



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

ITEM #5

DATE: 2/20/03

Deferred from 1/30/03



MEMORANDUM

DATE: February 14, 2003

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 Lot 7- Harry M. Martin Tract

PROJECT NAME: Harry M. Martins Tract

CASE #: 1-03030

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

ZONE: R-200

LOCATION: Northeast corner, intersection of Bennett Road and Woodwell Road

MASTER PLAN: Aspen Hill

APPLICANT: Dujon Home Concepts

FILING DATE: October 29, 2002

HEARING DATE: January 30, 2003 deferred to February 20, 2003

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

DISCUSSION OF ISSUES

Previous Planning Board Consideration

This application was originally considered at the January 30, 2003 Planning Board hearing. The applicant requested deferral to allow time for recordation of a five-lot plat at the intersection of Alderton Lane and Woodwell Road (Lots 16-20). These lots have now been recorded in the Montgomery County Land Records; the memorandum and staff review have been revised to include these lots within the defined neighborhood.

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.

Defined 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. The lots surrounding the subject property are zoned R-200, although the townhouse subdivision (Bonifant Woods) was subdivided using the cluster option and was therefore, excluded from the neighborhood. Also excluded from the neighborhood is the unplatted parcel (P997) abutting the subject property to the east. Part of lot 8 at the corner of Woodwell Road and Alderton Road is excluded because its original platted dimensions have been altered by deed, thereby creating a non-conforming lot. Lots to the immediate west and south of the subject property with frontage on Woodwell Road and Bennett Road are included in the defined neighborhood. (See attached neighborhood delineation) These lots were all platted under the standard R-200 zone requirements. Also included in the neighborhood are five recently recorded lots, in the northeast quadrant of the intersection of Alderton Road and Woodwell Road. The recently recorded lots involved a resubdivision of Lot 10, which was included in the previous neighborhood delineation considered at the January 30, 2003 hearing.

DESCRIPTION

Vicinity

Those lots clustered at the intersections of Woodwell Road and Bennett Road were record on a single plat in 1954. The five lots at the intersection of Alderton Road and Woodwell Road (lots 16-20)

were recorded this month, February 2003 and included Lot 10, now Lot 16. A number of resubdivisions involving the lots from the 1954 plat have resulted in the existing lot pattern. Lots 11 and 12, fronting on Bennett Road, were resubdivided in 1956. Lots 13, 14 and 15, with frontage on Woodwell Road, were resubdivided in 1987.

With the addition of the five lots at Alderton Lane and Woodwell Road, the lots within the neighborhood have greater variation in size, frontage, width, and area. The lots within the neighborhood range from 20,156 square feet to 59,980 square feet. Area within the building envelope has a range of 9,270 square feet at the low end to 29,120 square feet for the largest lot. The narrowest lot in width and frontage is now Lot 18 at 101 feet. Lot shape is confined to square and rectangular. All lots have been deemed suitable for residential development.

Proposal

This application for resubdivision proposes to create three lots from Lot 7, of the Harry M. Martin Tract. The three proposed lots would range in size from 20,133 square feet to 22,523 square feet or approximately one-half acre in size. Proposed Lot 10 will be irregularly shaped, the other two lots will be somewhat rectangular to square. Frontages for the three proposed lots will range from 140 to 155 feet and area of the lots range from 5,600 square feet for Lot 9 to 12,175 square feet for Lot 8. All proposed lots are aligned perpendicular to the street and are suitable for development.

Master Plan Compliance

The property is located within the *Approved and Adopted Aspen Hill Master Plan* area. The master plan does not make specific recommendations for this property but does give general guidance and recommendations regarding zoning and land use. The master plan recommends that the area including this property be maintained as a medium density (R-200) residential area. The lot pattern, discussed previously, has evolved into lots that range from the minimum required under the R-200 zone (20,000 sq.ft.) to lots that are twice that size (1 acre plus). Since the proposed lots meet the requirements for the R-200 zone, it is staff's conclusion that they comply with the general guidelines adopted in the master plan. Staff's final conclusion with regard to the resubdivision criteria is discussed below.

ANALYSIS

With the addition of the recently recorded lots described above, staff acknowledges the lot pattern of the neighborhood has greater variation in size, area, width and frontage. However, in applying the resubdivision criteria to the revised neighborhood, staff still finds that the proposed resubdivision does not satisfy all seven 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 existing lot pattern, staff finds that this resubdivision is not consistent with the neighborhood characteristics. Specifically, staff finds that the proposed lots do not meet the size and area criteria. These two characteristics are discussed in greater detail below.

Size: As shown on the tabular summary, the proposal would create the smallest lot within the neighborhood. Additionally, the smallest existing lots within the neighborhood are the recently platted lots fronting on Alderton Lane. The lots at the intersection of Woodwell Road and Bennett Road are consistently larger (1 acre and larger). While not a determining factor, staff is concerned about creating half-acre lots, similar in size to those fronting Alderton Lane, in closer proximity to the larger lots found in the western portions of the defined neighborhood.

