

**AA-7041**  
**Administrative Special Permit**

Replace an existing concrete driveway in the same location measuring a maximum of twelve (12) feet in width in the Cedar Parkway public right-of-way.

Mr. Louis John Morsberger &  
Ms. Nancy M. Cicero  
5610 Cedar Parkway

**CHEVY CHASE VILLAGE  
NOTICE OF ADMINISTRATIVE SPECIAL PERMIT REQUEST**

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Please take notice that the Chevy Chase Village Building Officer and Village Manager will conduct an administrative review of a Special Permit application for the following:

**APEAL NUMBER AA-7041  
MR. LOUIS JOHN MORSBERGER & MS. NANCY M. CICERO  
5610 CEDAR PARKWAY  
CHEVY CHASE, MARYLAND 20815**

The applicants seek an administrative Special Permit pursuant to Sec. 8-11 of the Chevy Chase Village Building Code to replace an existing concrete driveway in the same location measuring a maximum of twelve (12) feet in width on in the Cedar Parkway public right-of-way.

**The Chevy Chase Village Code Sec. 25-5 states:**

- (a) Any portion of a private driveway which crosses the public right-of-way may not exceed ten (10) feet in width without a Special Permit from the Board of Managers, except that the apron where the driveway connects with the street shall be allowed a five-foot radius on each side of the driveway for a total entrance at the curbside not to exceed twenty (20) feet in width.

**The Chevy Chase Village Code Sec. 8-11(b)(2) states:**

- (a) The Building Officer and the Village Manager, by joint action, may grant variances and Special Permits for the following construction.
  - (2) Replacement of an existing driveway, provided that
    - (a) The replacement driveway is not wider than the existing driveway and
    - (b) The replacement driveway is in substantially the same location as the existing driveway.

Additional information regarding this case may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, may be viewed on the Village website at [www.chevychasevillagemd.gov](http://www.chevychasevillagemd.gov) or you may contact the office for this information to be mailed to you.

This notice was mailed (and emailed where possible) to abutting and confronting property owners on the 12<sup>th</sup> day of October 2016. Abutting or confronting property owners or any aggrieved resident may, within fifteen (15) days of the date the notices are issued, submit written comments and request that the application be submitted to the Board of Managers in accordance with Sec. 8-10 and 8-11 of the Chevy Chase Village Building Code.

**Chevy Chase Village Office  
5906 Connecticut Avenue  
Chevy Chase, Maryland 20815  
301-654-7300**



October 12, 2016

Ms. Nancy M. Cicero &  
Mr. Louis John Morsberger  
5610 Cedar Parkway  
Chevy Chase, MD 20815

**RE: AA-7041: Administrative Special Permit Application for driveway replacement**

Dear Ms. Cicero & Mr. Morsberger:

Please note that your request for an administrative review of a Special Permit application to replace the portion of your driveway located in the Cedar Parkway public right-of-way abutting your property at 5610 Cedar Parkway is being reviewed by the Building Officer and Village Manager.

A public notice was mailed to abutting and confronting property owners on the 12<sup>th</sup> day of October 2016 and a sign was posted at the property. Abutting or confronting property owners or any aggrieved resident, within fifteen (15) days of the date the notices are issued, may submit written comments and request that the application be submitted to the Board of Managers in accordance with Section 8-11 of the Chevy Chase Village Building Code.

For your convenience, enclosed please find copies of the Public Notice and mailing list. Please contact the Village office if you have any questions.

Sincerely,

Ellen Sands  
Permitting and Code Enforcement  
Chevy Chase Village

Enclosures

CHEVY CHASE VILLAGE  
5906 Connecticut Avenue  
Chevy Chase, Maryland 20815  
Phone (301) 654-7300  
Fax (301) 907-9721  
ccv@montgomerycountymd.gov  
www.chevychasevillagemd.gov

