



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

MCPB
Item # 5
10/8/09

MEMORANDUM

DATE: September 24, 2009

TO: Montgomery County Planning Board

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

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

REVIEW TYPE: Preliminary Plan of Subdivision (Resubdivision)

APPLYING FOR: 3 lots for 3 one-family detached dwelling units

PROJECT NAME: Chevy Chase View

CASE #: 120070520

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: R-60

LOCATION: 4311 Clearbrook Lane, 125 feet west of Cedar Lane

MASTER PLAN: Kensington-Wheaton

APPLICANT: Fred Gore

ENGINEER: Dick Witmer

FILING DATE: January 5, 2007

HEARING DATE: October 8, 2009

RECOMMENDATION: Denial of the resubdivision application for 3 lots.

SITE DESCRIPTION

The site of this preliminary plan application, "Property" or "Subject Property", is located in the Kensington-Wheaton Master Plan area on Clearbrook Lane, 125 feet west of Cedar Lane. The site, pictured below in Figure 1, consists of a lot recorded by plat in 1993 that contains 0.96 acres zoned R-60. The Subject Property is surrounded by R-60 recorded lots. A one-family detached residential dwelling unit and separate garage structure are currently located on the Property. These structures are accessed from Clearbrook Lane via a private driveway. The topography of the site gently slopes to a low point at the rear of the site. There are seven large trees located on the Subject Property (24" DBH or greater) but no other significant environmental features:

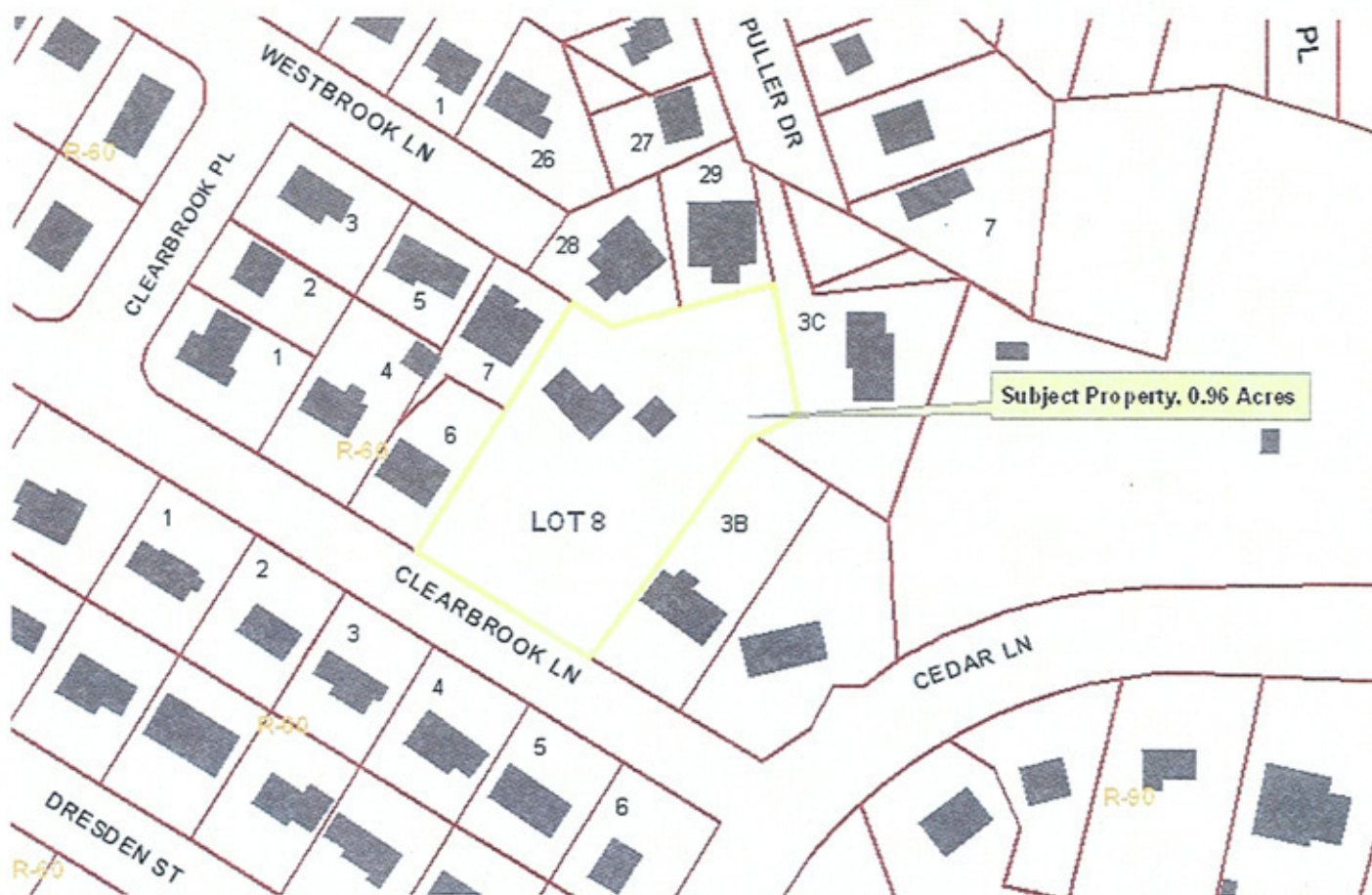


Figure 1: Vicinity & Zoning Map

The Subject Property and several of those surrounding it are on property that was originally owned by the current Applicant who has been subdividing the tract in phases since 1972. From the Applicant's original part of lot 3, lot 3C on Puller Drive was created and recorded in 1972, lot 6 on Clearbrook Lane was created by the Applicant in 1990, followed by the creation of lots 7, 28, 29 and the Subject Property (lot 8) in 1993.

PROJECT DESCRIPTION

In this latest application, the Applicant proposes to retain the existing dwelling unit, resubdivide the Property and record three lots to accommodate the existing home and two new one-family detached dwelling units, as shown in Figure 2 on the following page. Proposed lot 9 is 16,043 square feet, proposed lot 10 is 16,504 square feet and proposed lot 11 is 9,369 square feet in size. All three lots are proposed to have frontage on Clearbrook Lane and access from this road. Proposed lots 9 and 11 have a one-to-one relationship with confronting lots on the south side of Clearbrook Lane but lot 10 is proposed to be located behind lots 9 and 11 as a pipestem lot.



Figure 2: Preliminary Plan

ANALYSIS AND FINDINGS

Master Plan Compliance

The 1989 Master Plan for the Communities of Kensington-Wheaton does not specifically identify the Subject Property. The Plan only reconfirms the existing zoning and land use recommendations for this area west of Cedar Lane. The preliminary plan complies with the master plan recommendations in that 3 residential lots are proposed that meet the standards of the zone.

Public Facilities

Roads and Transportation Facilities

The proposed lots do not generate 30 or more vehicle trips during the morning or evening peak-hours. The application is not subject to Local Area Transportation Review. In addition, the application is not subject to Policy Area Mobility Review because the proposed development generates fewer than 3 new peak-hour trips within the weekday morning and evening peak periods. Clearbrook Lane, on which the three proposed lots have street frontage and access, is classified as a tertiary residential street requiring 50 feet of right of way. The right-of-way for Clearbrook Lane is currently adequate along the Property frontage, but a 4 foot-wide sidewalk along the Property frontage is required by code and will improve access to the nearby elementary school. The proposed vehicle and pedestrian access for the subdivision will be safe and adequate with the proposed improvements.

Other Public Facilities and Services

Other public facilities and services are available and will be adequate to serve the proposed dwelling units. The dwelling units will be served by public water and sewer. Gas, electric and telecommunications services are also available to serve the lots. Police stations, firehouses and health services are operating within the standards set by the Growth Policy Resolution currently in effect. The application has been reviewed and approved by the Montgomery County Fire and Rescue Service which has determined that the property has adequate access for emergency vehicles. The application is not within a school moratorium area and is not subject to a School Facilities Payment.

Environment

Environmental Guidelines

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) was submitted for the Subject Property and approved on October 6, 2006. There are no wetlands, streams, steep slopes, erodible soils or environmentally sensitive areas located on the Property.

Forest conservation

A forest conservation plan is not required because this site is less than 1 acre in size and qualifies for a forest conservation exemption under Section 22A-5(s)(2), which is the Small Property Exemption. A tree save plan is required and there are seven trees of 24" diameter breast height (DBH) or greater in size located on the Property. Of these seven that lie within the limits of disturbance for the subdivision, trees four are shown to be removed due to poor health. The remaining three trees are shown to be protected using appropriate tree save measures.

Stormwater Management

The MCDPS Stormwater Management Section approved the stormwater management concept for the project on December 18, 2006 which includes on-site water quality control via nonstructural methods and on-site recharge via drywells. 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 59, the Zoning Ordinance. The proposed lots comply with the dimensional requirements for the R-60 zone as specified in the Zoning Ordinance. The lots as proposed meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of the zoning 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.

This application has also been reviewed for compliance with Chapter 50 of the Montgomery County Code, the Subdivision Regulations. The application fails to meet all the requirements for resubdivision as specified in Section 50-29(b)(2), as discussed below. In addition, the subdivision does not result in lots that have appropriate sizes, shapes, widths and orientations for the area in which they are located as specified in Section 50-29(a)(1) of the Subdivision Regulations. For this application, Staff believes the orientation of proposed lot 10 is inappropriate for the location of the subdivision. The orientation of lot 10 is such that a new dwelling unit on the lot will be behind and face the rear yards of proposed lots 9 and 11. This orientation is absent within surrounding blocks. Lots 29, 3C and 7 to the north of proposed lot 10 have similar lot frontages but directly front Puller Drive without obstruction.

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

21 lots as depicted in Figure 3 below. The neighborhood includes lots within the same block as the Subject Property, lots abutting and confronting the Property as well as lots visually impacted by the proposed subdivision. All lots within the selected Neighborhood share the same zoning classification as the Subject Property. 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 A, and identifies mistakes in terminology corrected by Staff.



Figure 3: Resubdivision Neighborhood

C. Analysis

Staff Analysis: Comparison of the Character of Proposed Lots to Existing

In performing the analysis, the above-noted statutory review criteria for resubdivisions were applied to the delineated Neighborhood. In Staff's opinion, the proposed lots are not of the same character with respect to the resubdivision criteria as other lots within the defined Neighborhood. Therefore, the proposed resubdivision fails to comply with the

criteria of Section 50-29(b)(2). A careful analysis of the resubdivision criteria is set forth below.

Frontage:

Lot frontages for the 21 lot Neighborhood range from 19 feet to 111.55 feet. The minimum lot frontage permitted in the R-60 zone is 25 feet. Lot 7, block 16 has nonconforming lot frontage of 19 feet and lots 3C and 29 in the Neighborhood have 25 feet of street frontage. While these three lots have minimal lot frontage, all three lots directly front the substandard termination of Puller Drive. Proposed lot 9 has 63.73 feet of frontage and proposed lot 11 has 60 feet of frontage. Proposed lot 10 has 25 feet of frontage to accommodate a pipestem lot. **Given that only lot 3C and lot 29 have 25 feet of frontage in the Neighborhood, Staff is of the opinion that an established pattern of lots with minimum lot frontage is not present within the Neighborhood. As a result, Proposed lot 10 fails to be of the same character as existing lots in the Neighborhood with respect to lot frontage.**

Alignment:

Within the resubdivision Neighborhood, 18 lots have a perpendicular alignment to the street and 3 lots are corner lots. The three lots as proposed will also align to Clearbrook Lane in a perpendicular fashion. **The proposed lots are of the same character as existing lots with respect to the alignment criterion.**

Size:

Lot sizes in the Neighborhood range from 6,000 square feet to 18,877 square feet. Proposed lot 9 is 16,043 square feet in size, proposed lot 10 is 16,504 square feet and proposed lot 11 is 9,369 square feet. **The proposed lot sizes are in character with the size of existing lots in the Neighborhood.**

Shape:

Of the 21 lots in the Neighborhood, 13 lots are rectangular in shape, 7 lots are irregular in shape and one lot, lot 3C, is a pipestem lot. Proposed lots 9 and 11 are rectangular and proposed lot 10 is configured as a pipestem lot. Staff does not believe the existence of one other pipestem lot in the Neighborhood warrants another. In fact, lot 3C is pipestem in shape due to a part of lot that was created for lot 7, block 16. The dwelling unit on lot 3C does not face the rear yards of adjacent lots and does not have a pipestem appearance from the street. **As a result, proposed lot 10 will not be in character with the shapes of the existing lots in the Neighborhood.**

Width:

Lot widths in the Neighborhood range from 60 feet to 133 feet. The three proposed lots are subject to an established building line for measuring width. Proposed lot 9 has a lot width of 65.82 feet, proposed lot 10 a width of 78.26 feet and proposed lot 11 a width of 60 feet at the Established Building Line. Three lots in the Neighborhood have a lot width of 60 feet and a total of eight lots in the

Neighborhood range from 60 feet to 65 feet in width. **For these reasons, the three proposed lots will be in character with existing lots in the Neighborhood with respect to width.**

Area:

Buildable area calculations for the Neighborhood range from 1,995 square feet to 10,728 square feet. The three proposed lots have buildable areas of 9,956 square feet for lot 9, 7,493 square feet for lot 10 and 4,710 square feet for lot 11. **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.

Issues for discussion, raised by the Applicant in Attachment B- Applicant's Justification for 3 lots

1. The proposed resubdivision completes a development pattern that began in 1937.

The Applicant submitted a very detailed analysis of his own, which is included in Attachment B. The Applicant believes full resubdivision of Lot 8 will complete a development pattern that follows the many resubdivisions that began in 1937. The Applicant argues that ten subdivision plats have been recorded since that time and all but 2 have been resubdivisions. Plat #850 in 1937 established the lots south of the Subject Property along Clearbrook Lane. Plat #1838 in 1946 created Lot 7 on Puller Drive as part of the subdivision for Kensington Estates. In 1951 Lots 1, 2 and 3, block E and Lot 1, block C were created by plat #2925. A plat of correction was filed in 1952 to correct 2 block numbers and provide street names for 2 new roadways. In 1957, Lot 4 was created as part of Plat #4958 and lot 3B by Plat #5286 in 1958. Lot 5, block E and lots 26 and 27, block C were created in 1966. Lot 3C was created by Plat #10166 in 1972, lot 6 by plat #17906 in 1990, followed by Plat #18924 which created lots 28 and 29, block C, lot 7, block E and the Subject Property (lot 8) as it exists today. The Applicant points to the unusual circumstances affecting resubdivisions circa 1970, including the creation of lots 3A and what is now part of lot 3B in 1950 which blocked the extension of Puller Drive, a sanitary sewer line that follows the hypothetical extension of Puller Drive, rejection by the County of pre-preliminary plan #7-70008-R to connect Puller Drive and Westbrook Lane due to unacceptable vertical and horizontal alignments, and the topography of the land south of the termination of Puller Drive.

