



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MEMORANDUM



DATE: June 14, 2002

TO: Montgomery County Planning Board

VIA: Joe Davis, Chief, Development Review Division *JRD*

FROM: Malcolm Shaneman, Supervisor, Development Review Division
Tanya Wilson, Subdivision Planner Development Review Division *T Wilson*

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: Two (2) Single Family Detached Dwelling Units

PROJECT NAME: Fernwood

CASE NUMBER: 1- 02001

REVIEW BASIS: Chapter 50, Section 50-29(b)(2), Montgomery County Subdivision Regulations and Resubdivision Criteria

ZONE: R-90

LOCATION: Southeast quadrant, intersection of Fernwood Road and Stoneham Road

MASTER PLAN: North Bethesda/Garrett Park

APPLICANT: Mitchell & Arlene Lerner

FILING DATE: July 2, 2001

HEARING DATE: June 20, 2002

STAFF RECOMMENDATIONS:

Denial, Pursuant to Section 50-29(b)(2), Montgomery County Subdivision Regulations

PROJECT DESCRIPTION: VICINITY

The proposed resubdivision application is located in the Fernwood subdivision, originally recorded in 1954. The property is identified as Lot 1, Block O and is situated in the southeast quadrant, of the intersection of Fernwood Road and Stoneham Road, in the North Bethesda/Garrett Park Policy Area. The site is zoned R-90 and consists of 20,348 square feet.

PROJECT DESCRIPTION: PROPOSAL

The applicant proposes to resubdivide Lot 1 into two single family lots, identified as proposed Lots 22 and 23 on the attached plan. The existing house will be located on lot 22, consisting of 10, 330 square feet. Lot 23 will consist of 9,662 square feet.

CONFORMANCE TO CHAPTER 50-29(b)(2):

In order to approve the application for resubdivision, the Planning Board must find that the proposed lot(s) comply with all seven characteristics of the “Resubdivision Criteria” as 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 others within the existing neighborhood, block or subdivision.”

NEIGHBORHOOD DELINEATION

In administering the Resubdivision criteria in 50-29(b)(2), the Planning Board must determine the appropriate neighborhood for evaluating this application. As delineated on the attached map, the applicant has defined the analysis area as all the recorded lots in Block I, O, and Q defined by Greyswood Road on the north, Rockhurst Road on the south, Fernwood Road on the east and Holmhurst Road on the west. In addition to all the recorded lots fronting directly on the west side of Fernwood Road, between Lot 20, Block L and Lot 1, Block B.

DISCUSSION

The attached tabular summary identifies the seven characteristics of the defined neighborhood based on the resubdivision criteria outlined in Section 50-29(b)(2). As illustrated in the table, the characteristics of the proposed subdivision are not consistent with the development pattern of the defined neighborhood. At 9,662 square feet, proposed Lot 23 has the smallest lot size in Block O and the second smallest lot size in the defined neighborhood. The proposed lots are particularly smaller than those lots fronting along Fernwood Road, north and south of the subject property. In regards to its buildable area, at 2,920 square feet, Lot 23 has the smallest buildable area of all the 52 lots in the defined neighborhood.

Although many of the lots in the defined neighborhood have irregular shapes, the proposed lot line, separating Lots 22 and 23, appears to be artificially contrived in an attempt to match the minimum lot size found within the neighborhood

CONCLUSION

In applying the resubdivision criteria, staff concludes that the proposed resubdivision does not satisfy all the resubdivision requirements, as set forth in Section 50-29(b)(2) of the Subdivision Regulation. As previously mentioned, proposed Lots 22 and 23 are not consistent with the existing lot pattern of the defined neighborhood and does not meet all the provisions of the resubdivision requirement. As such, staff cannot support the proposed subdivision and is recommending denial of this application.

