



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

MCPB
Item #
12/11/08



MEMORANDUM

DATE: November 25, 2008

TO: Montgomery County Planning Board

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

FROM: *MB*
Neil Braunstein, Planner Coordinator (301-495-4532)
Development Review Division

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: Two lots for two one-family detached dwelling units

PROJECT NAME: Kenilworth – North Chevy Chase

CASE #: 120080300

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: R-60

LOCATION: Located on the west side of Clifford Avenue, 410 feet north of Kenilworth Driveway

MASTER PLAN: Bethesda/Chevy Chase

APPLICANT: Sterling Mehring

ENGINEER: CAS Engineering

FILING DATE: May 13, 2008

HEARING DATE: December 11, 2008

RECOMMENDATION: Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to two lots for two one-family detached dwelling units.
- 2) The applicant must comply with the conditions of approval for the final tree save plan. The applicant must satisfy all conditions prior to any clearing, grading, or demolition on the site.
- 3) The applicant must dedicate and the record plat must show dedication of approximately 12.9 feet of right-of-way along the property frontage for Clifford Avenue to create 25.9 feet of right-of-way, as measured from the centerline.
- 4) The applicant must comply with the conditions of the Montgomery County Department of Permitting Services (MCDPS) stormwater management approval dated October 24, 2008.
- 5) The applicant must comply with the conditions of the Montgomery County Department of Transportation (MCDOT) letter dated November 5, 2008, unless otherwise amended.
- 6) The applicant must construct all road improvements within the rights-of-way shown on the approved preliminary plan to the full width mandated by the Master Plan and to the design standards imposed by all applicable road codes.
- 7) The applicant must satisfy provisions for access and improvements as required by MCDOT prior to recordation of plat(s).
- 8) The Applicant must satisfy provisions for sidewalk improvements on Clifford Avenue as required by the Village of North Chevy Chase prior to recordation of plats(s).
- 9) Before any building permit is issued, the applicable school facilities payment required by the 2007-2009 Growth Policy must be paid to MCDPS.
- 10) The record plat must show necessary easements.
- 11) 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 resolution.

SITE DESCRIPTION

The subject property, shown below and in Attachment A, is a part of a platted lot measuring 15,790 square feet in area. It is within the incorporated Village of North Chevy Chase, on the east side of Clifford Avenue, 410 feet north of Kenilworth Driveway. The zoning on the property is R-60. The property is developed with a one-family dwelling, which is proposed to be retained. Surrounding properties are developed with one-family dwellings in the R-60 zone.

The site is located within the Lower Rock Creek watershed. There are no forests, stream buffers, wetlands, or other environmentally sensitive features on the site.



PROJECT DESCRIPTION

The applicant proposes to subdivide the existing part of a lot into two lots. A new one-family dwelling will be constructed on proposed Lot 42 and the existing one-family dwelling will be retained on proposed Lot 43. Proposed Lot 42 will be 6,789 square feet in area and proposed Lot 43 will be 7,143 square feet in area. Access to each lot will be provided by a separate driveway from Clifford Avenue. The existing and proposed residences will be served by public water and public sewer systems.

(Attachment B – proposed plan)

ANALYSIS AND FINDINGS

Master Plan Compliance

The Bethesda/Chevy Chase Master Plan does not specifically address the subject property. The Master Plan recommends retention of existing zoning throughout the Master Plan area in the absence of a specific recommendation for change on a particular property. Thus, in the case of the subject property, the Master Plan calls for retention of the existing R-60 zoning. The proposed subdivision complies with the recommendations adopted in the Master Plan in that

it proposes one-family residential development consistent with surrounding development patterns and the current zoning designation. The proposed lots will be similar to surrounding lots with respect to dimensions, orientation, and shape, and the proposed residence will have a similar relationship to the public street and surrounding residences as existing residences in the area. The proposed subdivision will not alter the existing pattern of development or land use, consistent with the Master Plan recommendation to maintain the existing land use.

Public Facilities

Roads and Transportation Facilities

The proposed subdivision does 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. In addition, the proposed subdivision does not generate more than three new vehicle trips in the morning or evening peak hours. Therefore, the application is also not subject to Policy Area Mobility Review.

