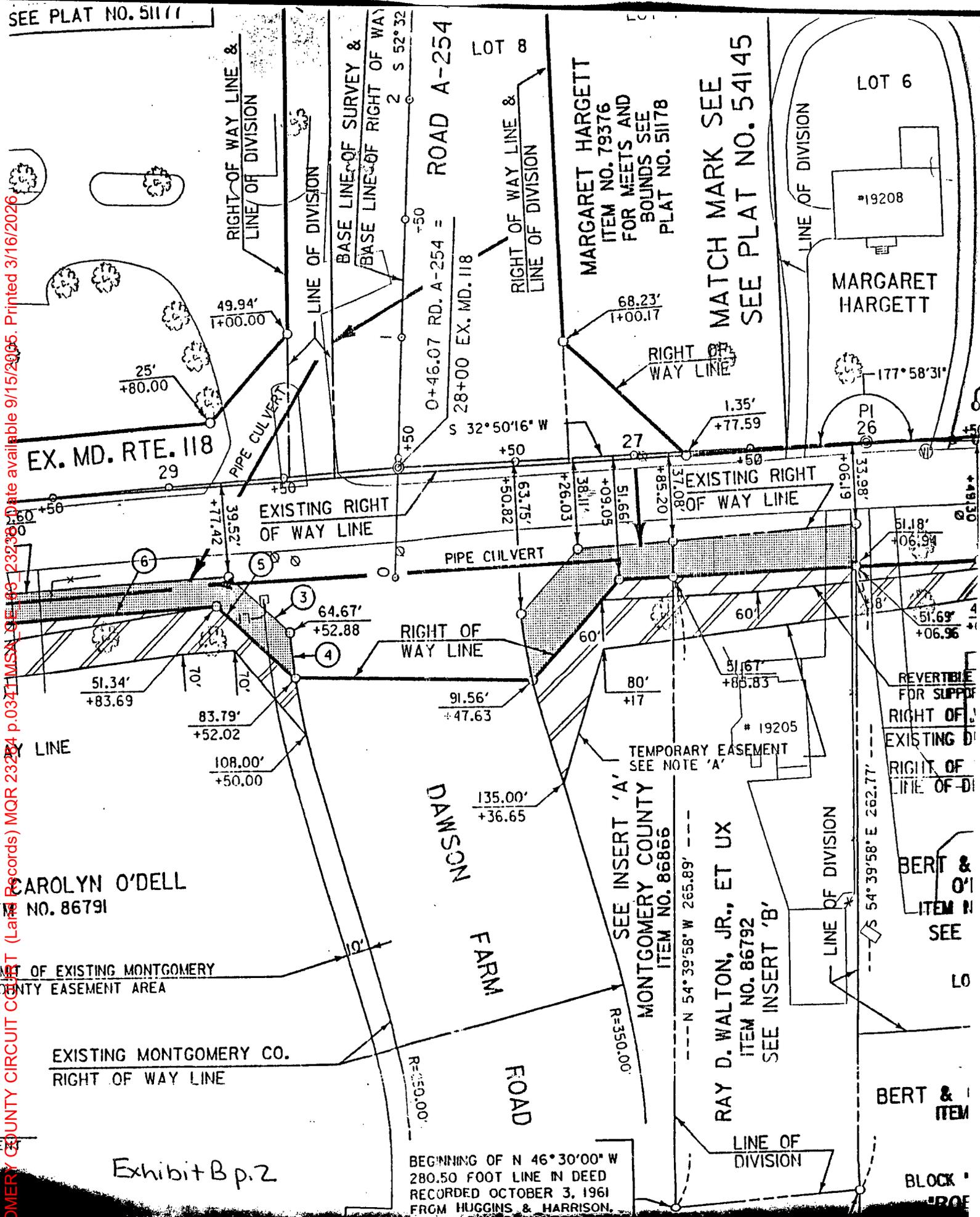
*J. Huber* 8/30/96  
JOHN J. HUBER R.L.S. 6043



	REC'D
	PERM
	PERM
	PERM
	PERM
	PERM
	PERM
	PERM

SEE PLAT NO. 51177

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) MQR 23284 p.0341 MSA SEE 99-23284 Date available 9/15/2005. Printed 3/16/2026



CAROLYN O'DELL  
NO. 86791

DANSON FARM  
MONTGOMERY COUNTY  
ITEM NO. 86856

RAY D. WALTON, JR., ET UX  
ITEM NO. 86792  
SEE INSERT 'B'

EXISTING MONTGOMERY CO.  
RIGHT OF WAY LINE

Exhibit B p.2

BEGINNING OF N 46°30'00" W  
280.50 FOOT LINE IN DEED  
RECORDED OCTOBER 3, 1961  
FROM HUGGINS & HARRISON.

BERT & O'ITEM

BLOCK

## EXHIBIT C

DESCRIPTION OF PERPETUAL EASEMENT  
MONTGOMERY COUNTY, MARYLAND  
ACCOUNT NO. 9-1-3155240  
DAWSON FARM ROAD

Being a part of the same land described in a conveyance from Henry W. Setzer et ux Elizabeth to Bert J. and Carolyn O'Dell by deed dated June 29, 1981 and recorded among the land records of Montgomery County, Maryland in Liber 5723 at Folio 91 and by Inquisition to Montgomery County, Maryland, recorded September 25, 1995 in Liber 13696 and Folio 154 and being more particularly described as follows:

Beginning for the same at a point on the northeast right of way line of Dawson Farm Road (100 foot right of way) 50.00 feet opposite centerline station 5+32.50 on recorded right of way plat no. 434 and running thence with a part of said right of way.

1. North 45° 27' 23" West, 28.00 feet: thence leaving said right-of-way and running so as to cross and include a part of the above mentioned conveyance in Liber 5723 at Folio 91 with three new lines of division as now created
2. North 44° 32' 37" East, 28.00 feet; thence
3. South 45° 27' 23" East, 28.00 feet: thence
4. South 44° 32' 37" West, 28.00 feet to the point of beginning containing a computed area of 784 square feet or 0.018 acres of land.

DEPARTMENT OF ASSESSMENTS AND TAXATION

Montgomery County Office



ROBERT L. EHRLICH, JR. Governor

RONALD W. WINEHOLT Director

DAVID F. LOWE Supervisor of Assessments

PARTIAL TRANSFERS & AREA DIFFERENCES

The ASSESSMENTS TRANSFER SECTION would appreciate your cooperation in processing split (partial) transfers and area differences (new surveys, etc.). Therefore, list account numbers (parcel identifiers), areas (acreage / square footage) and improvements (buildings / structures) involved in this conveyance. Please allow up to five (5) business days for review and preparation of documents prior to our response to this transfer.

SUPERVISOR OF ASSESSMENTS

REQUESTOR: Diane Schwartz Jones TELEPHONE: 240-777-6743 DATE 3/14/03

GRANTOR: Montgomery County, Md.

