

#4



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

M E M O R A N D U M

DATE: May 16, 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 May 22, 2003.

Attached are copies of plan drawings for Item #1, #03, #04, and #05. This subdivision item is scheduled for Planning Board consideration on May 22, 2003. The items are further identified as follows:

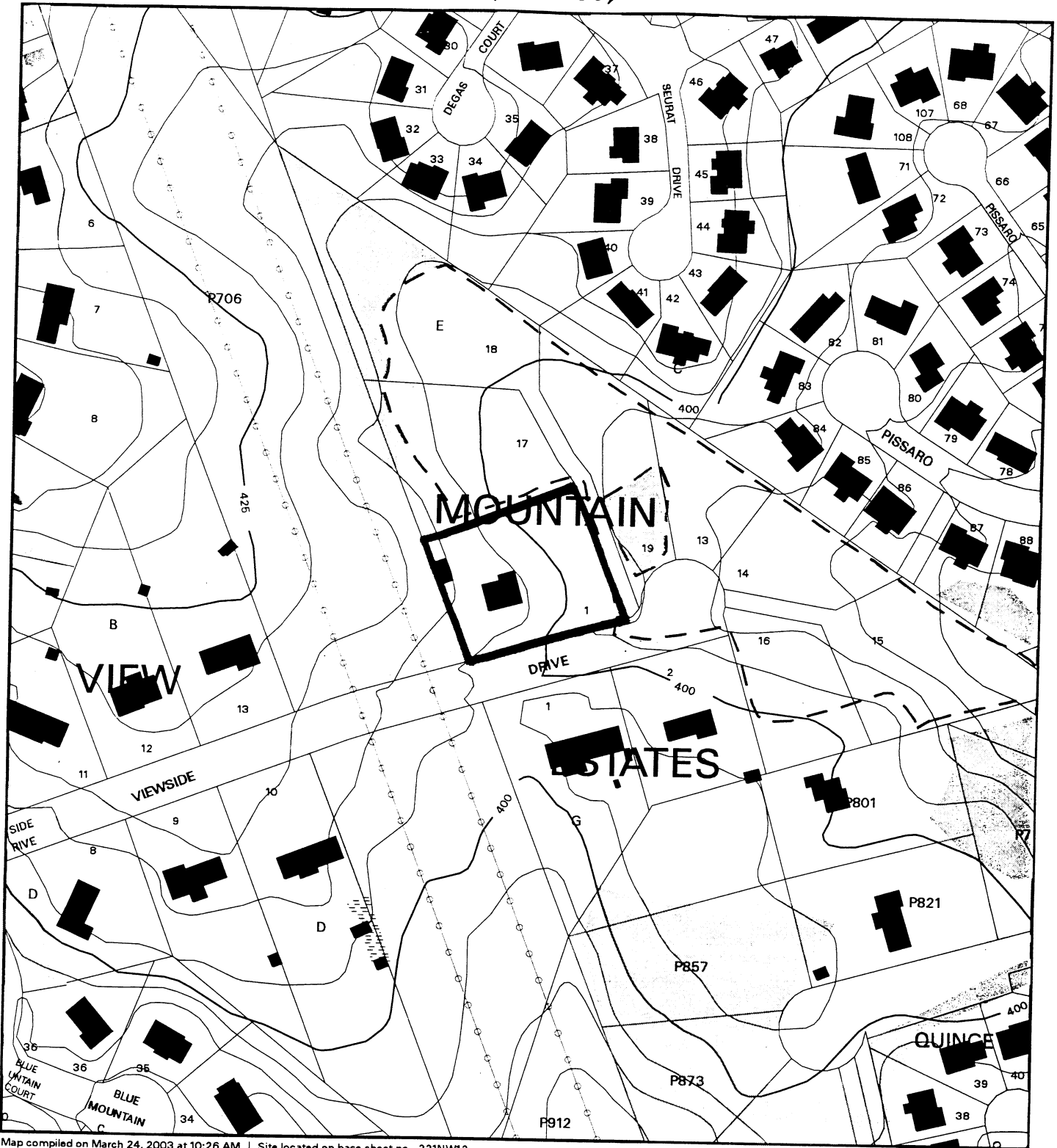
Agenda Item #01 - Preliminary Plan 1-03056
Wheaton Place

