

## Annexation Plan

Annexation Case No: ANX2011-00142

This annexation plan is prepared in accordance with Maryland State law governing municipal annexation and planning (House Bill 1141).<sup>1</sup> Pursuant to Article 23A, Section 19 (o) of the Annotated Code of Maryland, the Annexation Plan shall include: a description of the land use pattern proposed for the area to be annexed; demonstrate the available land for public facilities; describe the schedule for extending the public services; and, the anticipated means of financing the extension of services. The following description fulfills the requirement. The area proposed for annexation is within the City’s Maximum Expansion Limits, as established in the City’s Master Plan, the Municipal Growth Element, adopted in December 2010.

## General Information and Description

### Petitioners:

Arnold W. & Arcadia M. Anderson, 9608 Veirs Drive, Rockville, Maryland 20850

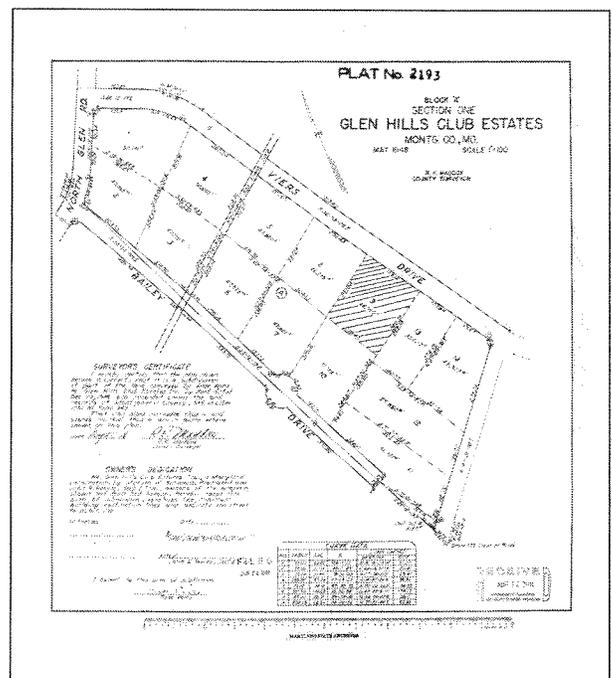
### Location:

The lot/property proposed for annexation is located along the far south west border of the City, on Veirs Drive at the above referenced address. Attachment “B” shows the property to be annexed. The size of the property proposed for annexation is approximately 1.078 acres or 46,960 square feet.

The metes and bounds description of the annexation is included as Attachment A.

## Background

The Annotated Code of Maryland, Article 23A, Section 19, prescribes procedures for enlarging municipal boundaries. Municipalities may annex unincorporated territory contiguous to and adjoining the municipal boundaries, but may not annex land within another community. Likewise, an annexation cannot create an unincorporated enclave within the city that is surrounded on all sides by property within the municipality.



<sup>1</sup> HB 1141 passed by the 2006 General Assembly and made into law, revised sections of Article 66B and 23A of the Annotated Code of Maryland.

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The owners of the subject property are requesting that their property be annexed into the City of Rockville in order to access City water and sewer services now located within the general site area. The applicants have affirmed in their petition for annexation that their home septic system is failing. As per the applicant, confirmation of the failing septic system was based on an inspection performed by Montgomery County Inspector Marcie Shubert, who is with the County's Well and Septic Section. According to the applicants, they were informed that if they are unable to access City water and sewer services, they would have to consider installing an unconventional septic system in the front yard of their property and relocate their existing well elsewhere on site. Note, the Washington Suburban Sanitary Commission (WSSC) does not currently provide public water and sewer service to this area of Montgomery County.

In response to the county inspector's assessment, the applicant contacted the City's Department of Public Works (DPW) in late June 2011 to determine the feasibility of accessing City water and sewer service. The applicant confirmed that there are water and sewer service lines located within the Veirs Drive public right-of-way, northwest of their property. Based on the close proximity of said City water and sewer services, the applicant would like to extend both the water and sewer lines eastward along their property street frontage, thus allowing direct access to City water and sewer services.

The applicant was informed by DPW staff that they would be responsible for the cost and construction of the water and sewer line extension and that upon completion of the service line extensions, DPW would then be responsible for maintenance and operation. The applicant seeks approval of their annexation petition for the reasons as stated therein.

### **Land Use Patterns of the Property Proposed to be Annexed**

As previously noted, the area of annexation is approximately 1.078 acres (or 46,960 square feet).

