



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

ITEM# 13

DATE: 12/12/02



MEMORANDUM

DATE: December 6, 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 *RAW*
Development Review Division

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Resubdivision of Part of Lot 3, Block B – Lutes Subdivision

PROJECT NAME: Lutes Subdivision

CASE #: 1-03025

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

ZONE: R-90

LOCATION: On the east side of Lutes Drive, Approximately 650 feet north of the intersection
with Briggs Road

MASTER PLAN: Glenmont Sector Plan

APPLICANT: Nina Sorbi

FILING DATE: October 23, 2002

HEARING DATE: December 12, 2002

STAFF RECOMMENDATION: Approval, Pursuant to Section 50-29 (b)(2), Montgomery County
Subdivision Regulations and Subject to the Following Conditions:

- (1) Approval of a Final Tree Protection/Grading Plan by MNCPPC technical staff prior to
recordation of plat to address specimen tree save issues

- (2) 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
- (3) 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-90) classification as the subject property. The defined neighborhood is therefore defined as those lots abutting the subject property to the east with frontage on Wilton Oaks Drive (Lots 16, 1 and 2, Block A) and lots north and south of the subject property with frontage on Lutes Drive. Staff has determined that the neighborhood, as submitted by the applicant, provides an adequate representation of typical lot characteristics within the neighborhood.

Master Plan Compliance

The property is located within the Approved and Adopted 1997 Glenmont Transit Impact Area and Vicinity Sector Plan. The master plan does not specifically identify this property but does however give general guidance and recommendations regarding zoning and land use. The master plan recommends that this area maintain the residential zoning as adopted.

The proposed resubdivision complies with the recommendations adopted in the master plan.

DESCRIPTION

Vicinity

The subject property is located within Block B of the Lutes Subdivision. The original nine lots located within this block were recorded by plat in 1938 and ranged in size from 1.0 acre to 2.5 acres. All of the original lots have been resubdivided since 1938 in a piecemeal fashion resulting in the lot pattern today. The lots as they exist today and as reflected on the tabular summary (attached) are similarly shaped with like alignments but do vary in size, area, width and frontage. Although there is variation in these characteristics, a definite grouping of lots with the exact same sizes, areas, width and frontages can be seen on the tabular summary.

Proposal

This application for resubdivision proposes to create two lots, both at 10,125 square feet. Each lot will have 75 feet of frontage on Lutes Drive and will be 75 feet wide. The areas of the proposed lots are at 4,000 square feet each. The proposal is to construct two (2) new single family detached dwelling units on the site. This new construction will require that the existing dwelling be demolished.