Agenda Item #03 - Preliminary Plan 1-02023
Westchester

Agenda Item #04 - Preliminary Plan 1-03068
Mountain View Estates

Agenda Item #05 - Preliminary Plan 1-03060
Silver Spring Park

VICINITY MAP FOR
MOUNTAIN VIEW ESTATES (1-03068)



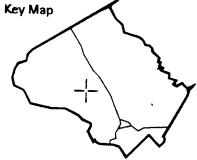
Map compiled on March 24, 2003 at 10:26 AM | Site located on base sheet no - 221NW12

NOTICE

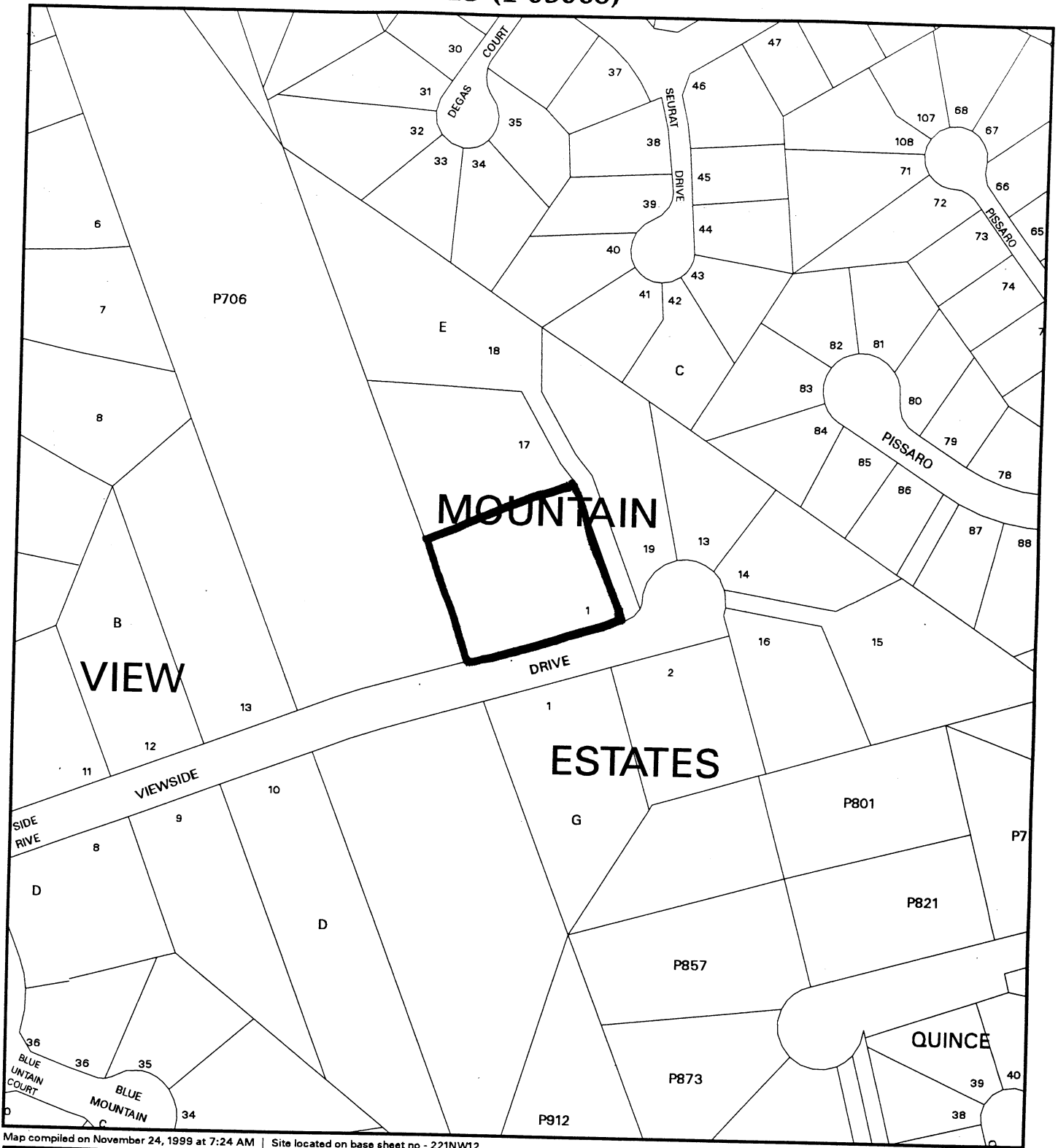
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This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This 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