While many of the lots in the Neighborhood were resubdivided from larger tracts (4 acres or more) platted in 1921, a coherent pattern of resubdivision is absent. For example, the lots south of the Subject Property created in 1937 follow a grid pattern of development with rectangular lots that align perpendicularly to Clearbrook Lane. The same is true for lots 1, 2 and 3, block B and lot 1, block C which were platted in 1951. Lot 7 on Puller Drive was recorded as an irregularly shaped lot in 1946 because the street stubbed at lot 7. The Kensington Estates Neighborhood which included lot 7 is a Neighborhood

consisting of a grid pattern with a looped street. Lot 4 and Lot 26 are 2 irregular lots created in 1957 and 1966, respectively, but both lots have a one-to-one relationship with confronting lots across the street. Beginning in 1972, the County's decision to terminate Puller Drive and Westbrook Lane in a substandard manner did create a situation where grid pattern development could no longer continue. The pattern changed to one of radial lots around the stubs of Westbrook Lane and Puller Drive, which includes 6 of the 21 lots in the Neighborhood. The approval of these stubs permitted creation of several lots via resubdivision by the Applicant following this decision. This pattern of radial lots around stub streets that began in 1972 will, in fact, be broken by the creation of proposed lot 10 because all other lots in the Neighborhood orient directly toward a street and lot 10 is the first lot to be located behind other lots.

2. Access to the rear of the Subject Property is limited due to site constraints.

The Applicant has raised various factors that led to limited access to the Subject Property, including: the termination of Puller Drive rather than the extension of Puller Drive; the insufficient area for a cul-de-sac at the end of Puller Drive; the topography of Westbrook Lane which made termination of Westbrook Lane in a cul-de-sac impractical; and rejection by the County of pre-preliminary plan #7-70008-R to connect Puller Drive and Westbrook Lane due to unacceptable vertical and horizontal alignments.

In Staff's opinion, these factors do not constitute an unusual circumstance and do not justify approval of a lot that fails to meet the resubdivision criteria included in Section 50-29(b)(2) and also fails to meet the subdivision criteria in Section 50-29(a)(1). Many properties that are subject to subdivision and resubdivision review cannot achieve maximum permitted density due to site constraints. Site constraints can occur due to environmental factors or street frontage. In this instance, access to the Property is adequately provided for along Clearbrook Lane.

3. Proposed lot 10 is similar in nature to other lots in the Neighborhood.

The Applicant has clearly established in his justification the subdivision and resubdivision history that led to the creation of the Subject Property in 1993. In the summary of the Applicant's justification, the author argues "The proposed panhandle lot will be the second such lot within the Neighborhood. However, there are three other lots which have only 25 feet or less of street frontage. This limited frontage certainly makes them similar in nature to panhandles."

Proposed lot 10 is a typical pipestem lot with a 25-foot wide "panhandle" extending nearly 200 feet from Clearbrook Lane to the building restriction line for a future dwelling unit. On the other hand, while lot 3C on Puller Drive is pipestem in shape, it does not and cannot have an orientation such that one house is located behind another. The same is true for lot 7, block 16, lot 29 and lot 7, block E which have 25 feet of street frontage—the limited frontage of the lots has not created an unsuitable orientation for the location of the lots, which makes these lots inherently dissimilar to that of a pipestem-shaped lot in this area.

Citizen Correspondence and Issues

The Applicant notified adjacent and confronting property owners of the preliminary plan submittal on January 6, 2007. This application submittal preceded the current requirements for pre-submission meetings with adjacent and confronting property owners and applicable community organizations. Staff has received letters in support of the resubdivision from Tommy Noonan, Cheryl Geiger, Mr. and Mrs. Alfred Riley, Catherine Stone, Frances Miller and Michael and Mary Covington. This correspondence is included in Attachment D.

CONCLUSION

The proposed lots meet the requirements of the Zoning Ordinance and comply with the recommendations of the Kensington Master Plan. Access and public facilities will be adequate to serve the proposed lots.

Nevertheless, the lot configuration of the Property, as proposed, fails to meet all requirements established in the Subdivision Regulations. The proposed lot configuration meets neither the criteria for subdivision nor resubdivision. The orientation of proposed lot 10 as it relates to proposed lots 9 and 11 is unsuitable for the location of the subdivision. Other lots within the area conform to a grid pattern of development or were created in such a way that dwelling units on the lots have a direct relationship to the street on which they front. As delineated in Staff's resubdivision analysis, proposed lot 10 is not in character with respect to lot frontage and lot shape when compared to the 21 lots in the Neighborhood. Staff does not find that the proposed resubdivision completes a pattern of resubdivision that began in 1937 and Staff does not find that unusual circumstances are present that warrant creation of proposed lot 10. Staff recommends denial of this resubdivision application.

Attachments

- Attachment A – Resubdivision Data Table
- Attachment B – Applicant's justification for 3 lots
- Attachment C – Agency Correspondence
- Attachment D – Citizen Correspondence

TABLE 1: PRELIMINARY PLAN DATA TABLE AND CHECKLIST				
Plan Name: Chevy Chase View				
Plan Number: 120070520				
Zoning: R-60				
# of Lots: 3				
Dev. Type: Standard one-family residential				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot Area	6,000 sq. ft.	9,369 sq. ft. is min. proposed	EG	9/14/09
Lot Width	60 ft.	60 ft. is min. proposed	EG	9/14/09
Lot Frontage	25 ft.	25 ft. is min. proposed	EG	9/14/09
Setbacks				
Front	ft. Min. (EBL)	Must meet minimum ¹	EG	9/14/09
Side	8 ft. Min./18 ft. total	Must meet minimum ¹	EG	9/14/09
Rear	20 ft. Min.	Must meet minimum ¹	EG	9/14/09
Height	45 ft. Max.	May not exceed maximum ¹	EG	9/14/09
Max Resid'l d.u. or Comm'l s.f. per Zoning	6 dwelling units	3 dwelling units	EG	9/14/09
MPDUs	No			
TDRs	No			
Site Plan Req'd?	No			
FINDINGS: SUBDIVISION				
Lot frontage on Public Street		Yes	EG	9/14/09
Road dedication and frontage improvements		Yes	Agency letter	6/16/09
Environmental Guidelines		N/a	Staff memo	11/18/08
Forest Conservation		Exempt	Staff memo	11/18/08
Tree Save Plan		Yes	Staff memo	11/18/08
Master Plan Compliance		Yes	EG	9/14/09
ADEQUATE PUBLIC FACILITIES				
Stormwater Management		Yes	Agency letter	12/18/06
Water and Sewer (WSSC)		Yes	Agency comments	3/5/07
10-yr Water and Sewer Plan Compliance		Yes	Agency comments	3/5/07
Well and Septic		N/a	EG	9/14/09
Local Area Traffic Review		N/a	Staff memo	3/5/07
Policy Area Mobility Review		N/a	Staff memo	3/5/07
Transportation Management Agreement		No	Staff memo	3/5/07
School Cluster in Moratorium?		No	EG	9/14/09
School Facilities Payment		No	EG	9/14/09
Fire and Rescue		Yes	Agency letter	7/25/08

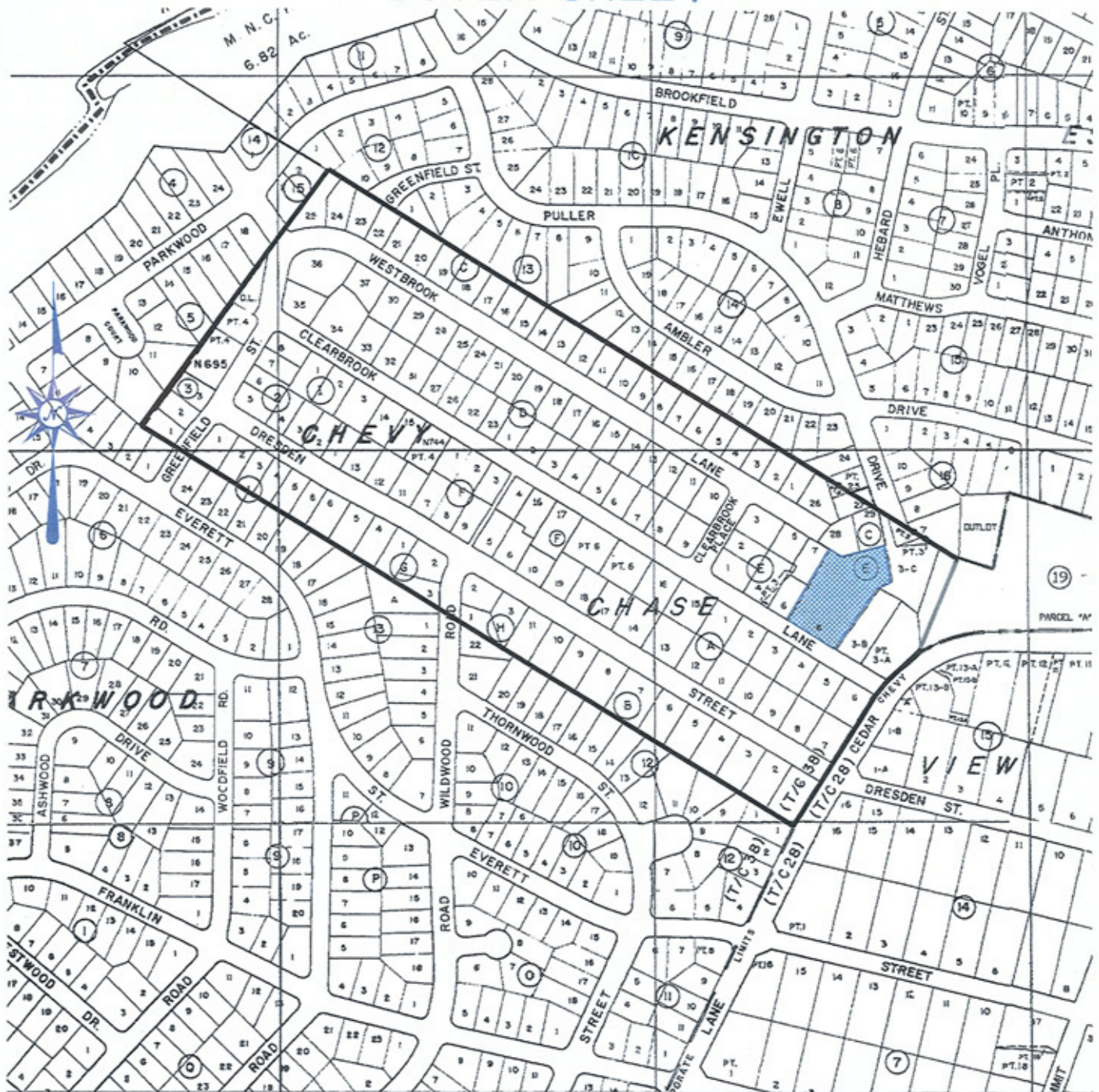
¹ As determined by MCDPS at the time of building permit.

#120070520 CHEVY CHASE VIEW RESUBDIVISION DATA TABLE							
LOT	BLOCK	FRONTAGE	ALIGNMENT	BUILDABLE AREA	SHAPE	WIDTH	SIZE
9	E	63.73	PERPENDICULAR	9956	RECTANGLE	65.82	16,043
10	E	25.09	PERPENDICULAR	7493	PIPESTEM	78.26	16,504
11	E	60	PERPENDICULAR	4710	RECTANGLE	60	9,369
1	A	80	PERPENDICULAR	2578	RECTANGLE	80	8924
2	A	80	PERPENDICULAR	2578	RECTANGLE	80	8924
3	A	80	PERPENDICULAR	2578	RECTANGLE	80	8924
4	A	80	PERPENDICULAR	2578	RECTANGLE	80	8924
5	A	80	PERPENDICULAR	2578	RECTANGLE	80	8924
6	A	86.77, 111.55	CORNER	2540	RECTANGLE	86.71, 111.55	9665
7	16	19.17	PERPENDICULAR	5491	IRREGULAR	60	11503
1	C	60.48	PERPENDICULAR	2442	RECTANGLE	60.48	6198
1	E	80, 110	CORNER	3055	RECTANGLE	80, 110	8714
2	E	60	PERPENDICULAR	2730	RECTANGLE	60	6600
3	E	80, 110	CORNER	3055	RECTANGLE	80, 110	8714
4	E	58	PERPENDICULAR	5081	RECTANGLE	63.31	9820
3B		75	PERPENDICULAR	8783	RECTANGLE	75.01	14945
5	E	75	PERPENDICULAR	1995	RECTANGLE	75	6000
26	C	107.55	PERPENDICULAR	3562	IRREGULAR	107.56	8554
27	C	61.5	PERPENDICULAR	2381	RECTANGLE	61.5	6134
3C	E	25	PERPENDICULAR	10728	PIPESTEM	133.02	18877
6	E	63	PERPENDICULAR	2924	IRREGULAR	63	6834
7	E	25	PERPENDICULAR	2973	IRREGULAR	64.26	6660
28	C	60.47	PERPENDICULAR	3580	IRREGULAR	87.3	7815
29	C	25	PERPENDICULAR	3305	IRREGULAR	61.9	7548

Correction from Applicant's information

Lot 3A removed from table because it is a part of lot.

COVER SHEET



RE-SUBDIVISION SUMMARY
 LOT 8 BLOCK E
 H.M. MARTIN'S ADDITION TO
 CHEVY CHASE VIEW
 MNCP&PC FILE NO. I-20070520

AUGUST, 2009

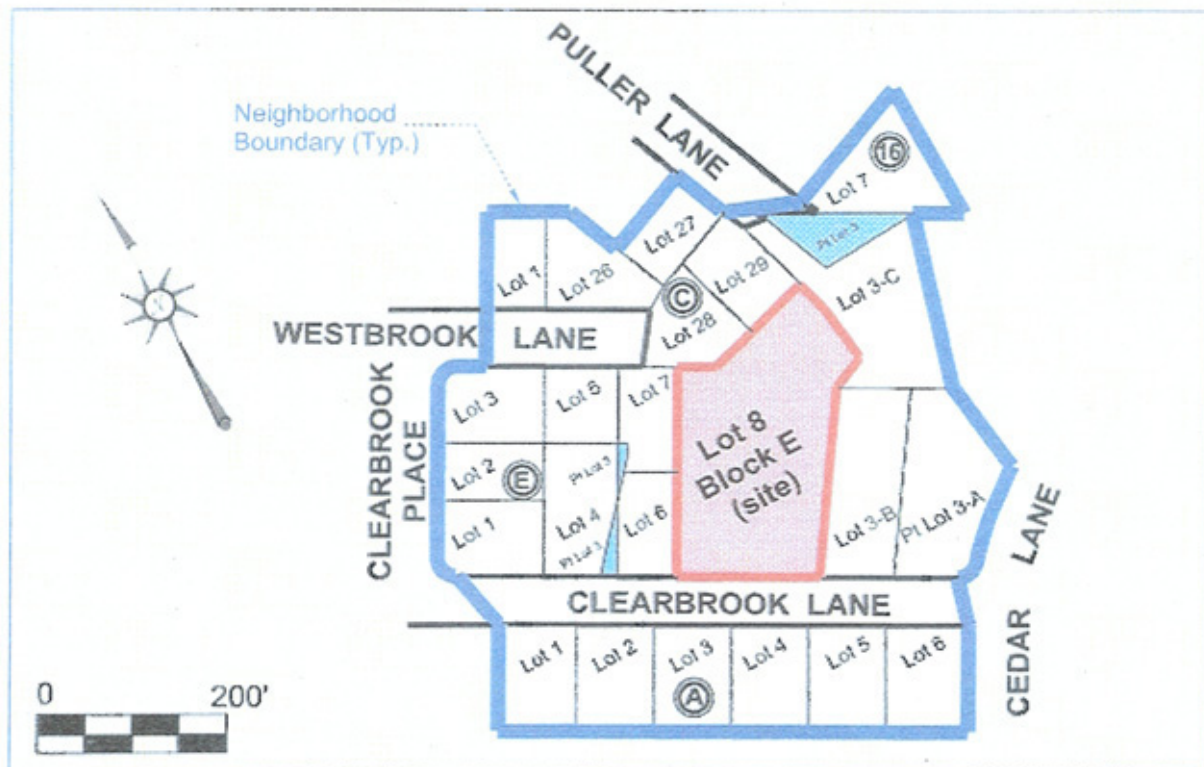
NOTE:

THIS PAGE HAS BEEN CREATED USING COPIES OF PORTIONS
 OF MARYLAND STATE ASSESSMENT MAPS HP 362 AND 363.