#### Existing and proposed zoning and land use:

The County zoning classification of the subject site is RE-1 (Residential, One-Family, Detached). The City's zoning classification that will be assigned to the property upon annexation will be R-400 (Residential Estate Zone). The City's R-400 Zone is consistent with the County's RE-1 zoning of the property and that of the adjacent properties. The current residential land use of the annexation property is compliant with the City Zoning Ordinance, fulfills the requirements and purposes of the zone in which it will be located, and is compatible with the surrounding community. The subject property is improved with a (two-story) single family detached dwelling, approximately 1,682 square feet in size, masonry in construction.

#### Compliance with Montgomery County Master Plan:

The existing development on the site is consistent with the County Master Plan (the Potomac Sub-region Master Plan), as adopted by the Maryland National Capital Park and Planning Commission on April 11, 2002 (Ratified May 15, 2002). The property is also consistent with relevant portions of the City's Comprehensive Plan.

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## **Adequacy of Public Facilities**

### Water and Sewer:

The Washington Suburban Sanitary Commission (WSSC) does not provide public water and sewer services to the properties within the annexation area. The City of Rockville does however provide said utility services to properties located within the subject site area, within its municipal limits. Under the applicants' annexation petition/request, they are aware that in order to access City water and sewer services, they will be responsible for the construction and cost to extend the existing City water and sewer lines located in the Veirs Drive public right-of-way. According to City records, water and sewer service lines are located approximately 170 feet northwest of the applicant's property. Upon completion of the water and sewer line extensions, the City's Department of Public Works (DPW) will be responsible for maintenance and operation of those utility lines.

### Roads:

The existing public roads within the annexation area are adequate to serve the property which is the subject of this petition request. Glen Mill Road which intersects with Veirs Drive to the northwest, is a County maintained roadway. Veirs Drive is located in the City and thus maintained by the City's Department of Public Works, e.g., street repairs, roadway improvements, snow removal, etc. Other streets located in the overall site area are secondary residential streets which are intended to serve exclusively as local access to residential properties.

### Police Services:

Police protection will primarily be provided by the City of Rockville Police Department in conjunction with the Montgomery County Police Department. County Police District 1 serves Rockville, though the resources of the entire County Department are available if needed.

### Fire, EMS and Rescue Services:

No significant impacts on emergency services are anticipated as a result of this annexation since there are no proposed changes to the existing residential site use. The Montgomery County Fire and Rescue Services (MCDFRS) provides fire and disaster protection. Rockville does not provide this service as a part of its municipal government. There are two fire stations in Rockville, Station 3 and Station 33 that serve this neighborhood, although other stations are available to supplement service (such as Station 31 in Darnestown).

### School Services:

No impacts on Montgomery County Public Schools systems are anticipated as a result of this annexation since there are no changes proposed in the residential use of the subject property. The annexation property is located in the Thomas S. Wootton Cluster, thus any students that would be generated from the property would attend Fallsmead Elementary School, Robert Frost Middle School, and Thomas S. Wootton High School.

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Parks and Recreation/Public Libraries:

Similarly, parks and recreation facility expansion are not proposed for this annexation since no additional impact is anticipated as a result of this annexation. Since no additional residential units are proposed or possible as a result of the annexation, there are no impacts to the Montgomery County Public Library systems.

Stormwater Management:

If annexed, all properties shall be required to pay an annual Stormwater Management Utility Fee in accordance with Section 19-86 of the Rockville City Code. The City Stormwater Management Utility Fee will replace the Water Quality Protection Charge, an annual fee assessed by the Montgomery County Department of Environmental Protection. City of Rockville properties are exempted from the Montgomery County Water Quality Protection Charge.

Impact on sensitive environmental areas:

Since there is no development planned on the site, there are no impacts to the environmental resources on or immediately adjacent to the site.

Cost to the City on having to provide such services:

The City will not incur any significant increases in operational costs as a result of the annexation.

**Conclusion:**

In summary, the proposed area to be annexed is consistent with the County and the City Master Plans, fulfills the purposes and requirements of the residential zone in which it is located, and is compatible with the surrounding community. Based on the request as submitted, there are minimal consequences and impacts in terms of the services that the City of Rockville will provide to the property owners.