VICINITY MAP FOR
MOUNTAIN VIEW ESTATES (1-03068)



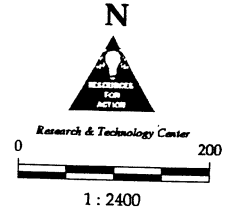
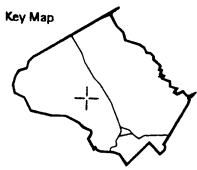
Map compiled on November 24, 1999 at 7:24 AM | Site located on base sheet no - 221NW12

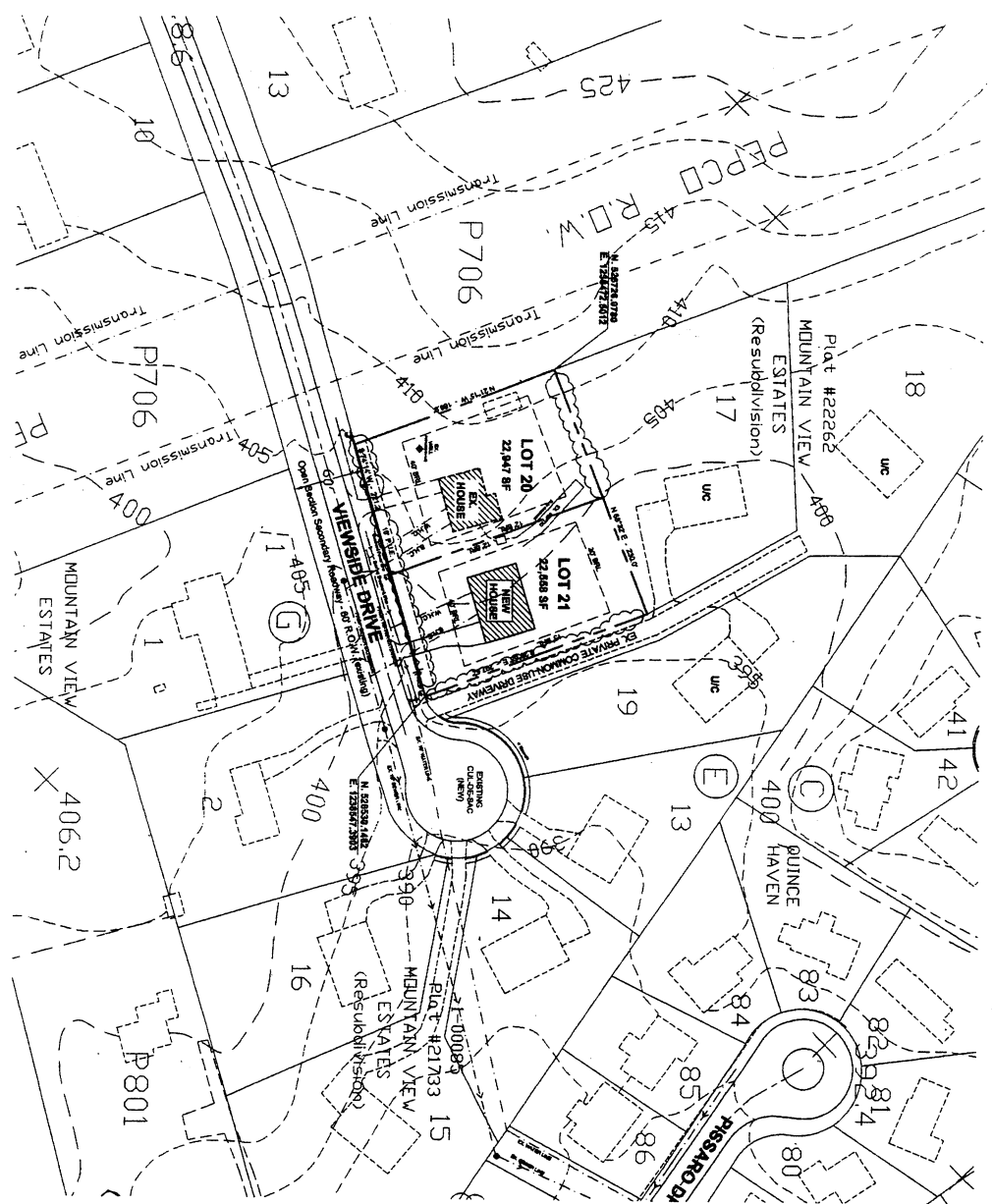
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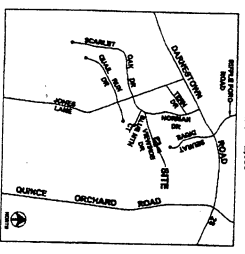