Access to the proposed lots will be provided by two separate driveways from Clifford Avenue. Although no sidewalks exist on Clifford Avenue, the low traffic volume on this street allows safe pedestrian use of the roadway. A sidewalk may be required by the Village of North Chevy Chase along the property frontage on Clifford Avenue. Proposed vehicle and pedestrian access for the site will be safe and adequate.

Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the proposed development. The property will be served by public water and public sewer systems. The application has been reviewed by the Montgomery County Fire and Rescue Service who has 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 operating according to the Growth Policy resolution currently in effect and will be adequate to serve the property. The Application is not within a school moratorium area, but a school facilities payment must be made prior to issuance of building permits on the lots. Electrical, gas, and telecommunications services are also available to serve the Property.

Environment

The site does not contain any streams, wetlands, floodplains, or other environmentally sensitive features, and there are no environmental buffers on the site. Environmental guidelines for protection of environmentally sensitive areas, therefore, are not applicable to this subdivision.

There are no forests on the site. The subject site was granted an exemption from submitting a forest conservation plan, but a tree save plan is required. The tree save plan will preserve a number of trees on and adjacent to the site, the largest being a 19-inch cherry tree. The emphasis of the tree save plan is to protect existing off-site trees on adjacent properties.

The MCDPS Stormwater Management Section approved the stormwater management concept on October 24, 2008. The stormwater management concept includes water quality control and recharge via roof-top disconnect and permeable pavement. Channel protection is not required because the one-year post-development peak discharge is less than 2 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, including the requirements for resubdivision as discussed below. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

The lots were reviewed for compliance with the dimensional requirements for the R-60 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.

Conformance with Section 50-29(b)(2)

A. Statutory Review Criteria

In order to approve an application for resubdivision, the Planning Board must find that each of the proposed lots complies with all seven of the resubdivision criteria, set forth in Section 50-29(b)(2) of the Subdivision Regulations, which states:

Resubdivision. Lots on a plat for the Resubdivision of any lot, tract or other parcel of land that is part of an existing subdivision previously recorded in a plat book shall be of the same character as to street frontage, alignment, size, shape, width, area and suitability for residential use as other lots within the existing block, neighborhood or subdivision.

B. Neighborhood Delineation

In administering Section 50-29(b)(2) of the Subdivision Regulations, the Planning Board must determine the appropriate “neighborhood” for evaluating the application. In this instance, the Neighborhood selected by the applicant, and agreed to by staff, consists of 26 lots, not including the two proposed lots (Attachment C). The neighborhood includes lots on Clifford Avenue, Hutch Place, and Montgomery Avenue in the R-60 zone. All the lots share multiple access points on these and other streets. The designated neighborhood provides an adequate sample of the lot and development pattern of the area. A tabular summary of the area based on the resubdivision criteria is included in Attachment D.

C. Analysis

Comparison of the Character of Proposed Lots to Existing

In performing the analysis, the above-noted resubdivision criteria were applied to the delineated neighborhood. The proposed lots are of the same character with respect to the resubdivision criteria as other lots within the defined neighborhood. Therefore, the proposed resubdivision complies with the criteria of Section 50-29(b)(2). As set forth below, the attached tabular summary and graphical documentation support this conclusion:

Frontage:

In a neighborhood of 26 lots, lot frontages range from 25 feet to 177 feet. Four of the lots have frontages of less than 60 feet, fifteen lots have frontages between 60 and 100 feet, and the remaining seven lots have frontages of more than 100 feet. Proposed Lot 42 has a frontage of 71 feet, and proposed Lot 43 has a frontage of 74 feet. **The proposed lots will be of the same character as existing lots in the neighborhood with respect to lot frontage.**

Alignment:

Twenty of the 26 existing lots in the neighborhood are perpendicular in alignment, and the remaining six are corner lots. The two proposed lots are perpendicular in alignment. **The proposed lots are of the same character as existing lots with respect to the alignment criterion.**

Size:

The lots in the delineated neighborhood range from 5,203 square feet to 20,031 square feet. Four of the lots are smaller than 6,000 square feet, twelve are between 6,000 and 10,000 square feet, and ten are between 10,000 and 20,031 square feet. Proposed Lot 42 is 6,789 square feet in size and Proposed Lot 43 is 7,143 square feet in size. **The proposed lot sizes are in character with the size of existing lots in the neighborhood.**

Shape:

Twenty of the existing lots in the neighborhood are rectangular, four are irregularly shaped, and the remaining two are pipestem lots. The two proposed lots are rectangular. **The shapes of the proposed lots will be in character with shapes of the existing lots.**

Width:

The lots in the delineated neighborhood range from 52 feet to 177 feet in width. Three of the lots have widths of less than 60 feet, ten lots have widths between 60 and 80 feet, and the remaining thirteen lots have widths of more than 80 feet. Proposed Lot 42 has a width of 71 feet and Proposed Lot 43 has a width of 74 feet. **The proposed lots will be in character with existing lots in the neighborhood with respect to width.**

Area:

The lots in the delineated neighborhood range from 1,584 square feet to 12,785 square feet in buildable area. Five of the lots have a buildable area less than 2,000 square feet,

fourteen are between 2,000 and 5,000 square feet, and seven are between 5,000 and 12,785 square feet. Proposed Lot 42 has a buildable area of 2,397 square feet and Proposed Lot 29 has a buildable area of 2,630 square feet. **The proposed lots will be of the same character as other lots in the neighborhood with respect to buildable area.**

Suitability for Residential Use: The existing and the proposed lots are zoned residential and the land is suitable for residential use.

Citizen Correspondence and Issues

The applicant conducted a pre-submission community meeting on January 22, 2008. At the meeting, citizens raised concerns regarding the width of Clifford Avenue, existing trees on the front of the subject property that limit visibility, the appearance of the rear of the proposed dwelling, and the orientation of the existing dwelling. The developer addressed these concerns satisfactorily at the meeting. In addition, written notice was given by the applicant and staff of the plan submittal and the public hearing date. As of the date of this report, no citizen letters have been received.

CONCLUSION

Section 50-29(b)(2) of the Subdivision Regulations specifies seven criteria with which resubdivided lots must comply. They are street frontage, alignment, size, shape, width, area and suitability for residential use within the existing block, neighborhood or subdivision. As set forth above, the two proposed lots are of the same character as the existing lots in the defined neighborhood with respect to each of the resubdivision criteria, and therefore, comply with Section 50-29(b)(2) of the Subdivision Regulations. The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance and comply with the recommendations of the Bethesda/Chevy Chase 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

