



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

ITEM# 5

DATE: 10/03/02

MEMORANDUM

DATE: September 27, 2002

TO: Montgomery County Planning Board

VIA: Joseph R. Davis, Chief Development Review Division

FROM: A. Malcolm Shaneman, Supervisor (301) 495-4587
Richard A. Weaver, Senior Planner (301) 495-4544
Development Review Division

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Resubdivision of Part of Lot 13, Block 1 – Kingsview Knolls

PROJECT NAME: Kingsview Knolls

CASE #: 1-02112

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

ZONE: R-200

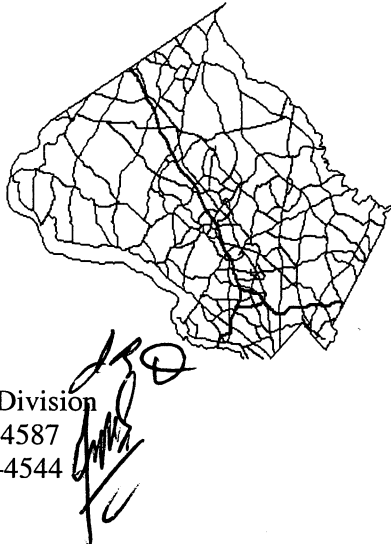
LOCATION: Northeast Corner of Schaffer Road and Kingsbrook Drive/Kingsbrookhill Road, Approximately 2,000 feet West of Germantown Road (MD 118)

MASTER PLAN: Germantown

APPLICANT: Brian Allen

FILING DATE: June 4, 2002

HEARING DATE: October 3, 2002



STAFF RECOMMENDATION: Approval Under the DeMinimis Provisions of the FY2003 Annual Growth Policy and, Pursuant to Section 50-29 (b)(2), Montgomery County Subdivision Regulations, Subject to the Following Conditions:

- (1) Compliance with the conditions of approval of the preliminary forest conservation plan. Applicant must meet all conditions prior to recording of plat or MCDPS issuance of sediment and erosion control permit, as appropriate

- (2) Approval of a Final Tree Protection/Grading Plan by MNCPPC technical staff prior to recordation of plat
- (3) Conditions of MCDPS stormwater management approval
- (4) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
- (5) Necessary easements

DISCUSSION OF ISSUES

Conformance to Chapter 50-29(b)(2)

In order to approve an application for Resubdivision, the Planning Board must find that the proposed lot(s) substantially meet all seven 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 other lots within the existing block, neighborhood or subdivision.”

In administering the Resubdivision section, the Planning Board must determine the appropriate “neighborhood” for evaluating the application. In this case, staff has provided a description of the area analyzed under the resubdivision criteria and has also provided an illustration that delineates the neighborhood.

Under the resubdivision criteria the neighborhood used to evaluate the application can only include lots within the same zoning (R-200) classification as the subject property. Therefore, staff excluded from consideration those lots located on the northwest side of Schaffer Road in the Hoyles Mill Subdivision. Staff has also excluded those lots in Block One that have been reconfigured by deed. These lots are referred to on the neighborhood location map as “Part “ (pt.). The defined neighborhood is therefore limited to all lots on the Southwest side of Schaffer Road and not the lots on Kingshill Road.

Master Plan Compliance

The property is located within the Approved and Adopted 1989 Germantown Master Plan. The master plan does not contain specific recommendations applicable to this property but does give general guidance and recommendations regarding zoning and land use. The master plan recommends that this area to maintain the residential R-200 zoning as adopted.

DESCRIPTION

Vicinity

The subject property is located within Block 1 of the Kingsview Knolls subdivision. The original lots located within this block were recorded by plat in 1961 - 1963. The original subdivision was comprised of twenty (20) lots ranging in size from 20,000 to over 76,000 square feet. The majority of the original lots, excluding the subject site and two adjoining lots, have been reconfigured. The subject property was originally 76,550 square feet when first platted. Through deed transfer and acquisition of part of Lot 14, the resulting size of the proposed subject property is 2.01 acres, or 87,556 square feet.

Proposal

This application for resubdivision proposes to create four (4) lots ranging in size from 20,000 square feet to 27,000 square feet. Each lot will have a minimum of 100 feet of frontage on Schaffer Road. The proposal is to construct three (3) new single family detached dwelling units on the site. The existing single family dwelling is proposed to remain on proposed Lot 21. All lots are rectangular in shape with a depth of 200 feet. Three of the proposed lots are exactly 20,000 square feet with the remaining proposed lot, located at the corner of Schaffer Road and Kingsbrook Drive, at 27,688 square feet.