BOUNDARY CERTIFICATION:
 I hereby certify that the boundary between the subject lot and the adjacent lots and the boundary between the subject lot and the adjacent roads are as shown on this plan.
 Thomas R. & Victoria Smith
 Owners

OWNER:
THOMAS R. & VICTORIA SMITH
 14401 DANNESTOWN ROAD
 DANNESTOWN, MARYLAND 20874
 301-971-5474

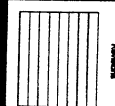
- NOTES:**
1. AREA OF PROPERTY - 45,505 sf
 2. EXISTING ZONING: R-200
 3. MINIMUM LOT SIZE PERMITTED: 20,000 sf
 4. NUMBER OF LOTS PERMITTED: 2
 5. NUMBER OF LOTS SHOWN: 2
 6. SITE TO BE SERVED BY PUBLIC WATER & SEWER* (see page 2 for utility easement)
 7. EXISTING SEWER WATER SERVICE CATEGORIES: S-3, W-4
 8. LOCATED IN MIDVA WATER SERVICE WATERSHED (CLASS 1-P)
 9. DEVELOPMENT STANDARDS:
 - Frontyards - 40' TOTAL, 12' MINIMUM
 - Sideyards - 30'
 - Rearyards - 30'
 10. UTILITY SERVICE TO BE PROVIDED BY:
 - Water: Bell Atlantic, W. Gas (as available)
 - Septic: Bell Atlantic, W. Gas (as available)
- * Existing well and septic systems to be abandoned and existing houses to be connected to public sewer and water prior to record field approval.



PRELIMINARY PLAN
MOUNTAIN VIEW ESTATES
 (RESUBDIVISION OF LOT 1, BLOCK E)
 Montgomery County, Maryland



date: NOVEMBER 2002
 scale: 1"=50'



Sheet 1 of 1
 Revision



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Item # 4

05-22-03

MEMORANDUM

DATE: May 16, 2003

TO: Montgomery County Planning Board

VIA: Joseph R. Davis, Chief, Development Review Division *JRD*

FROM: A. Malcolm Shaneman, Supervisor, Development Review Division
Richard Weaver, Senior Planner, Development Review *RAW* *MS*

