



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

ITEM# 7

DATE: 02/20/03



**MEMORANDUM**

**DATE:** February 13, 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 *RW*  
Development Review Division

**REVIEW TYPE:** Preliminary Plan Review

**PREVIOUS REVIEWS:** Pre-Preliminary Plan 7-03003

**APPLYING FOR:** Resubdivision of Lot 15, Block B - Concord

**PROJECT NAME:** Concord

**CASE #:** 7-03003

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

**ZONE:** R-200

**LOCATION:** Northern Terminus of Pinkney Court

**MASTER PLAN:** Potomac

**APPLICANT:** Barry Gould

**FILING DATE:** January 8, 2003

**HEARING DATE:** February 20, 2003

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**STAFF RECOMMENDATION:** Approval, Pursuant to Section 50-29 (b)(2), the Resubdivision Criteria, and Subject to the Following Conditions:

## **DISCUSSION OF ISSUES**

### **Previous Planning Board Review**

On Thursday, October 3, 2002, the Planning Board considered pre-preliminary plan No. 7-03003 for the Concord subdivision. The pre-preliminary presented to the Planning Board on that date is identical to this preliminary plan application. Staff presented a staff memorandum to the Board and discussed the neighborhood delineation and resubdivision table. In the memorandum staff suggested that if the plan was to proceed to the preliminary plan stage, one condition of approval was to require the applicant to secure a demolition permit from the Montgomery County Department of Permitting Services prior to recordation of the plat. The Planning Board expressed no opposition to the submittal of a preliminary plan.

### **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.

The neighborhood defined by staff includes the lots defined by the area bordered by Hall Road to the west, Accord Drive to the south and east and River Road to the north. All of the lots within the neighborhood are zoned R-200 and are representative of the lot pattern within the greater area.

### **Master Plan Compliance**

The property is located within the Approved and Adopted 2002 Potomac Master Plan area. The Master Plan does not specifically identify this property but does give general guidance and recommendations regarding zoning and land use. The master plan recommends that this area maintain the R-200 zoning as adopted and to maintain the medium residential density consisting of one-family detached homes. This application, if approved, is consistent with the recommendation of the Potomac Master Plan

## **DESCRIPTION**

### **Vicinity**

The subject property is located within Block B of the Concord Subdivision and Block 1 of the Williamsburg Highlands Subdivision. The original lots located within Block B were recorded by plat in 1959-1960, with other lots fronting on Accord Court added in 1977-1978. Lots within Block 1, Williamsburg Highlands were originally recorded in 1943. A number of resubdivisions have occurred in the neighborhood, especially along Hall Road in the late 1970's. Lots 14 and 21, Block B, adjacent to the subject property to the south and east, resulted from the resubdivision of a lot with similar characteristics to the subject lot under consideration.

The subdivision of Concord is rather small and generally confined to the neighborhood defined by staff. A small portion of the Concord subdivision is not being used for comparison (i.e. not within the defined neighborhood) as it has frontage on, and is accessed from Persimmon Tree Road. The Williamsburg Highlands subdivision is included in its entirety within the neighborhood defined by staff.

### **Proposal**

This application for resubdivision proposes to create two lots: one 27,428 square feet and the other, 30,188 square feet. The subject lot in its present configuration is the largest in the defined neighborhood at 57,600 square feet and does have an existing single-family residence located in the middle of the lot. The house will need to be removed to accommodate two new single-family structures.

## **ANALYSIS**

In applying the resubdivision criteria to the analysis area delineated by staff, staff concludes that the proposed resubdivision substantially meets all seven of the criteria set forth in Section 50-29(b)(2) as illustrated by the characteristics on the attached tabular summary. Based on the development pattern within the defined neighborhood staff finds that this resubdivision is consistent with what has occurred over the past years with respect to size, shape, area, width, frontage, alignment and suitability. Staff finds there to be essentially no opportunity for future development through resubdivisions within the neighborhood.