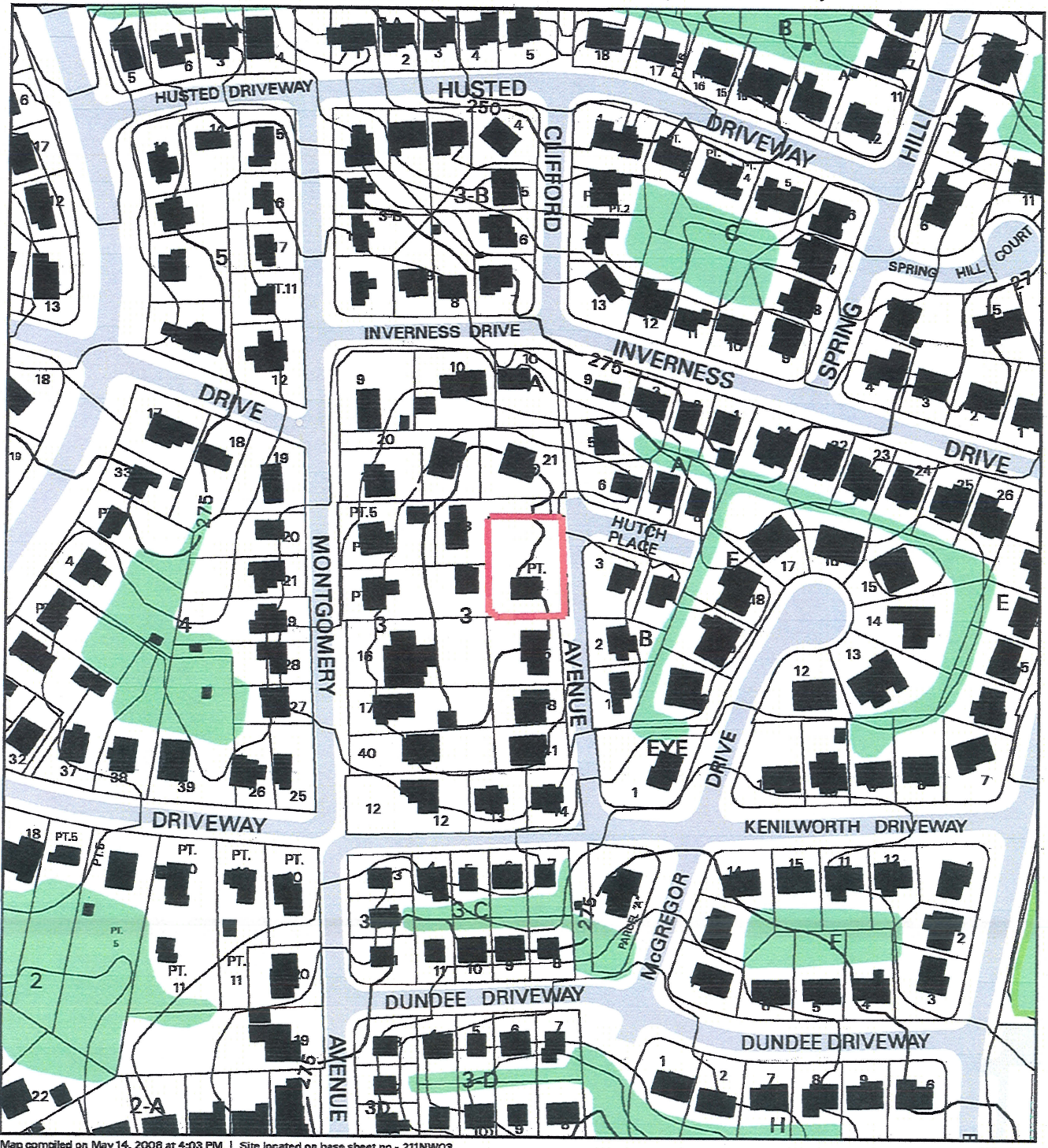
- Attachment A – Vicinity Development Map
- Attachment B – Proposed Development Plan
- Attachment C – Resubdivision Neighborhood Map
- Attachment D – Resubdivision Data Table
- Attachment E – Agency Correspondence Referenced in Conditions

Table 1: Preliminary Plan Data Table and Checklist

Plan Name: Kenilworth – North Chevy Chase				
Plan Number: 120080300				
Zoning: R-60				
# of Lots: 2				
# of Outlots: N/a				
Dev. Type: Residential				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot Area	6,000 sq. ft.	6,789 sq. ft. minimum	NB	11/25/08
Lot Width	60 ft.	71 ft. minimum	NB	11/25/08
Lot Frontage	25 ft.	71 ft. minimum	NB	11/25/08
Setbacks				
Front	25 ft. Min.	Must meet minimum ¹	NB	11/25/08
Side	8 ft. Min./18 ft. total	Must meet minimum ¹	NB	11/25/08
Rear	20 ft. Min.	Must meet minimum ¹	NB	11/25/08
Height	35 ft. Max.	May not exceed maximum ¹	NB	11/25/08
Max Resid'l d.u. per Zoning	2	2	NB	11/25/08
MPDUs	N/a		NB	11/25/08
TDRs	N/a		NB	11/25/08
Site Plan Req'd?	No		NB	11/25/08
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street		Yes	NB	11/25/08
Road dedication and frontage improvements		Yes	Agency letter	11/5/08
Environmental Guidelines		N/a	Staff memo	11/17/08
Forest Conservation		Exempt	Staff memo	11/17/08
Master Plan Compliance		Yes	Staff memo	10/30/08
ADEQUATE PUBLIC FACILITIES				
Stormwater Management		Yes	Agency letter	10/24/08
Water and Sewer (WSSC)		Yes	Agency comments	6/23/08
10-yr Water and Sewer Plan Compliance		Yes	Agency comments	6/23/08
Well and Septic		N/a	Agency comments	6/23/08
Local Area Traffic Review		N/a	Staff memo	6/23/08
Policy Area Mobility Review		N/a	Staff memo	6/23/08
Transportation Management Agreement		No	Staff memo	6/23/08
School Cluster in Moratorium?		No	NB	10/25/08
School Facilities Payment		Yes	NB	10/25/08
Fire and Rescue		Yes	Agency letter	6/23/08