REVIEW TYPE: Preliminary Plan of Subdivision

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

PROJECT NAME: Mountain View Estates

CASE NO. 1-03068

REVIEW BASIS: Chapter 50 Montgomery County Subdivision Regulations

ZONE: R-200

LOCATION: On the North Side of Viewside Drive, Approximately 950 Feet Southwest of Horman Drive

MASTER PLAN: Potomac Subregion

APPLICANT: Thomas R. and Victoria Smith

SUBMITTED: March 4, 2003

HEARING DATE: May 22, 2003

STAFF RECOMMENDATION: Approval, Subject to the Conditions on the Following Page:

Conditions of Approval

- (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) Conditions of MCDPS stormwater management approval including engineered sediment permit
- (3) Necessary easements
- (4) This preliminary plan will remain valid for thirty (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 property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed

Prior Consideration By the Planning Board

The Planning Board previously considered this resubdivision application under Pre-Preliminary Plan No. 7-02050 at a public hearing held on April 18, 2002. At that hearing the Board considered the delineation of the neighborhood and the proposed resubdivision of one lot, including the abandoned right of way of Welcome Lane, to create a two lots. The Board agreed with the staff's delineation of the neighborhood and advised the applicant that a preliminary plan for two lots could be submitted for Board consideration.

Compliance Under Chapter 50-29(b)(2)

In order to approve an application for Resubdivision, the Planning Board must find that the proposed lot(s) complies with all seven of the resubdivision criteria, meet 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."

Neighborhood Delineation

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 used to

evaluate the application can only include recorded, whole lots within the same zoning (R-200) classification as the subject property. Therefore, staff excluded from consideration those lots to the north, within the Quince Haven subdivision, which were developed under a TDR option. Lots to the west of the PEPCO powerline right-of-way were also not included in the defined neighborhood. Unrecorded parcels to the south were also excluded. Only those lots (10-16, Block E, recorded 2001) within the adjacent Mountain View Estates (preliminary plan No. 1-00085) and Lot 1 (recorded 1966) and Lot 2 (recorded 1967), Block G, confronting this property on Viewside Drive, were included within the neighborhood. *This neighborhood delineation is consistent with the neighborhood that was considered as part of the Mountain View Estates resubdivision (1-00085). Lots 10-16, Block E and the neighborhood delineated under the pre-preliminary plan previously considered by the Board.*

Master Plan Compliance

The subject property is located within the Potomac Subregion Master Plan. 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. It is staff's determination that the proposed resubdivision is consistent with the guidance afforded in the Potomac Sub region Master Plan.

ANALYSIS

Project and Site Description

The subject resubdivision proposes the creation of two rectangular lots, one of 22,947 square feet, the other at 22,558 square feet. Although not the smallest lots in the neighborhood, the proposed lots are on the smaller end of the scale. An existing single family home would remain on the westernmost lot. The smallest lot within the defined neighborhood is at 21,125 square feet with only 4,750 square feet of useable area. The proposed lots have 11,350 and 11,050 square feet respectively, of useable area, near the average for the neighborhood. The width and frontage of the proposed lots at 118 for Lot 20 and 115 for Lot 21 is consistent with the other lots in the neighborhood. The shape, alignment and suitability of the two proposed lots are consistent with the defined neighborhood.

The subject property is located within Block E of the Mountain View Estates subdivision. Lots 10-16, Block E were the subjects of a resubdivision (1-00085), which significantly changed the configuration of the defined neighborhood. In the approval of preliminary plan No. 1-00085, the Planning Board also approved the abandonment of Welcome Lane and a portion of Viewside Drive (Planning Board Resolution AB 00-27). A portion of Welcome Lane as it was originally platted, was conveyed to the applicant of this preliminary plan through the abandonment procedure. *Staff noted in the discussion*

of preliminary plan 1-00085 that there was the potential for this property to resubdivide dependent upon the disposition of the abandoned Welcome Lane right-of-way.

