



**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**MCPB**  
**Item #**  
**9/20/07**



**MEMORANDUM**

**DATE:** September 4, 2007

**TO:** Montgomery County Planning Board

**VIA:** Rose Krasnow, Chief *RK*  
Catherine Conlon, Supervisor *CC*  
Development Review Division

**FROM:** Erin Grayson, Planner (301-495-4598) *EG*  
Development Review Division

**REVIEW TYPE:** Preliminary Plan of Subdivision

**APPLYING FOR:** 3 lots for 3 one-family detached residential dwellings

**PROJECT NAME:** Horizon Hill, Lots 50-52

**CASE #:** 120051040

**REVIEW BASIS:** Chapter 50, Montgomery County Subdivision Regulations

**ZONE:** RE-2

**LOCATION:** Southwest Quadrant, Intersection of Glen Mill Road and Tulip Lane

**MASTER PLAN:** Potomac

**APPLICANT:** Michael R. & M.B. Huffstetler

**ENGINEER:** Dewberry

**ATTORNEY:** Knopf & Brown

**FILING DATE:** June 7, 2005

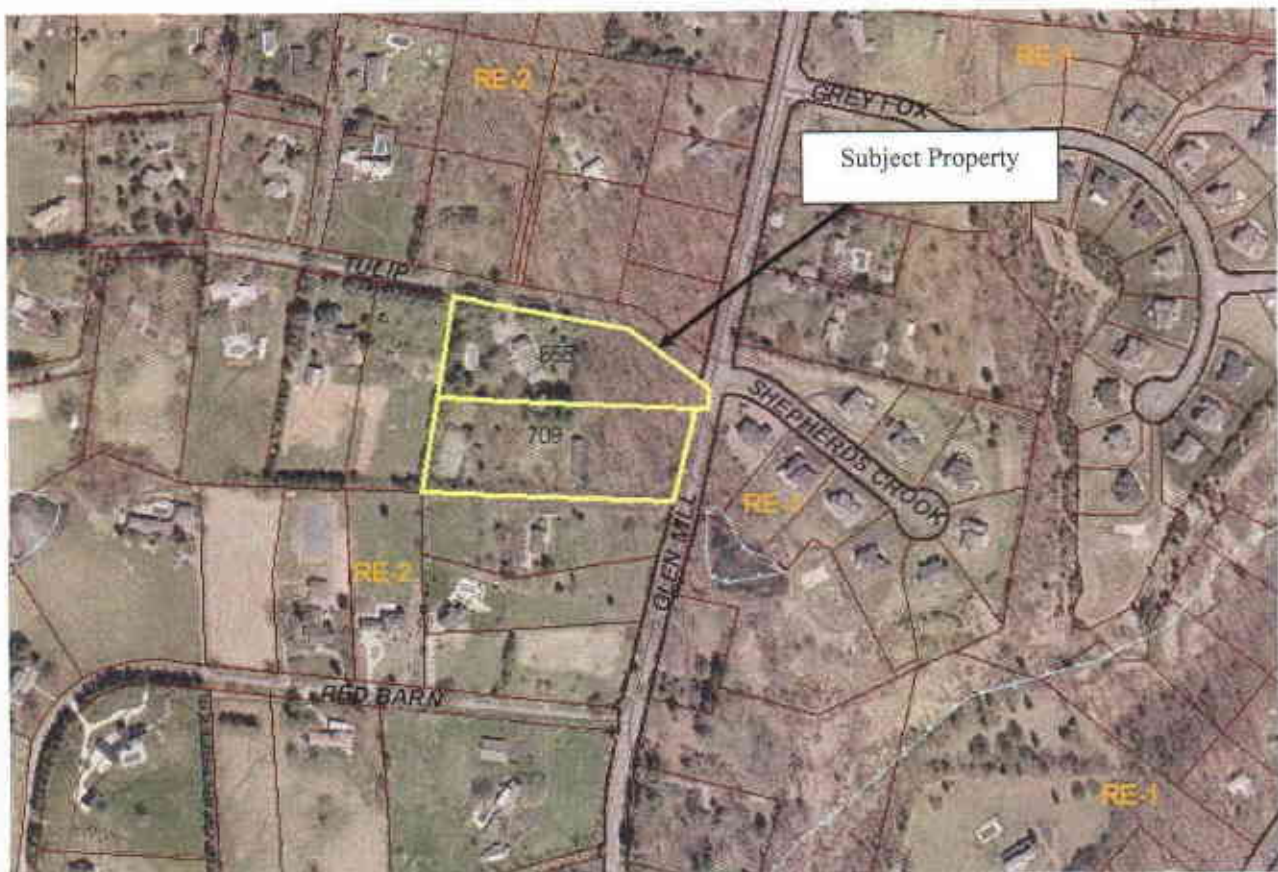
**HEARING DATE:** September 20, 2007

**RECOMMENDATION:** Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 3 lots for 3 one-family detached residential dwelling units.
- 2) The applicant must comply with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits. These conditions include:
  - a) An afforestation Planting Plan to plant all areas currently unforested within the environmental buffer, per Chapter V of the Environmental Guidelines for Special Protection Areas, except for an area of approximately 3,833 square feet in front of the existing house on Lot 52.
  - b) The Final Forest Conservation Plan must show the onsite location of a minimum 7,666 square foot ( $\pm 0.176$  acres) area outside the buffer for compensatory reforestation (planting) and permanent protection to offset the proposed encroachment, focusing on creation of contiguous forest and forest adjoining buffer areas. Such planting must include 1 3/4" to 2" caliper native trees and associated understory, or understory enhancement where canopy exists alone;
  - c) Tree protection plan to protect trees/forests shown for save on Lot #50 and 51;
  - d) Split rail fence or staff approved equivalent demarcation with signage shall be placed along conservation easement limit in all areas of replanting. Permanent signage alone may be used along edge of preserved forest;
- 3) Compliance with water quality inventory requirements for the Piney Branch Special Protection Area, including:
  - a) Prior to building permit, demonstrate compliance with the 15% impervious limitation of the Special Protection Area law prior to building permit;
  - b) Active forestation of all unforested areas within the stream valley buffer, except as defined in condition 2(a).
- 4) Record plat to reflect a Category I easement over all areas of stream/environmental buffers and forest conservation, including areas of buffer compensation, but excluding the ~3,833 square foot area of permanent encroachment.