BOARD OF MANAGERS

MICHAEL L. DINGER  
*Chair*

ELISSA A. LEONARD  
*Vice Chair*

DAVID L. WINSTEAD  
*Secretary*

MINH LE  
*Assistant Secretary*

GARY CROCKETT  
*Treasurer*

ROBERT C. GOODWIN, JR.  
*Assistant Treasurer*

RICHARD M. RUDA  
*Board Member*

VILLAGE MANAGER  
SHANA R. DAVIS-COOK

LEGAL COUNSEL  
SUELLEN M. FERGUSON

**MAILING LIST FOR APPEAL AA-7041**

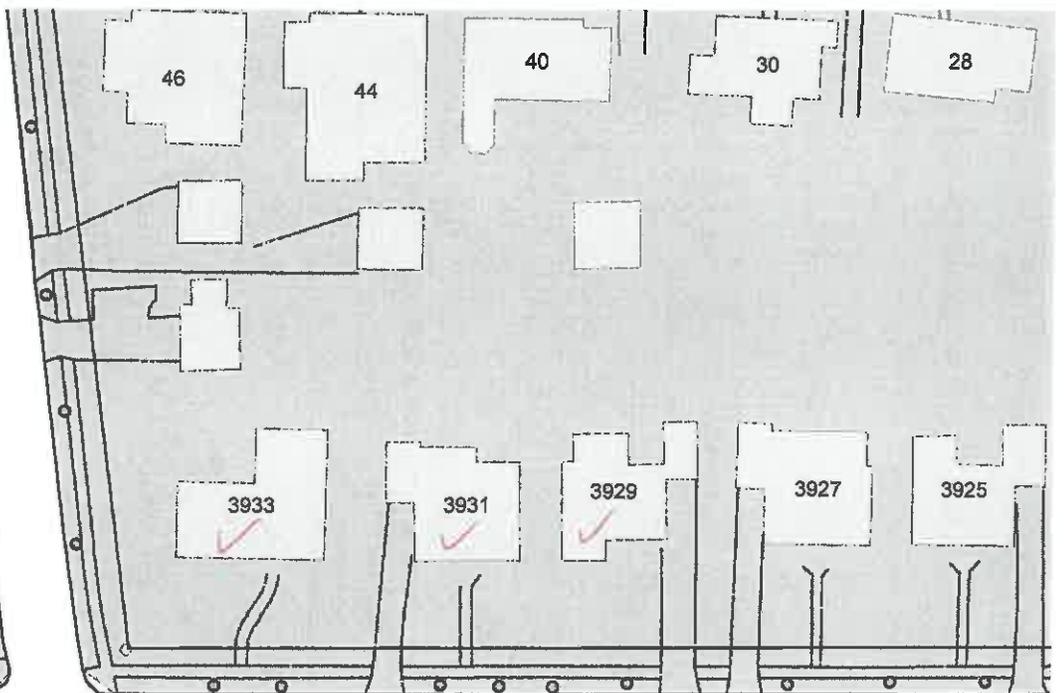
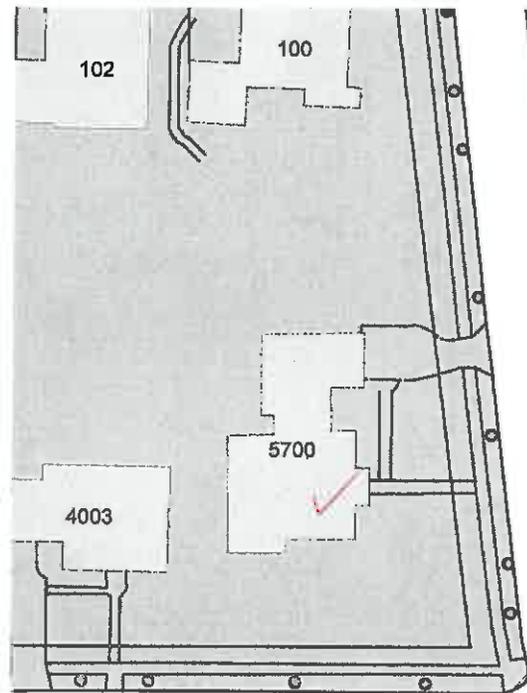
**MS. NANCY M. CICERO &  
MR. LOUIS JOHN MORSBERGER  
5610 CEDAR PARKWAY  
CHEVY CHASE, MARYLAND 20815**

<b>Adjoining and confronting property owners</b>	
Mr. and Mrs. John Sanders Or Current Resident 5700 Cedar Parkway Chevy Chase, MD 20815	Mrs. Lawrence Petrucelli Or Current Resident 5600 Cedar Parkway Chevy Chase, MD 20815
Mr. and Mrs. Saul B. Goodman Or Current Resident 5515 Cedar Parkway Chevy Chase, MD 20815	Mr. & Mrs. Wendell P. Holmes, III Or Current Resident 4000 Oliver Street Chevy Chase, MD 20815
Ms. Minh Le & Mr. Chris Dymond Or Current Resident 3933 Oliver Street Chevy Chase, MD 20815	Ms. Emily Donahue Or Current Resident 3931 Oliver Street Chevy Chase, MD 20815
Ms. Adriana Arizpe & Mr. Guido Lara Or Current Resident 3929 Oliver Street Chevy Chase, MD 20815	Ms. Andrea Mazur & Mr. Peter Kaye Or Current Resident 5605 Center Street Chevy Chase, MD 20815