CONCLUSION

By applying the resubdivision criteria to the analysis area delineated by staff, staff concludes that the proposed resubdivision does satisfy all of the criteria set forth in Section 50-29(b)(2) as illustrated by the characteristics on the attached tabular summary. While the proposed lots are smaller than many, given the significant range of lots shapes and sizes in the neighborhood, the new lots are of the same character as the existing lots. This finding is particularly true given that the width, frontage and area of the new lots fall well within the predominant characteristics of the neighborhood. Based on the development pattern within the defined neighborhood staff finds that this preliminary resubdivision plan is consistent with what has occurred within the defined neighborhood.

Attachments

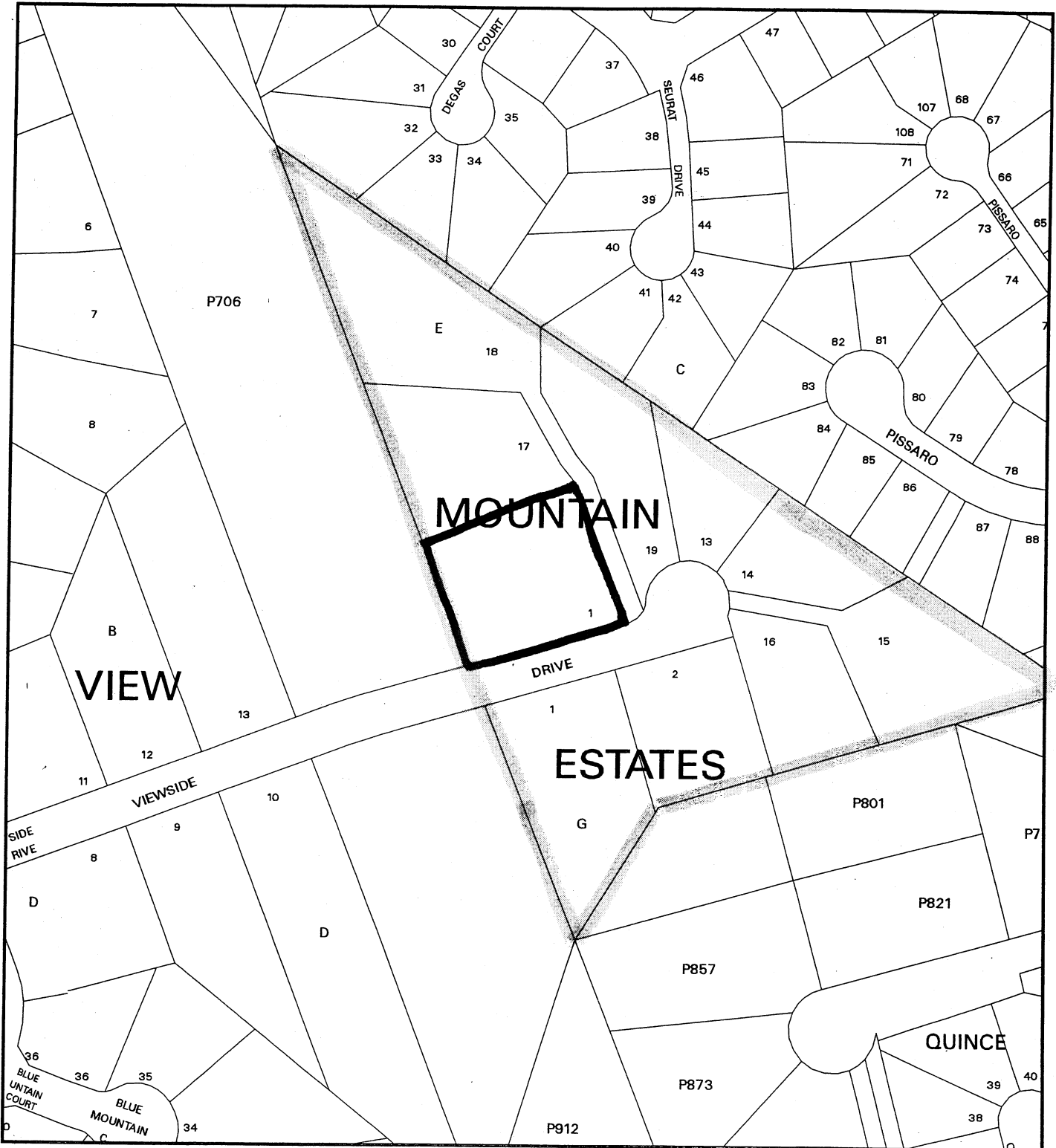
Vicinity and Neighborhood Delineation Map	5
Neighborhood Development Map	6
Proposed Resubdivision Plan	7
Tabular Summary	8