INTRODUCTION

The subject property, located at 4311 Clearbrook Lane in Kensington, is owned by W. Frederick and Jean Gore, a retired husband and wife. Mr. and Mrs. Gore have resided in the existing two story brick home located near the center of the site since acquiring the property in 1972. The site is situated on the north side of Clearbrook Lane approximately 200 feet west of Cedar Lane.

The subdivision proposal is to re-subdivide existing Lot 8, Block E, H. M. Martin's Addition to Chevy Chase View to create three single family detached residential lots under the existing R-60 zoning requirements. The Gore's existing home will occupy one of the three lots. On a second lot, which will front on Cedarbrook Lane, Mr. and Mrs. Gore will construct a new home for their residence designed to better accommodate their physical condition. The third lot will be sold to an adjacent owner who has expressed an intent to construct a new home for themselves.

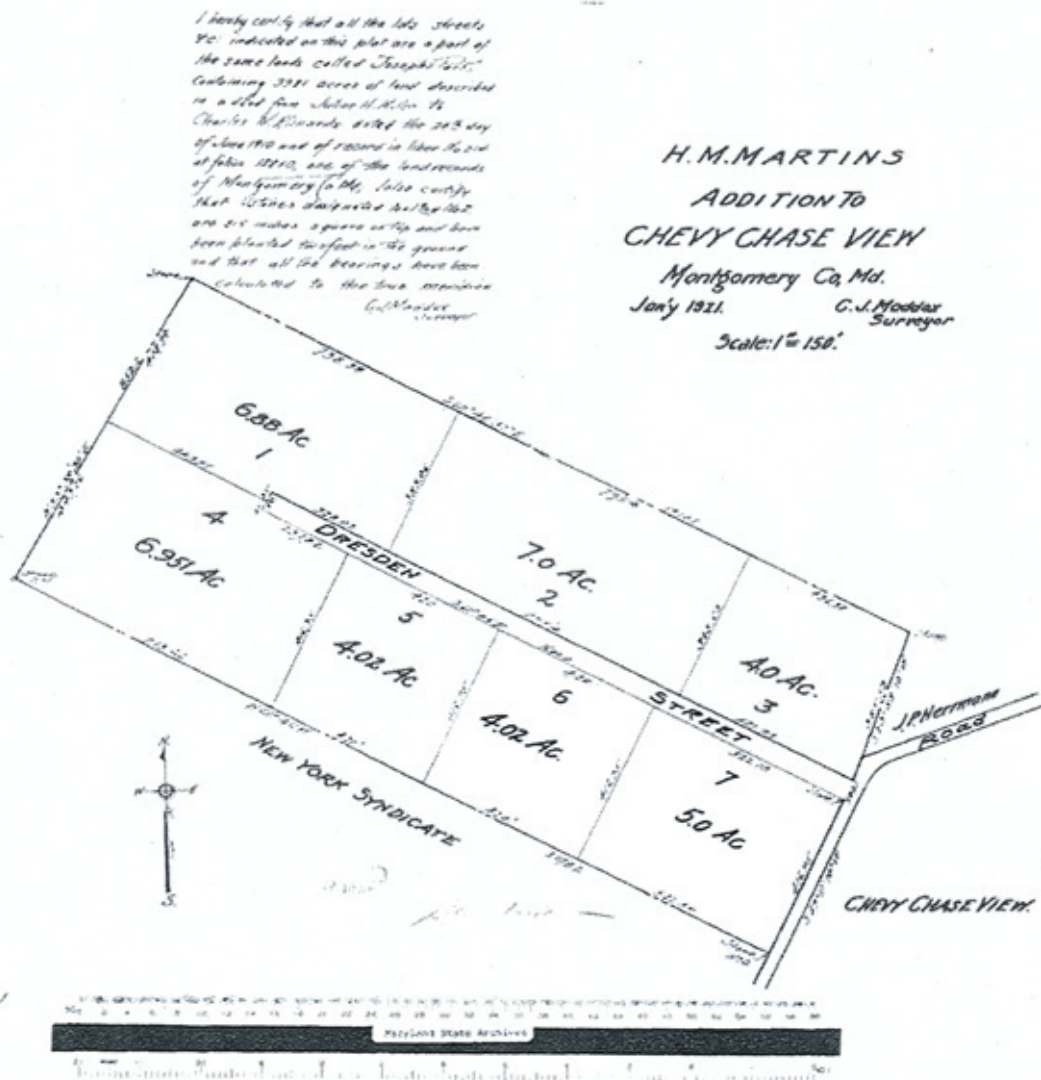


SUBJECT SITE & NEIGHBORHOOD OUTLINE

Lot 8, Block E is located near the center of this re-subdivision neighborhood. With the exception of Lot 7, Block 16 on Puller Drive, every lot within the neighborhood is the product of a re-subdivision. Lot 8, Block E, technically not included in the neighborhood summary, is also the product of a re-subdivision, and is currently the largest lot within the subject neighborhood in terms of lot width, lot depth, lot size and lot area. Upon completion, this application completes the development pattern within this neighborhood which began in 1937.

SITE SUBDIVISION HISTORY -

The first subdivision plat, which included area within the subject neighborhood, H.M. Martin's Addition to Chevy Chase View, was recorded, June 21, 1921, in Plat Book 3 as Plat 216. This plat, reduced copy below, included 7 lots ranging in size from 3 acres to 7 acres and established a 50 foot wide area for a public roadway. The subject property, Lot 8, Block E, H.M. Martin's Addition to Chevy Chase, is included in a portion of Lot 3 on this plat.



**Plat Book 3, Plat 216
Recorded - January 10, 1921**

The outline of this 1921 plat is delineated with a heavy dark line on the State Assessment Map composite included on the cover sheet to this package. Comparing the lots included on this plat to the current lots, as shown on the State Assessment Map, demonstrates the development change which has occurred. The 1,600 foot long, 50 foot wide, road dedication was made as an extension, although misaligned, of

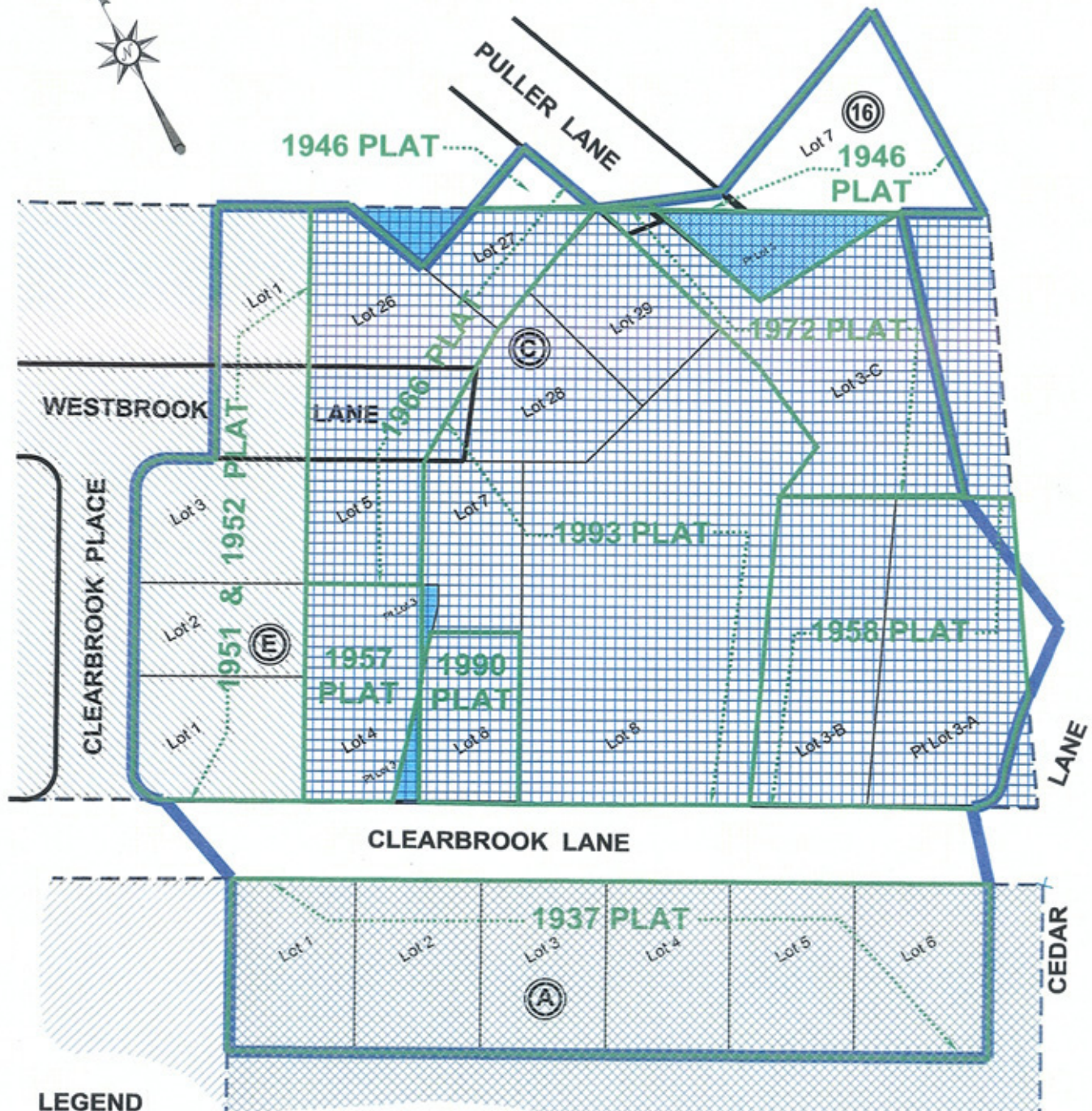
Dresden Street created by the 1910 plat, shown below, which is located on the east side of the County Road (Cedar Lane). This 1910 plat, recorded in Plat Book 2 as Plat 124, established the Chevy Chase View subdivision. The neighborhood for the subject application has been added to the copy of the 1910 plat below for purposes of orientation.










1910 CHEVY CHASE VIEW PLAT

The State Assessment Map, on the cover page, has labeled the areas included in these two subdivision plats as Chevy Chase View. However, there is an obvious distinction in character between the development pattern between these two plats. Then, over several decades, all 7 of the lots on the 1920 plat were re-subdivided creating to create smaller. Today the only evidence of the 1920 plat is the previously noted plat outline on the State Assessment Map.

DIAGRAM IDENTIFYING THE INDIVIDUAL PLATS WITHIN THE NEIGHBORHOOD



LEGEND

-  Portion of the area of Lot 2 of the 1921 subdivision plat
-  Area of Lot 3 of the 1921 subdivision plat
-  Portion of the area of Lot 7 of the 1921 subdivision plat
-  Portion of the area of Lot 6 of the 1921 subdivision plat
-  Remnants of Lot 3 (1921 plat)
-  Neighborhood boundary line
-  Outline of individual plats within the neighborhood after 1921

0 100'

Neighborhood Plats

Following the recordation of the 1921 subdivision plat, there have been ten plats recorded establishing the lots within the subject neighborhood. All but two of these plats have been re-subdivisions. One of the two non-re-subdivision plats was a correction plat.

The subject neighborhood area includes: (i) part of Lots 2 and 7 and most of Lot 3 from the 1921 plat and also includes: (ii) two small areas from the Kensington Estates subdivision which is located on the north side of Lot 3 (1921 plat). An indexing diagram the re-subdivision plats appears on the preceding page. A reduced copy of each of these plats is included on the pages following this platting summary.

The first re-subdivision plat involving lots within the subject neighborhood was recorded in 1937. This plat, including all 5 acres of Lot 7 (1921 plat) on the south side of Dresden Street opposite the subject site, created 18 lots and established additional roadway area. The 18 lots included on this plat were platted with minimum 50' front building restriction lines. The six lots on this plat fronting along the south side of Dresden Street, opposite the subject site, are included in the subject neighborhood.

In 1946, a subdivision plat including 108 lots on the property adjacent to the north side of Lot 3 (1921 plat) was recorded in the subdivision known as Kensington Estates. This plat extended a 60' wide public roadway, Puller Drive, to the northerly line of Lot 3 (1921 plat). The Puller Drive alignment followed and included the existing 10" sanitary sewer line which had been installed through this area in 1928.

In 1951, Lot 2 (1921 plat), seven acres, adjacent to the west side of Lot 3 (1921 plat) was re-subdivided creating 35 lots and additional roadway. This re-subdivision plat included the extension of a 60' wide public roadway, Westbrook Lane, to the westerly line of Lot 3 (1921 plat). In 1952, a correction plat was filed to correct two block numbers and provide street names for the two new roadways included on this re-subdivision plat.

Based on the 1937 and the 1951 re-subdivision plats, the name of the roadway along the subject site's frontage, originally Dresden Street, as established by the 1921 plat, was changed to Clearbrook Lane at some point between the recordation of these plats.

The remaining neighborhood re-subdivision plats from 1957, 1958, 1966, 1972, 1990, and 1993 all include portions of Lot 3 (1921 plat). The 1966 re-subdivision plat, in addition to creating three lots, included a 90'± long, 60' wide full width dedication for the continuation of Westbrook Lane. The 1972 re-subdivision plat, in creating an additional lot, also dedicated a partial width extension of Puller Drive, which established 25' of frontage along an adjacent residue Lot 3 (1921 plat). Finally, the 1993 re-subdivision plat, in addition to creating four lots, included a short extension of Westbrook Lane to provide 25' of frontage for included Lot 7, Block E.