## **CONCLUSION**

This application substantially meets all seven of the resubdivision criteria pursuant to Section 50-29 9b)(2) of the Montgomery County Subdivision Regulation. Staff recommends approval subject to the following conditions:

- (1) Compliance with the conditions of approval of the preliminary forest conservation plan. The applicant must meet all conditions prior to recording of plats or MCDPS issuance of sediment and erosion control permit, as appropriate
- (2) Prior to recording of plat applicant to submit a final grading, house location and tree preservation plan for technical staff review
- (3) Conditions of MCDPS stormwater management approval including an engineered sediment and erosion control plan at the time of building permit

- (4) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to the expiration of this validity period, a final record plat for all the property delineated on the approved plan must be recorded or a request for an extension must be filed
- (5) The Adequate Public Facilities (APF) review for this preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion

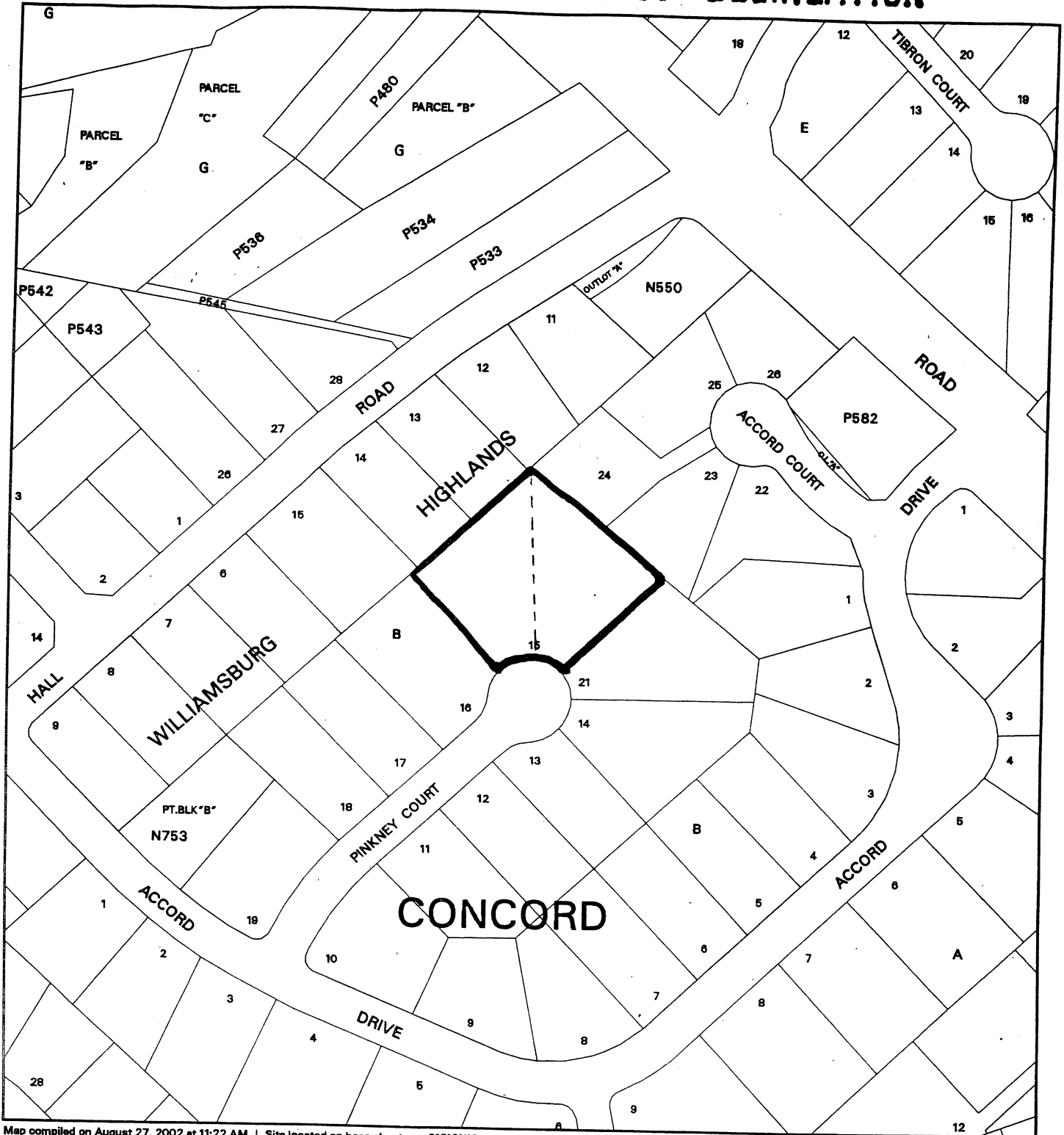
**Attachments**

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

n:/divdr/concordresub

VICINITY MAP FOR

# CONCORD (7-03003) NEIGHBORHOOD DELINEATION



Map compiled on August 27, 2002 at 11:22 AM | Site located on base sheet no - 212NW10

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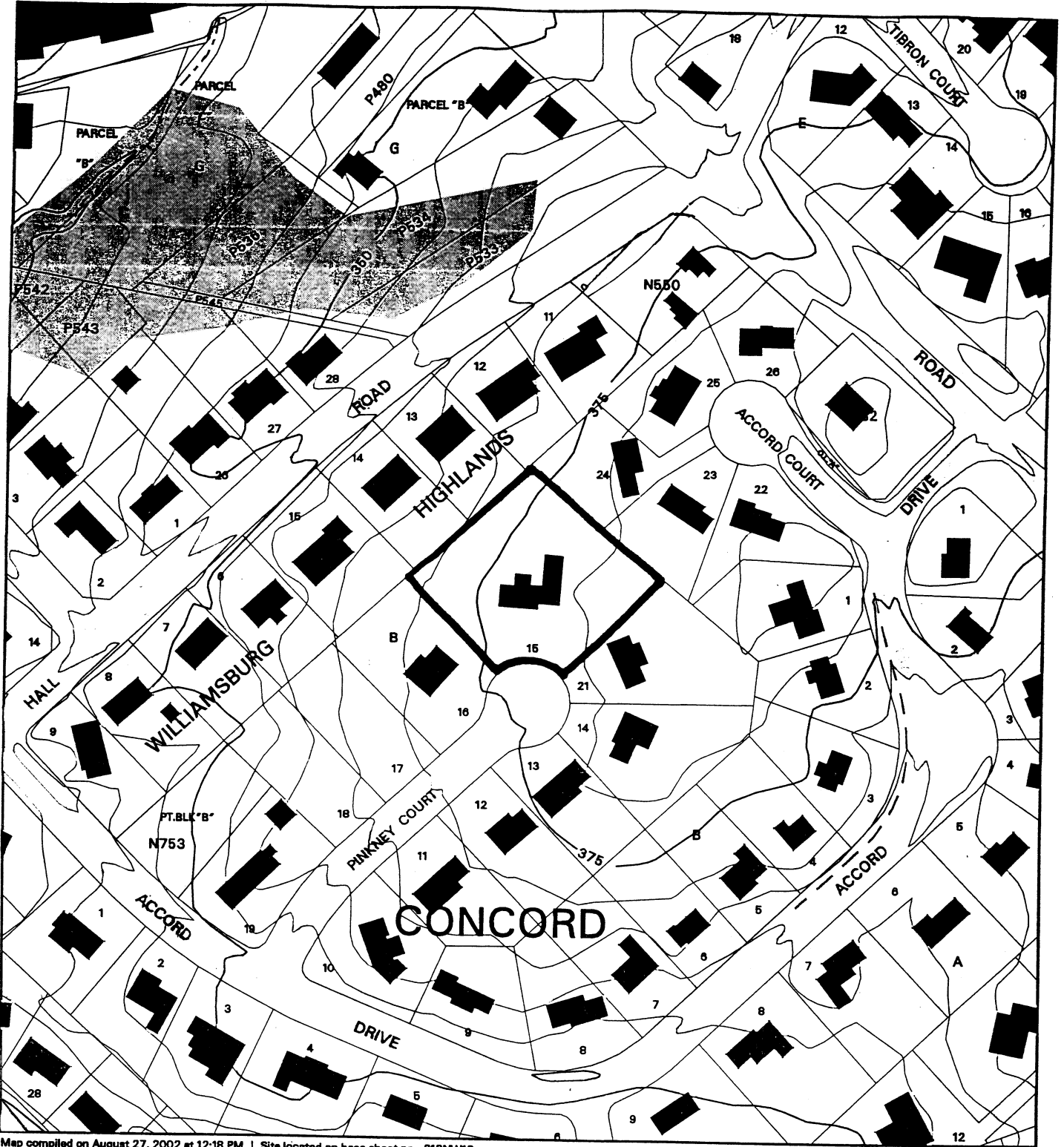
Key Map