To date no citizen correspondence has been submitted to the file.

VICINITY MAP FOR

MOUNTAIN VIEW ESTATES (1-03068)

425-123-4567



Map compiled on November 24, 1999 at 7:24 AM | Site located on base sheet no - 221NW12

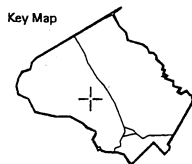
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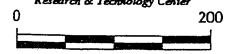
Key Map



N



Research & Technology Center

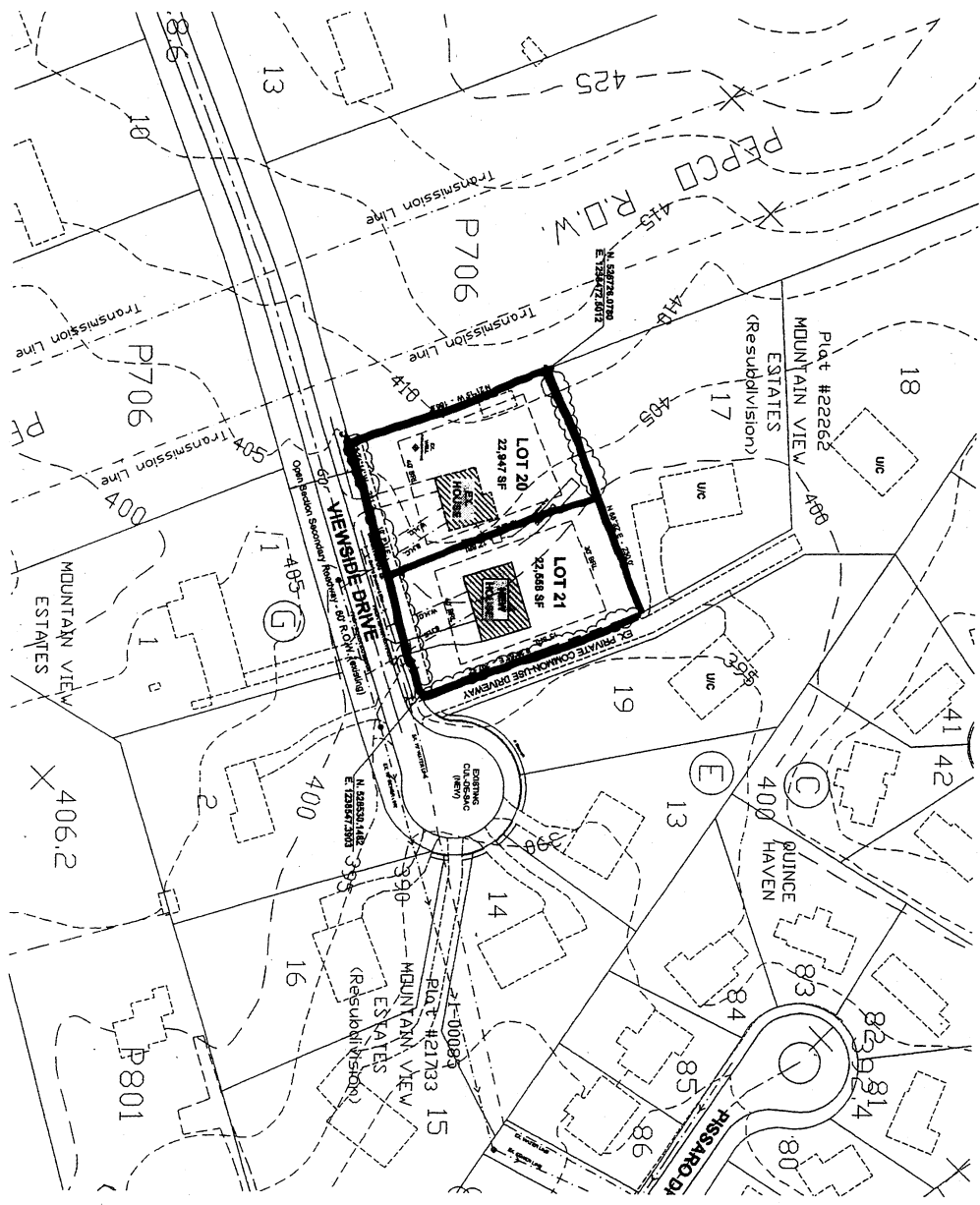


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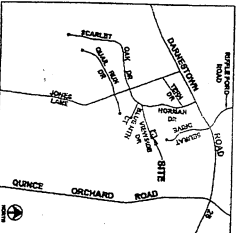
MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 8787 Georgia Avenue - Silver Spring, Maryland 20910-3760

BOUNDARY CERTIFICATION:
 I, the undersigned, being duly Licensed Land Surveyor for the State of Maryland, have examined the records and field notes of the above described land and certify that the same are true and correct to the best of my knowledge and belief.

DATE: 11/13/02
 SIGNATURE: [Signature]

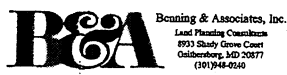


OWNER:
THOMAS R. & VICTORIA SMITH
 1401 DARNESTOWN ROAD
 DARNESTOWN, MARYLAND 20874
 301-977-3474



- NOTES:**
1. AREA OF PROPERTY - 45,505 sf
 2. EXISTING FRONTING - 16,500
 3. MINIMUM LOT AREA PERMITTED - 20,000 sf
 4. NUMBER OF LOTS PERMITTED - 2
 5. NUMBER OF LOTS SHOWN - 2