Conclusion

In applying the resubdivision criteria to the analysis area delineated by staff, staff concludes that the proposed resubdivision satisfies all of the criteria set forth in Section 50-29(b)(2) as illustrated by the characteristics set forth on the attached tabular summary. Based on the development pattern within the defined neighborhood staff finds that this resubdivision is consistent with what was established in 1961. Staff does not anticipate any further resubdivision in the immediate neighborhood. The subject site is the last remaining individual large property located within Block One

Attachments

Vicinity and Neighborhood Delineation Map	4
Neighborhood Development Map	5
Proposed Resubdivision Plan	6
Tabular Summary	7

To date no citizen correspondence has been submitted to the file



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MEMORANDUM

DATE: September 27, 2002
TO: Montgomery County Planning Board
FROM: A. Malcolm Shaneman
Development Review Division
(301) 495-4587
SUBJECT: Informational Maps for Subdivision Items on the
Planning Board's Agenda for October 03, 2002.

Attached are copies of plan drawings for Items #04, #05, #06. These subdivision items are scheduled for Planning Board consideration on October 03, 2002. The items are further identified as follows:

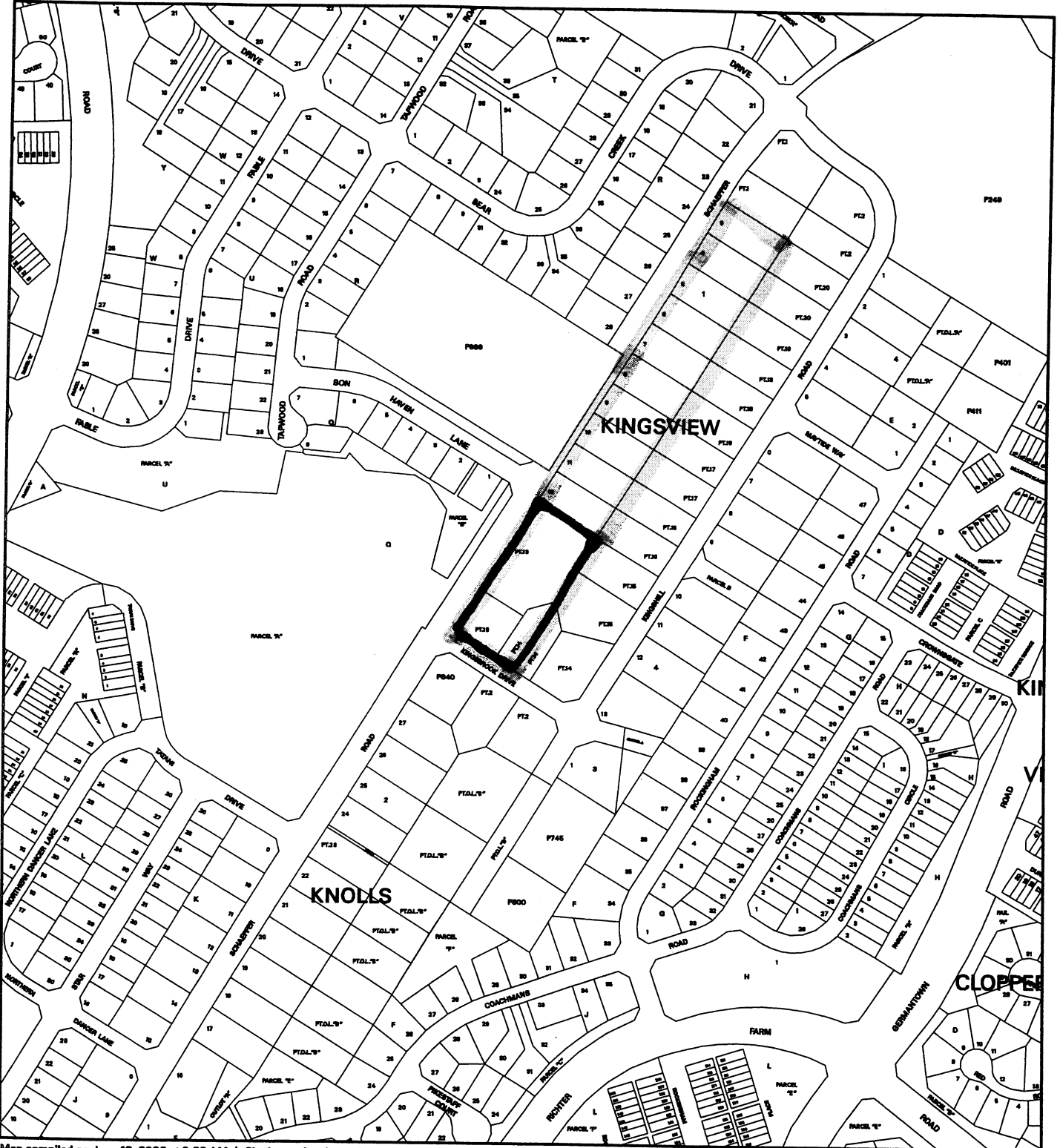
Agenda Item #04 - Pre-Preliminary Plan 7-03003
Concord

