



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

ITEM# 7

DATE: 07/10/03

MEMORANDUM

DATE: July 7, 2003

TO: Montgomery County Planning Board

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

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

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Resubdivision of Lot 1, Block 13 – Bannockburn Heights

PROJECT NAME: Bannockburn

CASE #: 1-03081

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

ZONE: R-200

LOCATION: On the east side of Ayr Lane, Immediately North of the Intersection with the Massachusetts Avenue Right-of-Way

MASTER PLAN: Bethesda-Chevy Chase

APPLICANT: Hemingway Homes

FILING DATE: April 2, 2003

HEARING DATE: July 10, 2003



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) Split rail fence to be erected along the entire forest conservation easement line

- (3) Building restriction line, or setback, along Braeburn Parkway to be modified so that it is at a minimum of fifteen feet outside of the forest conservation easement line and associated stream valley buffer
- (4) Water and sewer lines not to sever the critical root zone for the 51 inch oak tree at the front of the property
- (5) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation
- (6) Record plat to reflect common ingress/egress and utility easements over all shared driveways
- (7) Compliance with the conditions of approval of the MCDPS stormwater management approval
- (8) Prior to issuance of building permits, applicant to submit an engineered sediment and erosion control plan to MCDPS for review and approval
- (9) Compliance with conditions of MCDPWT letter dated, June 25, 2003, unless otherwise amended
- (10) 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
- (11) Other 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) must comply with 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

In defining the neighborhood, it is long-standing Planning Board practice to limit the neighborhood to include only lots within the same zone (R-200) as the subject property. The neighborhood is therefore defined as those lots within the same block as the subject property and those lots on the opposite side of Ayr Lane between the Massachusetts Avenue right-of-way and Selkirk Drive. The lots to the south of the property across the Massachusetts Avenue right-of-way were not included as they are in the R-60 zoning classification. Staff feels that the neighborhood as defined provides a good representation of the development pattern characteristics of the overall neighborhood.

Master Plan Compliance

The property is located within the Approved and Adopted Bethesda Chevy Chase Master Plan. 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 residential zoning as adopted. The proposed resubdivision complies with the recommendations adopted in the master plan.

Environment

Preservation of a 51 inch oak tree in the northeast corner of the property is deemed to be an important element of this plan approval. The plan has been modified to show driveway and utility access that will preserve the tree.

DESCRIPTION

Vicinity

The subject property is located within Block 13 and Block 3 of the Bannockburn Heights subdivision. The majority of the lots in the neighborhood were recorded by plat in 1936. The subject property and the Lot 2, Block 5, immediately across Ayr Lane were recorded together in 1951. All lots in the defined neighborhood remain in their original, platted dimensions.

Two unimproved right-of-ways abut the western and southern boundaries of the subject property. The lots would have access to Ayr Lane along the northern boundary. A stream valley buffer is located on the southern lot.

Proposal

This application for resubdivision proposes to create two lots, the northernmost lot at 25,995 square feet and the southernmost lot at 26,277 square feet. The southernmost lot will be accessed by an ingress and egress easement from Ayr Lane through the northern lot. The stream valley buffer on the southern lot will be protected by a category I forest conservation easement. A permanent split rail fence will be placed on the buffer line to protect the trees within the buffer.

ANALYSIS

This proposed resubdivision would create two lots from one, 52,272 square foot lot. **Size:** Existing lots in the defined neighborhood range from 16,125 square feet at the smaller end to 26,430 square feet at the larger end. The proposed lots at 25,995 and 26,277 square feet tend to be at the larger end of the range but do fall within the neighborhood range. **Area:** The area within the building envelope for the proposed lots also falls within the range of the other lots in the neighborhood. The proposed lots are at 10,980 and 9,390 square feet. The neighborhood ranges from 6,400 square feet to 11,425 square feet. **Shape:** The proposed lot shapes are consistent with the variety of lot shapes in the neighborhood. **Frontage:** The existing lots in the neighborhood have frontages that range from 140 feet to 80 feet. The proposed lots at 130 feet each fall within the range of lot frontages for the neighborhood. **Width:** Each proposed lot is 130 feet wide, which is in the range of lot widths (80 ft. – 140 ft.) for the neighborhood. **Alignment:** Each proposed lot is aligned perpendicularly to their respective street, which is consistent with the neighborhood. **Suitability:** The proposed lots have a useable building area and are deemed suitable for residential development.