- 5) Record plat to provide for dedication of 35 feet of right-of-way from the centerline for Glen Mill Road, and reflect common ingress/egress and utility easements over all shared driveways.
- 6) The applicant must comply with the conditions of approval of the Montgomery County Department of Permitting Services (MCDPS) stormwater management approval dated June 17, 2005.
- 7) The applicant must comply with conditions of the Department of Public Works and Transportation (DPWT) approval letter dated September 12, 2005, unless otherwise amended.
- 8) The applicant must comply with conditions of MCDPS (Health Dept.) septic approval letter dated August 10, 2007.
- 9) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.
- 10) Other necessary easements.

## SITE DESCRIPTION

The subject property, pictured below and in Attachment A (Vicinity Map), consists of 6.35 acres with frontage on Glen Mill Road to the east and Tulip Lane to the north. Tulip Lane is a private street while Glen Mill Road is a public street. The site is zoned RE-2 and contains two parcels, 655 and 709. Parcel 655 contains a single-family dwelling facing Glen Mill Road with a swimming pool in the rear of the property. Parcel 709 contains a single-family home facing Glen Mill Road with two outbuildings and a tennis court located behind the house. The property lies within the Piney Branch Special Protection Area. It is located within the Watts Branch watershed (Class I), part of the Middle Potomac River watershed. Approximately 1.92 acres of forest exist on the site as well as streams, non-tidal wetlands and associated buffers.



## PROJECT DESCRIPTION

The applicant proposes to create Lots 50, 51, and 52 from existing Parcels 655 and 709. Lot 50 is 2.0 acres in size, Lot 51 consists of 2.0 acres and Lot 52 is 2.12 acres. The existing homes will remain on Lots 50 and 52. Construction of a new dwelling unit on Lot 51 is proposed with the existing tennis court to remain behind the proposed house and 2 existing outbuildings to be removed. Pursuant to Section 50-29(a)(2) all 3 lots abut Glen Mill Road and

meet the 25' minimum frontage requirement. The subject property will have private standard septic systems and public water.  
(Attachment B – proposed plan)

## **ANALYSIS AND FINDINGS**

### **Master Plan Compliance**

The subject property is part of the Travilah planning area in the Potomac Subregion Master Plan. The plan identifies the Travilah area as a more rural portion of the subregion, where dependence on septic systems has ensured low-density residential neighborhoods. The subject property will contain lot sizes in compliance with RE-2 zoning and private septic systems. The proposed subdivision complies with the recommendations adopted in the master plan in that it is a request for low-density residential development.