ATTACHMENTS

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Proposed Subdivision	5
Neighborhood Delineation Map	6
Tabular Summary	7

VICINITY MAP FOR

FERNWOOD (1-02001)



Map compiled on June 13, 2002 at 7:44 PM | Site located on base sheet no - 212NW06

NOTICE

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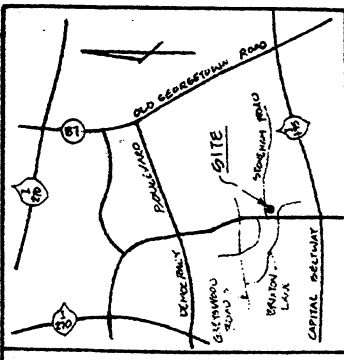
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Key Map



1 : 2400



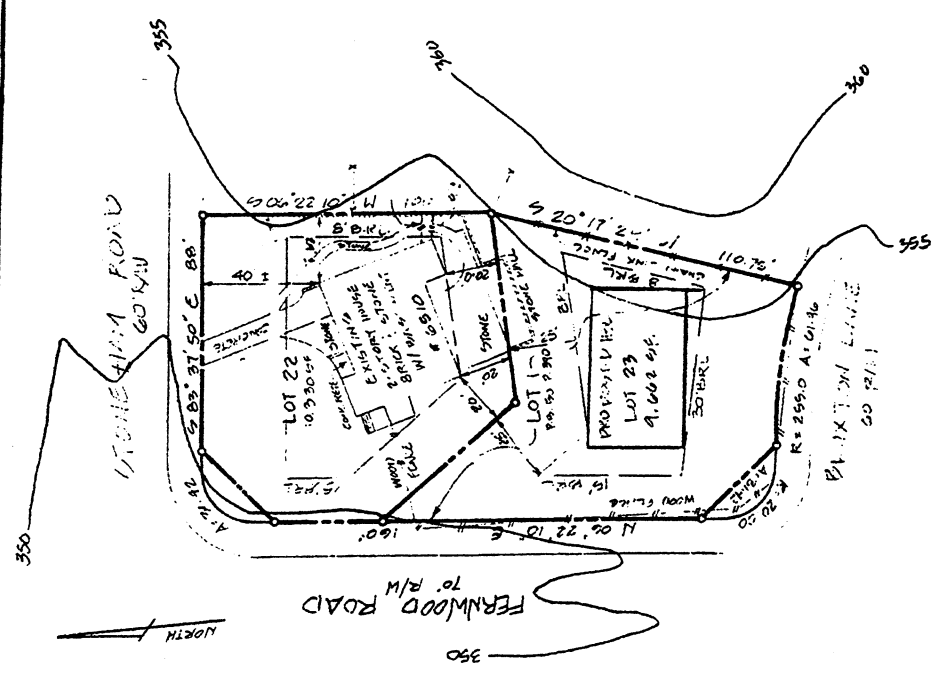
**PRELIMINARY PLAN
FERNWOOD**
PROPOSED LOTS 22 & 23, BLOCK O

NOTES:

1. Boundary from survey by R.C. Kelly & Assoc., Inc. dtd. Nov. 2000
2. Topography from MNCPP&C supplemented by field surveys.
3. Area Tabulation: Ex. Lot 1 = 20,348 square feet = 0.47 Acres
4. Zoning: R - 90
 9,000 sq. ft. Lot 22 = 10,330 sq. ft.
 Lot 23 = 9,662 sq. ft.
 15' on Ferwood and 20' other streets
 8'
 25'
 35'
 Maximum Building coverage 30%
 Water Category W-1; Sewer Category S-1
 North Bethesda-Garrett Park Planning Area
 Cabin John Watershed
 Shown on Tax Map GP-562
 200 scale base map 212NNW06
 The current address is 6510 Stoneham Road.
 The property is exempt from Forest Conservation requirements.
 The property qualifies for a standard Stormwater Management waiver.
 Servicing utilities for the site are: Water & Sewer - WSSC
 Electricity - PEPCO
 Telephone - Verizon

I certify that the information shown hereon is correct.

Walter J. Petzold
Walter J. Petzold, P.E.