Conclusion

The proposal, as submitted, substantially complies with, and provides for a high correlation with all seven of the resubdivision criteria pursuant to Section 50-29 (b)(2) of the Montgomery County Subdivision Regulations. Specifically, the application proposes two lots that are consistent with the size, area, shape, width, frontage, alignment and suitability for residential use of the majority of lots within the neighborhood. Staff recommends approval of this application, subject to the conditions cited above

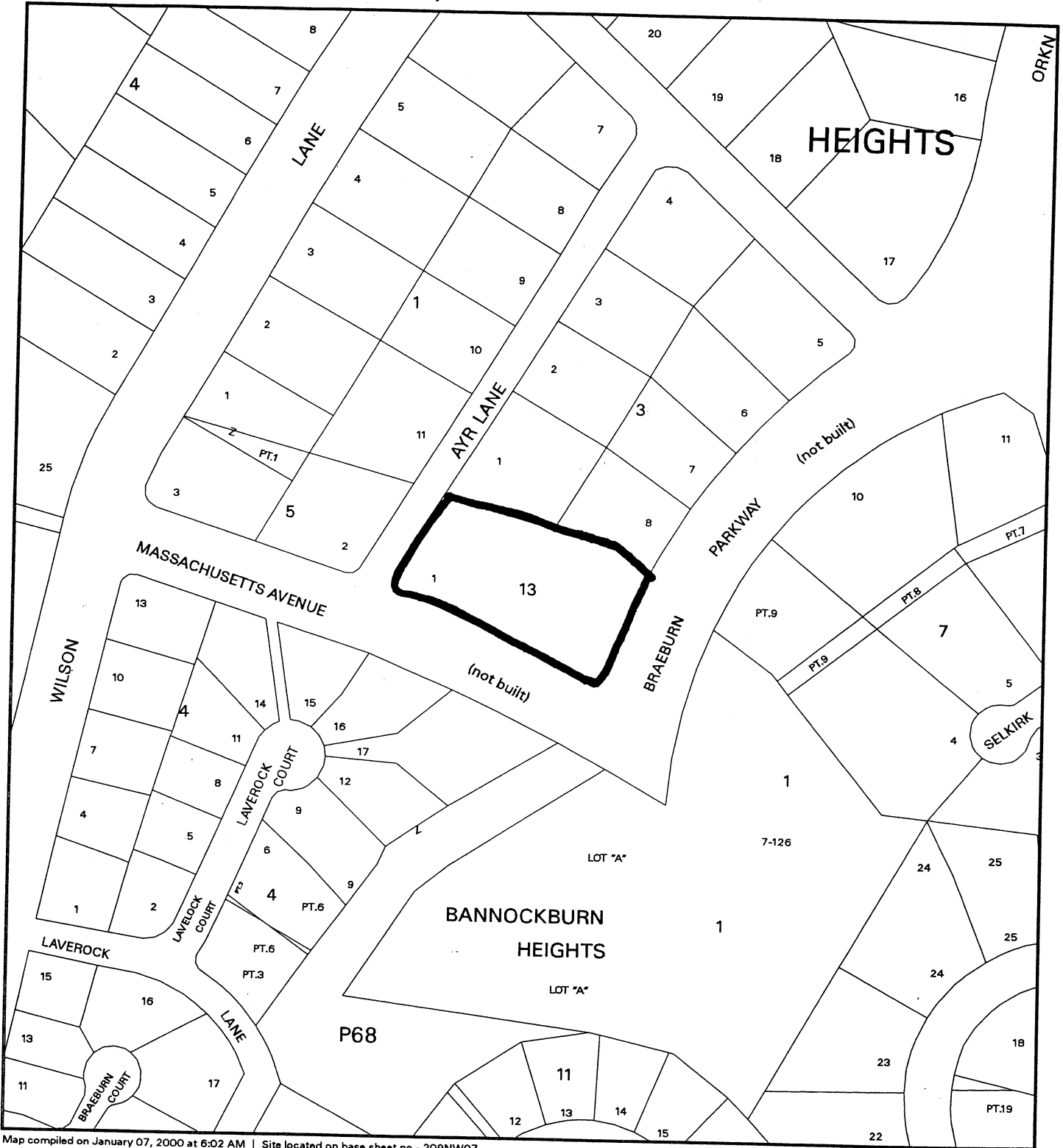
Attachments

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

BANNOCKBURN (1-03081)



Map compiled on January 07, 2000 at 6:02 AM | Site located on base sheet no - 209NW07