 6. SITE TO BE SERVED BY PUBLIC WATER & SEWER*
 7. (Service category change pending)
 8. LOCATED IN MUDDY BRANCH WATERSHED SERVICE CATEGORIES: S-2, W-4
 9. DEVELOPMENT STANDARDS:
 - Frontyards - 40'
 - Sideyards - 25' TOTAL, 12' MINIMUM
 - Slideryards - 30'
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 Pepco, Bell Atlantic, W. Gas (as available)
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PRELIMINARY PLAN
MOUNTAIN VIEW ESTATES
 (RESUBDIVISION OF LOT 1, BLOCK E)
 Montgomery County, Maryland



date: NOVEMBER 2002
 scale: 1"=50'



Resubdivision Criteria: Mountain View Estates, Lots 20 & 21 of Block E

Lot #	Frontage	Alignment	Size	Shape	Width	Area	Suitability
20	115	Perpendicular	22,947	Rectangular	115	11,350	R-200
21	110	Perpendicular	22,558	Rectangular	110	11,050	R-200
13E	49	Radial	21,125	Pie	100	4,750	R-200
14E	34	Radial	25,147	Pie	100	7,100	R-200
15E	26	Radial	47,862	Flag	100	15,750	R-200
16E	25	Radial	30,826	Rectangular	100	15,300	R-200
17E	0	Parallel	39,199	Rectangular	160	19,700	R-200
18E	25	Perpendicular	68,915	Flag	100	10,000	R-200
19E	77	Perpendicular	33,547	Elongated	100	5,200	R-200
2G	175	Perpendicular	35,129	Rectangular	175	18,750	R-200
1G	182	Perpendicular	47,580	Rectangular	175	29,000	R-200
Range	0-185		21,125 - 68,915		100-175	4,750-29,000	
Average	75		35,894		121	13,450	