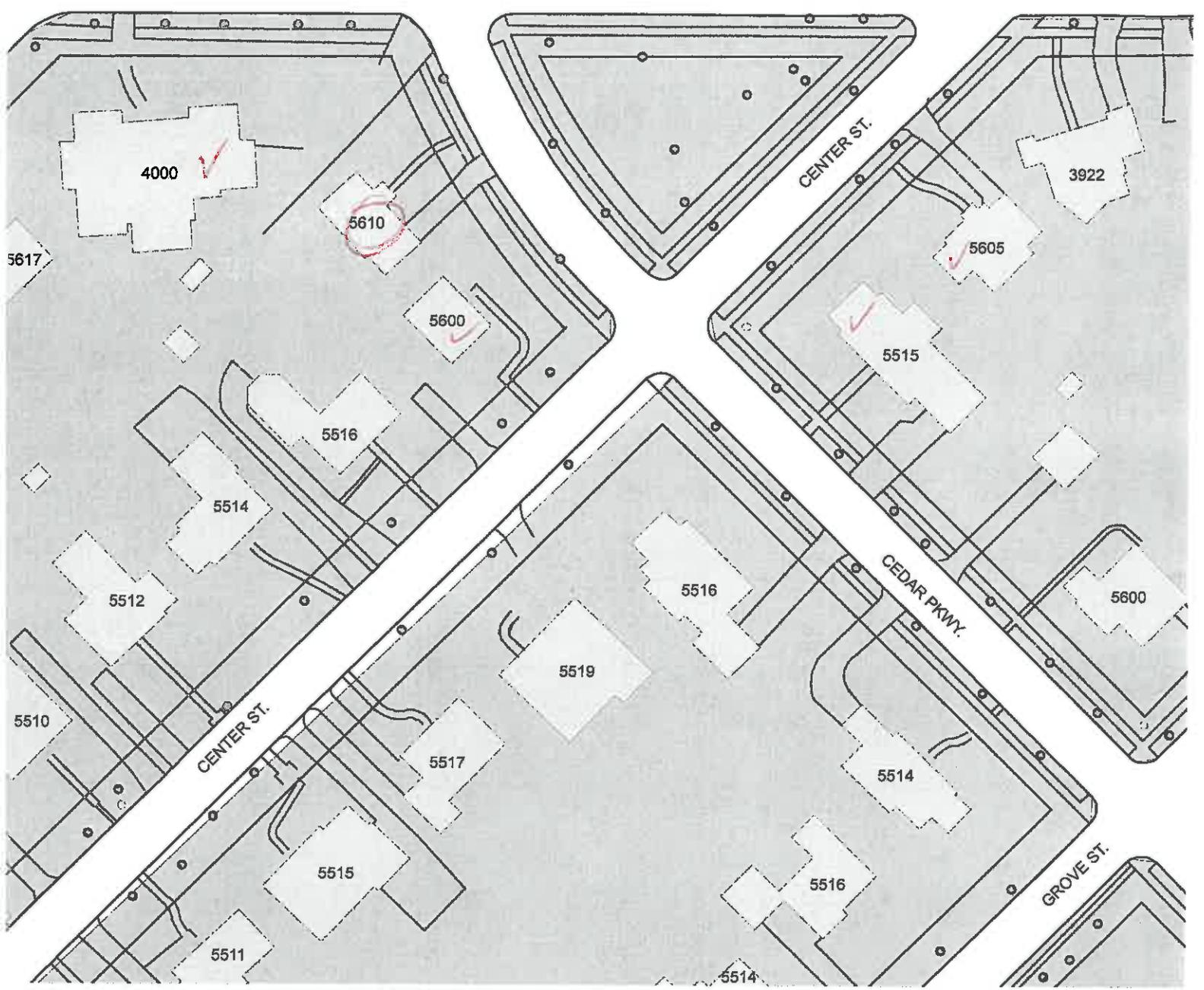
*ES*

I hereby certify that a public notice was mailed to the aforementioned property owners on the 12<sup>th</sup> day of October, 2016.