¹ As determined by MCDPS at the time of building permit.

KENILWORTH, NORTH CHEVY CHASE (120080300)



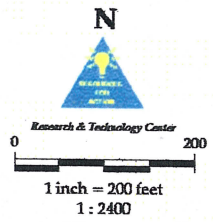
Map compiled on May 14, 2008 at 4:03 PM | Site located on base sheet no - 211NW03

NOTICE

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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.

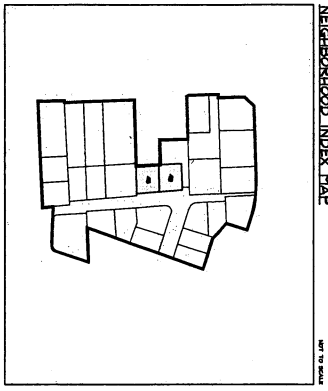
This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area 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



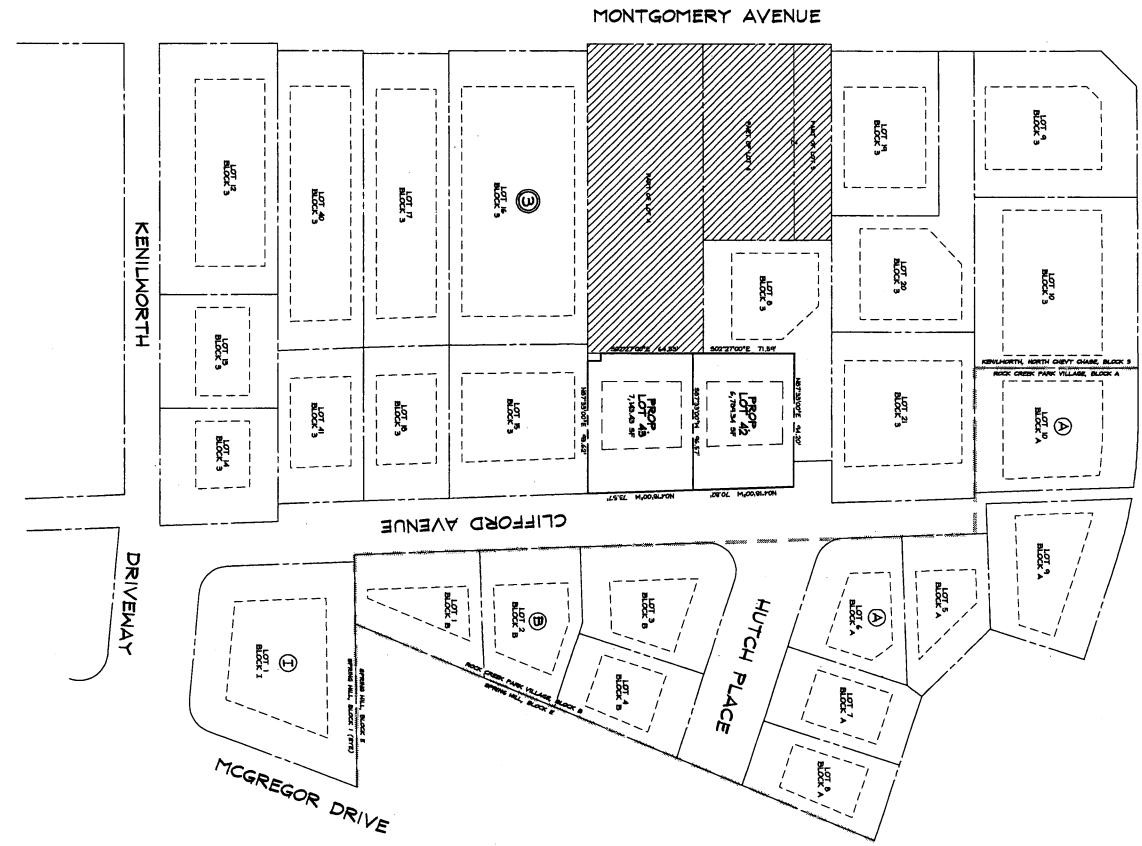
GENERAL NOTES

- 1) ZONING: R-1 - 6,000 SQ FT. FRONT B.S.L. - 25 FT. (OR 60' LOT WIDTH) MIN. LOT WIDTH AT REAR - 25 FT. REAR B.S.L. - 25 FT. MIN. IN FT TOTAL.
- 2) WATER CATEGORY - 1 - OTHER CATEGORY - 1
- 3) SUBMITTAL REQUIREMENTS BASED ON AVAILABLE RECORDS.
- 4) TOTAL LOT AREA: PROPOSED LOT 42 = 5,794 SQ. FT. PROPOSED LOT 43 = 5,794 SQ. FT.
- 5) PROPERTY SHOWN ON TAX MAP: 1994, ESTABLISHED, NORTH CHEVY CHASE.
- 6) SITE IS LOCATED IN THE LOWER ROCK CREEK WATERSHED.
- 7) SOCIAL UTILITIES INCLUDING WATER & SEWER - WASHINGTON SUBURBAN SANITARY COMMISSION
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- 100) UTILITIES - WASHINGTON SUBURBAN SANITARY COMMISSION