### **Roads and Transportation**

The proposed lots do not generate 30 or more vehicle trips during the morning or evening peak-hours. Therefore, the application is not subject to Local Area Transportation Review. Glen Mill Road is a Rustic Road, requiring 70 feet of right-of-way. The applicant proposes to dedicate 35' from the centerline to meet this requirement. Tulip Lane, located directly north of the subject property, is a private street. Sidewalks are not required in either the RE-2 zone or along Glen Mill Road. A shared driveway will serve Lots 50 and 51 (from Glen Mill Road) and, therefore, an ingress/egress easement is proposed for Lot 50. Lot 52 will have driveway access from Tulip Lane, with frontage on Glen Mill Road. Proposed vehicle and pedestrian access for the subdivision will be safe and adequate with the proposed public and private improvements.

### **Other Public Facilities and Services**

Other public facilities and services are available and will be adequate to serve the proposed dwelling units. The Property is served by public water and private septic systems. The application has been reviewed by the Montgomery County Fire and Rescue Service who have determined that the Property has appropriate access for fire and rescue vehicles. Other public facilities and services, such as schools, police stations, firehouses and health services are currently operating within the standards set by the Growth Policy Resolution currently in effect. Gas, electrical and telecommunications services are also available to serve the Property.

### **Environment**

#### **Special Protection Area**

The subject property is located within the Piney Branch Special Protection Area, and has been determined to be exempt from requirements for a Preliminary Water Quality Plan per Section 19-63b-1-B of the Special Protection Area law. The waiver is based on demonstration that the property will neither equal nor exceed 15% imperviousness. Any proposed exceedance



of the 15% limit would require Planning Board approval of a full Water Quality Plan. The property has an approved stormwater management concept, described below.

#### Environmental Buffer

The current environmental buffer on the subject property has been maintained in a way that is inconsistent with the objectives of sustainable, natural forest environment within buffer areas. The new lot that is proposed does not infringe on the buffer area. This plan proposes to reclaim the buffer and convert it to natural forest condition, except for 3,833 square feet of proposed encroachment to allow a front yard 50 to 80 feet in width in front of the existing house on proposed Lot 52. This minor encroachment will be compensated in kind onsite at a minimum two-for-one ratio. Therefore, staff supports the plan.

#### Forest Conservation

Existing forest cover on the site equals 1.92 acres, 1.81 of which is high priority by virtue of it being within the environmental buffer area. This proposal shows 0.17 acres being cleared for the septic field and connections to it. The plan meets all applicable requirements of the county Forest Conservation Law, and has no additional requirement for reforestation offsite beyond the required forest planting and enhancement onsite.

#### Stormwater Management

The MCDPS Stormwater Management Section approved the stormwater management concept for the project on June 17, 2005 which includes a waiver of water quality control and recharge through the water quality swale. Channel protection volume is not required because the one year post development peak discharge is less than or equal to 2.0 cubic feet per second.

#### Compliance with the Subdivision Regulations and Zoning Ordinance

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections. Access and public facilities will be adequate to support the proposed lots and uses. The proposed size, width, shape and orientation of the proposed lots are appropriate for the location of the subdivision.

The lots were reviewed for compliance with the dimensional requirements for the RE-2 zone as specified in the Zoning Ordinance. The lots as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in attached Table 1. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan (see Attachment C for agency correspondence).

### **Citizen Correspondence and Issues**

The applicant notified adjacent and confronting property owners and civic associations of the preliminary plan submission made to MNCPPC and provided copies of the plan, as required. Staff sent notice of the public hearing to these parties. No citizen concerns have been brought to the attention of MNCPPC staff as of the date of this report.

### **CONCLUSION**

The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance and comply with the recommendations of the Potomac Master Plan. Access and public facilities will be adequate to serve the proposed lots, and the application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

### **Attachments**

Attachment A – Vicinity Development Map  
Attachment B – Proposed Development Plan  
Attachment C – Agency Correspondence