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## Attachment A

Description for  
Lot 9 – Block A  
GLEN HILLS CLUB ESTATES  
#9608 Viers Drive

Beginning at a point on the southerly right of way line of Viers Drive and N 32° 39' 25" E – 261.47 feet from the point of curve a fillet curve at the southwest corner of Viers Drive and Oakwood Drive as shown on a plat entitled Block A Section One GLEN HILLS CLUB ESTATES and recorded in Plat Book 32 at Plat 2193 among the land records of Montgomery County, Maryland, thence departing the said southerly right of way line of Viers Drive and running with the outlines of said Lot 9 Block A as follows:

S 57° 20' 35" W – 240.58 feet, thence

N 29° 54' 53" W – 199.40 feet, thence

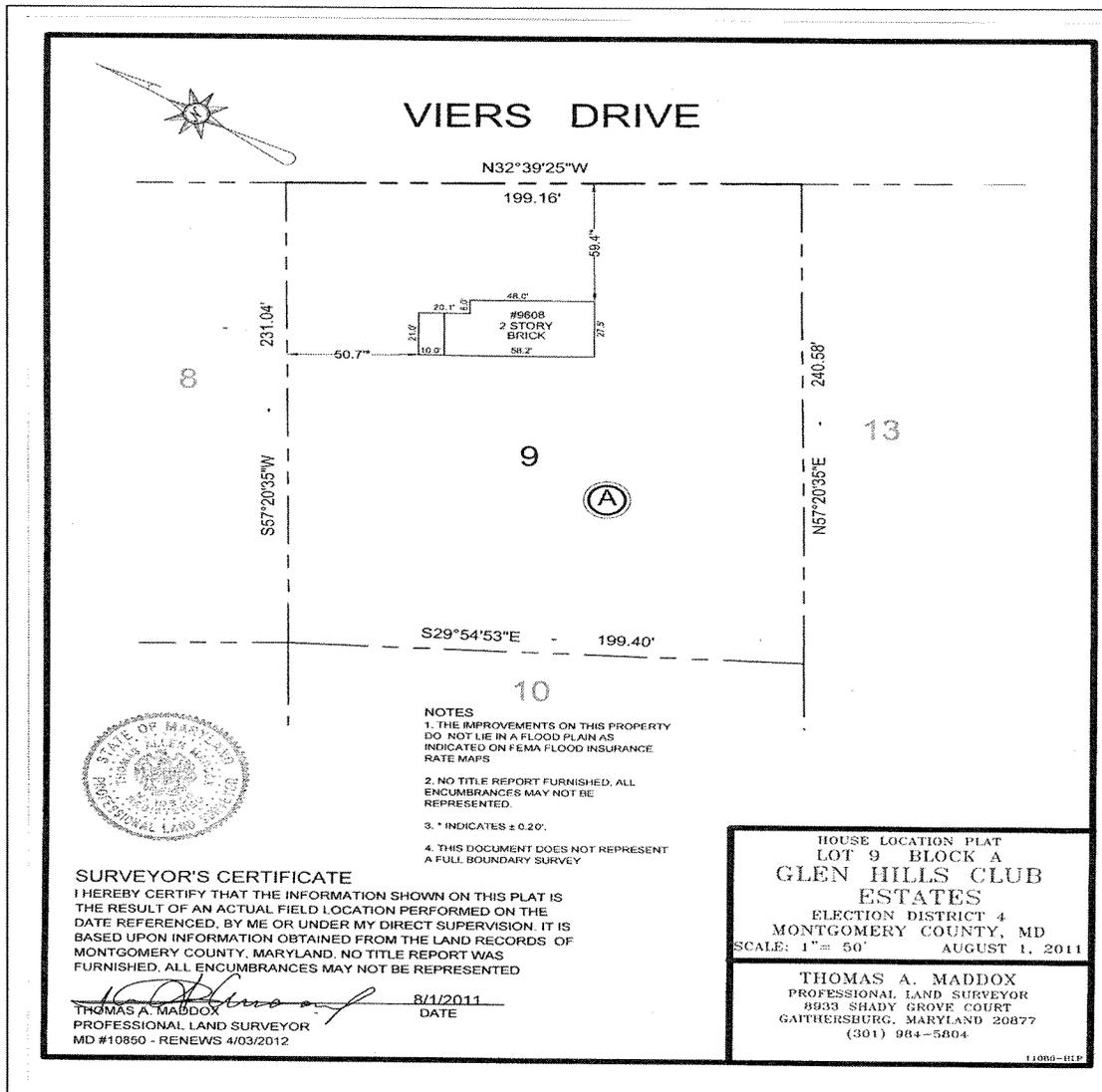
N 57° 20' 35" E – 231.04 feet to a point on the aforementioned southerly right of way line Viers Drive, thence with said right of way line