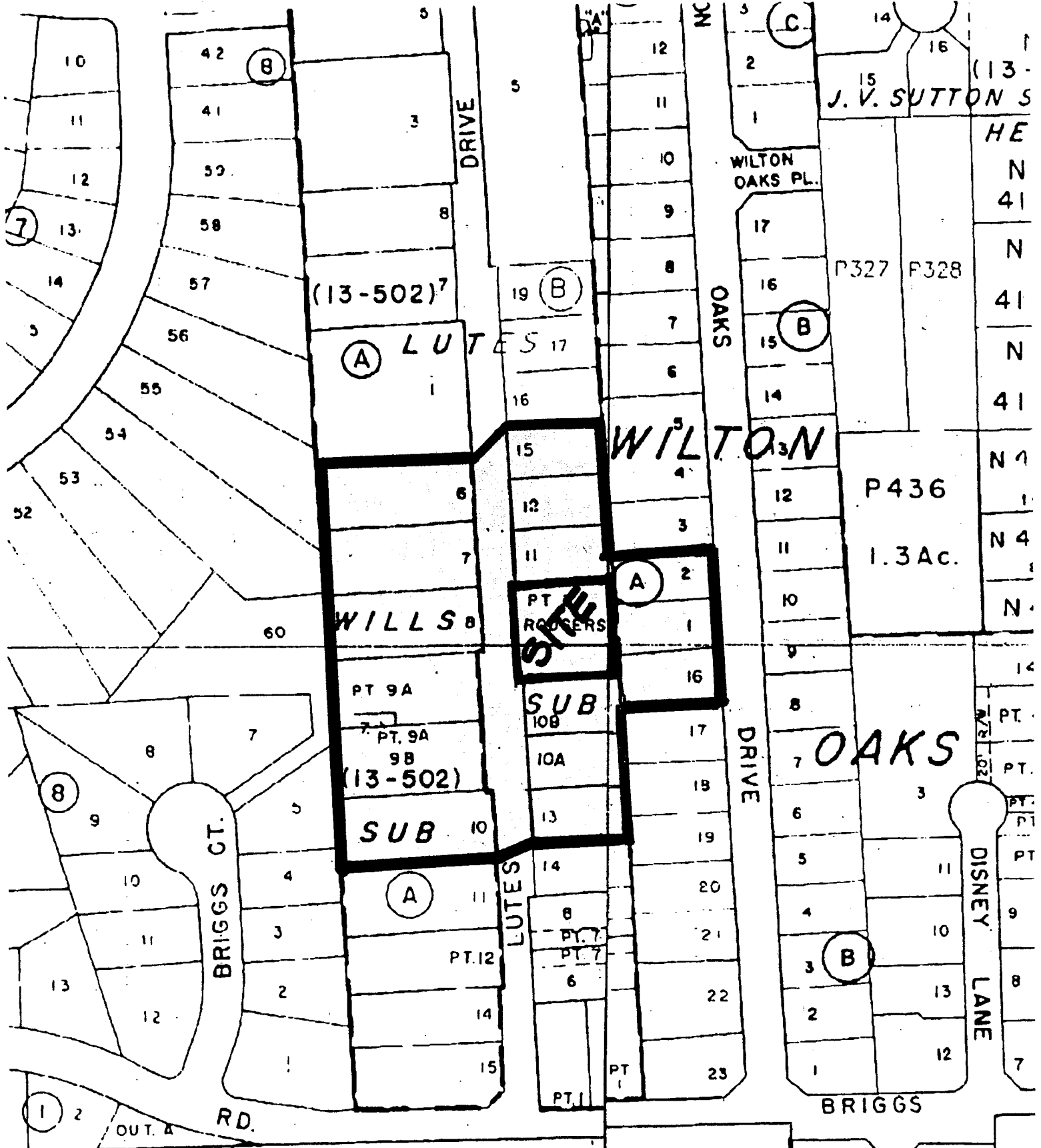
Conclusion

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). Based on the development pattern within the defined neighborhood staff finds that the proposed lots are of the exact dimensions as six other lots in the defined neighborhood. Those six lots abut the subject property to the north and south on the east side of Lutes Drive. The proposed lots are in keeping with the characteristics of the neighborhood. Staff acknowledges that the potential exists within the neighborhood for additional developments through the resubdivision process. Staff will review any additional resubdivisions on a case-by-case basis.

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



(13-502)⁷

(A) LUTES 17

WILTON

WILLS 8

PT. ROUSERS

(A) 2

PT. 9A
PT. 9A
9B
(13-502)

SUB 10B

OAKS

SUB 10

(A)

