



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Item # 19

09-11-03

MEMORANDUM

DATE: September 5, 2003

TO: Montgomery County Planning Board

VIA: Joseph R. Davis ^{JRO} Chief, Development Review Division

FROM: A. Malcolm Shaneman, Supervisor, Development Review Division (301-495-4587)

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: One (1) Single Family Dwelling Unit

PROJECT NAME: Charred Oak Estates

CASE NO. 1-03108

REVIEW BASIS: Chapter 50 Montgomery County Subdivision Regulations
Approved and Adopted Potomac Subregion Master Plan

ZONE: R-200

LOCATION: Southwest of the Intersection of Seven Locks Road and Lonesome Pine Lane

MASTER PLAN: Potomac

APPLICANT: John C. and Michele Newman

SUBMITTED: July 28 2003

HEARING DATE: September 11, 2003



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

Conditions of Approval for Preliminary Plan No.1-03108:

- (1) Compliance with the conditions of approval of the preliminary forest conservation plan. All conditions must be met prior to recording of plats or MCDPS issuance of sediment and egression control permit, as appropriate
- (2) 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 preliminary plan must be recorded or a request for an extension must be filed
- (3) Conditions of MCDPS stormwater management approval
- (4) The Adequate Public Facilities (APF) review for his preliminary plan will remain valid for sixty one (61) months from the date of mailing of the Planning Board opinion
- (5) Necessary easements

DISCUSSION OF ISSUES TO DATE

Conformance to Chapter 50, Subdivision Regulations

In order to approve a application for *Resubdivision*, the Planning Board must find that the proposed lot(s) 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 recommends that the Planning Board consider the neighborhood shown on the drawing found on page 6 of this report. This area includes the lots to the west of Seven Locks Road, north and south sides of Lonsome Lane and Honeybee Lane located in Blocks D and Block G. The area depicted is the area that was originally recorded with the proposed lot known as Charred Oak Estates

PROJECT DISCRPTION: Proposal

The application proposes the resubdivision of Part of Lot 81 of the Charred Oak Estates subdivision. The property is .79 acres, or 34,673 square feet. The plan proposes the creation of one lot. The property was originally recorded as Lot 81 of the Charred Oak subdivision. The subject property, together with other adjoining lots, was purchased by Montgomery County several years ago to provide additional land area to facilitate the improvements to Seven Locks Road. In 1999 the County sold the residue of the lands not needed for roadway improvements. The remaining properties became part of lots and therefore unbuildable under the current subdivision regulations. The applicant has submitted this preliminary plan application to convert the existing Part of Lot 81 into a buildable lot.

PROJECT DISCRPTION: Vicinity

The subject property is located in the Charred Oak Estates subdivision. The majority of this subdivision was recorded by record plat in 1979. The entire neighborhood is located in the R-200 Zone. All the lots in the neighborhood are in excess of the minimum of 20,000 square feet.

MASTER PLAN COMPLIANCE

The Approved and Adopted Potomac Subregion Master Plan cover the subject property. The Master Plan reaffirms the R-200 zoning for the property. The subject property is not specifically identified in the Master Plan but does conform to the land use recommendation adopted for the area in the Master Plan for single-family development. The resubdivision meets all the development standards of the R-90 zone.

CONCLUSION

Staff has reviewed this resubdivision application to all seven characteristics of the resubdivision criteria outlined in Section 50-29(b)(2) of the Montgomery County Subdivision Regulations. The attached tabular summary identifies the characteristics of the neighboring lots that were used as a comparison to the proposed one lot resubdivision application. As illustrated by the attached table and graphics, the subject site is consistent with the characteristics of the existing neighborhood in regards to frontage, alignment, size, shape, width, area and suitability for residential development. As is clearly reflected