NOTE: THIS NEIGHBORHOOD MAP IS FOR GENERAL INFORMATION ONLY. NOT TO BE USED FOR ANY OTHER PURPOSES.



■ MATTER OF LOTS NOT INDICATED



INVERNESS DRIVE

MONTGOMERY AVENUE

CLIFFORD AVENUE

HUTCH PLACE

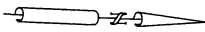
KENILWORTH

MCGREGOR DRIVE

DRIVEWAY



VICINITY MAP
AUC 144 20, GRID 3-4
SCALE: 1" = 200'



8910 CLIFFORD AVENUE
PROPOSED LOTS 42 & 43, BLOCK 3

8910 CLIFFORD AVENUE
PROP. LOTS 42 & 43, BLOCK 3
KENILWORTH, NORTH CHEVY CHASE
NEIGHBORHOOD MAP

APPLICANT
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301-607-8031 FAX (301) 607-8045
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100 West Ridgeville Boulevard, Suite 101, Mount Airy, Maryland 21771
DC Metro (301) 607-8031 FAX (301) 607-8045

KENILWORTH, NORTH CHEVY CHASE
BETHESDA (7TH) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
NEIGHBORHOOD MAP

DATE	BY	REVISION	PROJECT	DATE
04/08/08	JFO	INITIAL SUBMITTAL TO TRCPC	07-201	04/2008
			ILLUSTRATION	JMO
			SCALE	1" = 40'
			APPROVAL	CAS

LOTS 42 & 43, BLOCK 3
KENILWORTH, NORTH CHEVY CHASE

CAS Project No. 07-201

Comparable Lot Data Table (Sorted in descending order by Lot Size)