GRANTEE: Burt J. & Carolyn O'Dell

Table with 7 columns: DIST., SUB., ACCT. NO., CURRENT AREA, AREA CONVEYED, AREA REMAINING, IDENTIFY EACH IMPROVEMENT GOING WITH THIS CONVEYANCE. Row 1: 9, 1, 03155240, 18,670F, 17,222F, 1448F

FOR OFFICIAL USE ONLY

COMMENTS: SPLIT AS ABOVE.

ACCEPTED [Signature] 3/14/03

DENIED

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) MQR 23284 p.0343 MSA\_CE\_63\_23238. Date available 9/15/2005. Printed 3/16/2026.

23284 344

State of Maryland Land Instrument Intake Sheet
Baltimore City County:

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

(Check Box if Addendum Intake Form is Attached.)

1 Type(s) of Instruments
2 Conveyance Type Check Box
3 Tax Exemptions (if Applicable)
Cite or Explain Authority

4 Consideration and Tax Calculations
Consideration Amount
Finance Office Use Only
Transfer and Recordation Tax Consideration

5 Fees
Amount of Fees Doc. 1 Doc. 2
Recording Charge
Surcharge
State Recordation Tax
State Transfer Tax
County Transfer Tax
Other
Other

6 Description of Property
SDAT requires submission of all applicable information.
A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

7 Transferred From
Doc. 1 - Grantor(s) Name(s)
Doc. 2 - Grantor(s) Name(s)

8 Transferred To
Doc. 1 - Grantee(s) Name(s)
Doc. 2 - Grantee(s) Name(s)
New Owner's (Grantee) Mailing Address

9 Other Names to Be Indexed
Doc. 1 - Additional Names to be Indexed (Optional)
Doc. 2 - Additional Names to be Indexed (Optional)

10 Contact/Mail Information
Instrument Submitted By or Contact Person
Name:
Firm:
Address:
Phone: ( )
Return to Contact Person
Hold for Pickup
Return Address Provided

11 IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER
Assessment Information
Will the property being conveyed be the grantee's principal residence?
Does transfer include personal property? If yes, identify:
Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).

Assessment Use Only - Do Not Write Below This Line
Terminal Verification
Agricultural Verification
Whole
Part
Tran. Process Verification
Transfer Number:
Date Received:
Deed Reference:
Assigned Property No.:

REMARKS:

Distribution: White - Clerk's Office
Canary - SDAT
Pink - Office of Finance
Goldenrod - Preparer
AOC-CC-300 (6/95)

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) MQR 23284 p.0344 MSA\_CE\_63\_23238. Date available 9/15/2005. Printed 3/16/2026.

Space Reserved for Circuit Clerk Recording Voidation

Space Reserved for County Voidation



OFFICE OF THE COUNTY ATTORNEY

Douglas M. Duncan  
County Executive

Charles W. Thompson, Jr.  
County Attorney

March 14, 2008

Molly Q. Ruhl,  
Clerk of the Circuit Court  
Circuit Court for Montgomery County, Maryland  
Montgomery County Judicial Center  
50 Maryland Avenue  
Rockville, MD 20850

Bert J. and Carolyn O'Dell  
Montgomery County, MD  
Parcel ID No. 9-1-3155240  
Quit Claim Deed and  
Reservation of Easement

Dear Madame Clerk:

Please record the attached document on behalf of Montgomery County, Maryland, and waive the recording fee.

Thank you for your attention to this matter.

Very truly yours,

Eileen T. Basaman  
Assistant County Attorney

2008 MAR 14 P 2:128  
FILED  
MOLLY Q. RUHL  
CLERKS OFFICE  
MONTGOMERY CO MD  
TB:s

I:\AF\basame\waiver of fees\l=ruhl.wpd



# THRIVE

## MONTGOMERY 2050

Let's Plan For Our Future. Together.

APPROVED AND ADOPTED—OCTOBER 2022

 **Montgomery Planning**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**T**hrive Montgomery 2050 contains the text and supporting maps for a comprehensive amendment (rewrite) of the 1969 *General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery County, Maryland*, as amended; the 1993 *General Plan Refinement of the Goals and Objectives for Montgomery County*, as amended; the *Master Plan of Historic Preservation*, as amended; the 2010 *Purple Line Functional Plan*, as amended; the 2011 *Housing Element of the General Plan*, as amended; the 2013 *Countywide Transit Corridors Functional Master Plan*, as amended; the 2018 *Master Plan of Highways and Transitways*, as amended; the 2018 *Energized Public Spaces Functional Master Plan*, as amended; and the 2018 *Bicycle Master Plan*, as amended.

*Thrive Montgomery 2050* is a general plan for the county with a 30-year horizon. It sets a vision for the county and encompasses broad, countywide policy recommendations for land use, zoning, housing, the economy, equity, transportation, parks and open space, the environment, and historic resources. These recommendations provide guidance for future master plans, county and state capital improvement processes, and other public and private initiatives that influence land use and planning in the county. None of the plan's zoning-related recommendations can be implemented without a sectional map amendment, a district map amendment, or a zoning text amendment approved by the County Council.

## The Maryland-National Capital Park and Planning Commission

The Maryland-National Capital Park and Planning Commission (M-NCPPC) is a bicounty agency created by the General Assembly of Maryland in 1927. The Commission's geographic authority extends to the great majority of Montgomery and Prince George's counties; the Maryland-Washington Regional District (M-NCPPC planning jurisdiction) comprises about 1,001 square miles, while the Metropolitan District (parks) comprises about 919 square miles in the two counties.

The Commission prepares, adopts, and amends or extends the General Plan (*Thrive Montgomery 2050*) for the physical development of the Maryland-Washington Regional District in Montgomery County. The Commission operates in each county through planning boards appointed by the respective county governments. The planning boards are responsible for implementation of local plans, recommendations on zoning map amendments, zoning text amendments and subdivision regulation amendments, and the general administration of their respective park systems.

The Maryland-National Capital Park and Planning Commission encourages the involvement and participation of all individuals, including those with disabilities. The M-NCPPC will generally provide, upon request, appropriate aids and services and make reasonable accommodations for persons with disabilities. To request accommodation (e.g., large print materials, listening devices, sign language interpretation), please contact the M-NCPPC Montgomery County Commissioners Office by telephone at 301-495-4605 or by email at [mcp-chair@mncppc-mc.org](mailto:mcp-chair@mncppc-mc.org), or contact the Montgomery Planning ADA Coordinator at 301-495-1324. Maryland residents can also use the free Maryland Relay Service for assistance with calls to or from hearing or speech-impaired persons by calling 7-1-1. For more information about the Maryland Relay go to [www.mdrelay.org](http://www.mdrelay.org) or call 800-552-7724.

### Sources of Copies

The Maryland-National Capital Park and Planning Commission, 2425 Reedie Drive, Wheaton, MD, 20902. Online at [www.thrivemontgomery.com](http://www.thrivemontgomery.com).

This version of *Thrive Montgomery 2050* includes an update to the Acknowledgments page (November 2023).