NOTICE

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Key Map



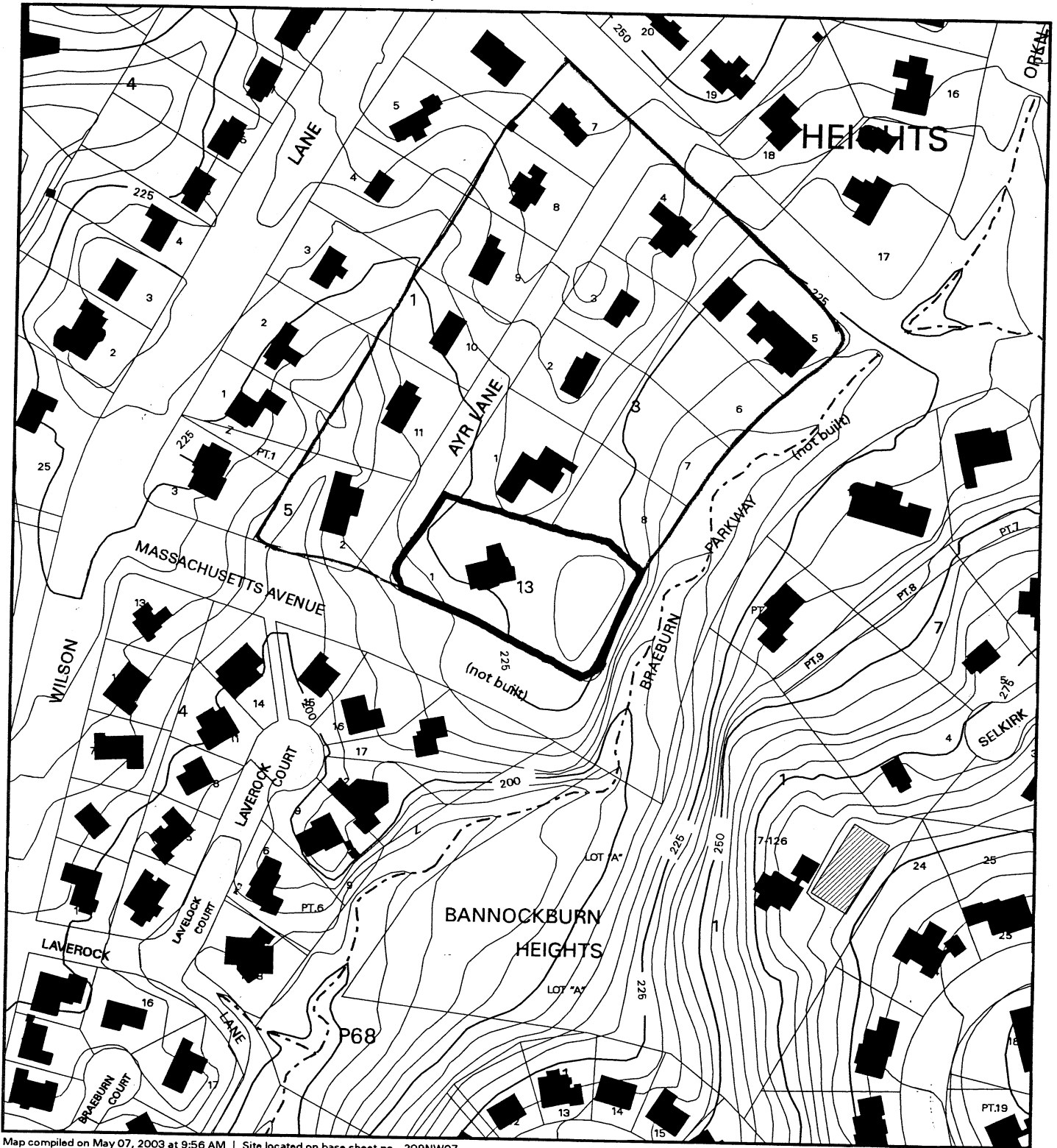
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MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue - Silver Spring, Maryland 20910-3760

VICINITY MAP FOR

BANNOCKBURN (1-03081)



Map compiled on May 07, 2003 at 9:56 AM | Site located on base sheet no - 209NW07