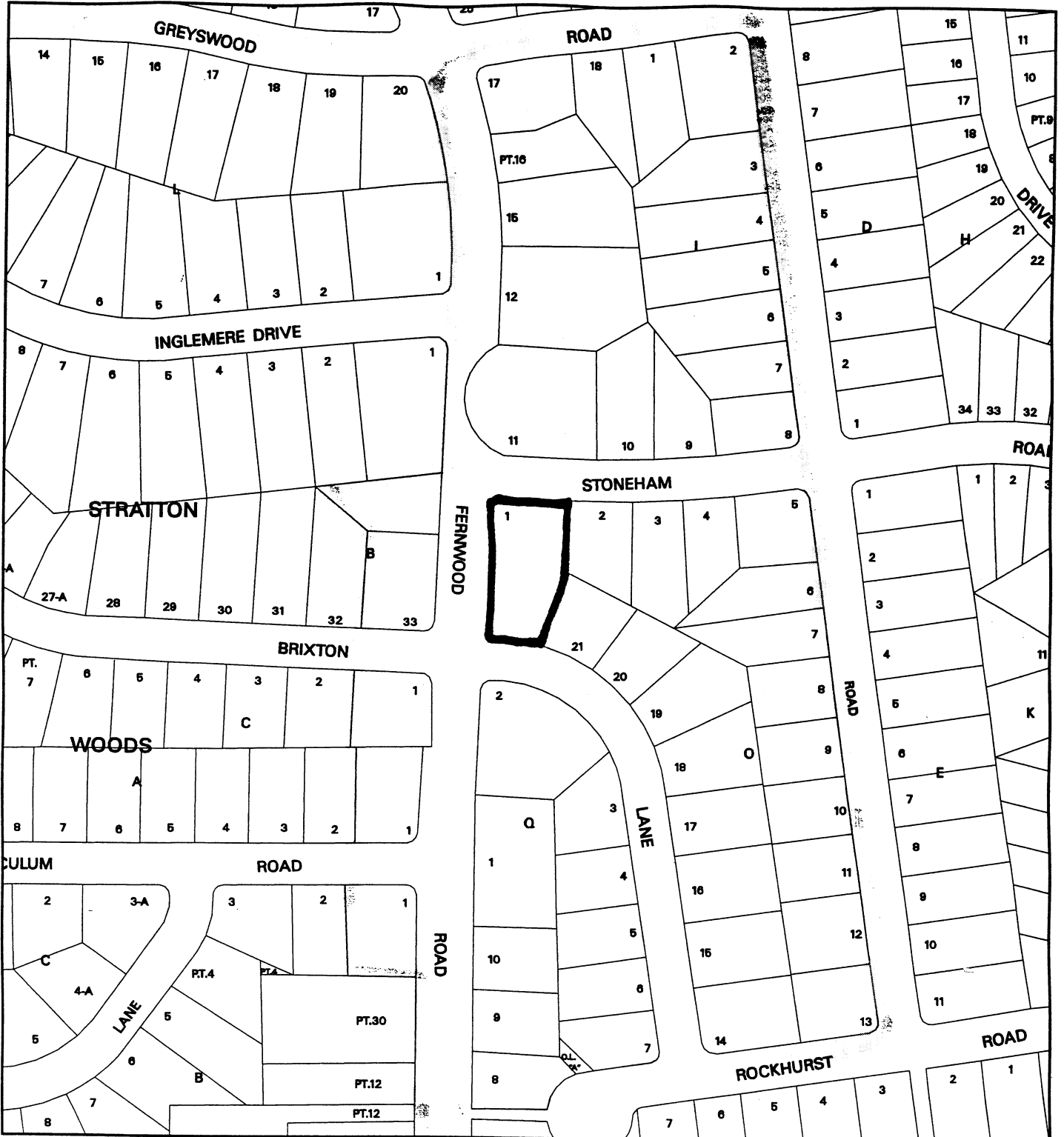


1-0200

<p>Prepared for: Mr. & Mrs. Mitchell Lerner 6510 Stoneham Road Bethesda, MD 20817 Telephone 202-205-6857</p>	<p>PRELIMINARY PLAN RESUBDIVISION OF LOT 1, BLOCK O</p>	<p>FERNWOOD Montgomery County, Maryland</p>
<p>OYSTER, INUS & PETZOLD, INC. CIVIL ENGINEERS • LAND PLANNERS • SURVEYORS 11230 B Greenway Avenue • Wheaton, Maryland • Phone 301-946-7011</p>	<p>DATE May 2002</p>	<p>SCALE 1" = 30'</p>
<p>PROJECT NO. 2282-E-1</p>	<p>SHEET NO. 1 of 1</p>	<p>DATE May 2002</p>