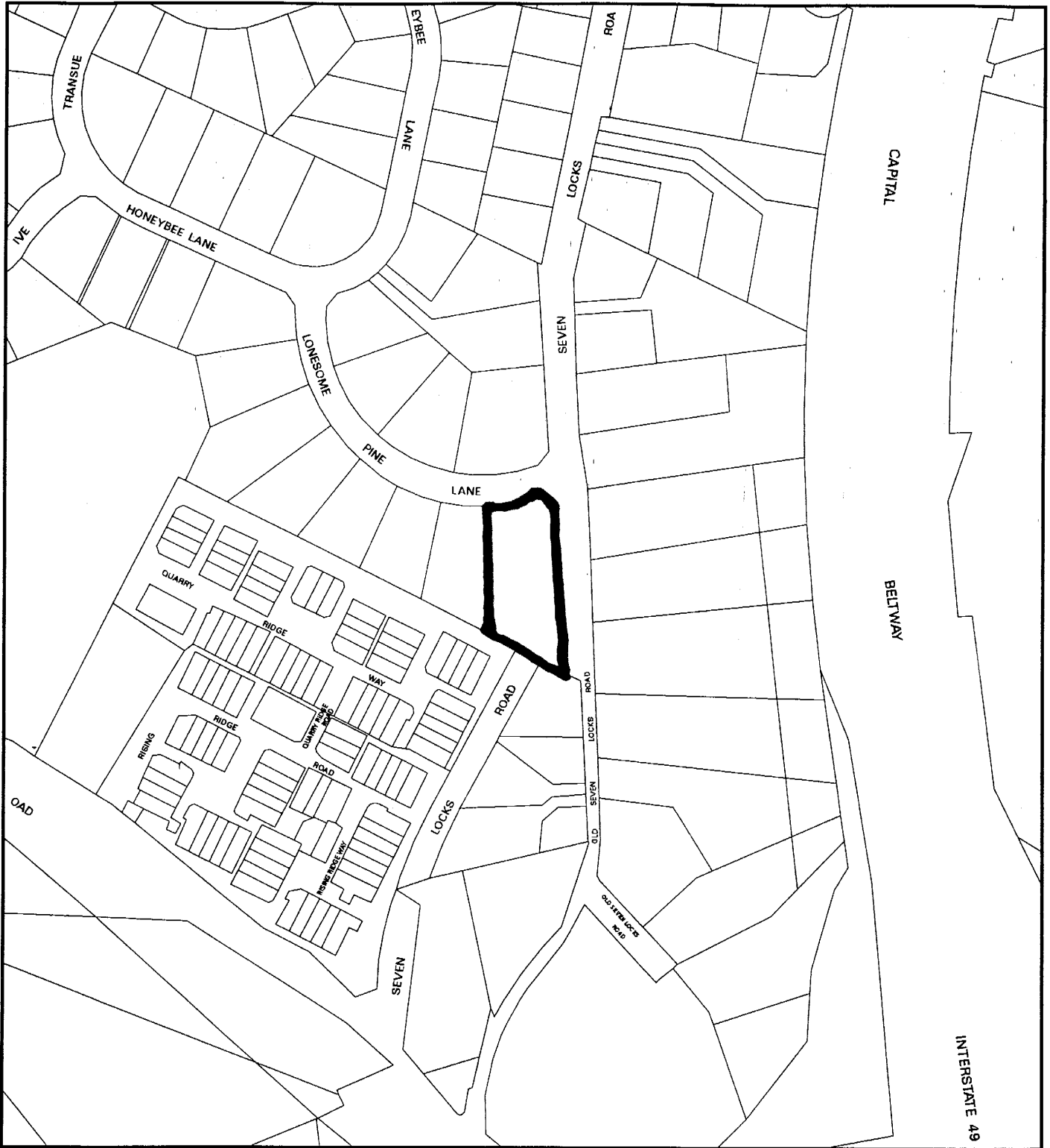
in the table and through the staff analysis, the lot characteristics of the proposed resubdivision fall well within the character of the lots within the defined neighborhood. Staff finds that the proposed lot configuration is in keeping with the resubdivision regulations and consistent with the development pattern throughout the defined neighborhood.

ATTACHMENTS

Vicinity Development Map	5
Neighborhood Delineation Map	6
Proposed Redubdivision Plan	7
Right of way Map for Seven Locks Road	8
Tabular Summary	9

VICINITY MAP FOR

CHARRED OAK ESTATES (1-03108)



Map compiled on August 10, 2003 at 0:16 AM | Site located on base sheet no - 210NW08

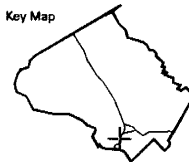
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Key Map



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Research & Technology Center



1 : 3600

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
CHARRED OAK ESTATES (1-03108)



Map compiled on September 05, 2003 at 11:43 AM | Site located on base sheet no - 210NW08

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Key Map



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Comparable Lot Data Table - CHAZZED OAK ESTATES