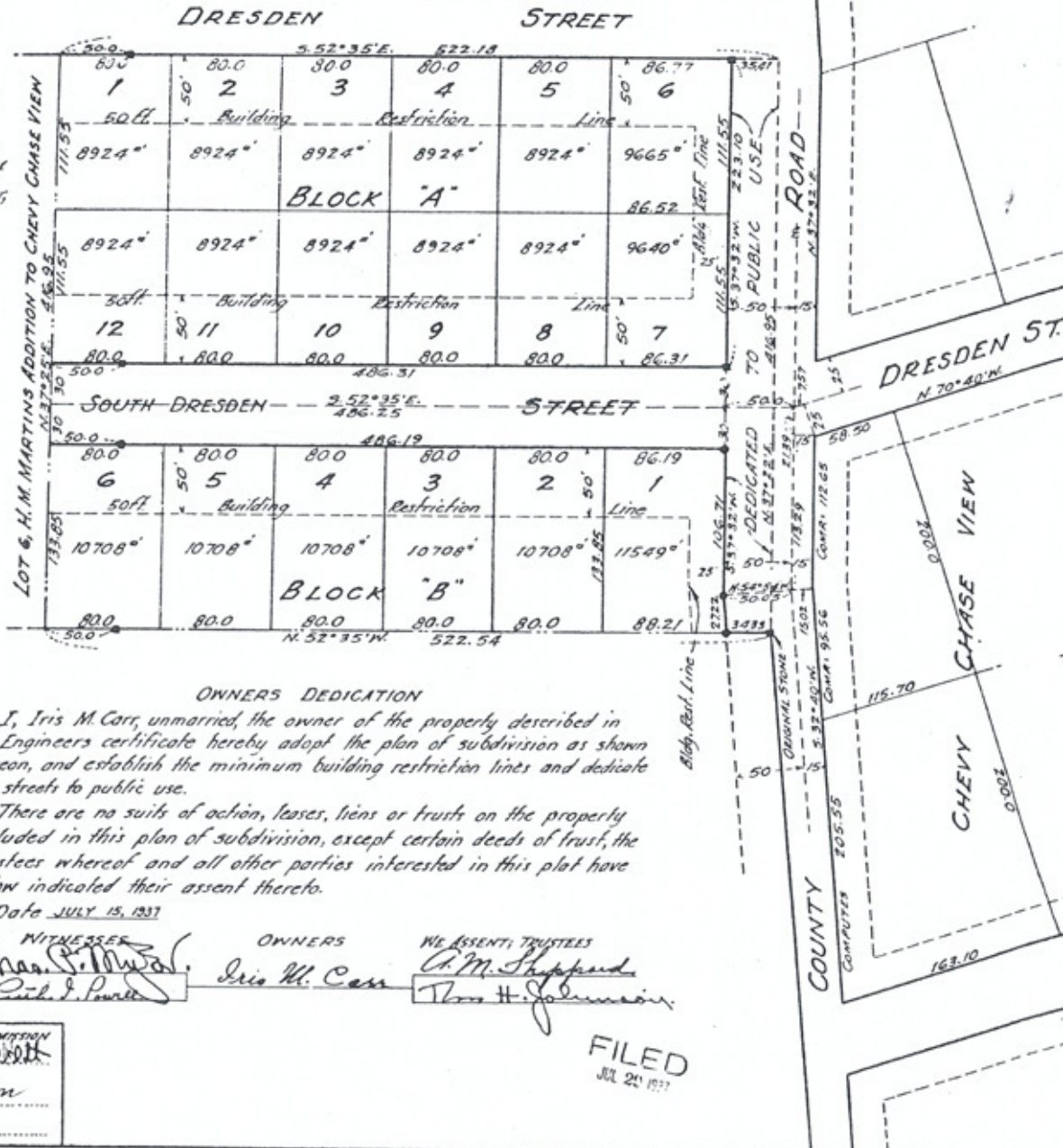
PLAT OF
BLOCKS "A" AND "B"
H. M. MARTIN'S ADDITION
TO
CHEVY CHASE VIEW
MONTGOMERY COUNTY, MARYLAND
SCALE: 1/4" = 60 FEET

PLAT No. 850

ENGINEERS CERTIFICATION
I hereby certify that the plat hereon delineated is correct.

That it is a subdivision of the lands conveyed by Lucien B. Ernest and Lottie A. Ernest to Iris M. Carr, by deed dated May 17th, 1937 and recorded among the Land Records of Montgomery County, Maryland in Liber Folio being lot 7, H. M. Martins addition to Chevy Chase View as per plat recorded among the Land Records of Montgomery County, Maryland, Plat Book 3, plat 216, and that stones marked thus and iron pipes marked thus are in place as shown.

1937 Hugo Stalder
CIVIL ENGINEER



OWNERS DEDICATION

I, Iris M. Carr, unmarried, the owner of the property described in the Engineers certificate hereby adopt the plan of subdivision as shown hereon, and establish the minimum building restriction lines and dedicate the streets to public use.

There are no suits of action, leases, liens or trusts on the property included in this plan of subdivision, except certain deeds of trust, the Trustees whereof and all other parties interested in this plat have below indicated their assent thereto.

Date JULY 15, 1937

WASHINGTON SUBURBAN SANITARY DISTRICT
APPROVED JULY 19, 1937
AS TO SUITABILITY FOR WATER AND SEWER
Howard Everett
CHAIRMAN

MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION
APPROVED JULY 2, 1937
DATE 1937 Howard Everett CHAIRMAN
Livingston C. Post SECRETARY
CHIEF ENGINEER
M.N.C.P. & P.C. RECORD FILE NO. 724

WITNESSES: Chas. F. Meyer Iris M. Carr A. M. Shippard
Paul J. Lawrence Tom H. Johnson

FILED
JUL 21 1937

P80731

Plat Book 12, Plat 850
Recorded - August 29, 1937

ENGINEER'S CERTIFICATE PLAT No 1938 OWNER'S DEDICATION

I hereby certify that the plat shown hereon is correct; that it is a subdivision of part of lands conveyed by Frances J. Tarrant, unmarried, to Samuel Magazine and Sheldon Magazine, Joint Tenants, by deed dated October 3, 1946 and recorded among the land records of Montgomery County, Maryland, in Liber at Folio ; and that stones marked thus: \bullet , and pipes marked thus: \circ , have been placed as indicated. October 14, 1946.

George M. Seybolt
Civil Engineer and Land Surveyor
No. 1087

We, Samuel Magazine and Sheldon Magazine, Joint Tenants, owners of the property shown and described hereon, hereby adopt this plan of subdivision, establish the minimum building restriction lines, and dedicate the streets to public use.

There are no suits of action, leases, liens or trusts on the property included in this plan of subdivision, except one deed of trust and the trustees in interest thereto have below indicated their assent to this plan of subdivision.

Witnesses: October 9, 1946
Samuel Magazine
Sheldon Magazine

We assent to this plan of subdivision
Witnessed: October 1946
W. D. Smith
W. D. Smith



BLOCKS 8, 14, 15, 16 & 17
AND PARTS OF BLOCKS 7, 10 & 13
KENSINGTON ESTATES
MONTGOMERY COUNTY, MARYLAND
SCALE: 1"=100' OCTOBER 1946

SEYBOLT AND GEORGE
Civil Engineers and Land Surveyors
5627 Fenton Street
SILVER SPRING, MD.

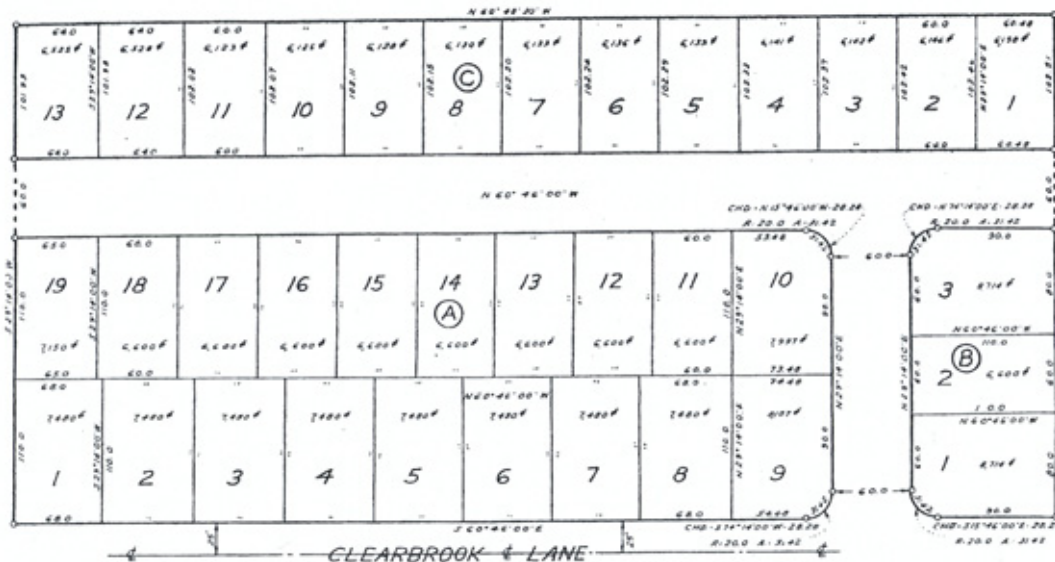
MONTGOMERY SUBURBAN SANITARY COMMISSION
APPROVED OCT. 13, 1946
SUITABLE FOR WATER AND SEWER DESIGN
INTERIOR CONSTRUCTION AS TO INSTALLATION

MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION
APPROVED: OCT. 15, 1946
George M. Seybolt
George M. Seybolt
CHIEF ENGINEER
MANAGER RECORD FILE NO. 15-100

KENSINGTON

ESTATES

PLAT No 2925



ENGINEER'S CERTIFICATE

I hereby certify that the plat shown hereon is correct, that it is a subdivision of part of the lands conveyed by Philip M. Hannan to Daniel C. Tolson, Andrew L. Deulin and Alexander C. Leonardo, (Tenants in Common) by deed dated May 25, 1951 and recorded among The Land Records of Montgomery County, Maryland, in Liber 1534 at Folio 107, and that stones marked thus: ■ and iron pipes marked thus: ○ are in place as hereon delineated.

Date: Aug 21, 1951

By: *Boyd F. Hopkins*
Boyd F. Hopkins
Registered Land Surveyor
No 1585

OWNER'S DEDICATION

We, Daniel C. Tolson, Andrew L. Deulin, and Alexander C. Leonardo, (Tenants in Common) owners of the property shown and described hereon, hereby adopt this plan of subdivision, establish the minimum building restriction lines, and dedicate the streets to public use.

There are no suits of action, leases, liens, or trusts on the property included in this plan of subdivision.

Date: 8/21/51
Robert C. Brown
Witness:
Robert C. Brown
Witness:
Robert C. Brown

Daniel C. Tolson
Daniel C. Tolson
Andrew L. Deulin
Andrew L. Deulin
Alexander C. Leonardo
Alexander C. Leonardo

BLOCKS A, B & C
RESUBDIVISION OF LOT 2
H.M. MARTINS ADDITION

CHEVY CHASE VIEW
MONTGOMERY COUNTY, MARYLAND

Scale: 1" = 60'

JUNE, 1951

MADDOX & HOPKINS, INC.
CIVIL ENGINEERS
SILVER SPRING, MD.

FILED

SEP 19 1951

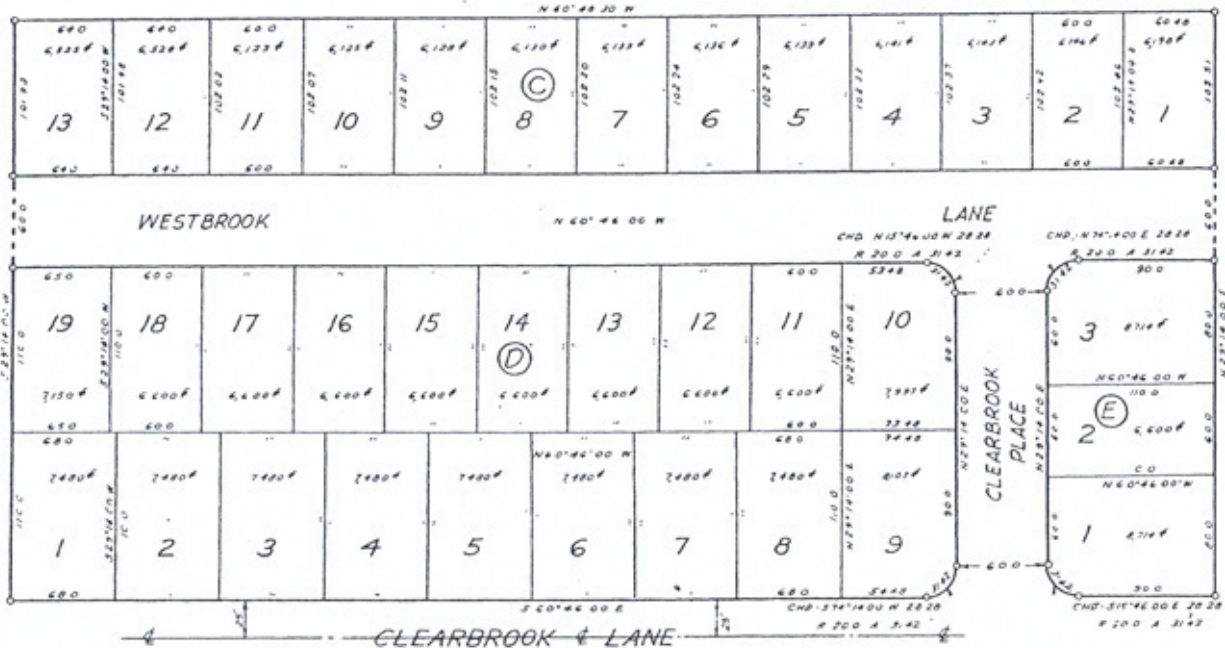
THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION
APPROVED: AUGUST 20, 1951
William W. Martin
CHAIRMAN
SECRETARY-TREASURER
M.N.C.P.R.C. RECORD FILE No 137-29

WASHINGTON SUBURBAN SANITARY COMMISSION
APPROVED: SEPT 6, 1951
SUITABLE FOR WATER AND SEWER DESIGN
WITHOUT COMMITMENT AS TO INSTALLATION
James P. Shaw
DEPUTY CHIEF ENGINEER

Maryland State Archives

Plat Book 40, Plat 2925
Recorded - September 19, 1951

PLAT No. 3267



NOTE: This plat filed to supersede a plat erroneously filed in Plat Book 40 Plat 2925.

ENGINEER'S CERTIFICATE

I hereby certify that the plat shown hereon is correct, that it is a subdivision of part of the lands conveyed by Philip M. Hannan to Daniel C. Tolson, Andrew L. Devlin and Alexander C. Leonardo, (Tenants in Common) by deed dated May 25, 1951 and recorded among The Land Records of Montgomery County, Maryland, in Liber 1534 at Folio 107, and that stones marked thus: ■ and iron pipes marked thus: ○ are in place as hereon delineated.

Date: Sept. 5, 1952

By: *Page F. Hopkins*
Page F. Hopkins
Registered Land Surveyor
No 1585

ADDENDUM TO ENGINEER'S CERTIFICATE

This plat includes Lots 1 to 5 Block A, now Block D conveyed by Andrew L. Devlin, et al, to James C. Conley and Charles P. Wood by deed dated February 2, 1952 and recorded in Liber 1635 at Folio 150.

Date: Sept. 5, 1952

By: *Page F. Hopkins*
Page F. Hopkins
REGISTERED LAND SURVEYOR No 1585

We assent to this plan of subdivision.

Date:

James C. Conley
James C. Conley, Trustee
Charles P. Wood
Charles P. Wood, Trustee
Andrew L. Devlin
Andrew L. Devlin, Trustee
Alexander C. Leonardo
Alexander C. Leonardo, Trustee
Attest: *Frank L. Henthly, Jr.*
Frank L. Henthly, Jr., Secretary
Edwin Kline
Edwin Kline, Esq. Vice President

NOTE:
For street dedication see
Plat Book-3 Plat-216 &
Plat Book-40 Plat-2925.