**CERTIFICATION OF APPROVAL AND ADOPTION  
THRIVE MONTGOMERY 2050 GENERAL PLAN FOR MONTGOMERY COUNTY**

This comprehensive amendment to the 1969 *General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery County, Maryland*, as amended; the 1993 *General Plan Refinement of the Goals and Objectives for Montgomery County*, as amended; the *Master Plan of Historic Preservation*, as amended; the 2010 *Purple Line Functional Plan*, as amended; the 2011 *Housing Element of the General Plan*, as amended; the 2013 *County-wide Transit Corridors Functional Master Plan*, as amended; the 2018 *Master Plan of Highways and Transitways*, as amended; 2018 *Energized Public Spaces Functional Master Plan* as amended; and the 2018 *Bicycle Master Plan*, as amended; has been approved by the Montgomery County Council, sitting as the District Council, by Resolution Number 19-1413 on October 25, 2022, adopted by the Montgomery County Planning Board as Resolution 22-101 on December 1, 2022 and has been adopted by The Maryland-National Capital Park and Planning Commission by Resolution Number 22-42 on December 21, 2022, after duly advertised public hearings pursuant to the Land Use Article – Division II, of the Annotated Code of Maryland.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



Peter Shapiro  
Chair



Jeffrey Zyontz  
Vice-Chair



Gavin Cohen  
Secretary-Treasurer



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
6611 Kenilworth Avenue - Riverdale, Maryland 20737

MCPB NO. 22-101

M-NCPPC NO. 22-42

### RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission, by virtue of the Land Use Article of the Annotated Code of Maryland, is authorized and empowered, from time to time, to make and adopt, amend, extend and add to the *On Wedges and Corridors, Updated General Plan for the Physical Development of the Maryland-Washington Regional District in Montgomery County, 1969*; and

WHEREAS, the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission, pursuant to the procedures set forth in the Montgomery County Code, Chapter 33A, held a duly advertised public hearing on Thursday, November 19, 2020, on the Public Hearing Draft *Thrive Montgomery 2050*, being a Comprehensive Amendment to the *On Wedges and Corridors, Updated General Plan for the Maryland-Washington Regional District in Montgomery County Maryland, 1969*; the *General Plan Refinement of the Goals and Objectives for Montgomery County, 1993*, as amended; the *Master Plan of Historic Preservation*, as amended; the *Purple Line Functional Plan, 2010*, as amended; the *Housing Element of the General Plan, 2011*, as amended; the *County-wide Transit Corridors Functional Master Plan, 2013*, as amended; the *Master Plan of Highways and Transitways, 2018*, as amended; the *Energized Public Spaces Functional Master Plan, 2018*, as amended; and the *Bicycle Master Plan, 2018*, as amended; and

WHEREAS, the Montgomery County Planning Board, after said public hearing and due deliberation and consideration, on April 8, 2021, approved the Planning Board Draft *Thrive Montgomery 2050*, recommended that it be approved by the District Council, and on April 13, 2021, forwarded it to the County Executive for recommendations and analysis; and

WHEREAS, the Montgomery County Executive reviewed and made recommendations on the Planning Board Draft *Thrive Montgomery 2050* and forwarded those recommendations and analysis to the District Council on June 10, 2021; and

WHEREAS, the Montgomery County Council sitting as the District Council for the portion of the Maryland-Washington Regional District lying within Montgomery County, held two public hearings on June 17, 2021 and June 29, 2021, wherein testimony was received concerning the Planning Board Draft *Thrive Montgomery 2050*; and

Approved as to

Legal Sufficiency: /s/ Matthew T. Mills  
M-NCPPC Legal Department

WHEREAS, the District Council, on October 25, 2022, approved the Planning Board Draft *Thrive Montgomery 2050* subject to the modifications and revisions set forth in Resolution No. 19-1413

NOW THEREFORE BE IT RESOLVED, that the Montgomery County Planning Board and the Maryland-National Capital Park and Planning Commission do hereby adopt the said *Thrive Montgomery 2050*, as the General Plan for the Maryland-Washington Regional District in Montgomery County, as approved by the District Council in the attached Resolution NO. 19-1413, and

BE IF FURTHER RESOLVED, that copies of said Amendment must be certified by the Maryland-National Capital Park and Planning Commission and filed with the Clerk of the Circuit Court of each of Montgomery and Prince George's Counties, as required by law.

\*\*\*\*\*

This is to certify that the foregoing is a true and correct copy of Resolution No. 22-101 adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission at its regular meeting held on December 1, 2022, in Wheaton, Maryland on motion of Commissioner Branson, seconded by Commissioner Piñero, with a vote of 5 to 0, Chair Zyontz, and Commissioners Branson, Hill, Presley, and Piñero, voting in favor of the motion.

  
Jeffrey Zyontz, Chair  
Montgomery County Planning Board

This is to certify that the foregoing is a true and correct copy of Resolution No. 22-42 adopted by the Maryland-National Capital Park and Planning Commission on motion of Commissioner Geraldo, seconded by Commissioner Bailey, with Commissioners Bailey, Branson, Doerner, Geraldo, Hill, Piñero, Presley, Shapiro, Washington and Zyontz voting in favor of the motion at its meeting held on December 21, 2022, during a hybrid video-conference/in-person meeting at Wheaton Headquarters in Wheaton, Maryland and broadcast by the Montgomery Planning Department.

  
Asuntha Chiang-Smith  
Executive Director

To address these issues, *Thrive Montgomery 2050* prioritizes policies and practices that address climate mitigation, adaptation, and the creation of community resilience. It facilitates the transition to renewable energy generation, distributed energy systems, modernization of the power grid, and energy conservation. It recommends incorporating green infrastructure into our urban areas, paying particular attention to our Equity Focus Areas. It supports improvements in our organic waste management systems, including food waste composting and other natural solutions to address climate change. The Plan also anticipates the need to improve the resilience of public and private infrastructure to withstand more severe weather and protect us from the effects of environmental degradation. These recommendations appear throughout the Plan and are consistent with the county's Climate Action Plan.

Some environmental policies which will need to be considered in the context of future master planning efforts and other county land-use decisions should include:

- minimizing imperviousness in new development and redevelopment and removing unnecessary impervious surfaces where feasible;
- protecting, enhancing, and increasing the coverage, connectivity, and health of natural habitats such as forests, non-forest tree canopy, wetlands, and meadows through land acquisition, easements, habitat restoration, and ecosystem management; and
- protecting watersheds and aquifers and improving water quality and stream conditions through enhancements and retrofits such as green streets, increased tree canopy, and green stormwater management.



## /// What Policies Will Solve the Problem?

### Better Design and More Reliance on Form-Based Tools to Provide Clear Direction and Build Great Places

In order to maximize the contributions of design—along with arts and culture - toward creating strong communities with lasting value, the county should pursue the following policies and practices:

#### Use design-based tools to create attractive places with lasting value that encourage social interaction and reinforce a sense of place and inclusion.