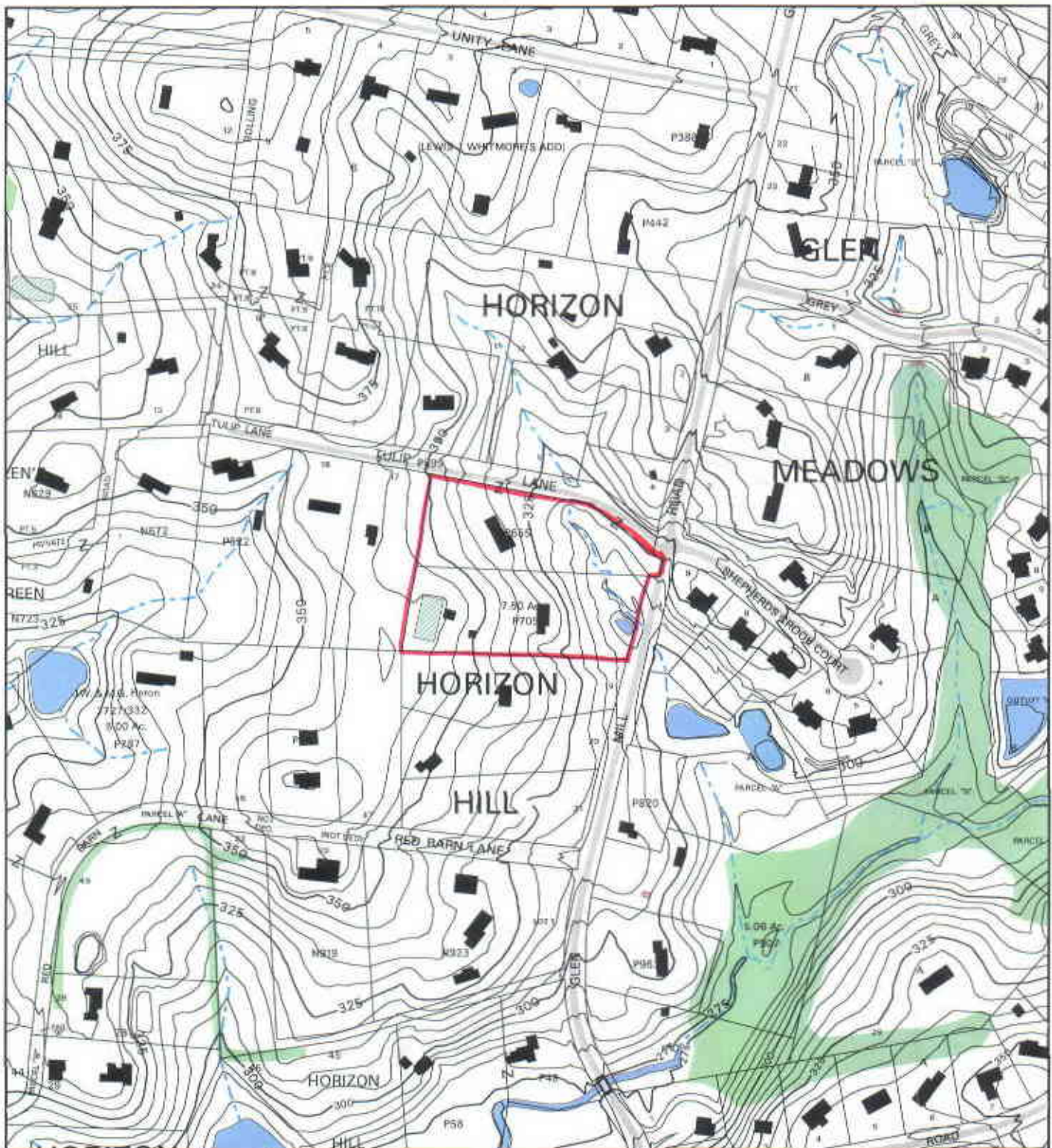
Table 1: Preliminary Plan Data Table and Checklist