OWNER'S DEDICATION

We, James C. Conley and Charles P. Wood, joint tenants, Daniel C. Tolson, Andrew L. Devlin, and Alexander C. Leonardo, (Tenants in Common) owners of the property shown and described hereon, hereby adopt this plan of subdivision, establish the minimum building restriction lines, and dedicate the streets to public use.

Date: Sept. 5, 1952

Robert C. Brown
Robert C. Brown
Witness:
Robert C. Brown
Robert C. Brown
Witness:
Robert C. Brown
Robert C. Brown
Witness:

James C. Conley
James C. Conley
Charles P. Wood
Charles P. Wood
Daniel C. Tolson
Daniel C. Tolson
Andrew L. Devlin
Andrew L. Devlin
Alexander C. Leonardo
Alexander C. Leonardo

BLOCKS C, D & E

RESUBDIVISION OF LOT 2

H.M. MARTINS ADDITION

CHEVY CHASE VIEW

MONTGOMERY COUNTY, MARYLAND

SCALE: 1" = 60'

MAY, 1952

MADDOX & HOPKINS, INC.

CIVIL ENGINEERS

SILVER SPRING, MD.

THE MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION
APPROVED: *September 10, 1952*
W. M. Washburn
W. M. Washburn, Jr., Chairman
SECRETARY-TREASURER
M.N.C.P.R.C. RECORD FILE NO 141-13

WASHINGTON SUBURBAN SANITARY COMMISSION
APPROVED: *Oct. 6, 1952*
Harry B. Shaw
Harry B. Shaw
SUITABLE FOR WATER AND SEWER DESIGN
WITHOUT COMMITMENT AS TO THE DESIGN
CIVIL ENGINEER

Plat Book 44, Plat 3267
Recorded - October 17, 1952

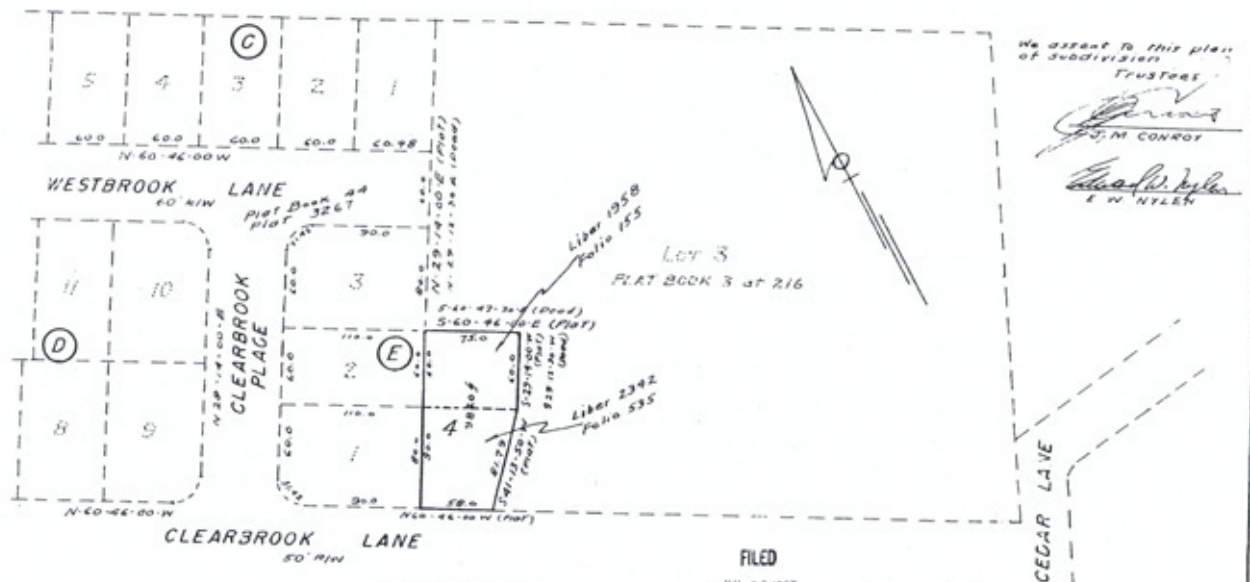
PLAT No. 4958

LOT 4 - BLOCK "E"

A PARTIAL RESUBDIVISION OF LOT 3
PLAT BOOK 3 PLAT 216

H. M. MARTINS ADDITION CHEVY CHASE VIEW

MONTGOMERY COUNTY, MARYLAND
Scale 1"=60' May 1957



ENGINEER'S CERTIFICATE

I hereby certify that this plan shown herein is correct, that it is a subdivision of all of the land conveyed by Wayne A. McDowell and Corrine S. McDowell, his wife, to Lloyd E. Whitten and Eva D. Whitten, his wife, by deed dated May 14, 1951, and recorded among the land records of Montgomery County, Md., in Liber 2342 folio 535 & Liber 1358 folio 155, and that a fence marked thus ■ and that pipes marked thus □ are in place as shown.

5-29-57
DATE

Frank B. Lane
Registered Surveyor
Md 1690 VA 441

OWNER'S DEDICATION

We, Lloyd E. Whitten and Eva D. Whitten, his wife, owners of the property shown and described hereon, hereby adopt this plan of subdivision and establish the minimum building restriction lines. There are no suits of action, leases, or liens on this property included in this plan of subdivision, except as noted.

Frank B. Lane
Witness To Both
5-29-57
DATE

Lloyd E. Whitten
Eva D. Whitten
LLOYD E. WHITTEN
EVA D. WHITTEN

Note: For street dedication see Plat Book 3 Plat 216

American Topographic Engineers
Bethesda Maryland

MARYLAND NATIONAL CAPITAL PLANNING COMMISSION
MONTGOMERY COUNTY PLANNING BOARD
APPROVED: 5-17-57
Chairman: [Signature]
Secretary: [Signature]
MNCPC Record File No. 160-69
11858

Maryland State Archives

Plat Book 60, Plat 4958
Recorded - July 22, 1957

PLAT No 5256



OWNERS

DEDICATION

We, Robert H. Loveless and Margaret M. Loveless, his wife, owners of the property shown and described hereon, hereby adopt this plan of resubdivision, establish the minimum building restriction lines, and dedicate the streets to public use.

Robert H. Loveless 4/29/58 *Margaret M. Loveless*
 Date Date
Robert H. Loveless
 Date Date
Margaret M. Loveless

SURVEYORS

CERTIFICATE

I hereby certify that the plan shown hereon is correct, that it is a resubdivision of part of Lot 3, "H. M. Martin's Addition To Chevy Chase View," filed in Plat Book 3, Plat 216, among the Land Records of Montgomery County, Maryland; being all the land conveyed by Wayne A. McDowell, et al, to Robert H. Loveless and Margaret M. Loveless, by deed dated April 30th, 1958, and recorded in Liber 2450 at Folio 123 among said Land Records; and that iron pipes marked thus -o- have been placed as shown.

4/29/58 *R. H. Madden*
 Date Date
 R. H. Madden, County Surveyor, NY 528

TRUSTEES

ASSENT

We assent to this plan of resubdivision, vide Liber 2450, Folio 126.

Robert H. Loveless 4-29-58 *F. Archie Montford Jr.*
 Date Date
Margaret M. Loveless 4-29-58 *E. Austin Carlin, Trustee*
 Date Date
 E. Austin Carlin, Trustee

AREA OF DEDICATION = 1,080 Sq. Ft.

LOTS 3-A & 3-B H. M. MARTIN'S ADDITION TO **CHEVY CHASE VIEW** MONTGOMERY COUNTY, MARYLAND

Scale: 1"=50'

R. H. Madden
 County Surveyor

FILED
 MAY 15 1958

MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION
 MONTGOMERY COUNTY, PLANNING BOARD

Approved: May 7, 1958

Charles B. Brown Jr. *John F. Kuhlman*
 Chairman Secretary
 M.N.C.P.&P.C. Record File No. 166-49

HT	Radius	Δ	Area	Chord Bearing	Chord	Tangent
1	384.42	18°44'38"	58.67	S 65°28'31"W	58.67	28.33
2	20	18°44'38"	72.34	S 88°15'34"W	25.26	16.29

Maryland State Archives

Plat Book 61 Plat 5256
 Recorded - May 19, 1958

PLAT NO. 8230

SURVEYOR'S CERTIFICATE

I, hereby certify that the plat shown hereon is correct; that it is a resubdivision of Lot 25 in Block 13 Kensington Estates as recorded in Plat Book 79 Plat 1835 and of Lot 5 H.M. Martins Addition to Chevy Chase View as recorded in Plat Book 3 Plat 710 and is a subdivision of all the land conveyed by Thomas C. Day and Norma Cornell Day to Edward W. Schultze by deed dated February 14, 1966 recorded in Liber 3473 at Folio 532 and all the land conveyed by Lloyd E. Whitten and Eva D. Whitten to Edward W. Schultze by deed dated February 14, 1966 recorded in Liber 3473 at Folio 531 and all the land conveyed by Frank L. Metcalf et ux to Lloyd E. Whitten and Eva D. Whitten by deed dated June 13, 1959 recorded in Liber 1614 at Folio 137 all among the land records of Montgomery County, Maryland. I further certify that the meridian is the same as that established in Plat Book 44 Plat 3267. Iron pipe shown thus: \odot , are in place where indicated.

Date: March 25, 1966

John J. Allen Jr.
John J. Allen Jr.
Registered Land Surveyor
No. 2206

NOTE: Total area of subdivision = 26,164 sq. ft.
Area dedicated to street = 5,476 sq. ft.
For public sewer and water systems only.

OWNERS DEDICATION

We, Edward W. Schultze, Barbara R. Schultze, Lloyd E. Whitten and Eva D. Whitten, owners of the property shown and described hereon, hereby adopt this plan of subdivision, establish the minimum building restriction line, dedicate the street to public use and grant to Montgomery County, Maryland, slope easements 25 feet wide on all lots included in this plan adjacent, contiguous and parallel to the street right of way line shown hereon. The easement shown hereon for the construction, maintenance and operation of a sanitary sewer is hereby dedicated to public use for the purposes specified. Slope easements granted hereon shall be extinguished after all required public improvements abutting said easements have been lawfully completed and have been accepted for maintenance by Montgomery County, Maryland, or other appropriate public agency.

There are no suits, actions at law, leases, liens, mortgages, trusts, easements or rights of way affecting the property except a mortgage to Thomas C. Day and Norma Cornell Day and all parties in interest thereto have below indicated their assent.

Date: 3-25-66

WITNESS

Thomas C. Day
Norma Cornell Day
Edward W. Schultze
Barbara R. Schultze
Lloyd E. Whitten
Eva D. Whitten

OWNERS

Edward W. Schultze
Barbara R. Schultze
Lloyd E. Whitten
Eva D. Whitten

WE ASSENT TO THIS PLAN OF SUBDIVISION:

WITNESS

Thomas C. Day
Norma Cornell Day

THOMAS C. DAY
THOMAS C. DAY, TRUSTEE

LOTS 26 & 27 BLOCK C

LOT 5 BLOCK E
H.M. MARTINS ADDITION
CHEVY CHASE VIEW
MONTGOMERY COUNTY, MARYLAND

SCALE: 1" = 40'

MARCH, 1966

ALLEN AND KOENIG, Land Planners & Surveyors
4801 MONTGOMERY LANE
BETHESDA, MARYLAND

RECORDED
PLAT BOOK
PLAT NO.


LGH

*65.66

196-21

Plat Book 80, Plat 8230
Recorded - May 03, 1966

SURVEYOR'S CERTIFICATE

I hereby certify that the plot hereon delineated is correct; that it is a subdivision of part of the land conveyed by Wayne A. McDowell and Carrie S. McDowell, his wife, to W. Frederick Gore and Joan M. Gore, his wife, by deed dated March 22, 1971 and recorded among the Land Records of Montgomery County, Maryland in Liber 6054 of Folio 668; that it is a subdivision of Part of Lot 3, H.M. Martin's Addition to Chevy Chase View, as shown on a plot recorded among the aforesaid Land Records in Plat Book 3 as Plot No. 216; that iron pipe marked thus  have been set where indicated; that the area dedicated to public use is 304 sq. ft.; and that the total area included in this plot is 12,051 sq. ft. October 12, 1971

W. Frederick Gore
W. FREDERICK GORE,
Registered Land Surveyor,
MD No. 3016

OWNERS' DEDICATION

We, W. Frederick Gore and Joan M. Gore, owners of the property shown and described hereon, hereby adopt this plan of subdivision, establish the minimum building restriction lines, dedicate the street to public use, and grant to Montgomery County, Maryland slope easements, twenty-five (25) feet wide adjacent to Puller Drive, said slope easements to be abandoned when all public improvements abutting said easements have been lawfully completed and accepted for maintenance by Montgomery County, Maryland.

There are no suits of action, leases, liens, or trusts on the property included in this plan of subdivision.

October 12, 1971.

Richard A. Holmes, Jr.
witness

W. Frederick Gore
W. FREDERICK GORE

Richard A. Holmes, Jr.
witness

Joan M. Gore
JOAN M. GORE

For Public Water and Sewer Systems Only.

THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION
MONTGOMERY COUNTY PLANNING BOARD

APPROVED: October 28, 1971
DATE

Richard E. Brennan *Thomas E. Pughert*
VICE CHAIRMAN SECRETARY-TREASURER

MONTGOMERY COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS

APPROVED: NOVEMBER 11, 1971
DATE

BY: *Richard E. Brennan*
DEPUTY DIRECTOR OF PUBLIC WORKS

MHC&PC Record File No. 512-38

LOT 3-C
H.M. MARTIN'S ADDITION TO
CHEVY CHASE VIEW
WHEATON ELECTION DISTRICT #13
MONTGOMERY COUNTY, MARYLAND
SCALE: 1"=60' OCTOBER, 1971

SEYBOLT, GORE, NEWQUIST & BERLINSKY
CIVIL ENGINEERS & LAND SURVEYORS
1111 BOHNFANT STREET
SILVER SPRING, MARYLAND

RECORDED: _____
PLAT BOOK: _____
PLAT NO.: _____

Computed _____ WFO
Drawn _____ RAH
Checked _____

512-38

Plat Book 93, Plat 10166
Recorded - January 24, 1972



Neighborhood Pre-preliminary Plan -

Based upon information provided by the applicants of this application, in 1970, Wayne A. McDowell and Corinne S. McDowell, owners of the then residue of Lot 3 (1921 plat), filed a Pre-Preliminary Application #7-70008-R for County review. A reduced copy of the plan provided by the applicants, is included on the following page. The plan was a request for approval of a re-subdivision proposal of the residue of Lot 3 (1921 plat) to create a total of 8 additional lots along an extension of Westbrook Lane to connect with the terminus of Puller Drive.

According to current MNCP&PC, Development Review Information staff, no indexing records, copies of the plan, or files for this application exist. In fact, they advise that Pre-preliminary Plan files are destroyed within approximately three years of their filing. Inquiry, with no response, has been made at the Department of Transportation for any information their records may include in this application.

According to the applicants, the County rejected this 1970 Pre-preliminary proposal because the street design did not meet acceptable County criteria for both horizontal and vertical alignments.

PRELIMINARY
PART OF LOT 3
H. M. MARTINS ADD.
CHEVY CHASE VIEW
STERLING R. MADDOX & ASSOC.
ENGINEERS & SURVEYORS
BETHESDA, MD.