1 : 2400

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

VICINITY MAP FOR  
**CONCORD (7-03003)**



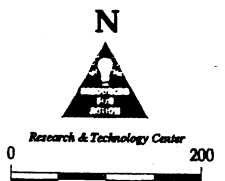
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**MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING**  
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
 8787 Georgia Avenue - Silver Spring, Maryland 20910-3760



**LOTS 27-28, BLOCK B  
CONCORD  
FILE No. 1-02049C  
Comparable Lot Data Table**

<u>LOT</u>	<u>BLOCK</u>	<u>FRONTAGE</u>	<u>ALIGNMENT</u>	<u>SIZE</u>	<u>SHAPE</u>	<u>AVG. WIDTH</u>	<u>LOT AREA</u>
21	B	25	perp.	200 x 100	pie	100'	32263
28	B	47	perp.	200 x 140	pie	140	30188
14	B	25	perp.	160 x 100	pie	100	29061
16	B	143	perp.	180 x 130	rectangular	130'	28310
27	B	47	perp.	200 x 120	pie	120	27428
19	B	176	perp.	190 x 110	rectangular	190'	26876
1	B	81	perp.	200 x 90	pie	90'	25354
10	B	170	perp.	150 x 140	rectangular	150	24384
3	B	163	perp.	200 x 100	pie	100'	23648
11	B	120	perp.	180 x 110	rectangular	110'	23286
2	1	116	perp.	160 x 120	rectangular	120'	22613
18	B	84	perp.	215 x 95	rectangular	95'	22182
3	1	106	perp.	195 x 110	rectangular	110'	22148
7	B	102	perp.	215 x 100	rectangular	100'	22089
5	1	110	perp.	200 x 110	rectangular	110'	22000
6	1	110	perp.	200 x 110	rectangular	110'	22000
7	1	110	perp.	200 x 110	rectangular	110'	22000
8	1	110	perp.	200 x 110	rectangular	110'	22000
9	1	110	perp.	190 x 110	rectangular	110'	21866
1	1	157	perp.	160 x 120	rectangular	120'	21821
4	1	106	perp.	200 x 110	rectangular	110'	21783
9	B	192	perp.	120 x 120	rectangular	120'	21636
4	B	100	perp.	215 x 100	rectangular	100'	21500
5	B	100	perp.	215 x 100	rectangular	100'	21500
6	B	100	perp.	215 x 100	rectangular	100'	21500
17	B	100	perp.	215 x 100	rectangular	100'	21500
12	B	100	perp.	215 x 100	rectangular	100'	21496
8	B	163	perp.	170 x 110	pie	110'	21195
13	B	100	perp.	180 x 110	rectangular	110'	21098
2	B	178	perp.	150 x 100	pie	100'	20914
22	B	241	perp.	140 x 130	pie	130'	20093
24	B	25	n/a	140 x 130	flag	140'	20068
23	B	41	perp.	150 x 110	pie	110'	20056
25	B	78	perp.	160 x 110	rectangular	160'	20016
26	B	81	perp.	140 x 120	rectangular	140'	20015