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Key Map



Research & Technology Center

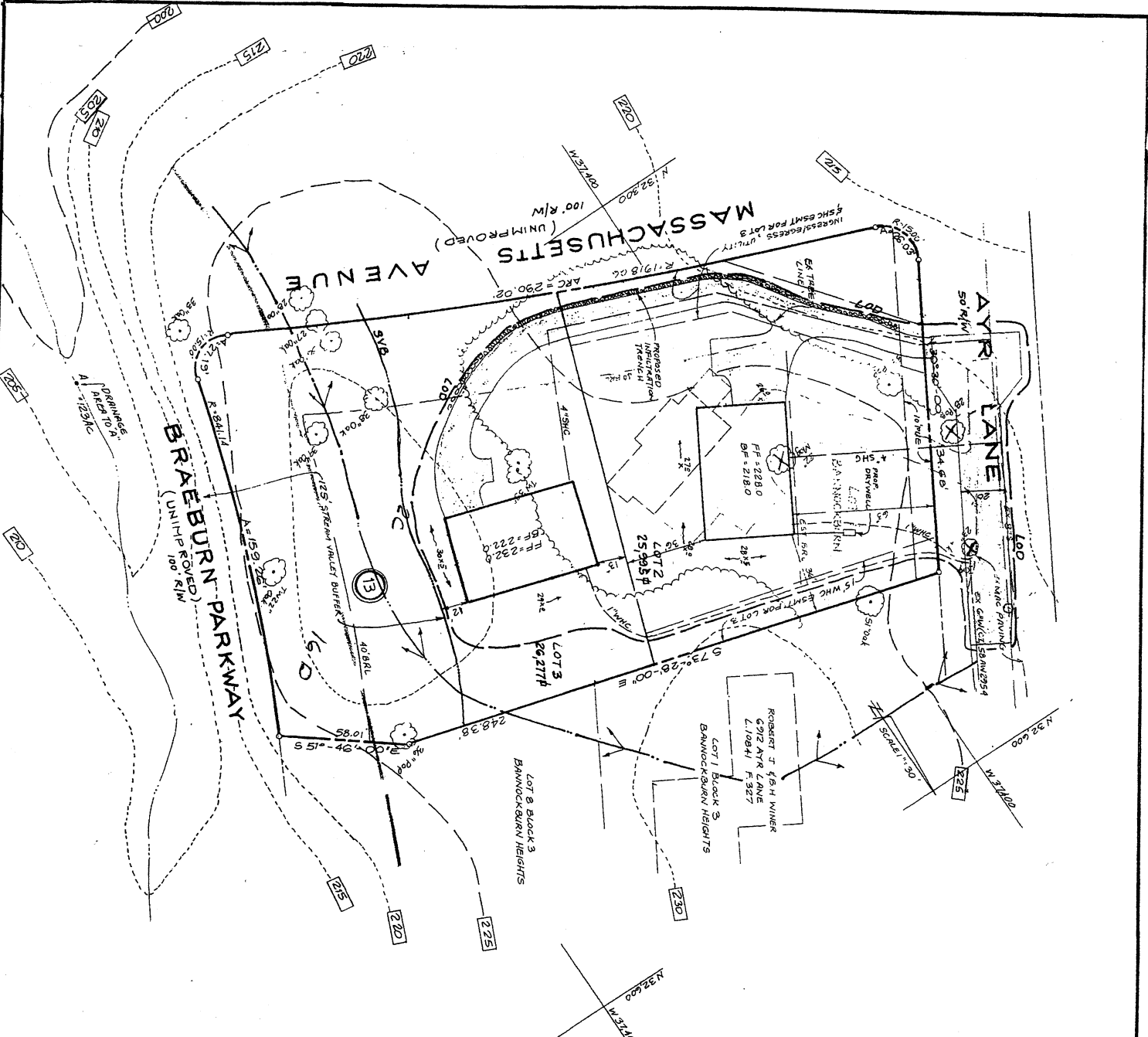


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MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue - Silver Spring, Maryland 20910-3760

M-NCPPC



VICINITY MAP
 SCALE: 1" = 2000'
 HO. CO. PAGE 35 GRID: D-12

GENERAL NOTES

1. This plan lies with the former / Chain John Master Plan.
2. Existing zone - R200
3. Existing zone - R200
4. WSSC 200' Sheet 209 NW7
5. Tax Map - GN 342
6. Site served by public water and sewer (W-1, S-1)
7. There are no wetlands or floodplains on this property.*
8. Watershed - Cabin John Creek.
9. Storm water management Concept - Quantity Control - Quality Control - Retention / Infiltration
10. Retention / Infiltration
11. Retention / Infiltration
12. Retention / Infiltration

13. Utility - Comcast
14. Utility - Verizon
15. Utility - Gas
16. Utility - Washington Gas
17. Utility - Comcast
18. Utility - Comcast
19. Utility - Comcast
20. Utility - Comcast
21. Utility - Comcast

ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARY SHOWN HEREON IS CORRECT BASED ON EXISTING DEEDS AND PLATS RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, SUBJECT TO CHANGE UPON FINAL SURVEY. TOPOGRAPHY FROM SOURCES NOTED.