- Consider changes to codes, design guidelines, and regulatory tools as well as broader use of form-based zoning that focuses on the physical forms of buildings, streets, and spaces to ensure development across the county satisfies the following:
  - Ensure that all architecture and landscape designs physically define streets and public spaces as places of shared use that engage the pedestrian and are configured to encourage social interaction. (Eq)
  - Encourage investment in urban design and architecture that promotes safe communities and civic pride. (Eq)
  - Link individual architectural projects seamlessly to their surroundings irrespective of style, discouraging walls and buffers that can separate and disconnect communities. Civic buildings and public gathering places should be treated as important sites whose design reinforces community identity and a culture of inclusion and democracy. (Eq)
  - Design buildings, streets, and parking to prioritize the pedestrian scale and encourage walking and bicycling through smaller blocks, narrower streets, buffered bike lanes and sidewalks. Slow vehicle speeds and minimize surface parking while adequately accommodating automobiles. (En, Eq)

- Accommodate new development with a context sensitive approach to architecture and landscape design that acknowledges neighboring structures, local climate, and topography. (En)
- Physically integrate government and private development sites into their surrounding neighborhoods such that they welcome the public and support economic development by facilitating movement and fostering interaction between people and the transfer of ideas and innovation. (Ec, En)
- Examine the use of Crime Prevention Through Environmental Design (CPTED) or other standards in the development of Design Guidelines to encourage safe/welcoming public spaces. (Ec, Eq)
- Preserve, renew, and reuse existing and historic buildings, districts, and landscapes to affirm the continuity and evolution of communities while celebrating local culture and identity. (Eq)

The three symbols (Ec, En, Eq) indicate a strong link between each policy recommendation and the three overarching objectives of the Plan:

**Ec** = Economic Competitiveness

**En** = Environmental Health and Resilience

**Eq** = Racial Equity and Social Justice



APPROVED AND ADOPTED APRIL 2019



Exhibit 19(b)

## Abstract

This Sector Plan contains text and supporting maps for a limited amendment to the approved and adopted 1985 Boyds Master Plan, the 1989 Germantown Master Plan and the 2009 Germantown Employment Area Sector Plan. It also amends the General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery and Prince George's Counties as amended, the Master Plan of Highways and Transitways within Montgomery County as amended, the 2004 Rustic Roads Functional Master Plan as amended, the 2018 Bicycle Master Plan as amended and the Master Plan for Historic Preservation in Montgomery County, Maryland.

The Plan makes recommendations for land use, zoning, transportation, design, sustainability, community facilities and parks and open spaces.

## Source of Copies

The Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Online: [montgomeryplanning.org/planning/communities/area-3/marc-rail-communities/](http://montgomeryplanning.org/planning/communities/area-3/marc-rail-communities/)

## Notice to Readers

Each area master or sector plan reflects a vision of future development that responds to the unique character of the local community within the context of a countywide perspective. Area master and sector plans are intended to convey land use policy for defined geographic areas and should be interpreted together with relevant countywide functional master plans.

Sector plans generally look ahead about 20 years from the date of adoption. As communities evolve, the specifics of a master plan may become less relevant over time. Generally, sketches or drawings in an

adopted sector plan are for illustrative purposes only; they are intended to convey a general character rather than a specific commitment to a particular detailed design.

Sector plans do not specify all development possibilities for a particular property or area. To understand the full range of development options, the reader should be aware of additional land uses and development potential available through permitted conditional uses; variances; transferable development rights (TDRs); moderately priced dwelling units (MPDUs); rezoning by local map amendments; public projects and mandatory referral processes; and municipal annexations.

## The Maryland-National Capital Park and Planning Commission

The Maryland-National Capital Park and Planning Commission is a bi-county agency created by the General Assembly of Maryland in 1927. The Commission's geographic authority extends to the great majority of Montgomery and Prince George's Counties; the Maryland-Washington Regional District (M-NCPPC planning jurisdiction) comprises 1,001 square miles, while the Metropolitan District (parks) comprises 919 square miles in the two counties.

The Commission is charged with preparing, adopting and amending or extending the General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery and Prince George's Counties.

The Commission operates in each county through a Planning Board appointed by and responsible to each county's government. All local plans, recommendations on zoning amendments, administration of subdivision regulations and general administration of parks are responsibilities of the respective Planning Boards.

# MARC Rail Communities Sector Plan

Prepared by the Montgomery County Planning Department  
MontgomeryPlanning.org

Approved and Adopted | April 2019  
The Maryland-National Park and Planning Commission

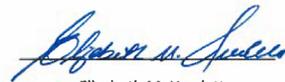


**CERTIFICATION OF APPROVAL AND ADOPTION**

**MARC RAIL COMMUNITIES SECTOR PLAN**

This Comprehensive Amendment to portions of the *Approved and Adopted 1985 Boyds Master Plan*, portions of the *Approved and Adopted 1989 Germantown Master Plan* and portions of the *Approved and Adopted 2009 Germantown Employment Area Sector Plan*, as amended; being also an amendment to the *General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery County and Prince George's Counties*, as amended; the *Master Plan for Historic Preservation*, as amended; the *Master Plan of Highways and Transitways within Montgomery County*, as amended; the *Bicycle Master Plan*, as amended; and the *Countywide Transit Corridors Functional Master Plan*, as amended; has been approved by the Montgomery County Council, sitting as the District Council, by Resolution No. 19-84 on April 30, 2019, and has been adopted by The Maryland-National Capital Park and Planning Commission by Resolution No. 19-13 on June 19, 2019, after duly advertised public hearings pursuant to the Land Use Article – Division II, of the Annotated Code of Maryland.

**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**



Elizabeth M. Hewlett  
Chair



Casey Anderson  
Vice-Chair



Joseph Zimmerman  
Secretary-Treasurer

  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

MCPB NO. 19-056  
M-NCPPC NO. 19-13

WHEREAS, The Maryland-National Capital Park and Planning Commission, by virtue of the Land Use Article of the Annotated Code of Maryland, is authorized and empowered, from time to time, to make and adopt, amend, extend and add to *The General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District Within Montgomery and Prince George's Counties*; and

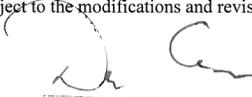
WHEREAS, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, pursuant to procedures set forth in the Montgomery County Code, Chapter 33A, held a duly advertised public hearing on February 1, 2018 on the Public Hearing Draft for the MARC Rail Communities Sector Plan, being also an amendment to portions of the approved and adopted 1985 *Boyd's Master Plan*; 1989 *Germantown Master Plan*; 2009 *Germantown Employment Area Sector Plan*; *The General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District Within Montgomery and Prince George's Counties*, as amended; 2004 *Rustic Roads Functional Master Plan*, as amended; 2013 *Countywide Transit Corridors Functional Master Plan*, as amended; 2018 *Master Plan of Highways and Transitways*, as amended; 2018 *Countywide Bikeways Functional Master Plan*, as amended; and *the Master Plan for Historic Preservation in Montgomery County*, as amended.