OWNER:
W. A. McDowell
4311 Chantbrook Lane
Kensington, Maryland, 20795
Phone: 946-4311

Neighborhood Preliminary Plans -

In 1971, a re-subdivision application, MNCP&PC #1-70130, a reduced copy produced from a copy provided by the applicants is included on the following page, was approved. The plan included the same residue area of Lot 3 (1921 plat) as the 1970 Pre-preliminary Plan. Lot 3-F, of this 5 lot plan, is the only lot which was platted (1972 plat, Lot 3-C). Clearly this plan, as approved, allowed for the further subdivision access to both Clearbrook Lane and Westbrook Lane.

In 1990, a re-subdivision proposal including a portion of the residue of Lot 3 (1921 plat) on Clearbrook Lane was approved and platted creating Lot 6, Block E (1990 plat).

In 1993, a re-subdivision application, MNCP&PC File # 1-92053, including the large residue of Lot 3, (1921 plat), not otherwise re-subdivided or Deeded to an adjoining lot owner, was approved and a plat recorded creating Lots 7 and 8, Block E and Lots 28 and 29, Block C.

Lot 29, Block C was approved to utilize the 25 foot frontage created by the Puller Drive partial width extension included on the 1972 plat. Lot 7, Block C was approved to utilize a 25' long section of roadway dedication for Westbrook Lane approved by this 1993 application. Frontage for Lot 28, Block E was approved to utilize the full width of the dead-end of Westbrook Lane as its frontage. Lot 8, Block E was approved with 148' of frontage on Clearbrook Lane.



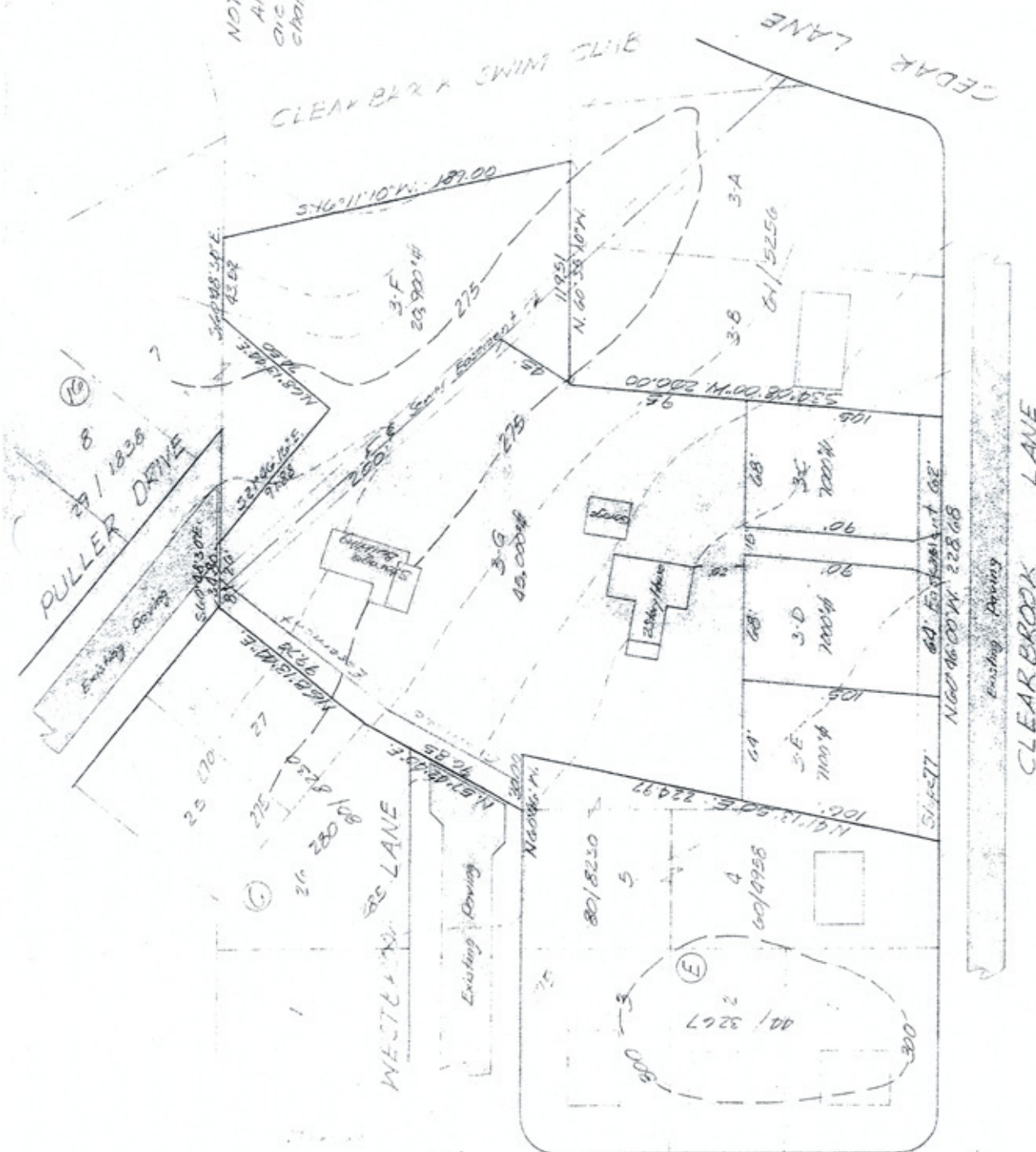
NOTE

All lot dimensions and areas are scaled and subject to change on final record plat.

FOR RECORD
 BY: J. B. GORE & S. T. NEWQUIST
 CIVIL ENGINEERS & LAND SURVEYORS
 311 BOWMAN STREET
 SILVER SPRING, MARYLAND 20910
 January 7, 1971

70630
 12.18.70
 12.22.70
 12.23.70

* This plan extends under Section 104-22(6) 2-3-72



Contract Purchaser
 Mr. Frederick G. Galt
 1110 Valley Way
 Kensington, Md. 20795
 942-5325

DATE	REVISION	SEYBOLT, GORE & NEWQUIST CIVIL ENGINEERS & LAND SURVEYORS 311 BOWMAN STREET SILVER SPRING, MARYLAND 20910	PRELIMINARY SUBDIVISION - LOTS 3C thru 3G H.M. MARTIN'S ADDITION CHEVY CHASE VIEW	DRAWING NO. 1011	SCALE 1"=40'	S. G. N. FILE NO.
				DESIGNED DRAWN CHECKED	DATE DEC. 1970	

Neighborhood -

Lot 8, Block E, the subject property in this application, is situated near the center of the neighborhood.

The delineated neighborhood, depicted on the Re-subdivision Neighborhood Diagram on the following page, includes 22 lots. All but one of these lots is the result of a re-subdivision. Based on the subdivision and development pattern adjacent to this application, Lot 3 (1921 plat) forms the neighborhood core and is the source of the lots proposed in this application.

The following summary identifies the individual lots within the neighborhood.

Lot 7, Block 16, Kensington Estates (1946 plat) is the only lot within the neighborhood which is not a re-subdivision. It was platted with only 18' of frontage on Puller Drive adjacent to the northerly line of Lot 3 (1921 plat). At the time of this subdivision, there was no off-street parking requirement and most homes had only one vehicle. All residential parking was controlled within the nearby adjacent roadways. In 1963, during the transition period to multiple autos per household, a 3,423 square foot portion of Lot 3 (1921 plat) adjacent to the front of Lot 7, Block 16 was acquired to facilitate access and certainly to address an on-street parking problem at the end of Puller Drive. A driveway from the end of Puller Drive through this 3,423 square foot parcel continues to serve as its access today. A total of four lots within the neighborhood have been re-subdivided from Lot 3 (1921 plat) at the end of Puller Drive using this roadway terminus for access. Lot 7 Block 16 is included in the neighborhood because of its relationship to adjacent re-subdivision lots and its access relationship.

Lots 1-6, Block 4, Martin's Addition to Chevy Chase, (1937 plat) have been included in the neighborhood as confronting lots along the south side of Clearbrook Lane and as representative of the re-subdivision activity.

Lots 1-3, Block E and Lot 1, Block C, Martin's Addition to Chevy Chase View (1951 and 1952 plats) have been included in the neighborhood as adjoining lots within the same block as the proposed application and representative of the re-subdivision pattern.

Lot 4, Block E (1957 plat), Lots 3-A, and 3-B (1958 plat), Lots 26 and 27, Block C and Lot 5, Block E (1966 plat), and Lot 6, Block E (1972 Plat) Martin's Addition to Chevy Chase View have been included in the neighborhood as representative of the re-subdivision pattern. There is no street separating the lots included in this grouping. However, there are three lots approved without a block number, and two different block numbers among those which have assigned block numbers.

Lot 3-C (1972 plat) and Lot 7, Block E and Lots 28 and 29, Block C (1993 plat) have been included in the neighborhood as representative of the re-subdivision pattern. Lot 8, Block E, subject to this application, is not included in the neighborhood analysis.

RE-SUBDIVISION NEIGHBORHOOD DIAGRAM
CHEVY CHASE VIEW
MNCP&PC SUBDIVISION APPLICATION FILE #1-20070520



LEGEND

- Area of original four-acre Lot 3 as platted in 1921
- Residue of original four-acre Lot 3 (Areas not included in prior subdivisions)
- Area of proposed re-subdivision application
- Existing houses from MC-GS
- Proposed houses per subject plan
- Existing easement appurtenant from MC-GS
- Minimum front building restriction line (Per E.B.L.)
- Minimum side & rear building restriction lines
- Re-subdivision neighborhood boundary

NOTE

Rationale for the neighborhood boundary as shown:

- Include the surrounding lots along Clearbrook Lane, a 60' wide secondary roadway.
- Include the residential subdivision lots within contiguous Blocks C & E in which the subject property is centrally positioned.
- Include other lots to which a portion of original Lot 3 is a significant factor in utilizing the neighboring lot as currently platted.

E.B.L. indicated on proposed Lot 11, Block E is based on a survey completed by this office, May, 2006, along the north side of Clearbrook Lane within Block E.

OTHER DEVELOPMENT FACTORS -

Puller Drive and the acute angle this roadway makes with the division line between the Kensington Estates subdivision and the H. M. Martin's Addition to Chevy Chase subdivision boundary, which line is the northerly boundary of the neighborhood, was obviously established to follow the alignment of an existing 10" sanitary sewer line constructed through this area in 1928.

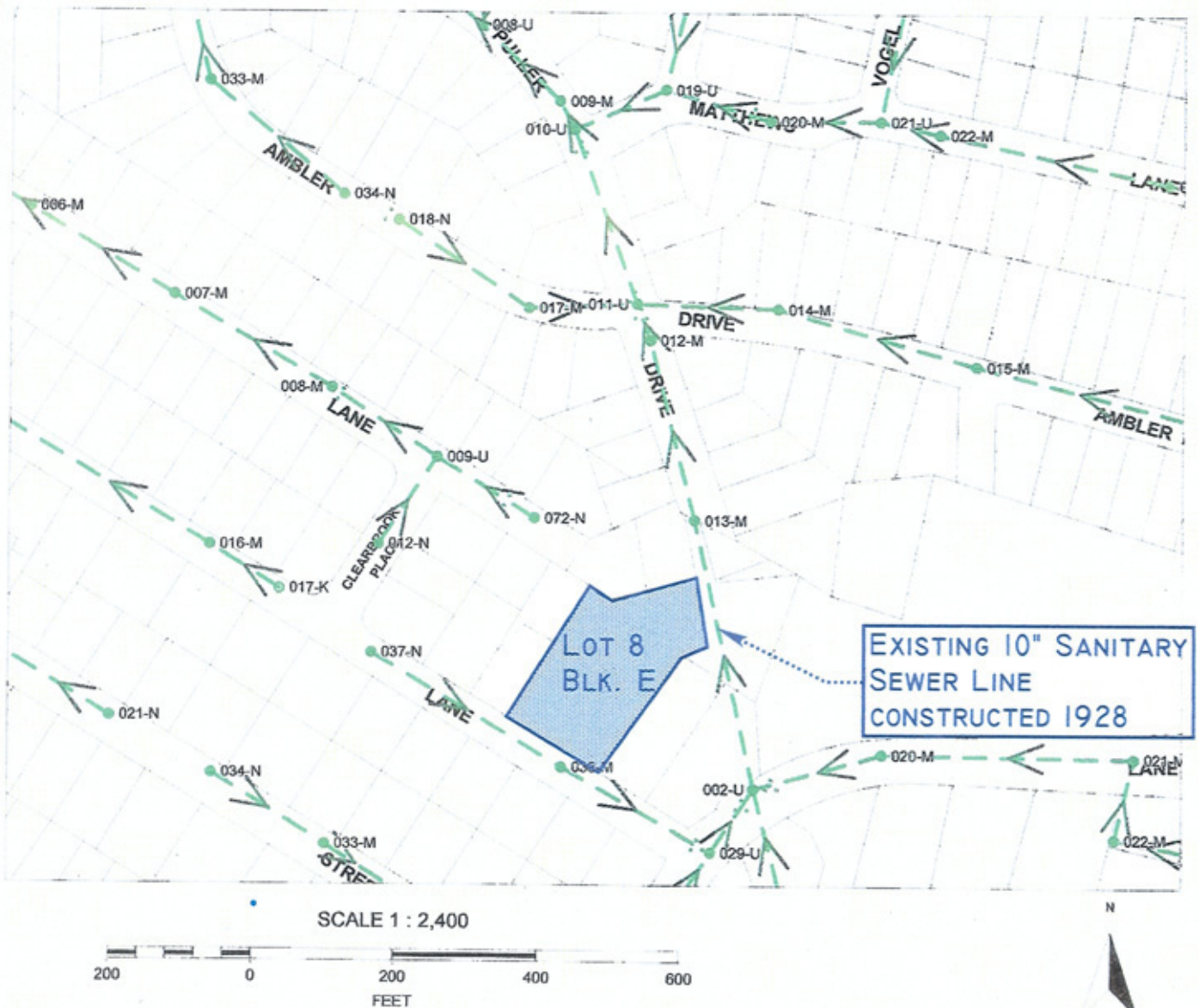
The sewer line has been indicated or referenced on some, but not all of the re-subdivision plans on record within the neighborhood. But, clearly it was a factor in consideration of the various re-subdivision approvals.

The sewer line information, submitted for purposes of validation, is described in the printouts on the following pages obtained from WSSC WERI data. The information includes the sewer alignment sketch and other technical sewer as-built data sheets, which provides the date of construction.

As would be expected within a developing area, this sewer line paralleled the path of a small stream which ran through this neighborhood. In 1960, the County completed a project to improve Cedar Lane. The plans for this project included enclosing the stream within the limits of the subject application to connect to the 36" drainage pipe built in Puller Drive. It appears that there is no recorded storm drain easement for this drainage line through portions of the area of Lot 3 (1921 plat).

Topographically, the area at the end of Puller Drive is the lowest elevation within the subject neighborhood. There is 25 feet of elevation difference between the end of Puller Drive and Clearbrook Lane in front of Lot 8, Block E, a distance of approximately 390 feet. The end of Westbrook Lane is approximately 15 higher than the end of Puller Drive, a distance of approximately 180 feet.

WSSC Engineering Records Information (WERI)



NOTE:
THIS PAGE HAS BEEN CREATED USING GRAPHIC DATA
OBTAINED FROM WSSC WERI WEB SITE.