LUTES

PT. 12

PT. 7

PT. 7

6

PT. 1

BRIGGS

RESUBDIVISION NEIGHBORHOOD
LUTES SUBDIVISION

Montgomery County

GLENMONT

STATION

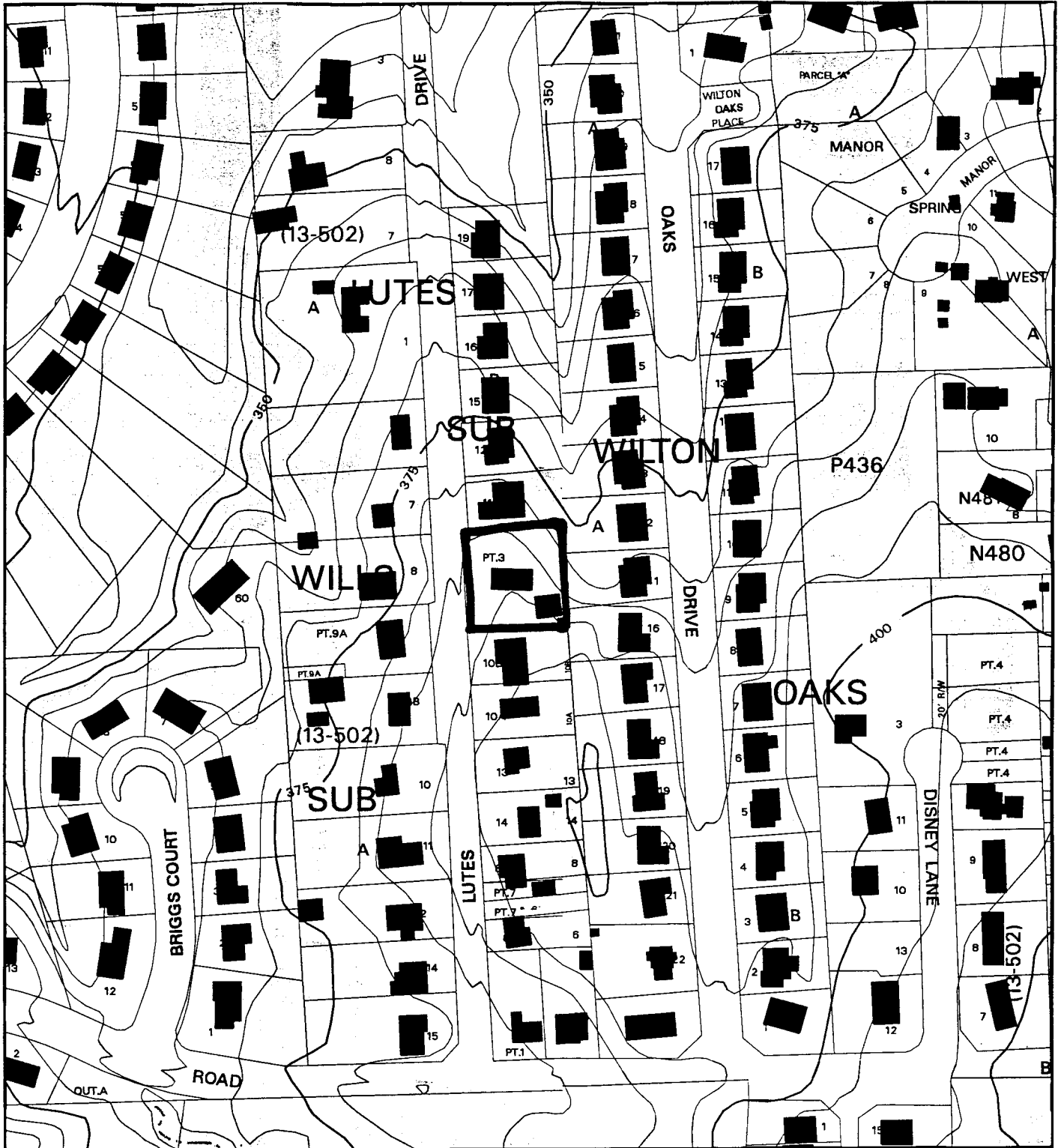
(13-502)

HOLLOW

(A)

VICINITY MAP FOR

LUTES SUBDIVISION (1-03025)



Map compiled on November 17, 2002 at 7:45 PM | Site located on base sheet no - 217NW03