WHEREAS, the Montgomery County Planning Board, after said public hearing and due deliberation and consideration, on December 20, 2018, approved the Planning Board Draft of the MARC Rail Communities Sector Plan, recommended that it be approved by the District Council, and forwarded it to the County Executive for recommendations and analysis; and

WHEREAS, the Montgomery County Council sitting as the District Council for the portion of the Maryland-Washington Regional District lying within Montgomery County, held a public hearing on February 12, 2019, wherein testimony was received concerning the Planning Board Draft of the MARC Rail Communities Sector Plan; and

WHEREAS, the Montgomery County Executive reviewed and made recommendations on the MARC Rail Communities Sector Plan and forwarded those recommendations and analysis to the District Council on February 26, 2019; and

WHEREAS, the District Council, on April 30, 2019 approved the Planning Board Draft Of the MARC Rail Communities Sector Plan subject to the modifications and revisions set forth in Resolution No. 19-84.

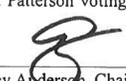
  
Approved for legal sufficiency  
M-NCPPC Office of the General Counsel

NOW, THEREFORE BE IT RESOLVED, that the Montgomery County Planning Board and The Maryland-National Capital Park and Planning Commission do hereby adopt the said MARC Rail Communities Sector Plan, together with the *General Plan for the Physical Development of the Maryland-Washington Regional District within Montgomery and Prince George's Counties*, as amended, and as approved by the District Council in the attached Resolution No. 19-84; and

BE IT FURTHER RESOLVED, that copies of said Amendment must be certified by The Maryland-National Capital Park and Planning Commission and filed with the Clerk of the Circuit Court of each of Montgomery and Prince George's Counties, as required by law.

\*\*\*\*\*

This is to certify that the foregoing is a true and correct copy of Resolution No. 19-56 adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission at its regular meeting held on Thursday, May 30, 2019 in Silver Spring, Maryland on motion of Commissioner Patterson, seconded by Commissioner Cichy, with a vote of 4 to 0, with Chair Anderson and Commissioners Fani-González, Cichy, and Patterson voting in favor of the motion and Vice Chair Dreyfuss absent.

  
Casey Anderson, Chair  
Montgomery County Planning Board

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of Resolution No. 19-13 adopted by the Maryland-National Capital Park and Planning Commission on motion of Commissioner Dreyfuss, seconded by Commissioner Doerner, with Chair Hewlett, Vice-Chair Anderson, Commissioners Bailey, Cichy, Doerner and Dreyfuss voting in favor of the motion, with Commissioners Fani-Gonzalez, Geraldo, Patterson and Washington being absent from the meeting held on Wednesday, June 19, 2019 at the Montgomery Regional Office Auditorium in Silver Spring, Maryland.

  
Anju A. Bennett  
Acting Executive Director



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**Appendix A** - Boyds MARC Station Concept Study, Anderson Property Site Analysis, Montgomery County Department of Transportation

**Appendix B** - Boyds MD 117 Crossing Study Evaluation

**Appendix C** - Transportation Analysis Summary for the MARC Rail Communities Sector Plan

**Appendix D** - Urban Land Institute Washington Leadership Institute Mini-Technical Assistance Panel

**Appendix E** - Historic Preservation

**Appendix F** - "Strategies for Maintaining Historic Character," excerpt from Vision of Boyds: A Long-Range Preservation Plan

**Appendix G** - Policy for Parks

**Appendix H** - Pedestrian Road Safety Audit (Middlebrook Road)

**Appendix I** - Germantown MARC Rail Carbon Emissions Analysis





## I. INTRODUCTION

### A. Plan Purpose

The purpose of this plan is to promote a range of safe transportation alternatives, improvements to the existing transportation systems and better connections to the Maryland Area Regional Commuter (MARC) train station areas that respect the residential neighborhoods and historic resources of Boyds and Germantown.

The Plan looks to the future by offering recommendations that support and better utilize existing transit assets, improve transportation connections and traffic safety in both station areas. In addition, the Plan proposes ways to revitalize the built environment around the Boyds and Germantown stations in a manner that appropriately complements surrounding residential neighborhoods and historic resources.

At the same time, the MARC Rail Communities Plan is a preservation strategy that aims to protect and enhance valued historic rural character and resources in both Boyds and Germantown.

The Plan recommends actions related to four broadly defined planning principles, which provide the organizing framework for this document:

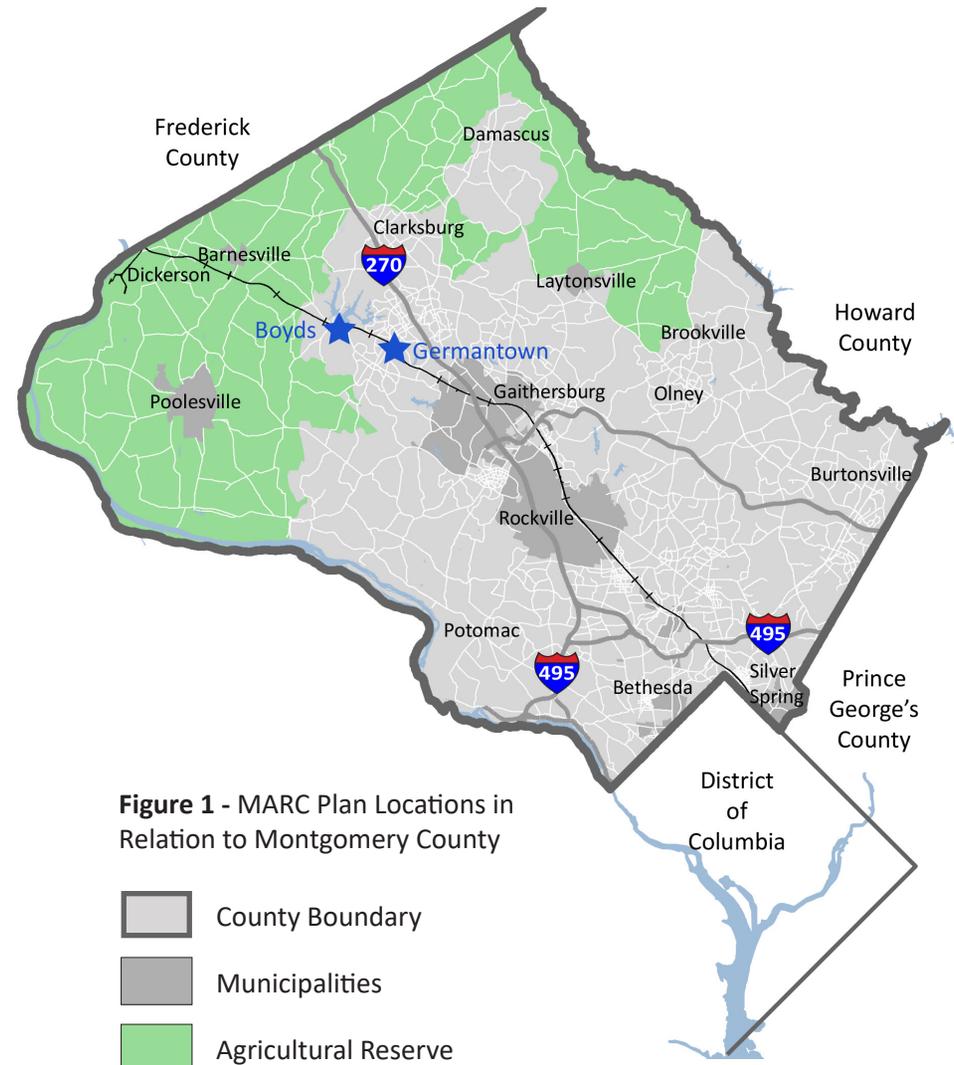
- **CONNECT:** Encourage multi-modal transportation.
- **RENEW:** Reinforce land uses and strengthen urban design and the public realm.
- **PRESERVE:** Support historic preservation and adaptive reuse.
- **SUSTAIN:** Ensure environmental sustainability and sufficient infrastructure capacity.