1/31/03
 Date
 Dean Zerkow, P.E. M.D. 15131

PRELIMINARY PLAN
 A RESUBDIVISION OF PART OF LOT 1, BLOCK 13
BANNECKBURN
 LOTS 2 & 3 BLOCK 13
 BETHESDA ELECTION DISTRICT #7
 MONTGOMERY COUNTY, MARYLAND

P.G. ASSOCIATES, INC.
 CIVIL ENGINEERS • SURVEYORS • LAND PLANNERS
 35-A HUNGERFORD DRIVE
 ROCKVILLE, MARYLAND 20850
 PHONE (301) 309-1361

SCALE: 1" = 2000'
 HO. CO. PAGE 35 GRID: D-12

Bannockburn 1-03081 – Tabular Summary

Lot #	Block	Frontage ft.	Alignment	Size sq. ft.	Shape	Width ft.	Lot Area sq. ft.
11	1	148	Perpendicular	25,140	Irregular	130	11,425
10	1	120	Perpendicular	18,000	Rectangular	95	7,200
9	1	120	Perpendicular	18,000	Rectangular	95	7,200
8	1	109	Perpendicular	16,152	Rectangular	85	6,400
7	1	109	Perpendicular	16,855	Corner	80	6,650
1	3	176	Perpendicular	23,578	Irregular	140	10,446
2	3	120	Perpendicular	18,000	Rectangular	95	7,200
3	3	120	Perpendicular	18,000	Rectangular	95	7,200
4	3	137	Perpendicular	22,584	Corner	120	10,500
5	3	126	Perpendicular	26,430	Corner	100	12,450
6	3	105	Perpendicular	19,856	Irregular	85	10,700
7	3	105	Perpendicular	17,460	Irregular	85	7,920
8	3	112	Perpendicular	17,519	Irregular	110	8,000
2	5	137	Perpendicular	22,067	Corner	137	10,475
PROPOSED	LOTS	170	Perpendicular	26,277	Corner	130	10,980
		150	Perpendicular	25,995	Corner	130	9,390

Item #7



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

M E M O R A N D U M

DATE: July 7, 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 July 10, 2003.

Attached are copies of plan drawings for Item #06, #07, #08 and #09. These subdivision items are scheduled for Planning Board consideration on July 10, 2003. The items are further identified as follows:

Agenda Item #06 - Preliminary Plan 1-03067
Mary Boland Subdivision

Agenda Item #07 - Preliminary Plan 1-03081
Bannockburn

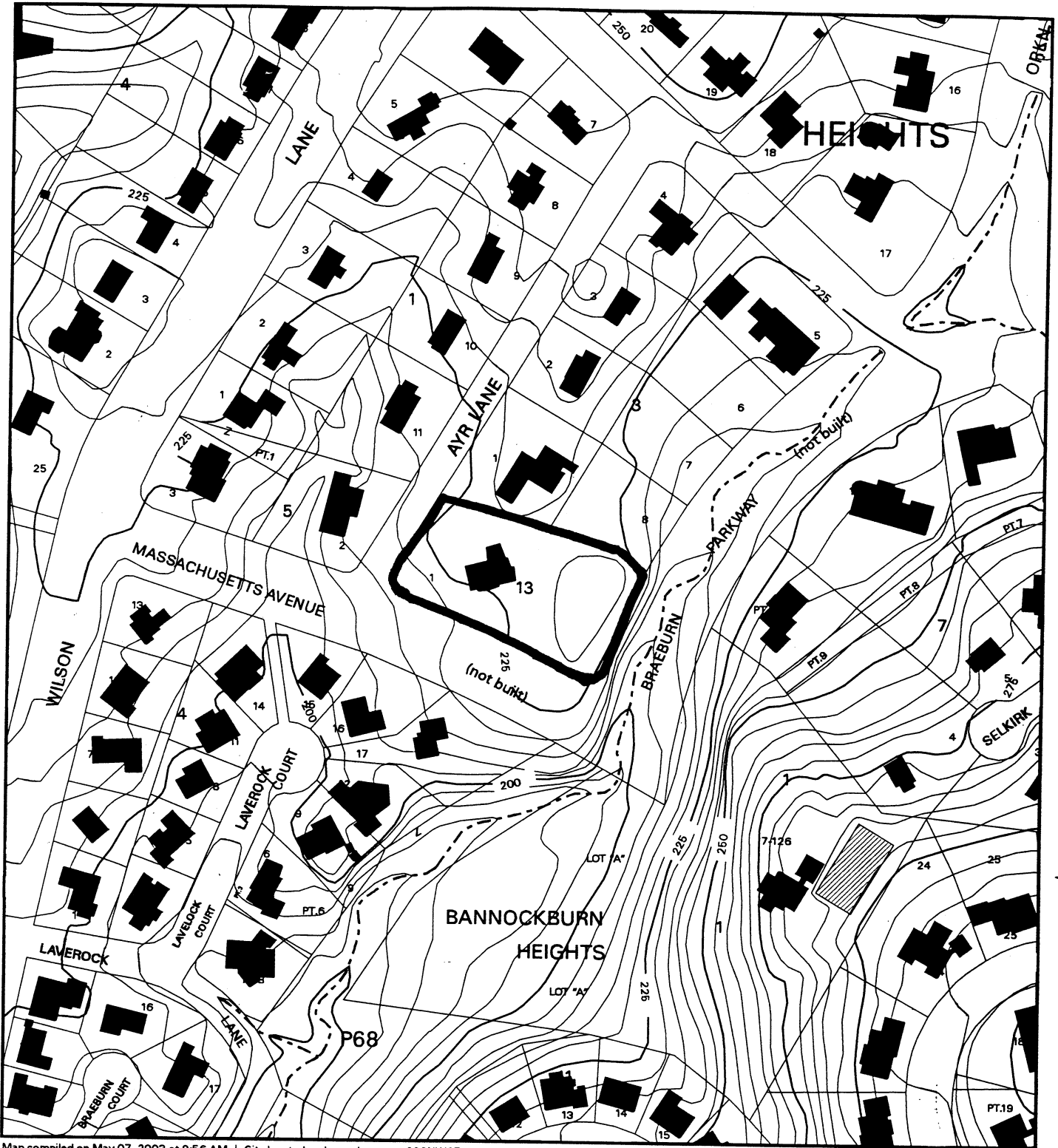
Agenda Item #08 - Preliminary Plan 1-03069
Seneca Springs

Agenda Item #09 - Preliminary Plan 1-03079
Watkins Property

Attachment

VICINITY MAP FOR

BANNOCKBURN (1-03081)



Map compiled on May 07, 2003 at 9:56 AM | Site located on base sheet no - 209NW07