LOT #	BLOCK	FRONTAGE (ft)	ALIGNMENT	SIZE	SHAPE	WIDTH (ft)	AREA*	
82	D	95	Perpendicular		Trapezoidal	100	36,673.00	Proposed Lot
75	D	100	Perpendicular		Trapezoidal	100	25,994.00	
76	D	91	Perpendicular		Irregular	91	34,018.00	
77	D	95	Perpendicular		Trapezoidal	95	29,850.00	
78	D	95	Perpendicular		Trapezoidal	95	24,065.00	
79	D	95	Perpendicular		Trapezoidal	95	24,206.00	
80	D	95	Perpendicular		Trapezoidal	95	29,847.00	
13	G	106	Perpendicular		Rectangular	106	20,811.00	
14	G	25	Pipestem		Irregular	85	30,090.00	
15	G	25	Pipestem		Irregular	135	31,176.00	
16	G	125	Corner		Rectangular	125	22,836.00	
17	G	177	Perpendicular		Trapezoidal	177	26,265.00	
18	G	180	Perpendicular		Trapezoidal	180	26,671.00	
19	G	139	Perpendicular		Rectangular	139	37,936.00	

*Area within building envelope



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

M E M O R A N D U M

DATE: September 05, 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 September 11, 2003.

-

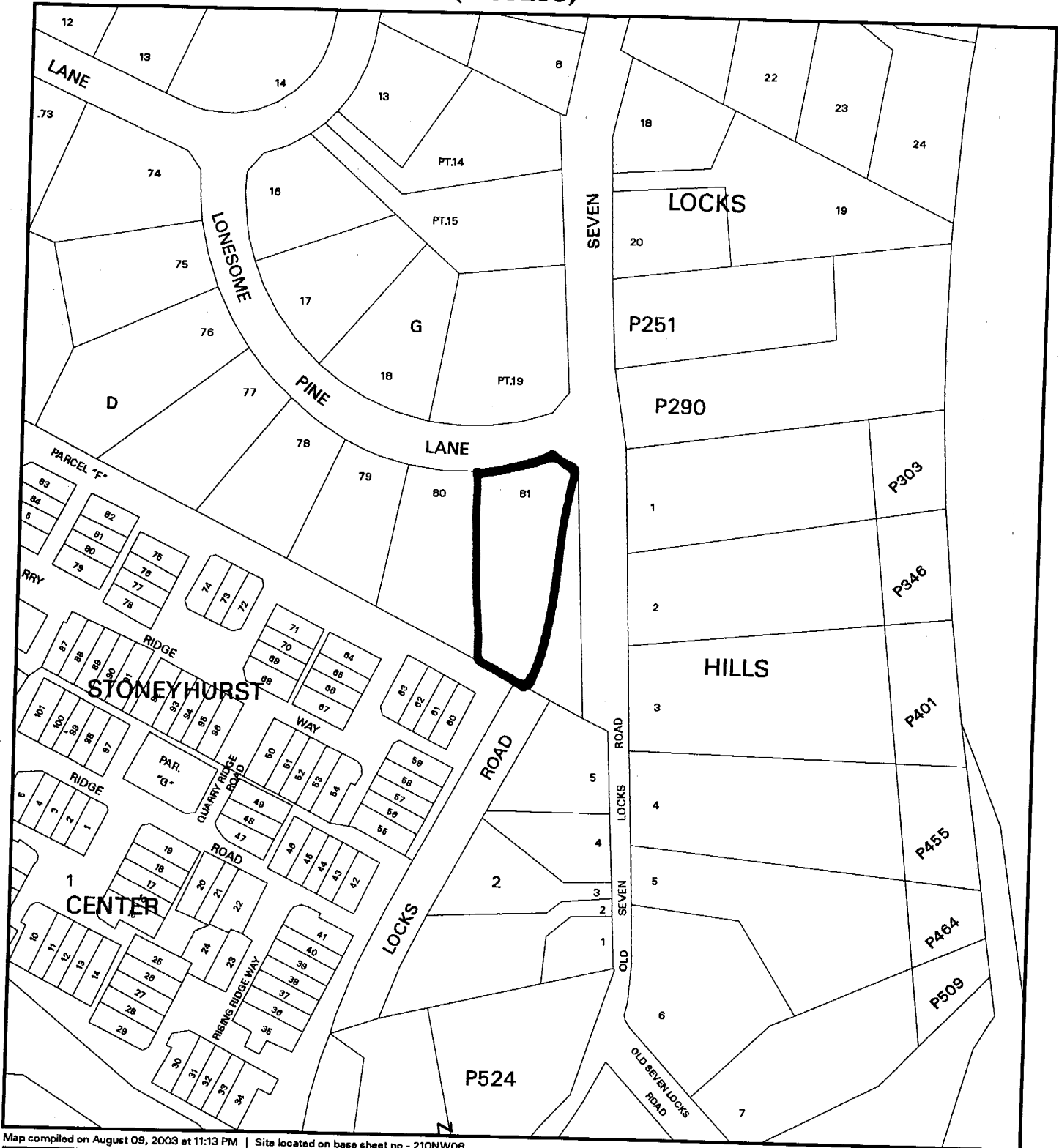
Attached are copies of plan drawings for Items #13, #14, #16, #18, and #19. These subdivision items are scheduled for Planning Board consideration on September 11, 2003. The items are further identified as follows:

- Agenda Item #13 - Preliminary Plan 1-03078
Woodmont Corner
- Agenda Item #14 - Preliminary Plan 1-00008A
Pita Subdivision
- Agenda Item #16 - Preliminary Plan 1-02063A
Fraley Property
- Agenda Item #18 - Preliminary Plan 1-04003
Parcel 243
- Agenda Item #19 - Preliminary Plan 1-03108
Charred Oak Estates

Attachment

VICINITY MAP FOR

CHARRED OAK ESTATES (1-03108)



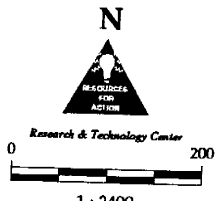
Map compiled on August 09, 2003 at 11:13 PM | Site located on base sheet no - 210NW08

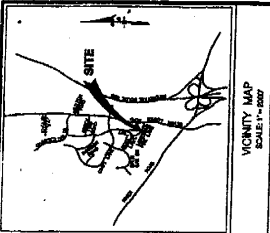
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NEIGHBORHOOD MAP
SCALE 1" = 200'

GENERAL NOTES

LOT: 82-BLOCK D
 AREA: 34,673 SF (0.7960 AC.)
 ZONE: R-200
 SETBACKS:
 FRONT: 57 FEET *
 SIDE: 12 FEET
 BACK: 30 FEET
 MASTER PLAN: POTOMAC
 WATERSHED: CABIN JOHN CREEK TRIBUTARY #23
 WAS CATEGORY: W-1 & S-1
 TAX MAP: ON 123
 TOPOGRAPHY SHOWN HEREON WAS FIELD TOPOGRAPHY PREPARED BY ELLIOTT & ASSOCIATES, INC. IN MAY 2003.
 SWM CONCEPT #
 ADC MAP #35 GRID A-9
 PLAT #12404
 DEED REFERENCE L.17250 F.357
 NRI/FSD EXEMPTION #A-0330E

* THE R-200 ZONE ALLOWS FOR A 40' FRONT BUILDING SETBACK WITHIN THE COUNTY GENERAL PROVISIONS WITHIN THE COUNTY GENERAL SECTION 50-29(B)12. MOVES THE RESTRICTION FURTHER IN CHARACTER WITH THE NEIGHBORHOOD. THE SETBACKS SHOWN ON THIS ZONING ORDINANCE SETS THE REQUIREMENTS FOR ESTABLISHED BUILDING LINES.