**Ellen Sands  
Permitting and Code Enforcement Coordinator  
Chevy Chase Village  
5906 Connecticut Avenue  
Chevy Chase, MD 20815**



OLIVER ST.



# Chevy Chase Village

## Application for an Administrative Special Permit

Chevy Chase Village Code Section 8-1 defines a Special Permit as permission granted by the Board of Managers in accordance with Article II Division B of this Chapter [8], to construct, install, remove or alter a structure or planting, or take other action where such permission is required by this Chapter. The administrative Special Permit is a written authorization from the Building Officer and Village Manager pursuant to Sec. 8-11 permitting construction in a manner not otherwise allowed by the Village Code.

Subject Property:	5610 Cedar Parkway 12.0	
Describe the Proposed Project:	To maintain the 11.5 feet width of current driveway as we look to pour a new <sup>driveway</sup> <del>driveway</del> . We would like the current <del>driveway</del> width to be maintained.	
Applicant Name(s) (List all property owners):	Nancy M. Cicero, Louis J. Morsberger	
Daytime telephone:	240 370 0320 <sup>nancy</sup>	Cell: 240 462 5600 <sup>don</sup>
E-mail:	nciceromorsberger@gmail.com, <sup>don</sup> ljmorsberger.com	
Address (if different from property address):		
For Village staff use:	Date this form received: 9/26/16	Special Permit No: AA-7041

### Filing Requirements:

Applications will be reviewed for satisfaction of all requirements and are not considered complete until approved as such by staff.

- Completed Chevy Chase Village Application for an Administrative Special Permit (this form)
- Completed Chevy Chase Village Building Permit Application
- Completed Website Posting Notice
- A boundary survey or plat diagram with a margin of error of one tenth of a foot or less showing all existing structures, projections and impervious surfaces.
- Surveys, plats, engineering reports, construction plans/specifications or other accurate drawings showing boundaries, dimensions, and area of the property, as well as the location and dimensions of all structures/fences/walls/etc., existing and proposed to be erected, and the distances of such structures/fences/walls/etc., from the nearest property lines. These drawings shall incorporate and display reference dimensions from the boundary survey or plat diagram required above.
- Copy of Covenants, except for Special Permits authorized by Secs. 8-21, 8-26 or Chapter 25 of the Chevy Chase Village Code.
- Applicable Special Permit fee listed in Chapter 6 of the Village Code.

### Affidavit

I hereby certify that I have the authority to submit the foregoing application, that all owners of the property have signed below, that I have read and understand all requirements in this matter. I hereby authorize the Village Manager, or the Manager's designee, to enter onto the subject property for the purposes of assessing the site in relation to this special permit request. I hereby declare and affirm, under penalty of perjury, that all matters and facts set forth in the foregoing application are true and correct to the best of my knowledge, information and belief.

Applicant's Signature: Nancy M. Cicero

Date: 9/26/16

Applicant's Signature: [Signature]

Date: 9/26/16

**Describe the basis for the Special Permit** (Applicants should become familiar with the pertinent sections of the Village Code. Attach additional pages as needed):

Describe the reasons why approval of the Special Permit would not adversely affect the public health, safety or welfare or the reasonable use of adjoining properties:

*We are looking to replicate the driveway ~~area~~ as it has been in place for 30+ years w/o adverse impact on neighbors. Cedar Parkway's natural curve in front of our home seems to merit a wider entry into our driveway.*

Describe the reasons why the Special Permit can be granted without substantial impairment of the intent and purpose of Chapter 8 or Chapter 25 of the Chevy Chase Village Code:

*Existing driveway apron has never caused concern. We are not increasing the width of paved service.*

*In exercising its powers in connection with an administrative special permit request, the Chevy Chase Village Building Officer and the Village Manager may reverse or affirm, wholly or partly, or may modify the requirement, decision or determination as it deems appropriate.*