VICINITY MAP FOR

FERNWOOD (1-02001)



Map compiled on June 14, 2002 at 10:14 AM | Site located on base sheet no - 212NW08

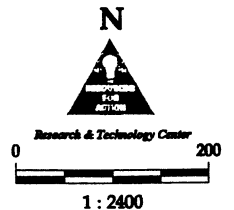
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MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 8787 Georgia Avenue - Silver Spring, Maryland 20910-3760



PRELIMINARY PLAN - NEIGHBORHOOD ANALYSIS PROPOSED LOTS 22 & 23, BLOCK O, FERNWOOD
Ranked by Lot Area

Bk No.	Lot No.	Plat No.	Date	Original Subdiv.	Resub-division	Frontage	Alignment	Shape	Size	Width	Area *
I	12	3907	1954	yes	no	130'	perpendicular	irregular	26,197 sq. ft.	130'	14,700 sq. ft.
I	11	3907	1954	yes	no	148'	perpendicular	rectangular	24,359 sq. ft.	150'	12,000 sq. ft.
Q	2	4446	1956	yes	no	141'	perpendicular	irregular	22,130 sq. ft.	145'	10,440 sq. ft.
Q	1	4446	1954	yes	no	190'	perpendicular	irregular	20,925 sq. ft.	190'	9,075 sq. ft.
I	15	3907	1954	yes	no	91'	perpendicular	irregular	18,259 sq. ft.	102'	9,317 sq. ft.
I	4	5866	1960	yes	no	75'	perpendicular	irregular	14,400 sq. ft.	75'	6,850 sq. ft.
I	2	5866	1960	yes	no	105'	perpendicular	rectangular	14,226 sq. ft.	105'	5,950 sq. ft.
I	3	5866	1960	yes	no	85"	perpendicular	irregular	13,767 sq. ft.	85'	45,400 sq. ft.
O	19	4446	1955	yes	no	70'	perpendicular	irregular	13,754 sq. ft.	85'	5,400 sq. ft.
I	5	3907	1954	yes	no	70'	perpendicular	rectangular	13,440 sq. ft.	70'	6,165 sq. ft.
O	14	4446	1955	yes	no	100'	perpendicular	rectangular	13,300 sq. ft.	100'	6,075 sq. ft.
I	10	3907	1954	yes	no	77'	perpendicular	irregular	13,107 sq. ft.	74'	6,125 sq. ft.
O	7	3907	1954	yes	no	70'	perpendicular	irregular	12,707 sq. ft.	70'	4,500 sq. ft.
I	6	3907	1954	yes	no	70'	perpendicular	irregular	12,568 sq. ft.	70'	5,687 sq. ft.
B	33*	5986	1960	no	yes	120'	perpendicular	rectangular	12,514 sq. ft.	140'	5,870 sq. ft.
O	15	4446	1956	yes	no	93'	perpendicular	rectangular	12,386 sq. ft.	93'	5,467 sq. ft.
O	16	4446	1956	yes	no	93'	perpendicular	rectangular	12,377 sq. ft.	93'	5,467 sq. ft.