ENGINEER'S CERTIFICATE

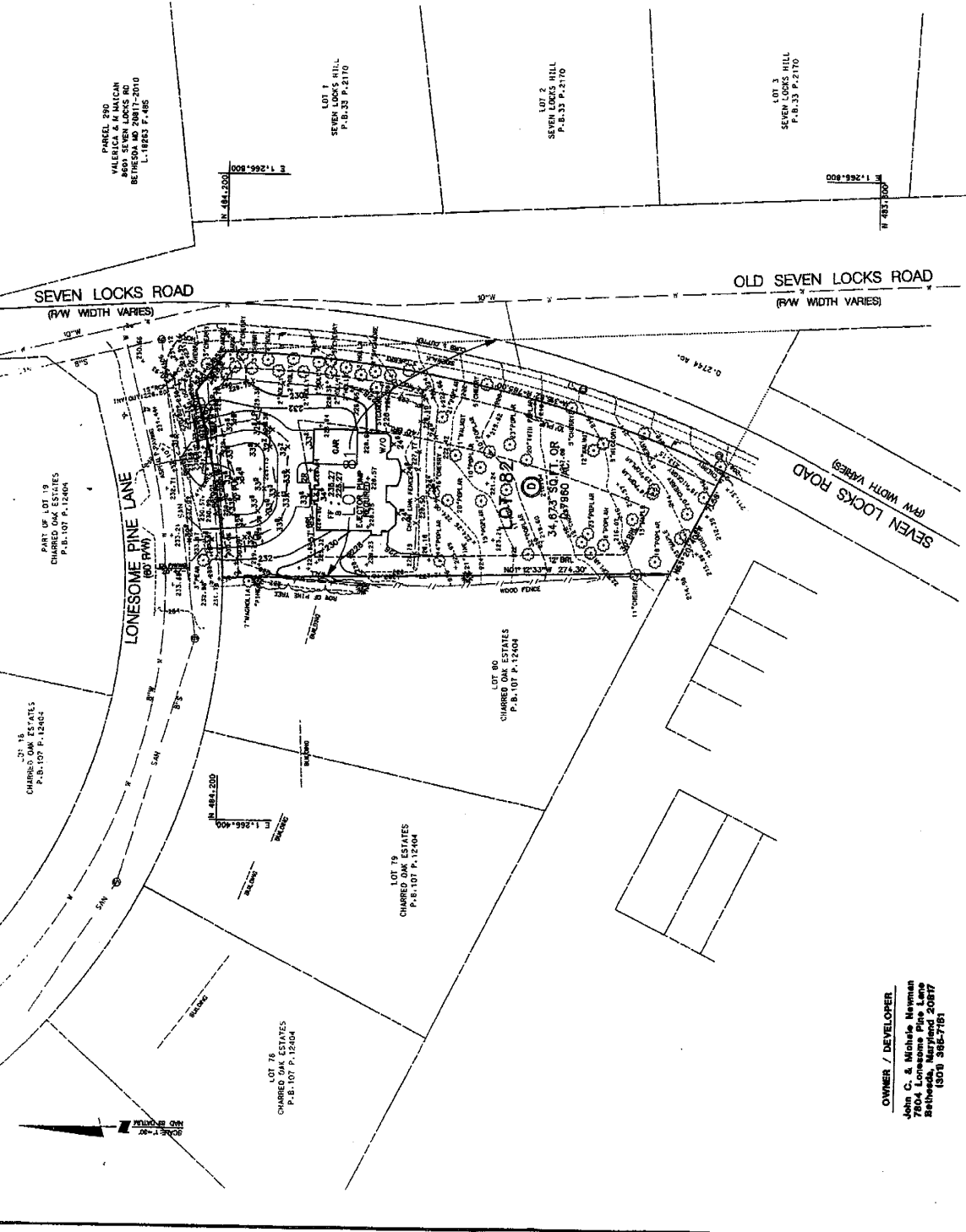
I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF THAT THE REQUIREMENTS AS SHOWN ON THIS PLAN COMPLY WITH THE ZONING ORDINANCE AND TOPOGRAPHIC DATA HAS BEEN OBTAINED FROM LAT AERIAL PHOTO.

SIGNATURE: [Signature] DATE: 6/25/03
 TITLE: [Title]



PRELIMINARY PLAN

CHARRED OAK ESTATE
 RESUBDIVISION OF LOT 81 BLOCK "D"
 7804 LONESOME PINE LANE
 BETHESDA, MARYLAND 20817-6633
 POTOMAC NORTH ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND



MISS UTILITY NOTE
 THE UTILITIES SHOWN ON THIS PLAN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE LOCATION AND DEPTH OF UTILITIES SHOULD BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES TO REMAIN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING ALL UTILITIES DAMAGED DURING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING ALL UTILITIES TO ORIGINAL CONDITION OR BETTER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES TO REMAIN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING ALL UTILITIES DAMAGED DURING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING ALL UTILITIES TO ORIGINAL CONDITION OR BETTER.



NO.	DATE	DESCRIPTION
1	MAY 2003	PRELIMINARY PLAN
2	MAY 2003	FINAL PLAN

OWNER / DEVELOPER	John C. & Michele Newman 7804 Lonesome Pine Lane Bethesda, Maryland 20817 (301) 388-7161
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