Sewer Pipe

Component #		Contract #
05072002S		28321Y
Upstream Node	Downstream Node	Sheet #
05072002U	05073013M	213NW04
Stretch Length	Material	Microfilm #
393.28	U	1
Diameter	Width	Profile #
10"	0	1
X-sec Area	Geometry	Drawing Type
0.54	C	P
Slope (%)	Manning	Capacity
1.57	0.013	1.753
Split Downstream	Invert Elev. Upstream	Invert Elev.
100	264.75	258.58
Year of Construction	Year Rehab	Transfer Pipe
28		N

Sewer Pipe

Component #		Contract #
05073013S		28321Y
Upstream Node	Downstream Node	Sheet #
05073013M	05073012M	213NW04
Stretch Length	Material	Microfilm #
274.9	U	1
Diameter	Width	Profile #
10"	0	1
X-sec Area	Geometry	Drawing Type
0.54	C	A
Slope (%)	Manning	Capacity
2.24	0.013	2.094
Split Downstream	Invert Elev. Upstream	Invert Elev.
100	258.58	252.42
Year of Construction	Year Rehab	Transfer Pipe
1928		N

SUMMARY -

As shown on the State Assessment Map, the development pattern on the west side of Cedar Lane within the area of H.M. Martin's Addition to Chevy Chase View began utilizing a rectangular-grid pattern. The only roadway curvature prior to 1946 was to follow the then existing County Roadway (now Cedar Lane). The subsequent re-subdivisions of the 7 lots within H. M. Martin's Addition to Chevy Chase View all continued this rectangular grid pattern with the exception of Lot 3 (1921 plat) in the later stages of the re-subdivision cycle.

As indicated on the State Assessment Map (cover page), the Kensington Estates subdivision of 1946 on the north side of Lot 3 (1921 plat) and the 1950's era development of the Parkwood subdivision on the southerly side of the H. M. Martin's Addition to Chevy Chase View, are established following a more curvilinear development pattern.

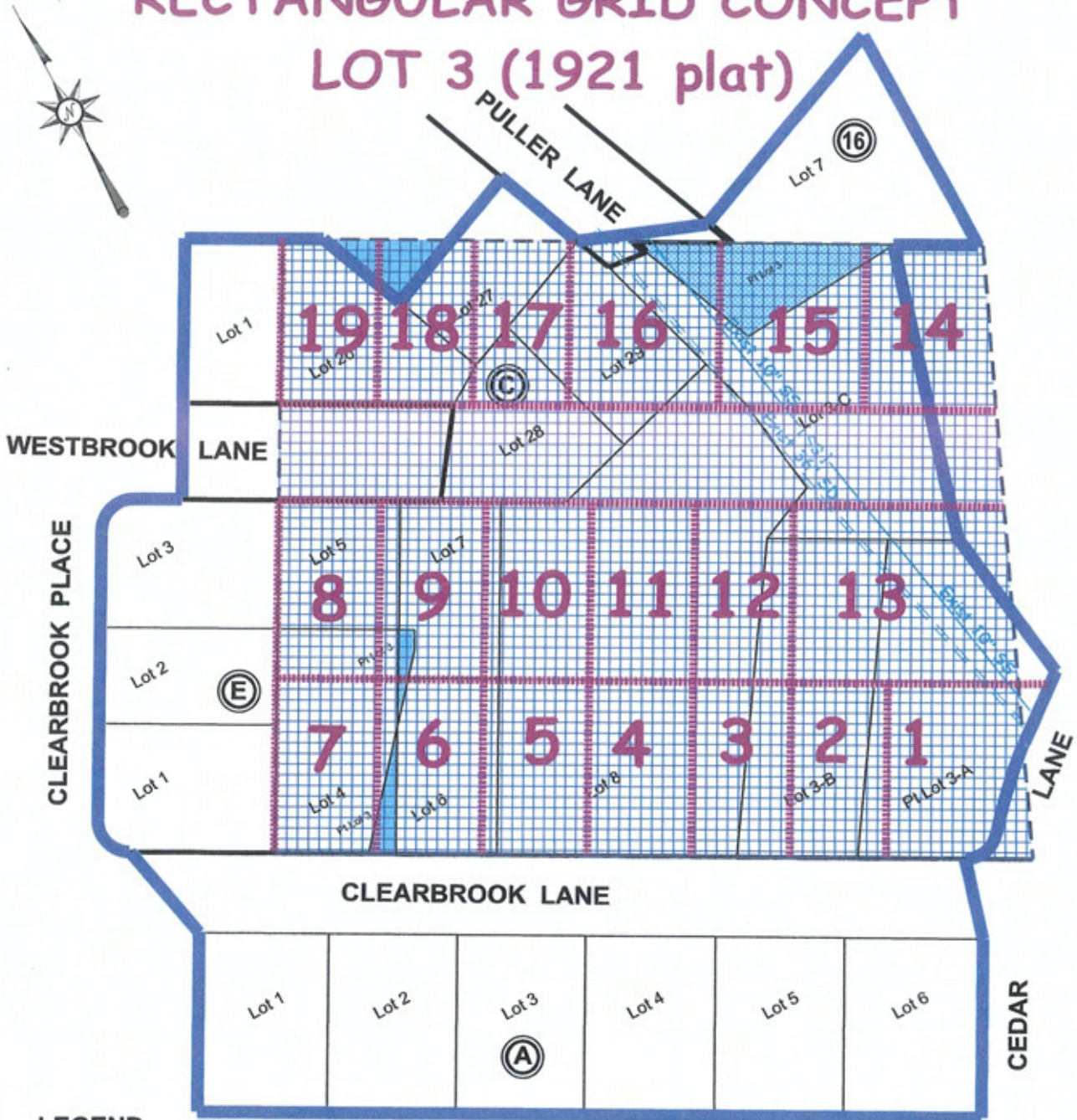
There was an obvious intent made by the 1946 Kensington Estates plat to facilitate sewer access and connections, as well as, to provide for public roadway extensions and further traffic circulation beyond the limits of that plat. The platted street pattern included six streets stubbed for adjacent extensions which is evidence of an obvious planning consideration in the over-all neighborhood design. The angle of Puller Drive at the northerly line of Lot 3 (1921 plat) breaks the pattern of the other right angled street extensions. This is evidence that its alignment was established for efficiency to follow the existing sanitary sewer line and drainage flow path. It is also apparent there was an intent for this roadway to be extended. Based on the then existing 1946 street pattern in the neighborhood, the extension could have either been completed as a connection to Cedar Lane or to Clearbrook Lane.

With the exception of Puller Place, on the 1946 plat, which terminates at the boundary of the Cedarbrook Club pool property, and Puller Drive, the roadways stubbed by this 1946 plat for further extension, were all continued as part of the surrounding community development.

The 1958 re-subdivision plat for Lots 3-A and 3-B (not block number) basically blocked the extension of Puller Drive. The angle of Puller Drive, the sewer line, and the storm drain presented some lot geometry design and extension challenges affecting the re-subdivisions of Lot 3 (1921 plat). In 1970, topography and roadway geometry became known factors being partially compounded as by the previous re-subdivisions.

In consideration of the number of re-subdivision plats approved within the subject neighborhood, the fact that Puller Drive extension was never completed, except for the partial width 25' extension for frontage by 1972 plat, and that the extension of Westbrook Lane was never completed provides testimony to issues in meeting County requirements. Particularly apparent when the area wide development pattern had been to stub and extend roadways within the community. An example for the potential continuation of the rectangular grid lotting concept within Lot 3 (1921 plat) is indicated on the following page. This concept acknowledges the sewer and drainage lines and has made allowances for them in the lot configurations.

RECTANGULAR GRID CONCEPT LOT 3 (1921 plat)



LEGEND

- Conceptual Lot/Street Line
- Area of Lot 3 per the 1921 subdivision plat
- Remnants of Lot 3 (1921 plat)
- Neighborhood boundary line



Another factor which must be considered is that, with the exception of the 1963 conveyance at the end of Puller, the remaining further subdividable area of Lot 3 (1921 plat) was under a single ownership, the entire time it was being re-subdivided. This certainly indicates that there were factors driving the development approvals within this area, establishing basis for deviating from the community wide development pattern.

The conveyance of the small parcel of at the end of Puller Drive to the owners of Lot 7 Block 16 may be an indication the challenges for its extension were recognized at that time. As noted, the recordation of the 1958 plat served as the first approval limiting its extension. The approval of these two re-subdivision lots basically blocked the potential for a through extension of Puller Drive as well as Westbrook Lane. Although, any extension of Puller Drive, other than to follow the sewer and drainage path and connect to Cedar Lane was topographically challenged. Additionally, the resulting street intersection following the sewer alignment would have been located too close to the existing intersection of Cedar Lane and Clearbrook Lane.

The apparent denial of the 1970 Pre-preliminary Plan, based on topography and alignment, proposing to complete an extension an Westbrook Lane to connect with Puller Drive was the final determinate for the post 1970 development pattern. This 1970 application also gives rise to a possible agreement for either a partial (re-) acquisition or swap with the owners of the 1963 parcel to provide for the Puller Drive connection.

There was insufficient area to practically establish a cul-de-sac at the terminus of Puller Drive, and topographically, it was not practical at the end of Westbrook Lane.

Now the applicants, as long time residents and owners of the subject property, are trying to complete this final step in re-subdivision development within this neighborhood and the final step in their master plan to facilitate their retirement years.

In making this application, the applicants have attempted, through various compromises, to keep the new lots compatible and consistent. They have also obtained letters in support of the proposal from six of their adjoining and/or confronting neighbors which have been previously submitted and included the public record.

As evidenced in the separately submitted Neighborhood Summary, the three lots, as proposed by this application, will be larger than the majority of the other existing lots within this R-60 neighborhood.

The proposed panhandle lot will be the second such lot within the neighborhood. However, there are three other lots which have only 25 feet or less street frontage. This limited frontage certainly makes them similar in nature to panhandles.

CONCLUSION -

In considering this application, the limitations and development hardships which exist are the product of several factors unique and unusual affecting the design and planning for this site. The primary factor being the limited access which has been blocked as the result of prior re-subdivision approvals which were driven by site conditions.

Certainly prior to the 1958 plat, creating Lots 3-A and 3-B, Westbrook Lane and/or possibly Puller Drive, even though it had a few more limitations, could have been extended to intersect the easterly boundary of Lot 3 (1921 plat) consistent with the community's rectangular grid development pattern. But, neither were provided for. The elevation difference, alignment and distance between Westbrook and Puller Dive presented factors which could not be overcome.

The development issues relative to this application are a combination of the limitations imposed by the prior re-subdivision approvals, by the topography and by the drainage flow path. All of which had some influence in the previous review cycles. Clearly, even the 1966, 1972 and 1993 applications could have provided other basis for extension of development to re-subdivide Lot 8, Block E.

Completing the development within this neighborhood has been the intent of the applicants and its time has come.

In spite of the various limiting development factors, the three proposed lots have been demonstrated to be in close harmony with the majority of the lots in the subject neighborhood. This correlation should be an adequate basis for approval in this application.

REVISED RESUBDIVISION DATA TABLES
Proposed Resubdivision of Lot 8 Block E
MARTIN'S ADDITION TO CHEVY CHASE VIEW
MNCP&PC Subdivision File #1-20070520

Lot 8, Block E, a 41,916 square foot lot, included on a subdivision plat, recorded February 9, 1993, in Plat Book 169 as Plat 18924, is a re-subdivision of a portion of the residue of Lot 3, a four acre lot, which was included on a Subdivision Plat recorded, January 10, 1921, in Plat Book 3 as Plat 216.

Existing Lot Data Table Listed In The Order That The Subdivision Plats Were Recorded

Lot & Block	Street Frontage (l.f.)	Alignment	Lot Area (s.f.)	Lot Shape	Lot Width (l.f.)	Lot Size (s.f.)
L.1 B.A	80.00	perpendicular	2,578	rectangle	80.00	8,924
L.2 B.A	80.00	perpendicular	2,578	rectangle	80.00	8,924
L.3 B.A	80.00	perpendicular	2,578	rectangle	80.00	8,924
L.4 B.A	80.00	perpendicular	2,578	rectangle	80.00	8,924
L.5 B.A	80.00	perpendicular	2,578	rectangle	80.00	8,924
L.6 B.A corner	86.77 111.55	perpendicular CORNER	2,540	rectangle	86.71 111.55	9,665
L.7 B.16	19.17	perpendicular	5,491	rectangle IRREGULAR trapezoid	60.00	11,503
L.1 B. C	60.48	perpendicular	2,442	rectangle	60.48	6,198
L.1 B. E corner	80.00 110.00	perpendicular CORNER	3,055	rectangle	80.00 110.00	8,714
L.2 B. E	60.00	perpendicular	2,730	rectangle	60.00	6,600
L.3 B. E corner	80.00 110.00	perpendicular CORNER	3,055	rectangle	80.00 110.00	8,714
L.4 B. E	58.00	perpendicular	5,081	rectangle	63.31	9,820
Part of Lot L. 3-A corner	83.84 70.87	perpendicular	10,642	rectangle	87.03 111.86	(17,346) 17,335
L. 3-B	75.00	perpendicular	8,783	rectangle	75.01	14,945
L.5, B.E	75.00	perpendicular	1,995	rectangle	75.00	6,000
L.26 B.C	107.55	perpendicular	3,562	rectangle IRREGULAR trapezoid	107.56	8,554
L.27 B.C	61.50	perpendicular	2,381	rectangle	61.50	6,134
L. 3-C	25.00	perpendicular	10,728	rectangle PIPESTEM panhandle	133.02	18,877
L.6 B. E	63.00	perpendicular	2,924	rectangle IRREGULAR	63.00	6,834
L.7 B.E	25.00	perpendicular	2,973	rectangle IRREGULAR	64.26	6,660
L.28 B.C	60.47	perpendicular	3,580	rectangle IRREGULAR trapezoid	87.30	7,815
L.29 B.C	25.00	Perpendicular	3,305	rectangle IRREGULAR	61.90	7,548

NOTES (relative to the Existing Lot Data Table on the preceding page):

- With exception of Lot 7 Block 16, every lot included in the Existing Lot Data Summary (neighborhood) is the product of a re-subdivision of a portion of Lots 2, 3 and 4 platted in 1921. There are five separate portions of the original 1921 Lot 3 which have not been included in a re-subdivision. These remnants are associated with an adjacent property or roadway uses and the remnant areas have not been included in the Existing Lot Data Summary.
- Data line entries in the Existing Lot Data Table separated with a horizontal double line (====) serve to indicate the lots which are included on one of the eight separate re-subdivision plats and one original subdivision plat within the neighborhood.
- The abbreviated notations in the left column of the Data Tables indicate the following:
L.(#) = Lot number; and B.(#) = Block number.
- To be consistent, since the neighborhood lots are located along five different roadways, lot widths, as indicated, in the Existing Lot Data Table are based on the zoning minimum 25' front setback. E.B.L. data is not available to apply in the lot width, size calculations for the existing lots along the west side of Cedar Lane, the south side of Clearbrook Lane, the east side of Clearbrook Place, the lots along all sides of Westbrook Lane and the lots on Puller Lane.
- The lot area included in the summary for Lots 1 - 6 Block A is based on the 50' B.R.L. as established by the 1937 re-subdivision plat.
- Based on an E.B.L. survey completed, May, 2008, by this office, the E.B.L. for the lots along the north side of Clearbrook Lane have been established to be 62.4'. The existing dwelling on Lot 8 (proposed Lot 9) is to remain and was accordingly included in the E.B.L. calculation.
- Frontage for the corner lots in the Existing Lot Data Table includes the length of the intersection fillet tangents, where they occur.
- The lot areas listed in the Existing Lot Data Table represent the calculated area within the R-60 zoning primary structure setback lines or greater setback lines established as part of the subdivision plat approval, and do not necessarily reflect or indicate the maximum permitted building coverage or the building setbacks adjusted based on the date the individual lots were platted.
- Neighborhood lot dimensions and areas, as indicated, in the Existing Lot Data Table are based on lot dimensional data included on the various Subdivision Plats listed below. All dimensional data is subject to verification by a field boundary survey and final computations.
- The lot size in parenthesis for Lot 3-A is the area per the subdivision plat. The size shown is the area following a swap with the Cedarbrook Club and residue after roadway taking.