## B. Plan Background

Boys and Germantown are historic rail communities that grew with the arrival of the Metropolitan Branch of the Baltimore and Ohio (B&O) Railroad. Although each community is distinguished by its different size and character, the two communities are connected as commuter rail stops along the Maryland Area Regional Commuter (MARC) Brunswick Line. They are linked by their rich history, historic resources, road network, surrounding natural systems and notable geology.

Boys and Germantown are located in the upper portion of Montgomery County, an area that has experienced significant population growth over the past 50 years. With this growth, anticipated to continue in coming decades, ongoing improvements to the transportation system will be necessary. These upgrades will require balanced mobility solutions that ease the impact on area roadways by providing alternative transportation choices at the Boys and Germantown stations.

The Boys station—with limited train service, insufficient parking and no public transportation connections—faces the challenge of maintaining the viability of MARC service, while addressing traffic pressures in the vicinity of the station. The Germantown station, which supports the highest ridership along the Brunswick Line, is also unable to meet the commuter demand for accessing MARC service at the station. Due to the auto-oriented development patterns in both station areas—including a lack of safe and convenient pedestrian and bicycle connections—commuters rely heavily on the automobile for access to both stations.



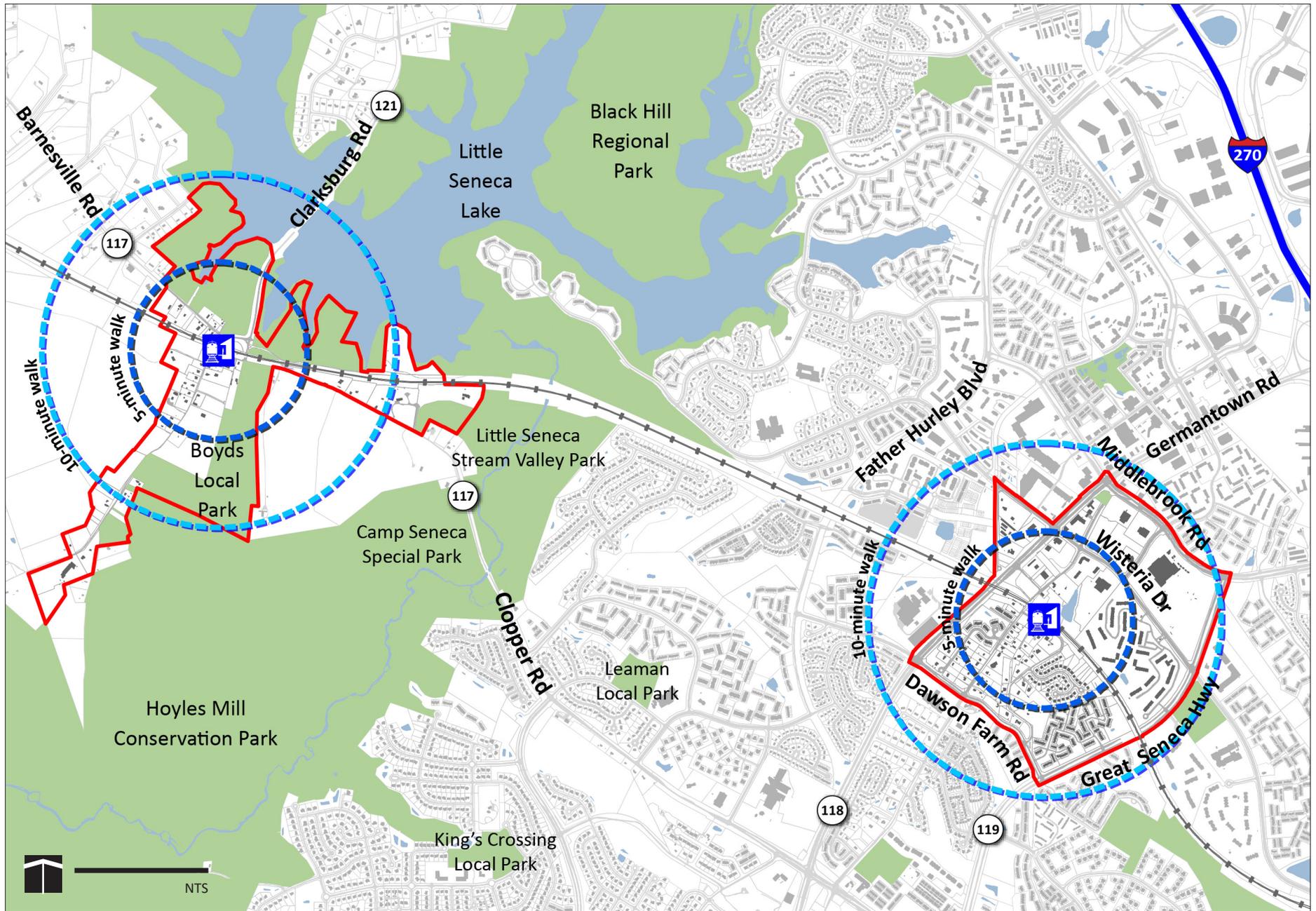


Figure 2 - Boyds and Germantown MARC Station Areas with Walk Radii

### C. Plan Boundaries

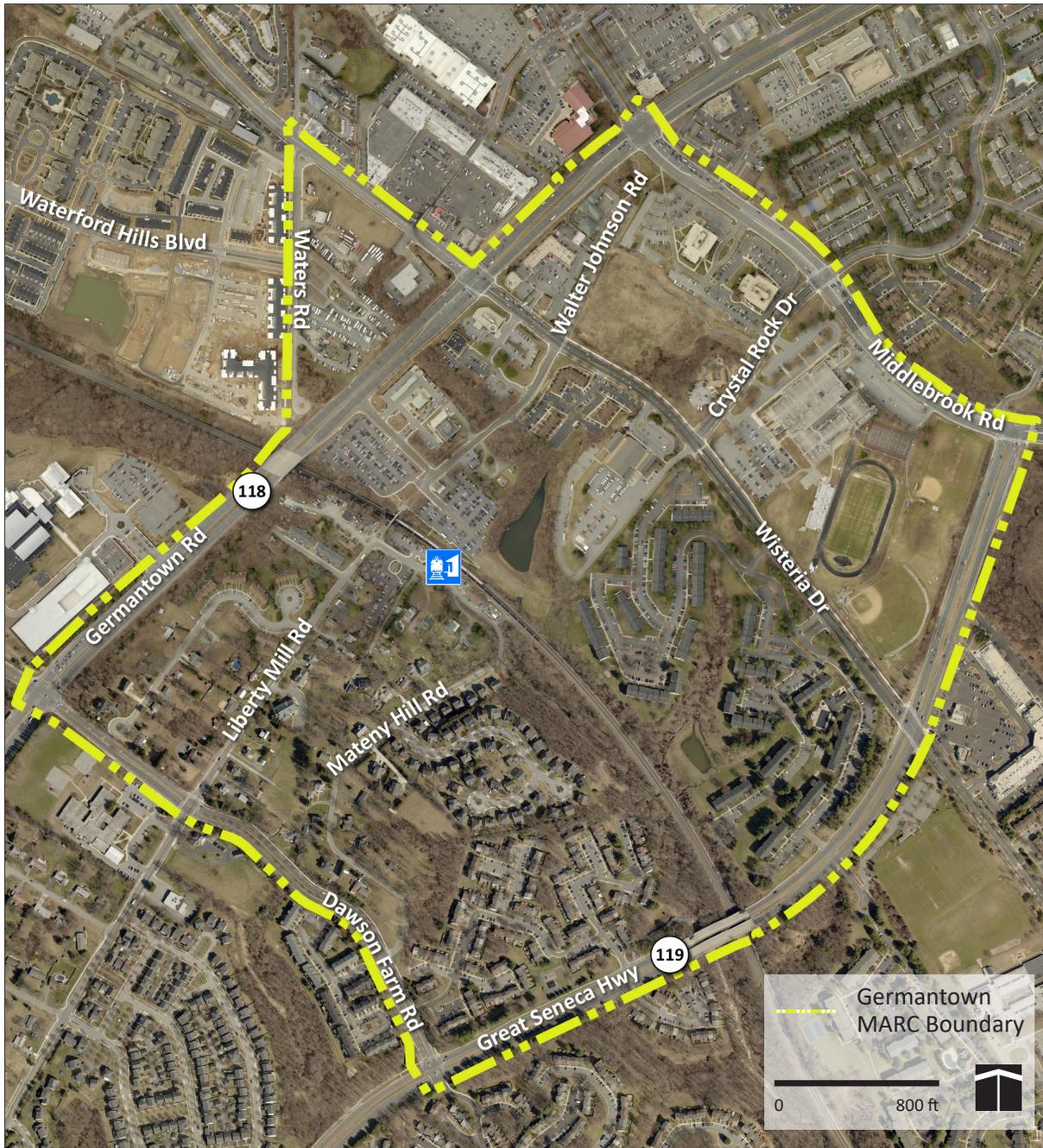
The MARC Rail Communities Plan encompasses two distinct planning areas in the upper portion of Montgomery County, Boyds and Germantown. Located less than 2.5 miles apart, the two communities are connected by the CSX-owned railroad corridor, along which the MARC Brunswick Line provides commuter rail service.

#### Boyds

The Boyds plan area includes approximately 252 acres surrounding the Boyds MARC Station. The area comprises private and public lands adjoining Little Seneca Lake; residential and commercial properties along Barnesville Road near its junction with Clarksburg Road; industrial properties on the south side of the railroad tracks north of Clopper Road; the undeveloped Boyds Local Park and portions of Hoyles Mill Conservation Park; and residential and institutional properties along White Ground Road and portions of Clopper Road. The area contains exceptional rustic roads, an historic district and an historic site, all designated as such by Montgomery County.



**Figure 3** - Aerial of the Boyds Planning Area



**Germantown**

The Germantown plan area encompasses approximately 290 acres north and south of the CSX railroad tracks and Germantown MARC Station, in an area generally bounded by Middlebrook Road to the northeast, Great Seneca Highway to the southeast, Dawson Farm Road to the southwest and Germantown and Waters Roads to the northwest. On the north side of the railroad tracks, commercial and institutional uses predominate, while south of the railroad tracks, uses are mainly residential. The area contains an historic district and five historic sites, all designated on the Master Plan for Historic Preservation in Montgomery County, Maryland.