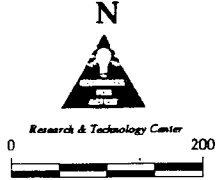
NOTICE

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

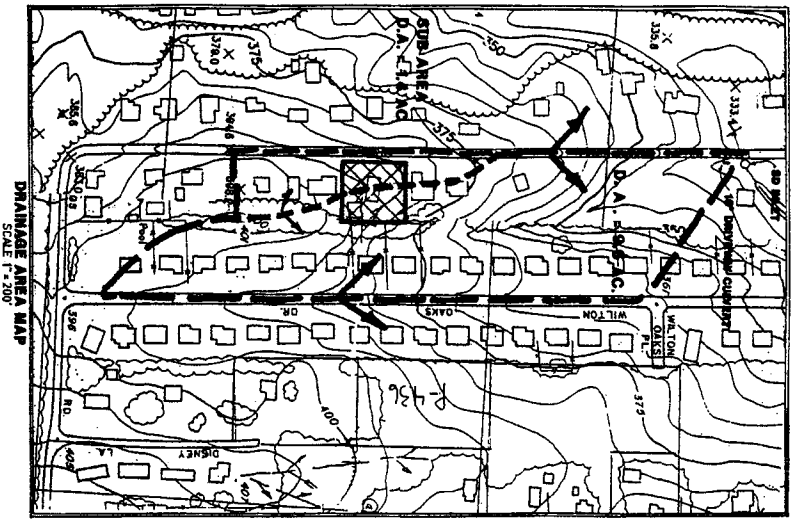
Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

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

Key Map

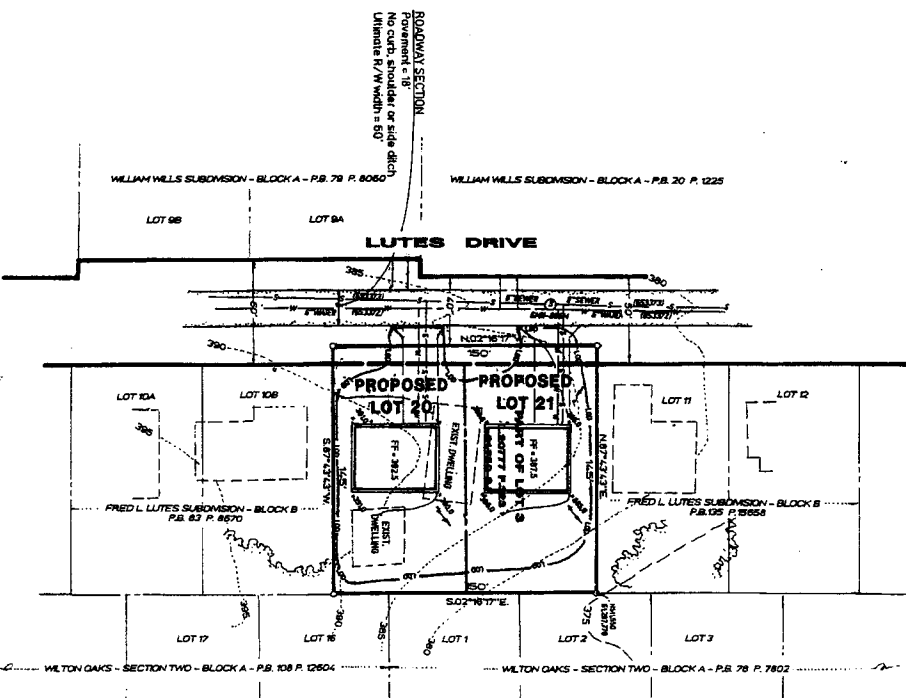


1 : 2400



DEVELOPMENT TABULATION

	REQUIRED	PROVIDED
Zoning	R-90 Existing	R-90 Proposed
Total Area of the Plan	1,500 s.f.	21,750 s.f.
Area of Street Dedication	-	1,500 s.f.
Net Area of Lots	-	20,250 s.f.
Number of Lots	-	2
Lot Area	9,000 s.f.	10,125 s.f.
Lot Width @ B.R.L.	75'	75'



ROADWAY SECTION
 Pavement = 18"
 No curb, shoulder or side ditch
 Ultimate R/W Width = 50'