<b>Special Permit Filing Fees</b>	<b>Checks Payable To:</b> Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
Per Village Code Sec. 6-2(a)(24): <input type="checkbox"/> \$300.00 for new construction. <input checked="" type="checkbox"/> \$150.00 for replacing existing non-conformities. <input type="checkbox"/> \$2,250.00 for demolition of main building. <input type="checkbox"/> \$300.00 for demolition of accessory building or structure. <input type="checkbox"/> \$300.00 for fences, walls, play equipment, trees, hedges, shrubbery in the public right-of-way. Fee Paid: <i>\$150.00</i>	<b>Date Paid:</b> <i>9/26/16</i> <b>Staff Signature:</b> <i>[Signature]</i>
	Approved to Issue Building Permit per Decision Signed by the Building Officer and Village Manager on: <b>Date:</b> _____ <b>Signature:</b> _____ Building Officer <b>Signature:</b> _____ Village Manager



# Chevy Chase Village Building Permit Application for Driveways and Other Features at Grade

Permit No:

<b>Property Address:</b> 5610 CEDAR PKWY. CHEVY CHASE, MD 20815	
<b>Resident Name:</b> NANCY & LOU MORSBERGER Daytime telephone: 240-370-0320      Cell phone: 240-370-0320 After-hours telephone:                      " E-mail: nciceromorsberger@gmail.com	
<b>Primary Contact for Project:</b> <input checked="" type="checkbox"/> Resident <input type="checkbox"/> Architect <input type="checkbox"/> Project Manager <input type="checkbox"/> Contractor* *MHIC/MD Contractor's License No. (required):	
<b>Primary Contact Information:</b> NANCY MORSBERGER Name: Daytime telephone: 240-370-0320      After-hours telephone: E-mail: nciceromorsberger@gmail.com	LOU MORSBERGER  240-462-500 lou@ljmorsberger.com
<b>Check all that apply:</b> <input checked="" type="checkbox"/> Driveway (If a new curb cut is required, note additional fee.) <input type="checkbox"/> Walkway <input type="checkbox"/> Patio, terrace, or deck at grade	
<b>Check all appropriate boxes:</b> Feature is: <input type="checkbox"/> new; <input type="checkbox"/> an enlargement of an existing feature; and/or <input checked="" type="checkbox"/> being relocated. same place, but at grade leading to newly constructed garage. <input type="checkbox"/> Feature is a replacement in-kind and in the same location.	
<b>Description of project:</b> DRIVEWAY: SEE ABOVE	
<i>To be completed by Village staff</i> Is this property within the historic district?      Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Staff Initials: <u>  28  </u> Date application filed with Village: <u>11/3/15</u> Date permit issued: _____      Expiration date: _____	

## **Guidelines for Building, Replacing and Maintaining Driveways**

Village Code states that any person intending to install, replace or alter a driveway, or any material part thereof, must first obtain a Building Permit from the Village office. (Residents within the Historic District must also obtain a Historic Area Work Permit; please contact the Historic Preservation Commission directly.)

Driveways are regulated in three areas: (1) the portion of the driveway located on private property, (2) the portion of the driveway that crosses the public right-of-way, and (3) the driveway apron, which is the portion of the driveway that meets the public street. Please refer to the illustration below for an example of these components.

### ***(1) Driveways on Private Property***

Driveways on private property may be installed using any material the resident chooses (although residents within the Historic District must consult with HPC), provided that the driveway does not exceed fifteen feet (15') in width. Village Code allows residents to install a wider garage apron—the section of a driveway just forward of a garage—for two-car garages. The apron in front of a two-car garage may extend the full width of the two-car garage for a distance up to twenty feet (20') from the face of the garage. The Code applies this accommodation only for two-car garages.

### ***(2) Driveways on the Public Right-of-Way***

All driveways must cross the public right-of-way to access the street, but where private property ends and the public right-of-way begins ends is not always consistent from street to street, and may even vary from block to block (as discussed above). The first step is to determine where the right-of-way begins in front of your property. Your proposed driveway cannot exceed ten feet (10') in width where the driveway crosses the right-of-way. Also, if your driveway (whether new or replacement) crosses or intersects with a public sidewalk, the sidewalk material must be restored/maintained across the driveway so as to create a continuous public sidewalk of consistent material type.