**SUMMARY OF NEIGHBORHOOD LOT CHARACTERISTICS  
LOTS 27-28, BLOCK B**

**CONCORD**

**Preliminary Plan No. 1-03050**

<u>LOT</u>	<u>BLOCK</u>	<u>FRONTAGE</u>	<u>ALIGNMENT TO STREET</u>	<u>AVERAGE DIMENSION</u>	<u>SHAPE</u>	<u>AVERAGE WIDTH</u>	<u>SIZE</u>	<u>AREA</u>
21	B	25	PERPENDICULAR	200 x 100	PIE	100'	32263	16698
28	B	47	PERPENDICULAR	200 x 140	PIE	140	30188	15429
14	B	25	PERPENDICULAR	160 x 100	PIE	100	29061	15586
16	B	143	PERPENDICULAR	180 x 130	RECTANGULAR	130'	28310	15172
27	B	47	PERPENDICULAR	200 x 120	PIE	120	27428	12925
19	B	176	PERPENDICULAR	190 x 110	RECTANGULAR	190'	26876	10731
1	B	81	PERPENDICULAR	200 x 90	PIE	90'	25354	14006
10	B	170	PERPENDICULAR	150 x 140	RECTANGULAR	150	24384	11916
3	B	163	PERPENDICULAR	200 x 100	PIE	100'	23648	11884
11	B	120	PERPENDICULAR	180 x 110	RECTANGULAR	110'	23286	11282
2	1	116	PERPENDICULAR	160 x 120	RECTANGULAR	120'	22613	11280
18	B	84	PERPENDICULAR	215 x 95	RECTANGULAR	95'	22182	11357
3	1	106	PERPENDICULAR	195 x 110	RECTANGULAR	110'	22148	11090
7	B	102	PERPENDICULAR	215 x 100	RECTANGULAR	100'	22089	11272
5	1	110	PERPENDICULAR	200 x 110	RECTANGULAR	110'	22000	11050
6	1	110	PERPENDICULAR	200 x 110	RECTANGULAR	110'	22000	11050
7	1	110	PERPENDICULAR	200 x 110	RECTANGULAR	110'	22000	11050
8	1	110	PERPENDICULAR	200 x 110	RECTANGULAR	110'	22000	11050
9	1	110	PERPENDICULAR	190x 110	RECTANGULAR	110'	22000	11050
1	1	157	PERPENDICULAR	160 x 120	RECTANGULAR	120'	21866	11050
4	1	106	PERPENDICULAR	200 x 110	RECTANGULAR	110'	21821	10348
9	B	192	PERPENDICULAR	120 x 120	RECTANGULAR	120'	21783	10870
4	B	100	PERPENDICULAR	215 x 100	RECTANGULAR	100'	21636	9097
5	B	100	PERPENDICULAR	215 x 100	RECTANGULAR	100'	21500	10875
6	B	100	PERPENDICULAR	215 x 100	RECTANGULAR	100'	21500	10875
17	B	100	PERPENDICULAR	215 x 100	RECTANGULAR	100'	21500	10875
12	B	100	PERPENDICULAR	215 x 100	RECTANGULAR	100'	21500	10875
8	B	163	PERPENDICULAR	170 x 110	RECTANGULAR	110'	21496	10872
13	B	100	PERPENDICULAR	180 x 110	RECTANGULAR	110'	21195	10157
2	B	178	PERPENDICULAR	150 x 100	PIE	100'	21098	10045
22	B	241	PERPENDICULAR	140 x 130	PIE	130'	20914	9488
24	B	25	N/A	140 x 130	PIE	130'	20093	4846
23	B	41	PERPENDICULAR	150 x 110	FLAG	140'	20068	7674
25	B	78	PERPENDICULAR	160 x 110	PIE	110'	20056	7901
26	B	81	PERPENDICULAR	140 x 120	RECTANGULAR	160'	20016	6692
					RECTANGULAR	140'	20015	11433

Item # 7



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.