Lot	Block	Subdivision	Frontage	Alignment		Lot Shape	Width	Buildable Area
16	3	Kenilworth, North Chevy Chase	97.00 Feet	perpendicular	20,031 S.F.	rectangular	97.00 Feet	12,785 S.F.
1	I	Spring Hill	103.40 Feet	corner lot	15,079 S.F.	rectangular	107.40 Feet	5,700 S.F.
12	3	Kenilworth, North Chevy Chase	176.84 Feet	corner lot	14,536 S.F.	rectangular	176.84 Feet	6,355 S.F.
10	3	Kenilworth, North Chevy Chase	120.00 Feet	parallel	13,745 S.F.	rectangular	120.00 Feet	7,094 S.F.
40	3	Kenilworth, North Chevy Chase	60.00 Feet	perpendicular	12,618 S.F.	rectangular	60.00 Feet	6,943 S.F.
17	3	Kenilworth, North Chevy Chase	60.00 Feet	perpendicular	12,488 S.F.	rectangular	60.00 Feet	6,770 S.F.
21	3	Kenilworth, North Chevy Chase	100.21 Feet	perpendicular	11,889 S.F.	rectangular	100.21 Feet	6,054 S.F.
9	3	Kenilworth, North Chevy Chase	114.39 Feet	corner lot	11,463 S.F.	rectangular	114.39 Feet	4,663 S.F.
20	3	Kenilworth, North Chevy Chase	25.00 Feet	perpendicular	11,108 S.F.	pipestem	60.00 Feet	4,258 S.F.
15	3	Kenilworth, North Chevy Chase	97.06 Feet	perpendicular	10,373 S.F.	rectangular	97.06 Feet	4,867 S.F.
10	A	Rock Creek Park Village	84.33 Feet	perpendicular	9,824 S.F.	rectangular	86.17 Feet	4,723 S.F.
8	3	Kenilworth, North Chevy Chase	26.01 Feet	perpendicular	9,078 S.F.	pipestem	60.00 Feet	3,406 S.F.
9	A	Rock Creek Park Village	118.36 Feet	parallel	8,738 S.F.	rectangular	103.45 Feet	3,323 S.F.
19	3	Kenilworth, North Chevy Chase	75.15 Feet	perpendicular	8,703 S.F.	rectangular	75.15 Feet	4,047 S.F.
3	B	Rock Creek Park Village	117.62 Feet	corner lot	7,860 S.F.	irregular	105.00 Feet	2,361 S.F.
43	3	Kenilworth, North Chevy Chase	73.57 Feet	perpendicular	7,143 S.F.	rectangular	73.57 Feet	2,630 S.F.
42	3	Kenilworth, North Chevy Chase	70.82 Feet	perpendicular	6,789 S.F.	rectangular	71.08 Feet	2,397 S.F.
14	3	Kenilworth, North Chevy Chase	82.87 Feet	corner lot	6,694 S.F.	rectangular	82.87 Feet	1,761 S.F.
2	B	Rock Creek Park Village	70.00 Feet	perpendicular	6,690 S.F.	irregular	70.00 Feet	2,767 S.F.
13	3	Kenilworth, North Chevy Chase	80.00 Feet	perpendicular	6,576 S.F.	rectangular	80.00 Feet	2,306 S.F.
18	3	Kenilworth, North Chevy Chase	60.03 Feet	perpendicular	6,483 S.F.	rectangular	60.03 Feet	2,645 S.F.
41	3	Kenilworth, North Chevy Chase	60.04 Feet	perpendicular	6,480 S.F.	rectangular	60.04 Feet	2,645 S.F.
6	A	Rock Creek Park Village	79.83 Feet	corner lot	6,351 S.F.	irregular	92.00 Feet	2,164 S.F.
1	B	Rock Creek Park Village	88.14 Feet	parallel	6,157 S.F.	irregular	88.14 Feet	1,584 S.F.
5	A	Rock Creek Park Village	60.00 Feet	perpendicular	5,612 S.F.	rectangular	60.00 Feet	1,802 S.F.
7	A	Rock Creek Park Village	55.00 Feet	perpendicular	5,474 S.F.	rectangular	52.90 Feet	2,035 S.F.
4	B	Rock Creek Park Village	62.00 Feet	perpendicular	5,360 S.F.	rectangular	58.30 Feet	1,881 S.F.
8	A	Rock Creek Park Village	47.97 Feet	perpendicular	5,203 S.F.	rectangular	52.03 Feet	1,881 S.F.

1. Lot statistics taken from available record plats.
2. Parts of lots and parcels were not included.
3. Longest front property line used for frontage calculation on corner lots
4. 25' Front BRL (per R-60 Zone) assumed for buildable area calculations.
5. Lot width for pipestem lots assumed to the minimum at the Front B.R.L. of 60 feet.