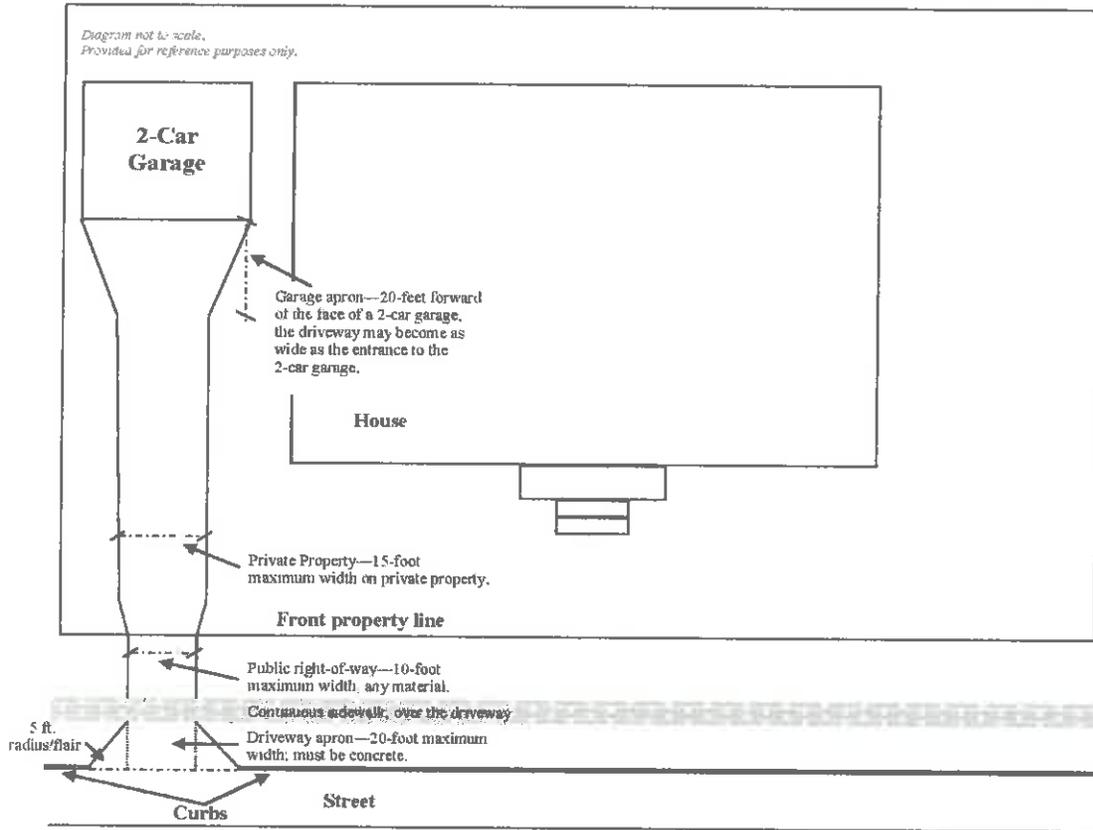
### ***(3) Driveway Aprons***

The driveway apron is the portion of the driveway that meets the public street. In addition to the ten foot (10') maximum width of the driveway where the driveway crosses the public right-of-way, the Village Code allows a five foot (5') radius on either side to establish the driveway apron, thereby allowing a maximum width at the curb of twenty feet (20'). While driveways on private property may be installed in any material or color that residents choose, the Village Code specifies that the driveway apron must be installed in accordance with current Montgomery County standards.

Village Code limits the number of curb cuts permitted per property to one. Accordingly, residents who wish to install a circular driveway will need to request a variance from the Board of Managers.

Unlike other improvements in the public right-of-way, a **License to Use the Public Right-of-Way** is not required to install or replace driveways or driveway aprons. Replacement of a driveway apron is the sole responsibility of the adjoining property owner, not the Village.

**Example:**



**Building Permit Application Filing Requirements**

*Application will not be reviewed until the application is complete*

- Copy of stamped approved plans from Montgomery County or Historic Preservation Commission (HPC).
- This application form, signed by resident.
- Boundary Survey
- Site Plan (see: Village Site Plan Checklist to ensure completeness) showing exact location of existing and proposed features.
- Tree Preservation Plan requested of Village arborist (see: Village Tree Inspection Request form). All required tree protections must be fully installed before any work begins.
- Filing Fee (due at time of application). Fee schedule is listed in Chapter 6 of the Village Code.
- Damage deposit or performance bond (due when permit is issued). Amount will be set by Village Manager.