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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:

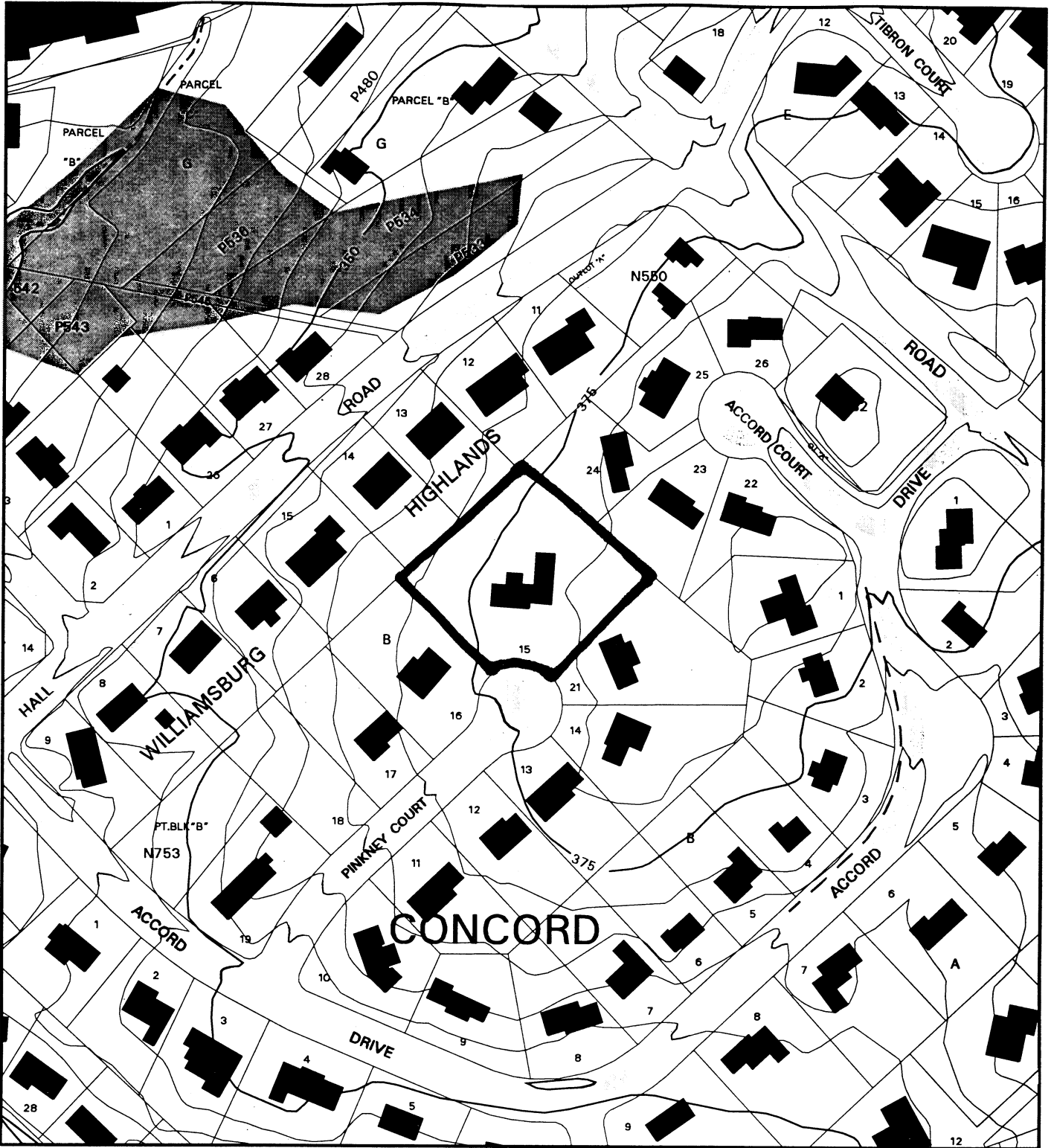
Agenda Item #05 - Preliminary Plan 1-03030  
Harry M. Martin Tract

Agenda Item #06 - Preliminary Plan 1-03044  
Layhill

Agenda Item #07 - Preliminary Plan 1-03050  
Concord

Attachment

VICINITY MAP FOR  
**CONCORD (1-03050)**



Map compiled on January 28, 2003 at 1:34 PM | Site located on base sheet no - 212NW10