* For some Lots useable/buildable ma be an approximation

O	17	4446	1956	yes	no	92'	perpendicular	rectangular	12,376 sq. ft.	92'	5,467 sq. ft.
O	18	4446	1956	yes	no	70'	perpendicular	irregular	12,368 sq. ft.	90'	5,200 sq. ft.
Q	3	4446	1956	yes	no	140'	perpendicular	Irregular	12,152 sq. ft.	110'	6,325 sq. ft.
I	1	5866	1960	yes	no	75'	perpendicular	irregular	12,120 sq. ft.	82'	6,042 sq. ft.
O	13	4446	1956	yes	no	100'	perpendicular	rectangular	11,914 sq. ft.	100'	4,875 sq. ft.
O	7	3907	1954	yes	no	70'	perpendicular	irregular	11,745 sq. ft.	70'	4,500 sq. ft.
O	12	4445	1956	yes	no	97'	perpendicular	rectangular	11,640 sq. ft.	97'	4,680 sq. ft.
O	6	3907	1954	yes	no	70'	perpendicular	irregular	11,361 sq. ft.	70'	3,600 sq. ft.
I	16	5866	1960	no	yes	72'	perpendicular	irregular	11,202 sq. ft.	83'	5,104 sq. ft.
I	9	3907	1954	yes	no	85'	perpendicular	irregular	11,194 sq. ft.	80'	4,800 sq. ft.
O	5	3907	1954	yes	no	103'	perpendicular	rectangular	11,166 sq. ft.	103'	4,012 sq. ft.
O	2	3907	1954	yes	no	88'	perpendicular	irregular	11,051 sq. ft.	90'	4,450 sq. ft.
I	18	5866	1960	no	yes	75'	perpendicular	irregular	10,937 sq. ft.	75'	4,350 sq. ft.
I	17	5866	1960	no	yes	87'	perpendicular	irregular	10,691 sq. ft.	83'	3,195 sq. ft.
C	1*	5986	1960	no	yes	85'	perpendicular	irregular	10,638 sq. f t.	87'	3,240 sq. ft.
Q	7	4446	1956	yes	no	82'	perpendicular	irregular	10,596 sq. ft.	82'	3,410 sq. ft.
A	1**	6141	1960	no	yes	75'	perpendicular	rectangular	10,371 sq. ft.	75'	4,480 sq. ft.
O	Prop. 22	n/a	n/a	no	yes	108'	perpendicular	irregular	10,330 sq. ft.	108'	4,216 sq. ft.
I	8	3907	1954	yes	no	84'	perpendicular	rectangular	10,236 sq. ft.	84'	3,575 sq. ft.
O	8	3907	1954	yes	no	85'	perpendicular	rectangular	10,236 sq. ft.	85'	3,900 sq. ft.

O	9	3907	1954	yes	no	85'	perpendicular	rectangle	10,200 sq. ft.	85'	3,900 sq. ft.
O	10	3907	1954	yes	no	85'	perpendicular	rectangle	10,200 sq. ft.	85'	3,900 sq. ft.
O	11	3907	1954	yes	no	85'	perpendicular	rectangle	10,200 sq. ft.	85'	3,900 sq. ft.
O	21	4446	1956	yes	no	80'	perpendicular	irregular	10,200 sq. ft.	97'	3,816 sq. ft.
O	4	3907	1954	yes	no	72'	perpendicular	irregular	10,055 sq. ft.	76'	3,250 sq. ft.
Q	6	4446	1956	yes	no	73'	perpendicular	rectangular	10,048 sq. ft.	73'	3,984 sq. ft.
Q	5	4446	1956	yes	no	77'	perpendicular	rectangular	10,039 sq. ft.	78'	3,400 sq. ft.
Q	4	4446	1956	yes	no	83'	perpendicular	rectangular	10,032 sq. ft.	83'	3,770 sq. ft.
O	20	4446	1956	yes	no	70'	perpendicular	irregular	10,031 sq. ft.	88'	4,800 sq. ft.
I	7	3907	1954	yes	no	70'	perpendicular	irregular	9,896 sq. ft.	70'	4,300 sq. ft.
Q	10	6520	1961	yes	no	91'	perpendicular	rectangular	9,895 sq. ft.	88'	3,591 sq. ft.
Q	9	6520	1961	yes	no	85'	perpendicular	irregular	9,767 sq. ft.	81'	3,600 sq. ft.
B	34*	5986	1960	yes	no	85'	perpendicular	rectangular	9,674 sq. ft.	81'	3,750 sq. ft.
O	Prop. 23	n/a	n/a	no	yes	82'	perpendicular	irregular	9,662 sq. ft.	96'	2,920 sq. ft.
Q	8	6520	1960	yes	no	79'	perpendicular	irregular	9,221 sq. ft.	80'	3,276 sq. ft.

* Stratton Woods subdivision ** Tusculum and Grubby Thicket

COMPARISON OF PROPOSED LOTS TO EXISTING LOTS:

Number of lots larger than proposed Lot 22	= 34	Number of irregular lots	= 28
Number of lots larger than proposed Lot 23	= 49	Number of rectangular lots	= 22
Number of lots smaller than proposed Lot 22	= 16	Number of lots with similar useable area	= 10
Number of lots smaller than proposed Lot 23	= 1	(under the average for the two new lots)	