*Once this permit application is complete, the Village Manager will review the application and accompanying documents and, under most circumstances, act on the application within 5 to 10 working days. If the Montgomery County permit is suspended, revoked or lapsed, the Village permit is automatically suspended, revoked or lapsed. No signs advertising any service provider may be posted on the work site.*

**I hereby certify that I have the authority to make the foregoing application, that the application is correct, that I have read and understood all requirements and that the construction will conform to the regulations of the Montgomery County Zoning Code, the Village Code including Urban Forest code, and any covenants and easements on the subject property.**

**Applicant's Signature:**     *Zp Marabeges*     **Date:**     *10/22/2015*

For Use By Village Manager	Application approved with the following conditions:
<b>DENIED</b> SEP 26 2016 Chevy Chase Village Manager	Application denied for the following reasons:
	<i>Change in the driveway exceeds the maximum allowed width in the public right-of-way by two feet (2')</i>

<b>Filing Fees</b> (due when application submitted)	<b>Checks Payable to:</b> <b>Chevy Chase Village</b> <b>5906 Connecticut Ave.</b> <b>Chevy Chase, MD 20815</b>
<b>Permit Filing Fee:</b> <input type="checkbox"/> \$30.00 (if new, enlarged or relocated) <input checked="" type="checkbox"/> \$15.00 (if a replacement in-kind and in the same location) <input type="checkbox"/> \$50.00 for new curb cut. <input type="checkbox"/> \$50.00 for construction in the Public Right-of-Way.	Date: <i>10/16/16</i> Staff Signature: <i>[Signature]</i>
<b>Tree Preservation Plan Fee:</b> <input type="checkbox"/> \$250.00 <i>prev. assessed</i> <input type="checkbox"/> Not required for this project	
<b>TOTAL Fees:</b> <i>\$150</i>	
<b>Damage Deposit/Performance Bond</b> <input type="checkbox"/> \$ _____ <input type="checkbox"/> Waived by Village Manager	Date: Village Manager Signature:

*For Village Staff use:*

Field file for inspections by Code Enforcement Officer has been created:  Yes (Date: \_\_\_\_\_)



VICINITY MAP  
 AND MAP TO BE SUBMITTED  
 WITH PERMIT APPLICATION

Handwritten note: # 1907072 for Block 9

# Drainage Plan Part of Lot 1 Block 9 Chevy Chase

SECTION 1-A  
 1666 CEDAR PARKWAY  
 ERFORDS (CLUB) SECTION DISTRICT  
 MONTGOMERY COUNTY, MARYLAND  
 SCALE: 1" = 10'  
 APRIL, 2015

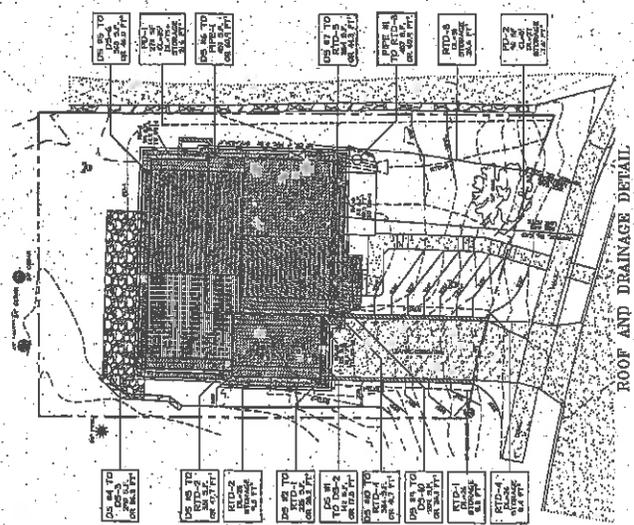
SNIDER & ASSOCIATES  
 SURVEYORS

2020 OLDLEIGH LANE, SUITE 110  
 ROCKVILLE, MARYLAND 20850  
 301/768-1100 • Fax 301/768-1188



PROJECT	DATE	APPROVAL	DATE
67-2086	04/15/15		
DATE	BY	DATE	BY

CALL MISS UTILITY AT 1-800-257-7777  
 FOR UTILITY LOCATION AT LEAST 48  
 HOURS PRIOR TO BEGINNING CONSTRUCTION.



PIPE SCHEDULE

PIPE	LENGTH	SIZE	SLOPE	INT. DIA.	EXT. DIA.
1	20'	4"	0.25%	3.84"	4.50"
2	10'	4"	0.25%	3.84"	4.50"

PIPE DESIGN NOTES:  
 1. ALL PIPES SHALL BE PERMANENTLY SET IN CONCRETE.  
 2. ALL PIPES SHALL BE 15' MIN. COVER.  
 3. ALL PIPES SHALL BE 15' MIN. COVER.  
 4. ALL PIPES SHALL BE 15' MIN. COVER.