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid Joyner
Director

October 24, 2008

Mr. James M. Ochs
CAS Engineering
108 W. Ridgeville Boulevard, Suite 101
Mount Airy, MD 21771

Re: Stormwater Management **CONCEPT** Request
for Kenilworth, North Chevy Chase
Preliminary Plan #: 120080300
SM File #: 233375
Tract Size/Zone: 0.36 Ac./R-60
Total Concept Area: 0.16 Ac.
Lots/Block: 42 & 43/3
Watershed: Lower Rock Creek

Dear Mr. Ochs:

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 on-site water quality control and recharge via rooftop disconnect and permeable pavements. 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 **items** 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. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. No improvements are proposed for Lot 43. Therefore, stormwater management requirements for that lot are deferred. Stormwater management will be addressed whenever a sediment control permit is required for new construction or reconstruction.

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 not 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 David Kuykendall at 240-777-6332.

Sincerely,

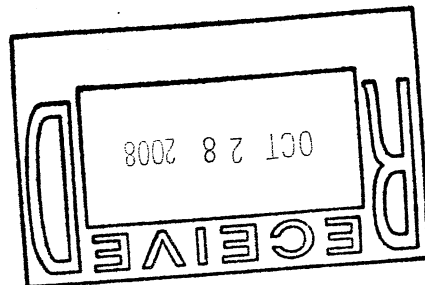


Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:dm CN233375 Kenilworth.DWK

cc: C. Conlon
S. Federline
SM File # 233375

QN -Onsite; Acres: 0.16
QL - Onsite; Acres: 0.16
Recharge is provided



NB



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

November 5, 2008

RECEIVED
NOV 17 2008
DEVELOPMENT REVIEW

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan #1-20080000
Kenilworth, North Chevy Chase

Dear Ms. Conlon:

We have completed our review of the preliminary plan printed on 10/01/08. This plan was reviewed by the Development Review Committee at its meeting on June 23, 2008. 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 DPS 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. Right of way dedication for Clifford Ave as necessary.
2. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
3. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
4. In accordance with Section 49-35(e) of the Montgomery County Code, sidewalks are required to serve the proposed subdivision. Sidewalks are to be provided along the site frontage according to associated DOT standard street section unless the applicant is able to obtain a waiver from the appropriate government agency.
5. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
6. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Engineering Design and Operation Section at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
7. Trees in the County rights of way - species and spacing to be in accordance with the applicable DOT standards. Tree planting within the public right of way must be coordinated with Brett Linkletter with Division of Highway Services, Tree Maintenance Unit at 240 777 6000.
8. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:

Division of Traffic Engineering and Operations

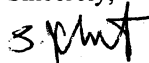
101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878
Customer Service 240-777-6000 • Main Office 240-777-2190 • 240-777-6013 TTY • 240-777-2080 FAX
trafficops@montgomerycountymd.gov

Ms. Catherine Conlon
Preliminary Plan No. 1-20080300
Date November 5, 2008
Page 2

- A. Street grading, paving, curbs and gutters, sidewalks and handicap ramps, storm drainage and appurtenances, and street trees along Clifford Ave from the existing centerline to improve it to tertiary residential roadway standards (MC 210.02).
- B. Upgrade the curb inlet on Inverness Drive which receives the site run off, from 10 to 20 feet. All improvements to the existing public storm drainage system need to be designed and constructed in accordance with the DOT Storm Drain Design Criteria.
- C. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
- D. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
- E. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the Traffic Engineering and Operations Division.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at sam.farhadi@montgomerycountymd.gov or (240) 777-6000.

Sincerely,



Sam Farhadi, P.E.
Development Review Group
Traffic Engineering and Operations Division

m:/subdivision/farhas01/preliminary plans/ 1-20080300, Kenilworth, North Chevy Chase.doc

Enclosures (1)

cc: Sterling Mehring, Clifford Ave, LLC
James Oches, CAS Engineering
Joseph Y. Cheung; DPS RWPPR
Henry Emery; DPS RWPPR
Sarah Navid; DPS RWPPR
Shahriar Etemadi; M-NCPPC TP
Gregory Leck, DOT DTEO
Preliminary Plan Folder
Preliminary Plans Note Book