

PLANNING COMMISSION
Town of Washington Grove
Washington Grove, Maryland 20880

7 December, 2022

To: Mayor and Town Council
From: Peter Nagrod, Planning Commission Chairman

Subject: Planning Commission Recommendation Regarding
Request to Buy Town Land – 404 Fourth Avenue

The Planning Commission (PC) has reviewed the request from Susan Van Nostrand and Kevin Ambrose to purchase two parcels of Town-owned land on which portions of their home at 404 Fourth Ave are constructed. The accompanying identification plat and description were prepared by Charlie Challstrom, a Town volunteer.

This request asks for land using two different mechanisms. For Parcel 2 it uses Article XVII, sale of Town land, resulting from the passage of Ordinance 2018-02. However, for Parcel 1, it uses the 1987 Policy for Sale of Surplus Parcels (as found in the Council handbook). The Planning Commission notes that no land has been sold under this policy since 1994 (although one such area was not conveyed until 2003). Since then, the Town has elected not to sell parcels of Town land. In 2014 the question of historic cottages encroaching on Town land came to the forefront and the Town enacted Ordinance 2014-03 to provide for permanent easements for specific properties with such historic encroachments.

The Planning Commission recommends that the applicants reapply solely using Article XVII for their encroachments.

Article XVII requires the Planning Commission to “ensure that sufficient information has been submitted for that portion of the main building constructed on Town-owned land to document its dimensions and materials, and the current degree of non-compliance as defined in the Washington Grove zoning ordinance and **as may be required for a current or future building permit application for this portion.**” Since building permits require a boundary survey to ensure correct application of our ordinances to the project, the Planning Commission requires a boundary survey be included in the submission.

When applying Article XVII to the encroachments at 404 Fourth Avenue, the Planning Commission also requires the applicants provide a boundary survey detailing the encroachments.