<b>Plan Name: Horizon Hill</b>				
<b>Plan Number: 120051040</b>				
<b>Zoning: RE-2</b>				
<b># of Lots: 3</b>				
<b># of Outlots: 0</b>				
<b>Dev. Type: Standard</b>				
<b>PLAN DATA</b>	<b>Zoning Ordinance Development Standard</b>	<b>Proposed for Approval the Preliminary Plan</b>	<b>Verified</b>	<b>Date</b>
Minimum Lot Area	87,120 sq. ft.	87,120 sq. ft. is minimum proposed	EG	9/4/07
Lot Width	150 ft.	225 ft. is minimum proposed	EG	9/4/07
Lot Frontage	25 ft.	25 ft. is minimum proposed	EG	9/4/07
Setbacks				
Front	50 ft. Min.	Must meet minimum <sup>1</sup>	EG	9/4/07
Side	17 ft. Min./35 ft. total	Must meet minimum <sup>1</sup>	EG	9/4/07
Rear	35 ft. Min.	Must meet minimum <sup>1</sup>	EG	9/4/07
Height	50 ft. Max.	May not exceed maximum <sup>1</sup>	EG	9/4/07
Max Resid'l d.u. or Comm'l s.f. per Zoning	3 dwelling units	3 dwelling units	EG	9/4/07
MPDUs	No	N/a	EG	9/4/07
TDRs	No	N/a	EG	9/4/07
Site Plan Req'd?	No	N/a	EG	9/4/07
<b>FINDINGS</b>				
<b>SUBDIVISION</b>				
Lot frontage on Public Street		Yes	EG	9/4/07
Road dedication and frontage improvements		Yes	Agency letter	9/12/05
Environmental Guidelines		Yes	Staff memo	1/30/07
Forest Conservation		Yes	Staff memo	1/30/07
Master Plan Compliance		Yes	EG	9/4/07
Other (i.e., parks, historic preservation)				
<b>ADEQUATE PUBLIC FACILITIES</b>				
Stormwater Management		Yes	Agency letter	6/17/05
Water and Sewer (WSSC)		N/a	EG	9/4/07
10-yr Water and Sewer Plan Compliance		N/a	EG	9/4/07
Well and Septic		Yes	Agency letter	8/10/07
Local Area Traffic Review		N/a	Staff memo	7/5/05
Fire and Rescue		Yes	Agency letter	9/4/07
Other (i.e., schools)				

<sup>1</sup> As determined by MCDPS at the time of building permit.



# HORIZON HILL, LOTS 50 - 52 (1-05104)



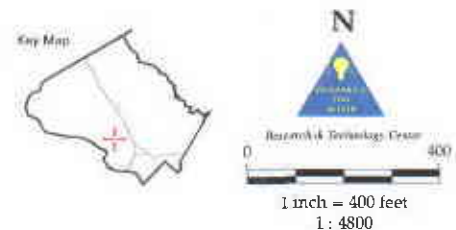
Map compiled on June 28, 2005 at 10:39 AM | Site located on base sheet no - 216NW10

## NOTICE

The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998









## DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

Carla Reid Joyner  
Director

## MEMORANDUM

August 10, 2007



TO: Cathy Conlon, Development Review,  
Maryland National Capital Park and Planning Commission

FROM: Carla Reid, Director  
Department of Permitting Services

SUBJECT: Status of Preliminary Plan: # 1-20050140, Horizon Hills

This is to notify you that the Well & Septic Section of MCDPS approved the plan received in this office on February 27, 2007.

Approved with the following reservations:

1. The record plat must be at the same scale as the preliminary plan, or submit an enlargement of the plat to match the preliminary plan.
2. All easements to be depicted on the Record Plat as they appear on the Preliminary Plan.
3. All existing buildings to appear on the Plat.
4. All houses must be served by public water.
5. Prior to record Plat approval, the existing house on lot 50 must be connected to public water; and the existing water well on lot 51 must be abandoned and sealed.
6. Prior to the approval of any building permits, the water well on lot 52 must be sealed; a new septic system for lot 50 must be installed; and the existing underground utilities must be removed as per notes 1, 2, and 3 on this plan.
7. Great care is to be exercised during all construction phases to protect and preserve the soil integrity of each approved septic area. Physical disturbances such as compaction and soil stockpiling are not allowed within the septic areas.

If you have any questions, contact Gene von Gunten at (240) 777-6319.

cc:

Surveyor  
File



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## FIRE MARSHAL COMMENTS

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**DATE:** 9/4/07  
**TO:** JIM CRAWFORD - DEWBERRY  
**FROM:** TYLER MOSMAN  
**RE:** HORIZON HILL 1-05104

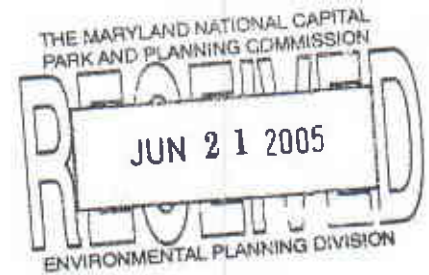
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### **PLAN APPROVED.**

1. Review based only upon information contained on the plan submitted 8-30-07. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

cc: Department of Permitting Services  
MNCPPC-MC





DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan  
County Executive

June 17, 2005

Robert C. Hubbard  
Director

Ms. Cheryl B. Hannan  
Dewberry  
203 Perry Parkway, Suite 1  
Gaithersburg, MD 20877

Re: Stormwater Management **CONCEPT** Request  
for Horizon Hills lots 50 - 52  
SM File #: 218607  
Tract Size/Zone: 6.35 acres/RE-2  
Total Concept Area: 4.0 acres  
Lots/Block: 50,51,52  
Parcel(s): 655 & 709  
Watershed: Watts Branch

Dear Ms. Hannan:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of a waiver of water quality control and recharge through the water quality swale. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

The following **conditions** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. A water quality swale will be required to manage stormwater for the new driveway.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.