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Key Map

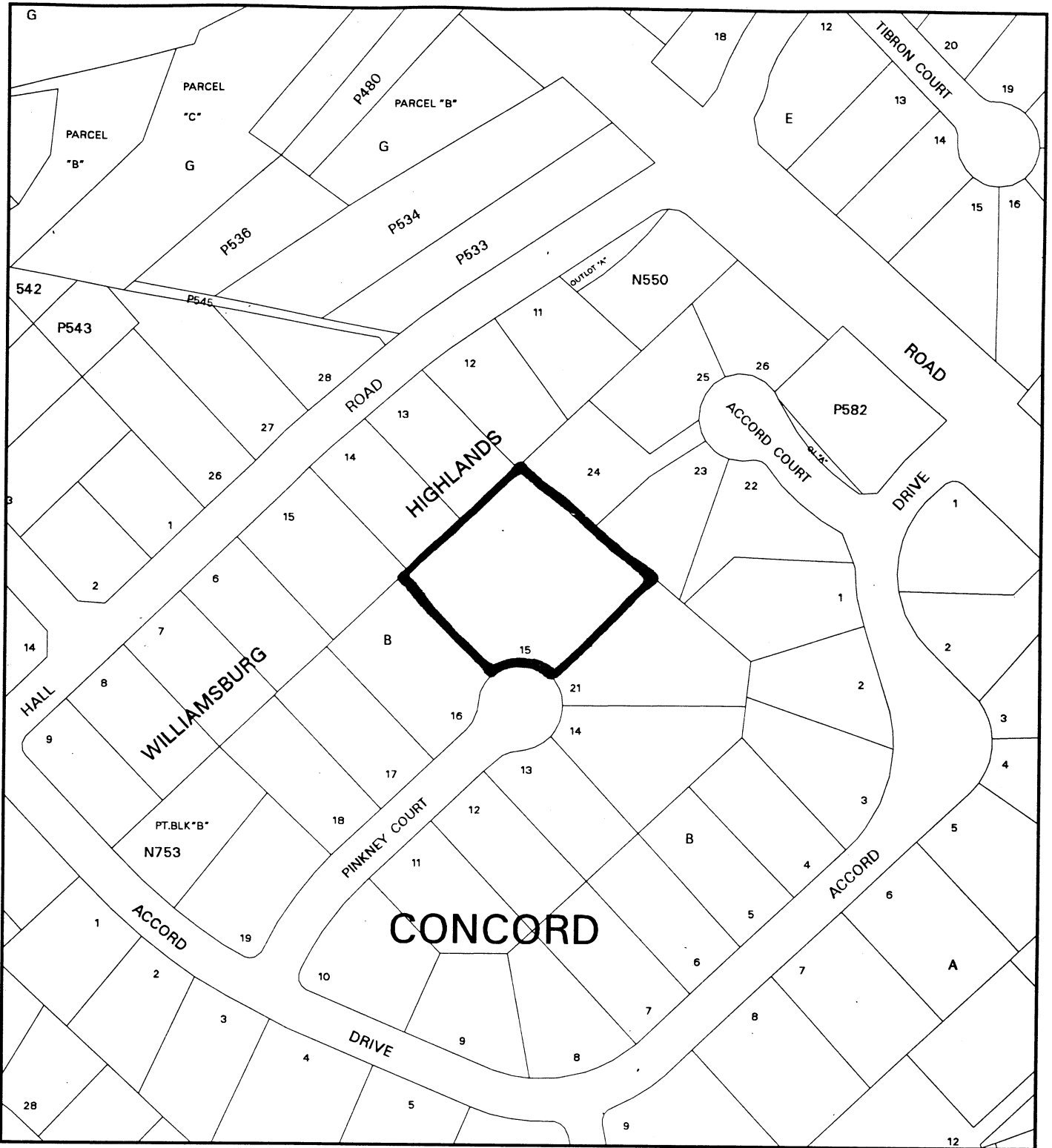


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VICINITY MAP FOR  
**CONCORD (1-03050)**



Map compiled on January 28, 2003 at 1:21 PM | Site located on base sheet no - 212NW10

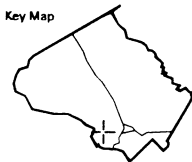
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Key Map



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