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Key Map



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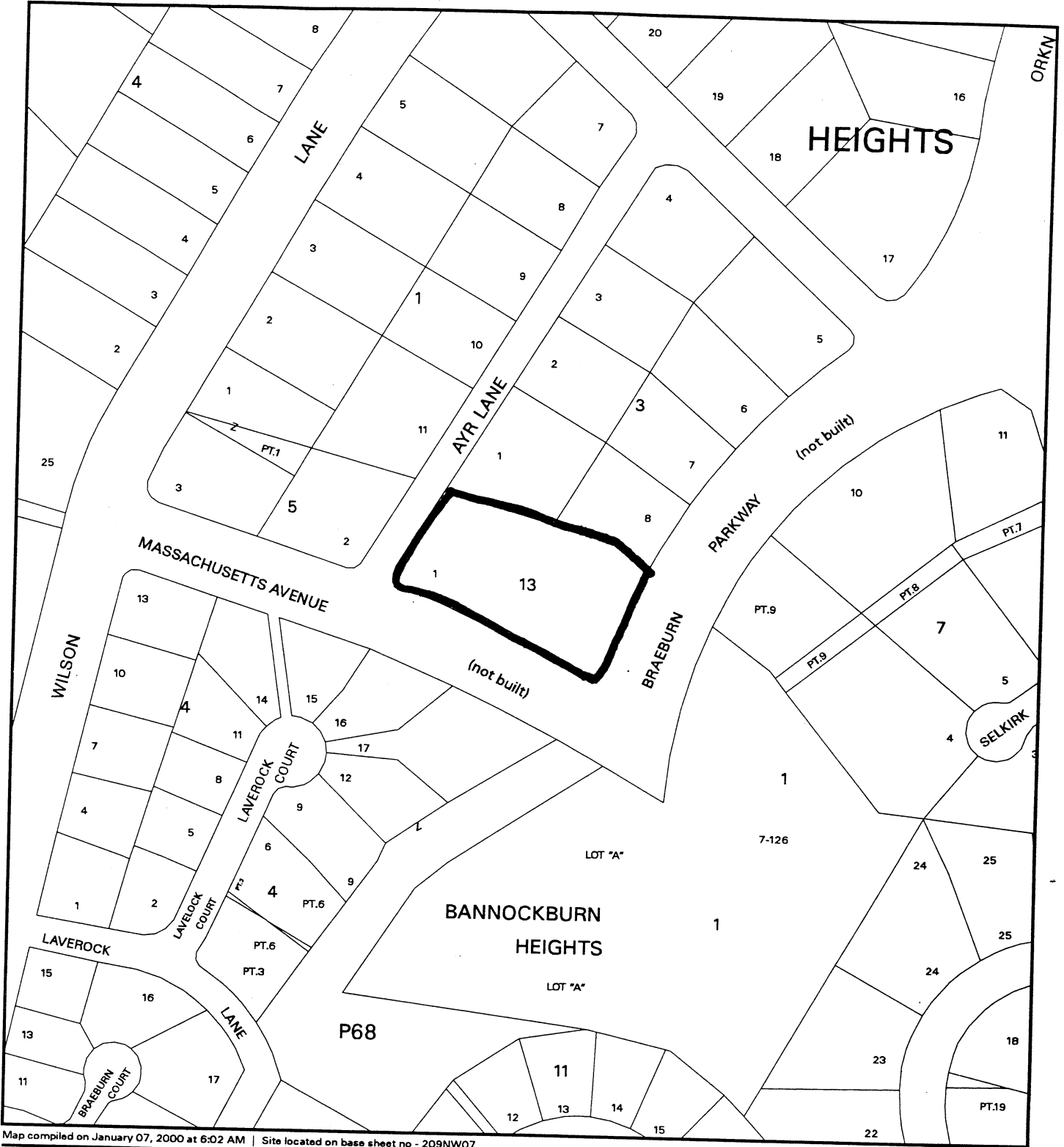
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Key Map



N



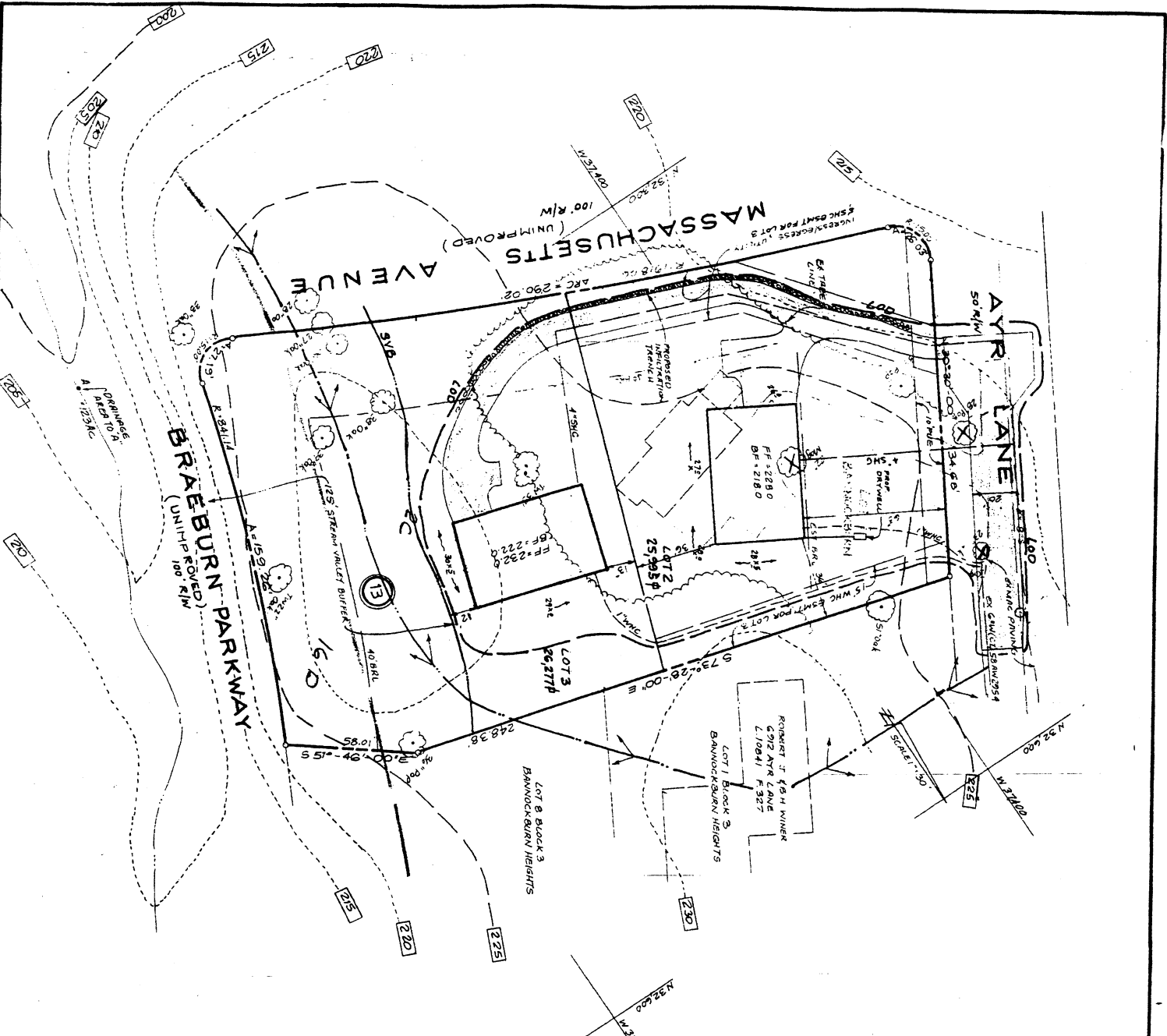
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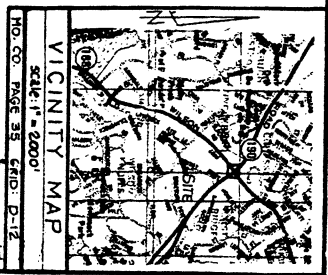
8787 Georgia Avenue - Silver Spring, Maryland 20908-3700