If you have any questions regarding these actions, please feel free to contact Nadine Vurdelja Piontka at 240-777-6334.

Sincerely,



Richard R. Brush, Manager  
Water Resources Section  
Division of Land Development Services

RRB:dm CN218607

cc: R. Weaver  
S. Federline  
SM File # 218607

QN -on site; Acres: 4  
QL - waived; Acres: 4  
Recharge is provided

DEPARTMENT OF PUBLIC WORKS  
AND TRANSPORTATIONDouglas M. Duncan  
County ExecutiveArthur Holmes, Jr.  
Director

September 12, 2005

Ms. Catherine Conlon; Subdivision Supervisor  
Development Review Division  
The Maryland-National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760RE: Preliminary Plan #1-05104  
Horizon Hill

Dear Ms. Conlon:

We have completed our review of the preliminary plan that was signed on 06/06/05. This plan was reviewed by the Development Review Committee at its meeting on 7/05/05. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to MCDPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Show all existing planimetric and topographic details (development on the opposite side of the site along Glen Mill Road and Tulip Lane, plus storm drainage) as well as existing rights of way and easements on the preliminary plan.
2. The Maryland State Highway Administration's Highway Inventory Records indicate Tulip Lane is a public street that is privately maintained. The applicants will need to dedicate a right-of-way truncation on the northwest corner of the site, at the intersection of Tulip Lane and Glen Mill Road.
3. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
4. Wells and septic systems cannot be located within the right of way nor slope or drainage easements.



Division of Operations

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878  
240/777-6000, TTY 240/777-6013, FAX 240/777-6030



Ms. Catherine Conlon  
Preliminary Plan No. 1-05104  
September 12, 2005  
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5. Submit storm drain and/or flood plain studies, with computations, for our review and approval. Analyze the capacity of the existing downstream public storm drain system and the impact of the post-development fifty (50) year storm runoff on same.

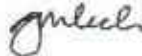
The limits of the floodplain and the building restriction lines are to be shown on the plan where applicable. The floodplain is to be dimensioned from the property line.

6. Prior to approval of the record plat by the Department of Permitting Services, submit a completed, executed and sealed DPWT Sight Distances Evaluation certification form, for the existing and proposed driveway(s), for our review and approval. Since site access is proposed on Glen Mill Road, which is classified as a Rustic Road in this area, stake and pavement mark the proposed driveway location for our evaluation of the impact on the Rustic Road features. *The location of the proposed driveway will need to be resolved prior to approval of the record plat by the Department of Permitting Services.*
6. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessing the proposed private common driveway off Glen Mill Road.
7. Record plat to reflect a denial of access across the Glen Mill Road site frontage, except at the approved location of the proposed private common driveway.
8. The owner will be required to furnish this office with a recorded covenant whereby said owner agrees to pay a prorata share for the future construction or reconstruction of Tulip Lane, whether built as a Montgomery County project or by private developer under permit, prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
9. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
10. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Fred Lees of our Traffic Control and Lighting Engineering Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
11. If the proposed development will alter or impact any existing County maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Bruce Mangum of our Transportation Systems Engineering Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.

Ms. Catherine Conlon  
Preliminary Plan No. 1-05104  
September 12, 2005  
Page 3

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at [greg.leck@montgomerycountymd.gov](mailto:greg.leck@montgomerycountymd.gov) or (240) 777-2190.

Sincerely,



Gregory M. Leck, P.E., Manager  
Traffic Safety Investigations and Planning Team  
Traffic Engineering and Operations Section

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cc: George Warholic, Dewberry and Davis  
William N. and E. Herman  
Joseph Y. Cheung; DPS Right-of-Way Permitting & Plan Review  
Christina Contreras; DPS Right-of-Way Permitting & Plan Review  
Sarah Navid; DPS Right-of-Way Permitting & Plan Review