**Figure 4 - Aerial of the Germantown Planning Area**

- d. South of the railroad tracks, protect the historic and residential character of the area (Sites GB, GC, GD and GE).
  - Encourage the reuse of historic structures to support the character of the area and strengthen the viability of the commercial district and MARC station area.
  - Permit appropriately scaled infill development, consistent with recommendations in the Preserve section of this plan.
  - Maintain the setbacks of older structures to support the historic character and development patterns of Germantown.
  - Follow guidance for landscapes, signage, lighting, paths and street furniture as provided in the Preserve section, to ensure compatibility with the character of the historic district.
  
- e. Create an attractive public realm that enhances the character of the Germantown MARC area.
  - Carefully design infill development to reflect the character of the historic areas and promote a fine-scaled, walkable environment.
  - Frame streetscapes and public spaces with buildings.
  - Locate new buildings to define the street edges and create active street fronts.
  - Orient the primary building facades and entrances to face public streets and improve pedestrian accessibility.
  - Incorporate the setbacks, scale and architectural elements of historic buildings into any new infill or redevelopment in the existing residential area. Provide height transitions from existing buildings to new development.
  - Screen parking areas with buildings, low site walls and landscaping.



**Figure 54 - Conceptual Plans of Buildings Placed along Streets and Arranged Around Open Spaces (Illustratives)**

## V. IMPLEMENTATION

### A. Zoning

The recommendations for the MARC Rail Communities Plan will be implemented through a comprehensive Sectional Map Amendment. That amendment will confirm existing zones where the Plan recommends no changes and will apply zones recommended in the Plan.

#### Zoning in Boyds

- South of the CSX right-of-way (Sites BD and BF), the Plan retains the existing zones, including the R-200 zone for properties along White Ground and Hoyles Mill roads, and the Rural zone for the Boyds Local Park, two farm parcels on White Ground Road and three residences on Clopper Road.
- The Plan retains the Moderate Industrial (IM) zone for properties east of Clarksburg Road (Sites BF and BG), but reduces the allowable density to reflect development potential using private wells and septic systems.
- North of the CSX right-of-way, the Plan reclassifies properties in the Neighborhood Retail (NR) zone (Sites BC and BE) to the Commercial Residential Neighborhood (CRN) zone, which will enable historically sensitive revitalization of the rail station area.
- The Plan recommends reclassification of areas in the Town Sector (T-S) zone (Sites BA and BB) to the Residential Estate, 2-Acre (RE-2) and Rural zones, following Article 59.8.1.1, which precludes application of the T-S zone in any Sectional Map Amendment adopted after October 30, 2014. Affected properties are owned by the Washington Suburban Sanitary Commission and the Maryland-National Capital Park and Planning Commission.
- The Plan retains the remaining R-200, RE-1, RE-2 and Rural zones north of the CSX right-of-way (Sites BA, BB, and BC).