LIST OF THE INDIVIDUAL PLATS WHICH INCLUDE THE LOTS WITHIN THE NEIGHBORHOOD

1. Plat of Blocks A and B
H. M. Martins Addition to
CHEVY CHASE VIEW
Plat Book 12 Plat 850
Recorded - August 29, 1937
2. Blocks 8, 14, 15, 16 & 17,
and Parts of Blocks 7, 10 & 13
KENSINGTON ESTATES
Plat Book 29 Plat 1838
Recorded - November 19, 1946
3. Blocks C, D & E
Resubdivision of Lot 2
Martins Addition
CHEVY CHASE VIEW
Plat Book 44 Plat 3267
Recorded - September 19, 1951
4. Lot 4 Block E
A Partial Resubdivision of
Lot 3, P.B. 3 P. 216
H. M. Martins Addition
CHEVY CHASE VIEW
Plat Book 60 Plat 4958
Recorded - July 22, 1957
5. Lots 3-A & 3-B
H.M. Martin's Addition to
CHEVY CHASE VIEW
Plat Book 61 Plat 5256
Recorded - May 19, 1958
6. Lots 26 & 27 Block C & Lot 5 Block E
H. M. Martins Addition
CHEVY CHASE VIEW
Plat Book 80 Plat 8230
Recorded - May 03, 1966
7. Lot 3-C
H. M. Martin's Addition to
CHEVY CHASE VIEW
Plat Book 93 Plat 10166
Recorded - January 24, 1972
8. Lot 6 Block E
H. M. Martin's Addition to
CHEVY CHASE VIEW
Plat Book 158 Plat 17906
Recorded - June 14, 1990
9. Lots 28 & 29 Block C & Lots 7 & 8 Block E
H. M. Martin's Addition to
CHEVY CHASE VIEW
Plat Book 168 Plat 18924
Recorded - February 05, 1993

Proposed Lot Data Table Listed in Numeric Order

Lot & Block	Street Frontage (l.f.)	Alignment	Lot Area (s.f.)	Lot Shape	Lot Width (l.f.)	Lot Size (s.f.)
L.9, B.E	63.73	perpendicular	9,956	rectangle	65.82	16,043
L.10, B.E	25.09	perpendicular	7,493	panhandle	78.26	16,504
L.11, B.E	60.00	perpendicular	4,710	rectangle	60.00	9,369

NOTES:

The proposed lot dimensions and areas, as indicated, in the Proposed Lot Data Table have been established from: (i) the dimensional information for Lot 8 Block E included on the Subdivision Record Plat recorded in Plat Book 168 as Plat 18924, and (ii) the revised lot configuration indicated on the subject Preliminary Subdivision Plan. The dimensions and areas are all subject to final preliminary subdivision plan application approval, a field boundary survey, final lot computations, and final regulatory review of the re-subdivision plat.

The 62.4' E.B.L., established by this office along the north side of Clearbrook Lane, at this time, affects and is applicable to only proposed Lot 11 Block E in the subject application and has been used for the indicated lot width.

The lot areas listed in the Proposed Lot Data Table represent the calculated area within the R-60 zoning primary structure setback lines and do not necessarily reflect or indicate the maximum permitted building coverage under the County zoning code.

Neighborhood and Proposed Lots Ranked By Lot Size

Lot & Blk.	Lot Size (s.f.)
Lot 3-C	18,877
Pt. of Lot 3-A (corner)	(17,346) 17,335
Lot 10 Block E	16,504
Lot 9 Block E	16,043
Lot 3-B	14,945
Lot 7 Block 16	11,503
Lot 4 Block E	9,820
Lot 6 Block A (corner)	9,665
Lot 11 Block E	9,369
Lot 1 Block A	8,924
Lot 2 Block A	8,924
Lot 3 Block A	8,924
Lot 4 Block A	8,924
Lot 5 Block A	8,924
Lot 1 Block E (corner)	8,714
Lot 3 Block E (corner)	8,714
Lot 26 Block C	8,554
Lot 28 Block E	7,815
Lot 29 Block E	7,548
Lot 6 Block E	6,834
Lot 7 Block E	6,660
Lot 2 Block E	6,600
Lot 1 Block C	6,198
Lot 27 Block C	6,134
Lot 5 Block E	6,000

Proposed Lot

Neighborhood and Proposed Lots Ranked By Lot Area

Lot & Blk.	Lot Area (s.f.)
Lot 3-C	10,728
Lot 9 Block E	9,956
Pt. Lot 3-A & 1 (corner)	9,437
Lot 3-B	8,783
Lot 10 Block E	7,493
Lot 7 Block 16	5,388
Lot 4 Block E	5,081
Lot 11 Block E	4,710
Lot 28 Block E	3,580
Lot 26 Block C	3,562
Lot 29 Block C	3,305
Lot 1 Block E (corner)	3,055
Lot 3 Block E (corner)	3,055
Lot 7 Block E	2,963
Lot 6 Block E	2,913
Lot 2 Block E	2,730
Lot 1 Block A	2,576
Lot 2 Block A	2,576
Lot 3 Block A	2,576
Lot 4 Block A	2,576
Lot 5 Block A	2,576
Lot 1 Block C	2,442
Lot 27 Block C	2,381
Lot 6 Block A (corner)	2,229
Lot 5 Block E	1,995

revised 3/30/2007
revised 4/03/2007
revised 8/05/2008
revised 10/02/2008
revised 8/20/2009



ATTACHMENT C

DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

December 18, 2006

Shahriar Amiri
Acting Director

Mr. John R. Witmer
Witmer Associates LLC
98A Church Street
Rockville, MD 20850

Re: Stormwater Management **CONCEPT** Request
for Chevy Chase View
SM File #: 229577
Tract Size/Zone: 0.9623acres/R-60
Total Concept Area: 0.9623 acres
Lots/Block: 9, 10, 11/E
Watershed: Lower Rock Creek

Dear Mr. Witmer:

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 via nonstructural methods and onsite recharge via dry wells. 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. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. The existing dwelling must have the drywells installed as part of the permitting and construction of the first new home.
6. The house locations must remain as shown on the concept plan.
7. The proposed building footprints may not exceed those shown on the approved concept plan. The building footprint for Lot 10 is 2500 square feet. The building footprint for Lot 11 is 2000 square feet. These include garages.

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 Richard Gee at 240-777-6333.

Sincerely,



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

RRB:dm 229577

cc: C. Conlon
S. Federline
SM File # 229577

QN -NR; Acres: 0.9623
QL - On site; Acres: 0.9623
Recharge is provided





DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

June 16, 2009

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 #1-20070520
Chevy Chase View

Dear Ms. Conlon:

We have completed our review of the preliminary plan stamped on May 22, 2009. This preliminary plan was previously reviewed by the Development Review Committee at its meeting on March 5, 2007. 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 Clearbrook Lane if required by the Planning Board.
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. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessed by each common driveway.
5. Private common driveways and private streets shall be determined through the subdivision process as part of the Planning Board's approval of a preliminary plan. The composition, typical section, horizontal alignment, profile, and drainage characteristics of private common driveways and private streets, beyond the public right-of-way, shall be approved by the Planning Board during their review of the preliminary plan. Also homeowners' documents to establish each driveway user's (property owner's) rights & responsibilities with respect to use, maintenance & liability of the common driveway.

Division of Traffic Engineering and Operations

100 Edison Park Drive, 4th Floor • Gaithersburg, Maryland 20878
Customer Service 240-777-6000 • Main Office 240-777-2190 • TTY 240-777-6013 • FAX 240-777-2080
trafficops@montgomerycountymd.gov

RECEIVED
0059
JAN 18 2007OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

18 January 2007

✓ Already
on
Mailing List
9-22-09
PSC

Maryland National Park and Planning Commission
Project Development Section
8787 Georgia Ave.
Silver Spring, MD 20910

Re: Preliminary Subdivision Plan # 1-20070520
Martin's Addition to Chevy Chase View.

Gentlemen:

We have reviewed the above referenced Subdivision Plan furnished to us by our neighbors, Jean and Fred Gore, and have no objection to their plan for development of their own property.



Tommy A. Noonan
4312 Clearbrook La.
Kensington, MD 20895

*Added
9/22/09*

February 17, 2007



Maryland National Park and Planning Commission
Project Development Section
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Preliminary Plan 1-2007 0520
Martin's Addition to Chevy Chase View

To Whom It May Concern:

I have reviewed the above referenced Subdivision Plan that was furnished to us by our neighbors, Jean and Fred Gore. I have no objection to their plans for the development of their property, and the building of their new home.

Cheryl Geiger
Cheryl Geiger
4314 Clearbrook Lane
Kensington, MD 20895

Lot 5, Block A
Martin's Addition to
Chevy Chase View

Already
on
Mailing
List
9/22/04
(PSC)



January 18, 2007

Maryland National Park & Planning Commission
Project Development Section
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Preliminary Subdivision Plan # 1-20070520
Martin's Addition to Chevy Chase View

Gentlemen:

We have reviewed the above referenced Subdivision Plan furnished to us by our neighbors, Jean & Fred Gore, and have no objection to their plan of development of the property.

Anne M. Riley
Alfred Riley

Mr. & Mrs. Alfred Riley
4304 Clearbrook Lane
Lot 2 Block A

Added
9/22/09
PSC

**4313 Clearbrook Lane
Kensington, Maryland 20895
301-564-63420**



January 16, 2007

Maryland National Park
and Planning Commission
Project Development Section
8787 Georgia Avenue
Silver Spring, MD 20910

RE: Preliminary Subdivision Plan #1-20070520
Martin's Addition to Chevy Chase View

We have reviewed the above-reference Subdivision Plan furnished to us by our neighbors, Jean and Fred Gore, and have no objection to their plan of development of the property.

Barry Silber
Barry Silber

Catherine A. Stone
Catherine A. Stone

cc: Mr. & Mrs. Gore

✓ Already on Mary Gov

Frances E. Miller
4310 Puller Drive
Kensington, Maryland 20895

January 19, 2007

Maryland National Capital Park & Planning Commission
Project Development Section
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Preliminary Subdivision Plan # 1-20070520
Martin's Addition to Chevy Chase View

Gentlemen:

I have reviewed the above referenced Subdivision Plan furnished to me by our neighbors, Fred and Jean Gore, and have no objection to their plan of development of their property.

Sincerely yours,

Frances E. Miller

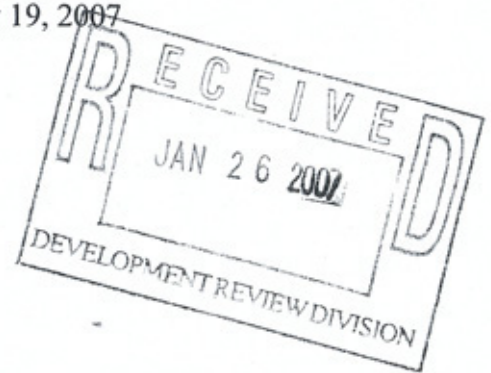
Frances E. Miller

copy to F+J. Gore

on
List
9/22/04
PSC

4308 Westbrook Lane
Kensington, MD 20895
January 19, 2007

Maryland National Park & Planning Commission
Project Development Section
8787 Georgia Avenue
Silver Spring, MD 20910



Re: Preliminary Subdivision Plan #1-20070520

To Whom It May Concern:

We have reviewed the above referenced Subdivision Plan furnished to us by our neighbors, Jean and Fred Gore, and we have no objection to their plan of development of the property. We have been neighbors of the Gore's for 14 years and have found them to be fair and considerate neighbors in all matters.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael Covington", written over a horizontal line.

Michael Covington

A handwritten signature in cursive script, appearing to read "Mary Covington", written over a horizontal line.

Mary Covington

Michael and Mary Covington
4308 Westbrook Lane
Kensington, MD 20895

Re: Plan # 1-20070520

February 13, 2007

Dear Ms. Conlon:

I really appreciate your taking your time to discuss the proposed subdivision with me on Tuesday, February 13th. We own the house at 4303 Clearbrook Lane, adjacent to the proposed subdivision. We were quite surprised several weeks ago when the owner of the proposed subdivision property, Mr. Gore, approached us and told us what he planned to do.

From a laymen's point of view there is a very small green buffer area adjacent to our house with trees and bushes which Mr. Gore is proposing to turn in to a building lot (lot 11). Then he is additionally proposing another lot behind that one with a pipestem connection to the street (lot 10). This proposed subdivision does not seem at all in keeping with the character of the neighborhood. Additionally, the proposed house on lot 11 would extend well over the Established Building Line. This is very surprising considering that it was Mr. Gore's own previous subdivision efforts that made us subject to the same EBL which Mr. Gore does not feel he has to honor even though he created it. Also, the proposed house would put an attached garage directly in front of it which would certainly not be very attractive.

From a technical review of the drawings there are a few things worth mentioning:

1. Application of the Established Building Line Criteria to Lot 11. This looks to be roughly 62' and the proposed house is clearly well over this boundary.
2. The notes indicate that the property is shown graphically. How can a subdivision be approved based on a graphical representation?
3. Our fence line is shown mainly on Lot 11. Our own Boundary Survey that was recently completed shows this fence to be entirely on our property which makes me question the accuracy of the entire proposed subdivision.
4. Lot 11 should be 60' wide, per R-60 zoning and it's not clear that it meets these restrictions.

Please let us know if you need further information on our objection to this proposed subdivision plan. Obviously, we'd like to be notified as this process moves forward to make certain that we attend any formal public hearings. Thank you for your time.

Sincerely,

Gilbert R. Austin & Donnamarie Meyers
4303 Clearbrook Lane
Kensington, MD 20895
(301)-949-2553

Grayson, Erin

From: Joseph Donnelly [joseph@jleedonnelly.com]
Sent: Thursday, October 01, 2009 10:21 AM
To: Grayson, Erin
Subject: Subdivision File Number: 120070520

Erin:

My name is Joe Donnelly and it was good speaking with you this morning. Our residence, 4312 Puller Drive, abuts the property in Chevy Chase View that has this proposed re-subdivision request. It is our opinion that this proposed development is not in conformity within the make-up of the existing residential neighborhood and we respectfully request that this proposal be denied. If you have any further questions, I can be reached at 301-951-5500 Ext 1 or by my e-mail as noted above. Thank you for your consideration in this matter.

Joe Donnelly