SURVEYOR'S CERTIFICATE  
 I HEREBY CERTIFY THAT THE INFORMATION SHOWN  
 HEREON IS TRUE AND CORRECT TO THE BEST OF  
 MY KNOWLEDGE AND BELIEF.

APPROVED FOR SMALL LOT DRAINAGE  
 DATE 12/7/15  
 BY David S. Weaver  
 P. D. Vaughan

**SIZE DRAINAGE NOTES:**  
 PROPOSED ADDITION INFORMATION  
 TOTAL ADDITION AREA 728 S.F.  
 TOTAL EXISTING AREA 728 S.F.  
 CALCULATED 728 S.F. x 0.05 = 36.4 S.F.  
 MINIMUM DRAINAGE REQUIREMENT 36.4 S.F.  
 STORMWATER VOLUME PROVISION  
 36.4 S.F. x 1.0" = 36.4 S.F.  
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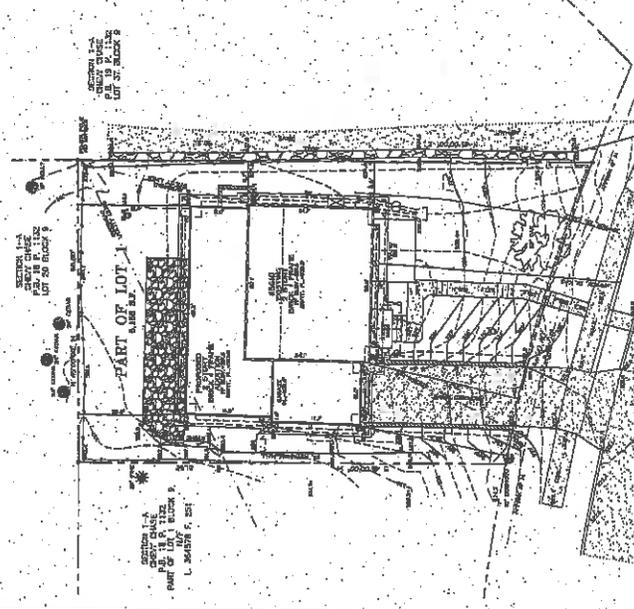
**ROOFTOP DISCONNECT NOTES:**  
 1. DISCONNECT SHALL BE INSTALLED AT THE ROOFTOP.  
 2. DISCONNECT SHALL BE INSTALLED AT THE ROOFTOP.  
 3. DISCONNECT SHALL BE INSTALLED AT THE ROOFTOP.

**NON-ROOF TOP DISCONNECT NOTES:**  
 1. DISCONNECT SHALL BE INSTALLED AT THE NON-ROOF TOP.  
 2. DISCONNECT SHALL BE INSTALLED AT THE NON-ROOF TOP.  
 3. DISCONNECT SHALL BE INSTALLED AT THE NON-ROOF TOP.

**WATER AND SEWER NOTES:**  
 1. THE LOCATION AND ELEVATION OF ALL SEWER OR  
 WATER MAINS SHALL BE SHOWN ON THE PLAN.  
 2. THE LOCATION AND ELEVATION OF ALL SEWER OR  
 WATER MAINS SHALL BE SHOWN ON THE PLAN.

**TOPOGRAPHIC INFORMATION NOTES:**  
 1. THE ELEVATIONS SHOWN HEREON HAVE BEEN  
 OBTAINED FROM THE FIELD SURVEY.  
 2. THE ELEVATIONS SHOWN HEREON HAVE BEEN  
 OBTAINED FROM THE FIELD SURVEY.

**NATURAL GAS LINE NOTES:**  
 1. THE EXACT LOCATION OF EXISTING NATURAL GAS AND  
 OTHER UTILITIES SHALL BE SHOWN ON THE PLAN.  
 2. THE EXACT LOCATION OF EXISTING NATURAL GAS AND  
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**GENERAL NOTES:**  
 1. PROPERTY IS SHOWN IN MONTGOMERY COUNTY TAX  
 MAP RECORDS, MAP PAGE 14-18.  
 2. PROPERTY IS BOUNDARY BY THE LAND RECORDS  
 MAP AND TO BE SHOWN IN PLAT BOOK 2 AT PLAT 54.  
 3. ELEVATION OF CENTER OF CEDAR PARKWAY  
 SHALL BE 28.00 FEET.  
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