Agenda Item #05 - Preliminary Plan 1-02112
Kingsview Knolls

Agenda Item #06 - Preliminary Plan 1-03005
Allanwood

Attachment

VICINITY MAP FOR
KINGSVIEW KNOLLS (1-02112)



Map compiled on June 18, 2002 at 9:23 AM | Site located on base sheet no - 225NW14

NOTICE

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Key Map



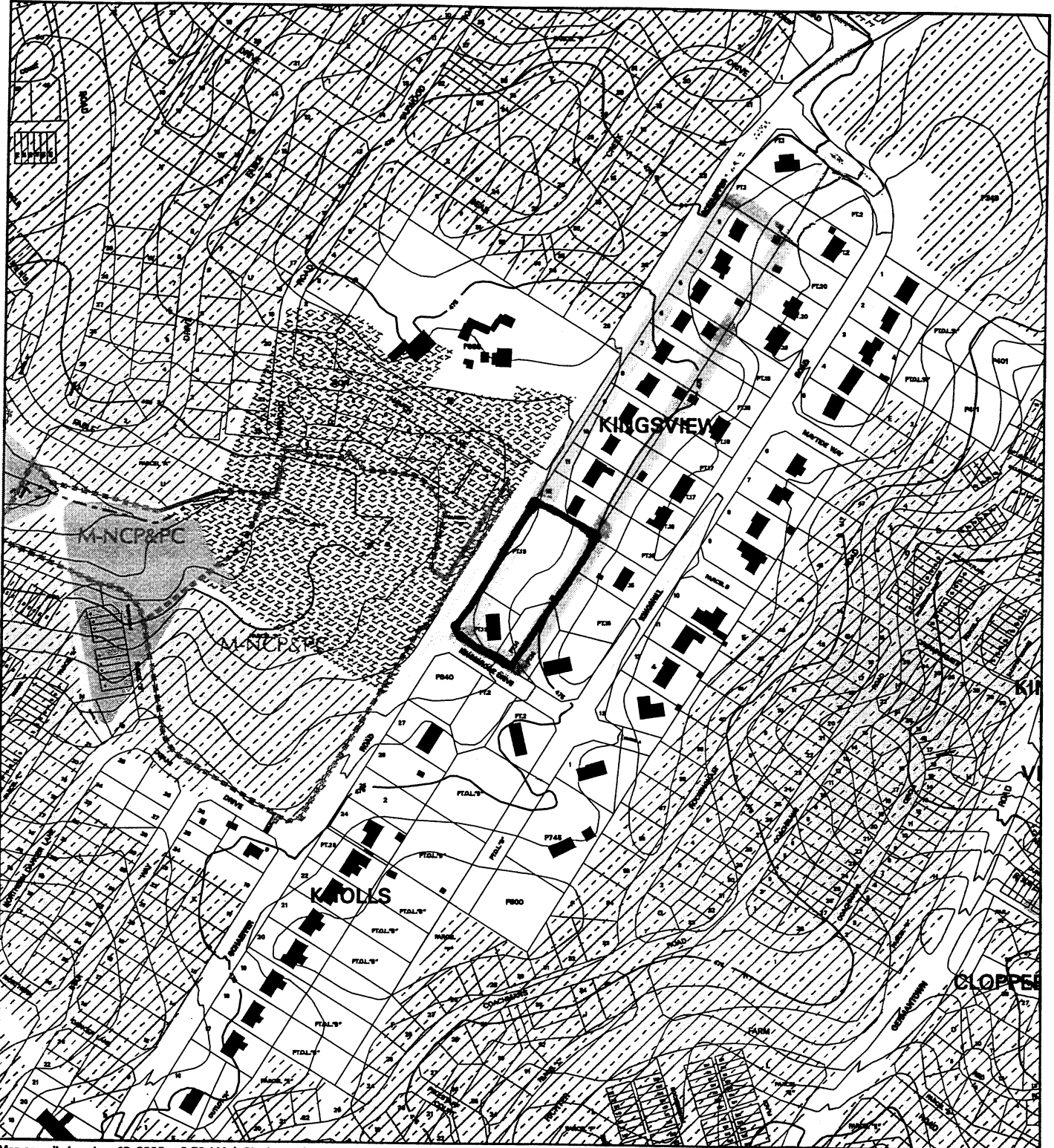
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VICINITY MAP FOR

KINGSVIEW KNOLLS (1-02112)



Map compiled on June 18, 2002 at 9:59 AM | Site located on base sheet no - 226NW14

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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