Area: The lots as proposed do not fall within the range of area found in the existing neighborhood and as illustrated on the neighborhood tabular summary.

CONCLUSION

The proposal, as submitted, does not satisfy the size and area criteria, pursuant to Section 50-29 (b)(2) of the Montgomery County Subdivision Regulations. Staff recommends denial of this application.

Attachments

Vicinity and Neighborhood Delineation Map	5 and 6
Neighborhood Development Map	7
Proposed Resubdivision Plan	8
Tabular Summary	9

To date no citizen correspondence has been submitted to the file

VICINITY MAP FOR
HARRY M. MARTIN TRACT (1-03030)



Map compiled on January 28, 2003 at 3:01 PM | Site located on base sheet no - 219NW02

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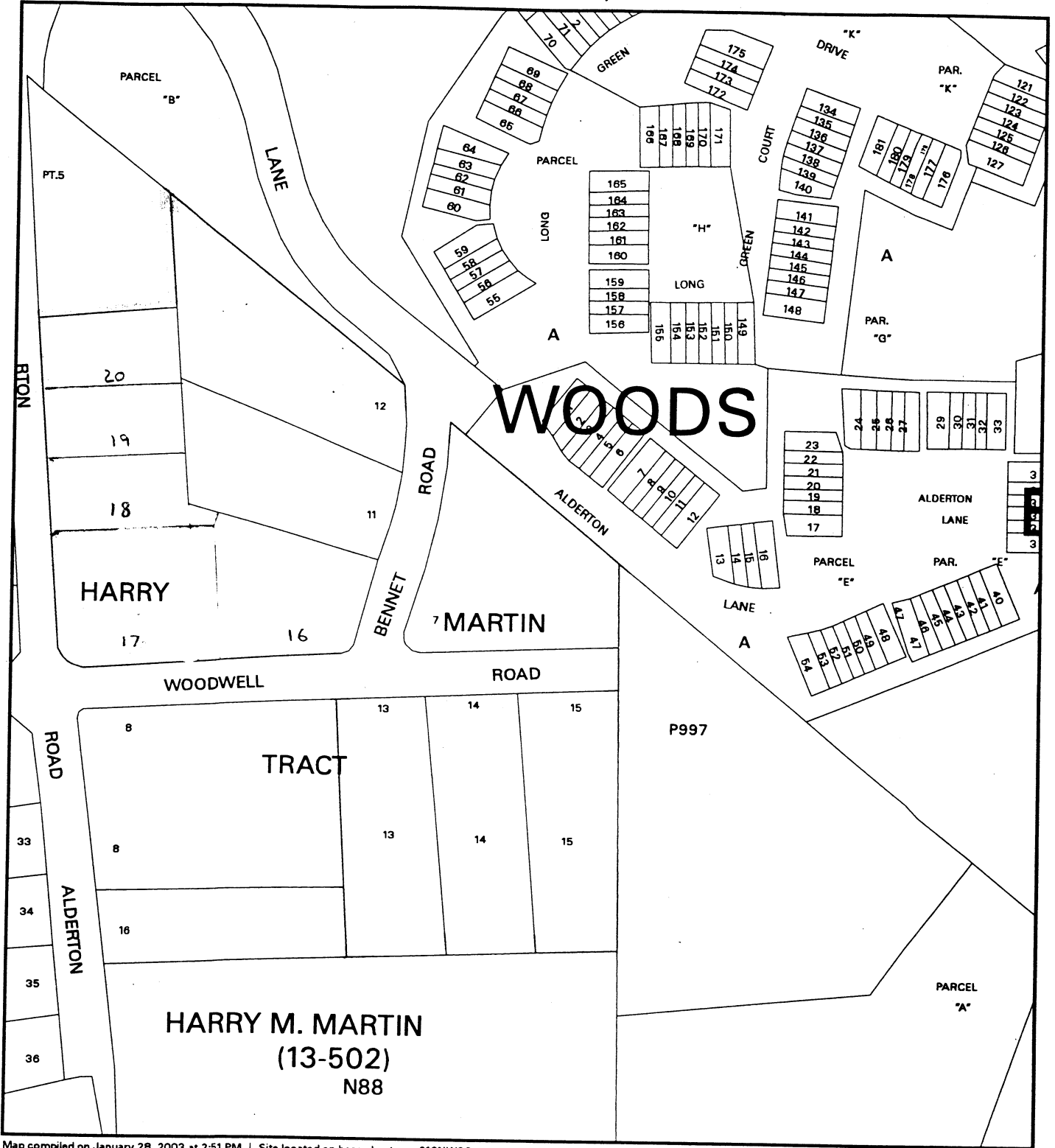


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VICINITY MAP FOR
HARRY M. MARTIN TRACT (1-03030)



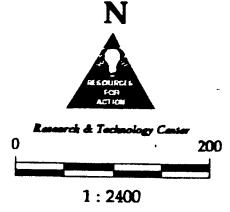
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Item #5



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

M E M O R A N D U M

DATE: February 14, 2003
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 February 20, 2003.