1/31/05
 Date
 Dean Patrick Reindig III
 Engineer

ENGINEER'S CERTIFICATE
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- GENERAL NOTES**
1. This plan has with the previous (John John Master Plan, dated 1/29/02) been amended and plan corrected.
 2. Existing 10' x 120' easement.
 3. WSSC 300' Street 209 NW7.
 4. Tax Map - GN 342.
 5. She served by public water and sewer (W-1, S-1).
 6. There are no wetlands or floodplains on this property.
 7. Wetland - Cabin John Creek.
 8. Storm water Management Concept - Quantity Control.
 9. Storm water Management Concept - Quantity Control.
 10. Soil - Galla (2U), Organic/Plowdown, 24% clay, 18% silt, 58% sand.
 11. ADC Map: Montgomery Co. Page 35, Grid D-12.
 12. Utility Components:
 13. Electric - Potomac.
 14. Telephone - Verizon.
 15. Cable - Verizon.
 16. Gas - Washington Gas.
 17. Water - Schneider.
 18. Sewer - WSSC.
 19. Street Address - 6920 Ayr Lane.
 20. Deed - Liber 14078 / Folio 745.
 21. Tax ID 07-06818191.
 22. Sublots - Front - 40'.
 23. Rear - 30'.
 24. Side 12' min. 25' total.
 25. Owner - Louis Schwartz.
 26. Contract Purchaser - Heronway Homes.
 27. This plan is a resubdivision of Lot 1, Braeburn Heights, Bethesda, MD 20812.
 28. Total Gross Trail = 52,272 sq ft.
 29. Allowable Lot Yield - 2 Lots.
 30. Proposed - 2 Lots.
- * THIS PLAN ASSOCIATED WITH ADJOINING STREAM REMAINS OFFSITE DUE TO THE STREET SCENES TO THE PROPERTY.



PRELIMINARY PLAN
 A RESUBDIVISION OF PART OF LOT 1, BLOCK 13
LOT 1, BLOCK 13
 BEITHESDA ELECTION DISTRICT #7
 MONTGOMERY COUNTY, MARYLAND

Scale: 1" = 30'
 Drawn: JD
 Checked: DP
 Date: 2/05
 File #
 SHEET 1 OF 1

P.G. ASSOCIATES, INC.
 CIVIL ENGINEERS • SURVEYORS • LAND PLANNERS
 754-A HULLTERTOWN DRIVE
 ROCKVILLE, MARYLAND 20850
 PHONE (301) 209-1361

NO.	DESCRIPTION