WILSON HILLS SUBDIVISION - BLOCK A - P.B. 78 P. 8064
 WILSON HILLS SUBDIVISION - BLOCK A - P.B. 20 P. 1225

FRED L. LUTES SUBDIVISION - BLOCK B - P.B. 62 P. 8570
 FRED L. LUTES SUBDIVISION - BLOCK B - P.B. 105 P. 8564

WILTON OAKS - SECTION TWO - BLOCK A - P.B. 108 P. 1264
 WILTON OAKS - SECTION TWO - BLOCK A - P.B. 78 P. 7802

- NOTES**
1. Lot 3, Block B, Fred L. Lutes Subdivision is recorded among the Land Records of Montgomery County, Maryland in Plat Book 15 as Plat 569 of which the property included hereon is a part described in Liber 20777 Folio 323 and from both of which the boundary, as shown, was graphically reproduced.
 2. Topography, as shown, from M.N.C.P.C. aerial photography, 200' scale, 5' contour interval, MCMAPS sheet 2177 NW 03.
 3. Existing zoning is R-90 minimum lot size = 9000 sq. ft., minimum lot width at front building line = 75'.
 4. Area included in the plan is 21,750 sq. ft.
 5. No. of lots proposed is 2.
 6. Planning area 31 Kensington, Wheaton Master Plan-Glenmont Sector Plan.
 7. Northview Branch Watershed, Hydrologic Area 13.
 8. Sewer category S-1 - water category W-1, 10 Year Sewer and Water plan, panel D.
 9. Soils on property from the Montgomery County Soils Survey.
 10. Lot is 28-Climate still team - 3.8% slopes.
 11. There are no flood plains, wetlands or streams on or within 200' of the property.
 12. There are no historic or cultural resources on site.
 13. Certain elements shown hereon are scaled and subject to revision at the time of field survey or record plan.
 14. Tax Account No. 13111 Lutes Drive.
 15. Site address: 13111 Lutes Drive.
 16. Site is exempt from the Forest Conservation Regulations under the small property criteria.

SURVEYOR'S CERTIFICATE

I hereby certify that the information shown hereon is correct as noted.
 October 21, 2002

JOHN R. WITMER
 Professional Land Surveyor
 Maryland No. 10668

PRELIMINARY SUBDIVISION PLAN

PROPOSED LOTS 20 & 21, BLOCK B RE-SUBDIVISION OF THE RESIDUE OF LOT 3, BLOCK B FRED L. LUTES SUBDIVISION

WILSON HILLS (28th) RESECTION DISTRICT MONTGOMERY COUNTY, MARYLAND

WITMER ASSOCIATES, LLC
 Land Surveyors & Engineers
 15-A Hagerdove Drive, Rockville, MD 20850
 Tel: (301) 993-8400 Fax: (301) 993-8400

DATE: OCT. 2002
 PLOD NO. 02703 A
 SHEET NO. 1 of 1

PREPARED FOR:
 WILSON HILLS DRIVE
 SEVEN SPREAD MO
 2000S-3231
 201-852-0031

SCALE: 1" = 50'

**RESUBDIVISION LOT DATA COMPARISON TABLE
LUTES SUBDIVISION**

Lots Ranked by Size						
Lot & Blk	Frontage	Alignment	Area(s.f.)	Shape	Width	Size (s.f.)
6, A	96.80	perpendicular	12,206	rectangular	96.80	21,780
7, A	96.80	perpendicular	12,206	rectangular	96.80	21,780
8, A	96.80	perpendicular	12,206	rectangular	96.80	21,780
10, A	96.80	perpendicular	12,206	rectangular	96.80	21,780
9A, A	96.80	perpendicular	11,488	rectangular	96.80	20,812
9B, A	96.80	perpendicular	11,488	rectangular	96.80	20,812
2, A	75	perpendicular	4,750	rectangular	75	10,875
1, A	75	perpendicular	4,750	rectangular	75	10,875
16, A	75	perpendicular	4,750	rectangular	75	10,875
15, B	75	perpendicular	4,000	rectangular	75	10,125
12, B	75	perpendicular	4,000	rectangular	75	10,125
11, B	75	perpendicular	4,000	rectangular	75	10,125
20, B	75	perpendicular	4,000	rectangular	75	10,125
21, B	75	perpendicular	4,000	rectangular	75	10,125
10B, B	75	perpendicular	4,000	rectangular	75	10,125
10A, B	75	perpendicular	4,000	rectangular	75	10,125
13, B	75	perpendicular	4,000	rectangular	75	10,125

**Proposed
Lots**