Attached are copies of plan drawings for Items #05, #06, and #07. These subdivision items are scheduled for Planning Board consideration on February 20, 2003. The items are further identified as follows:

Agenda Item #05 - Preliminary Plan 1-03030
Harry M. Martin Tract

Agenda Item #06 - Preliminary Plan 1-03044
Layhill

Agenda Item #07 - Preliminary Plan 1-03050
Concord

Attachment

VICINITY MAP FOR

HARRY M. MARTIN TRACT (1-03030)



Map compiled on January 07, 2003 at 2:31 PM | Site located on base sheet no - 219NW02

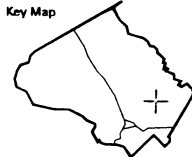
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Key Map



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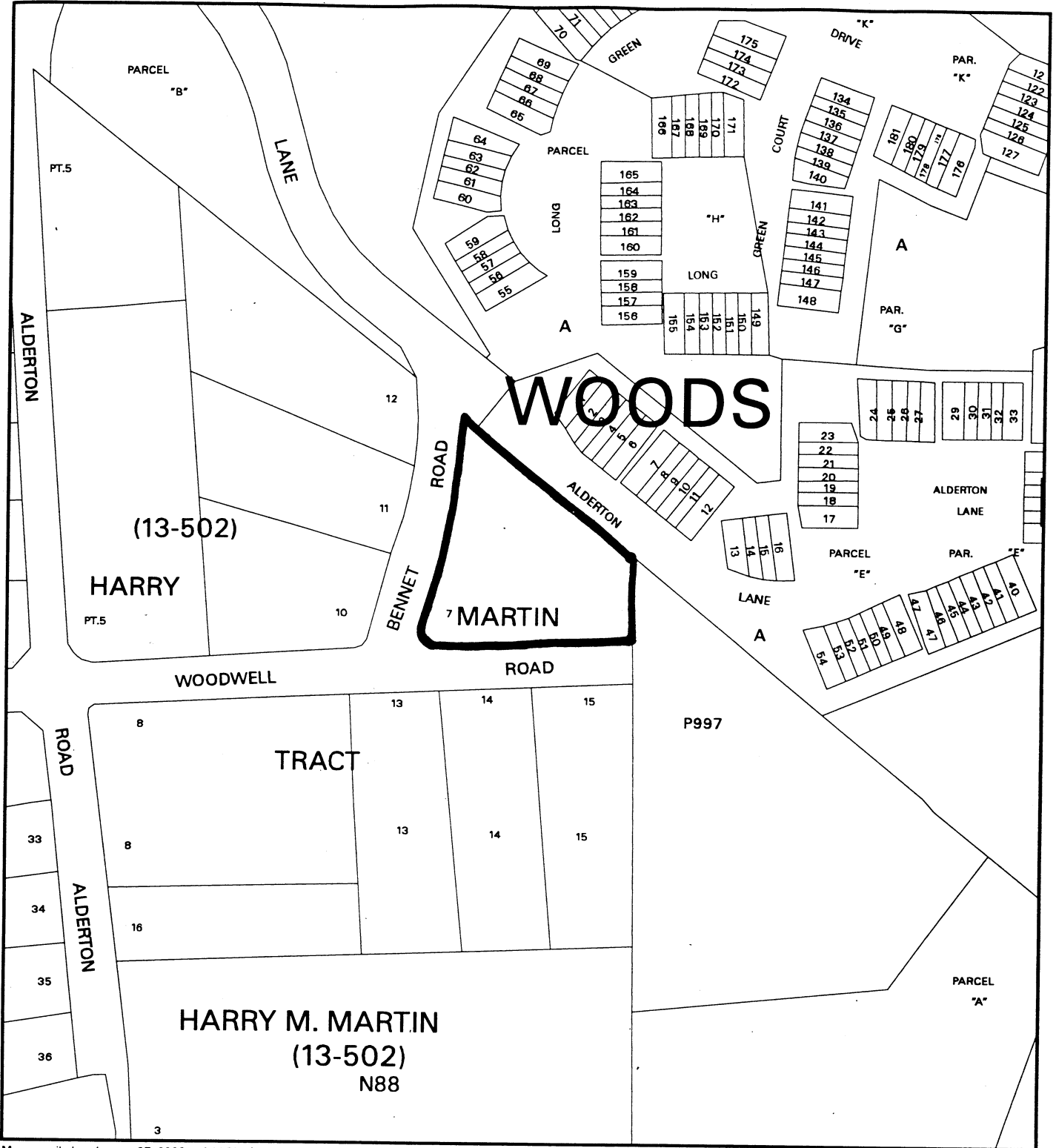
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MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue - Silver Spring, Maryland 20910-3700

VICINITY MAP FOR

HARRY M. MARTIN TRACT (1-03030)



Map compiled on January 07, 2003 at 2:14 PM | Site located on base sheet no - 219NW02

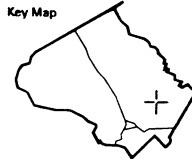
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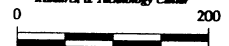
Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

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Key Map



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