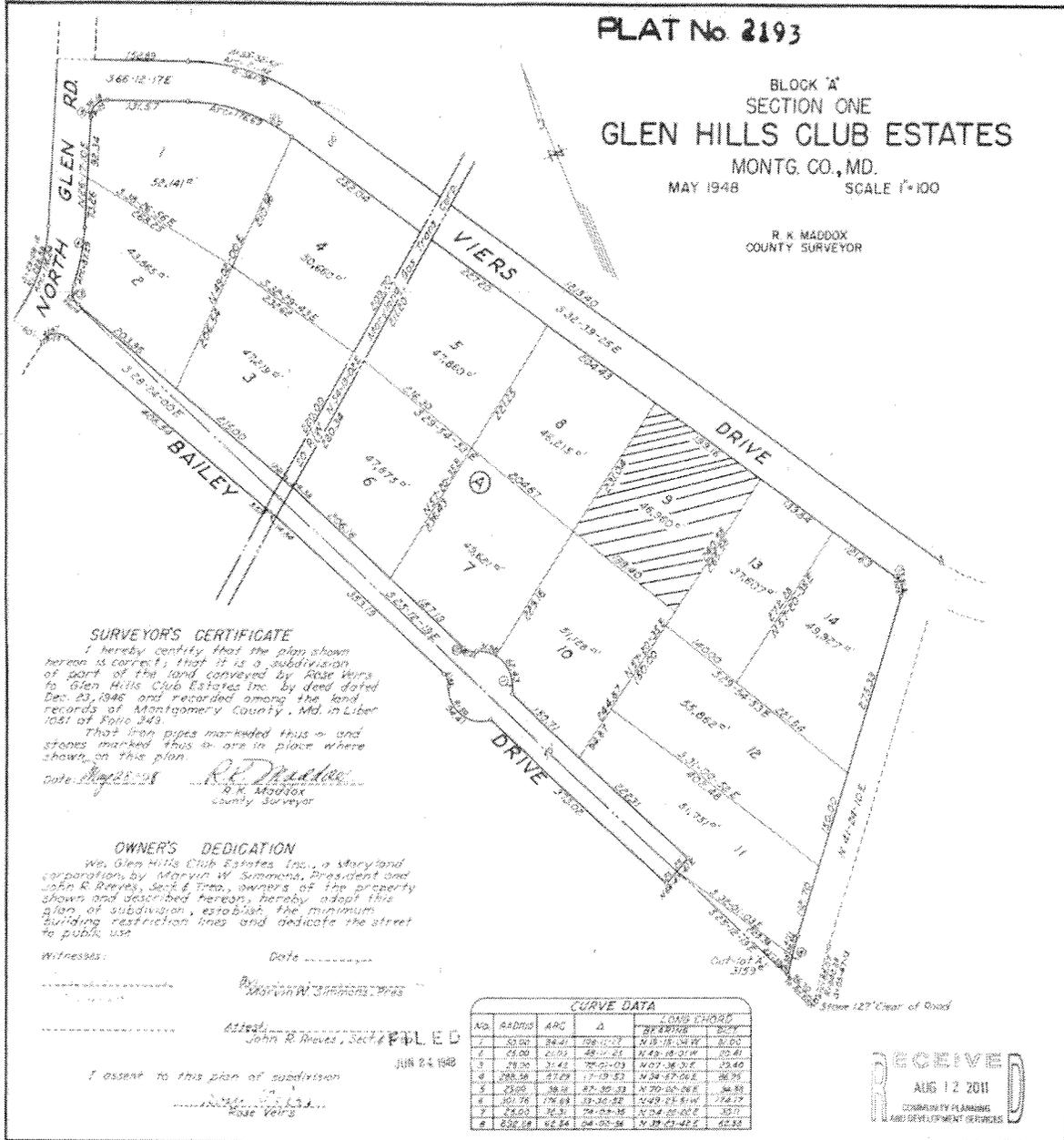
S 32° 39' 25" E – 199.16 feet to the point of beginning containing 46,960 square feet of land.

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Thomas A. Maddox – Registered  
Professional Land Surveyor  
MD No. 10850 – Renews 04/03/2012

## Attachment B House Location Survey





FILED  
JUN 24 1948

RECEIVED  
AUG 12 2011  
COMMUNITY PLANNING  
& LAND DEVELOPMENT SERVICES