#### Zoning in Germantown

- The MARC Rail Communities Plan retains the Commercial Residential (CR) zone for most properties in Germantown, but adjusts densities

and building heights to reflect recommendations made in the 2009 Germantown Employment Area Sector Plan.

- The Plan reclassifies several properties from the CR zone to the CRN zone to reflect recommendations made in the 2009 Germantown Employment Area Sector Plan for MARC rail station parking areas.
- The Plan recommends reclassification of areas in the Residential, Townhouse (RT-6.0) and Residential, Townhouse (RT-12.5) zones to the Townhouse Low Density (TLD) and Townhouse Medium Density (TMD) zones, following Article 59.8.1.1, which precludes application of the RT-6.0 and RT-12.5 zones in any Sectional Map Amendment adopted after October 30, 2014. Affected properties are privately owned.
- The Plan retains the R-60 and R-200 zones.
- The Plan confirms application of the Germantown Transit Mixed-Use Overlay Zone to prioritize use of building lot terminations.

### B. Special Districts

The MARC Rail Communities Plan confirms the 2009 Germantown Employment Area Sector Plan recommendation for the creation of an Urban Service District as depicted in that plan on page 92. Such a service district can provide increased levels of maintenance for properties with a civic focus, such as the pedestrian amenities and gathering spaces at the rail station, as well as improved maintenance of streetscape and lighting. This plan also confirms the 2009 Germantown Employment Area Sector Plan recommendation for creation of a parking district that would set rules for managing public parking facilities in the town center.

### C. Bicycle and Pedestrian Priority Area

This Plan recommends modification of the Germantown Bicycle and Pedestrian Priority Area to conform to the Urban Road Code Area in Germantown to help facilitate this Plan's recommendations for road sections that are safer and more hospitable for pedestrians and bicyclists. Adding these areas to the Bicycle and Pedestrian Priority Area will help

**CASE NO. A-6952**

**PETITION OF HERNAN BARON**  
**EXHIBIT LIST**

1. Application
2. List of adjoining/confronting property owners
3. Statement of Justification
4. Site Plan
5. (a) Front Elevation  
(b) Rear, Left, Right Elevations  
(c) First Floor Plan  
(d) Second Floor Plan  
(e) Foundation Plan
6. DPS Building Permit Denial
7. Zoning Vicinity Map
8. (a) Envelope showing date notice mailed  
(b) Notice of hearing scheduled for February 25, 2026
9. Opposition Email from A. McGhee
10. Opposition Email from K. Green
11. Updated Statement of Justification from Casey Cirner, Esq.
12. Updated DPS Permit Denial
13. Updated Site Plan
14. (a) Deed – January 25, 2021  
(b) Trust Deed – March 29, 2022
15. (a)(i)-(iii) Exterior Photos - Topo  
(b) Photo of Improvements - Front  
(c) Photo of Improvements - Topo  
(d) Photo of Pool House Interior  
(e) Photo of Pool House Interior – One Side  
(f) Photo of Pool House Interior – Other Side  
(g) Photo of Pool House Interior Bathroom

**Exhibit 15 Continued on Page 2**

**CASE NO. A-6952**  
**PETITION OF HERNAN BARON**  
**EXHIBIT LIST**  
**Page 2**

**Exhibit 15 Continued**

- (h) Photo of Screened Porch
- (i) Photo of Shed – No Tarp
  
- 16. (a) 1993 Photo – Pre Dawson Farm Road  
(b) 2026 Photo – Post Dawson Farm Road
  
- 17. November 4, 2004 Robins Crest Subdivision Plat
  
- 18. Storm Drain Easement
  
- 19. (a) THRIVE – Approved and Adopted Final Plan  
(b) Approved and Adopted MARC Rail Communities Sector Plan
  
- 20. \_\_\_\_\_
- 21. \_\_\_\_\_
- 22. \_\_\_\_\_
- 23. \_\_\_\_\_
- 24. \_\_\_\_\_
- 25. \_\_\_\_\_

## Real Property Data Search ( )

## Search Result for MONTGOMERY COUNTY

[View Map](#)   [No Ground Rent Redemption on File](#)   [No Ground Rent Registration on File](#)

**Special Tax Recapture:** None**Account Number:** District - 09 Account Identifier - 03464646**Owner Information**

**Owner Name:** BARON HERNAN REVOC LIV TR   **Use:** RESIDENTIAL  
**Principal Residence:** NO  
**Mailing Address:** 19205 LIBERTY MILL RD   **Deed Reference:** /65505/ 00034  
GERMANTOWN MD 20874-

**Location & Structure Information**

**Premises Address:** 19203 LIBERTY MILL RD   **Legal Description:** ROBINS CREST  
GERMANTOWN 20874-0000

**Map:** Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 23039  
EU41 0000 0000 9080001.16 0001 A 9 2024 Plat Ref: / 23039

**Town:** None

**Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use**  
33,042 SF 910

**Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements**  
/

**Value Information**

	Base Value	Value		
		As of 01/01/2024	As of 07/01/2025	As of 07/01/2026
<b>Land:</b>	233,900	233,900		
<b>Improvements</b>	0	0		
<b>Total:</b>	233,900	233,900	233,900	233,900
<b>Preferential Land:</b>	0	0		

**Transfer Information**

**Seller:** BARON HERNAN   **Date:** 03/30/2022   **Price:** \$0  
**Type:** NON-ARMS LENGTH OTHER   **Deed1:** /65505/ 00034   **Deed2:**

---

**Seller:** O'DELL BERT J REVOCABLE TRUST   **Date:** 03/11/2021   **Price:** \$250,000  
**Type:** ARMS LENGTH IMPROVED   **Deed1:** /62161/ 00288   **Deed2:**

---

**Seller:** O'DELL, BERT J & CAROLYN   **Date:** 10/07/2008   **Price:** \$0  
**Type:** NON-ARMS LENGTH OTHER   **Deed1:** /36063/ 00085   **Deed2:**

**Exemption Information**

Partial Exempt Assessments:	Class	07/01/2025	07/01/2026
<b>County:</b>	000	0.00	
<b>State:</b>	000	0.00	
<b>Municipal:</b>	000	0.00 0.00	0.00 0.00

**Special Tax Recapture:** None**Homestead Application Information****Homestead Application Status:** No Application**Homeowners' Tax Credit Application Information****Homeowners' Tax Credit Application Status:** No Application   **Date:**