



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

ITEM # 13

DATE: 10-16-03



**MEMORANDUM**

**DATE:** October 10, 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  
Development Review Division

**REVIEW TYPE:** Pre-Preliminary Plan Review

**APPLYING FOR:** Two-One Family Dwelling Units

**PROJECT NAME:** Edgemoor Estates

**CASE #:** 7-04004

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

**ZONE:** R-60

**LOCATION:** West Side of Exeter Road between Hampden Lane and Edgemoor Road

**MASTER PLAN:** Bethesda - Chevy Chase

**APPLICANT:** Laurence R. Latourette and Lisa Stevenson

**FILING DATE:** September 3, 2003

**HEARING DATE:** October 16, 2003

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**STAFF RECOMMENDATION:** Pursuant to Section 50-29(b)(2) of the Montgomery County Subdivision Regulations, no objection to the submission of a preliminary plan application

## **ISSUES TO DATE**

### **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) complies 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**

The defined neighborhood used to evaluate the application includes lots within the same zoning (R-60) classification as the subject property. The attached neighborhood delineation was chosen to include seven blocks, with the subject property located in the center of the outlined neighborhood. The rationale for choosing this neighborhood is as follows: 1) The transition in lots sizes from Moorland Lane, south to Elm Street is apparent. Larger lots occupy the blocks between Moorland Lane and Edgemoor Lane; medium size lots occupy the blocks between Edgemoor Lane and Hampden Lane; and smaller lots occupy the blocks between Hampden Lane and Elm Street. To take into account this variation in lots sizes by block, staff expanded the neighborhood to the north and south as shown on the attached neighborhood delineation. 2) The prevalence of parts of lots (deeded remainders of previously recorded lots) is fairly common in this neighborhood. It has been Commission practice to not include parts of lots in the neighborhood comparison for resubdivisions because the deeded remainders are not legal subdivisions under Chapter 50 and do not necessarily comply with zoning requirements. In order to include an adequate number of whole lots in the comparison, staff felt it prudent to expand the neighborhood.

### **Master Plan Compliance**

The property is located within the Approved and Adopted Bethesda-Chevy Chase 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-60) residential area. Since the proposed lots would meet the requirements for the R-60 zone, it is staff's conclusion that they would comply with the general guidelines adopted in the master plan.

## PROJECT DESCRIPTION:

### Vicinity

The subject site is located on the west side of Exeter Road between Hampden Lane and Edgemoor Lane in the Edgemoor Subdivision. This portion of the Edgemoor was originally recorded in 1924. Numerous resubdivisions have altered the lots within the defined neighborhood since the original recordation date. The subject property was altered after the 1924 recordation by deed transfers. In 1989 the subject property was the subject of a resubdivision to consolidate the parts of lots around the existing house on the property, and under common ownership, into the current lot 19. As stated previously, there have been other transfers of portions of lots, by deed, between property owners. The transfer of property by deed has resulted in numerous parts of lots within the defined neighborhood.

The neighborhood is predominately single family residential, although a private club confronts the subject property on Exeter Road.

### Proposal

The pre-preliminary plan application proposes the creation of two - one family detached lots. The subject lots will be 8,128 square feet and 17,522 square feet in size. An existing one family dwelling exists on the property and is proposed to remain on the larger of the two lots. Access is to be provided by individual driveways to Exeter Road. The proposed development meets would meet all requirements set forth in Chapter 59 of the Montgomery County Zoning Ordinance.

## ANALYSIS

This proposed resubdivision would create two lots from the existing 25,740 square foot lot (Lot 19). The existing lot is the largest within its block (block 17). Staff analyzed the aforementioned transition of lots sizes, i.e., larger lots within the northernmost blocks of the neighborhood and smaller lots in the southernmost neighborhood. Staff also considered the lot pattern along Exeter Road to determine if the proposal would create a new pattern that was out of character with the neighborhood in general. Finally, staff reviewed the attached tabular summary to determine if the proposed lots would be within the range for the seven resubdivision criteria pursuant to Section 50-29(b)(2) of the Subdivision Regulations.

With respect to the resubdivision criteria staff makes the following determinations:

**Size:** Existing lots in the defined neighborhood range in size from approximately 6,000 square feet up to the largest lot at 49,037 square feet. The proposed lots at 8,218 square feet and 17,522 square feet fall within the range of lot sizes in the neighborhood.

**Area:** The area within the building envelope for the proposed lots also fall within the range of the other lots in the neighborhood. The lots in the neighborhood have area measurements that range from 1,755 square feet up to 34,580 square feet. The proposed lot area measurements are 3,425 square feet and 10,582 square feet.

**Shape:** The proposed lot shapes are consistent with the variety of lots shapes in the defined neighborhood. The majority of the lots are rectangular or square with a number irregular shaped lots having "jogs" in one property line. The smaller of the proposed lots would be essentially square and the larger lot would be an irregular rectangle.

**Frontage:** The existing lots in the defined neighborhood have frontages that range from 50 feet to 185 feet. The proposed lots will have frontages of 86.5 feet and 102.5 feet, thereby meeting the frontage criteria.

**Width:** Consistent with the frontage criteria, widths also range from 50 feet to 185 feet for the lots in the neighborhood. The proposed lots will have widths at 86.5 feet and 102.5 feet.

**Alignment:** Each proposed lot is lined perpendicular to the respective street, which is consistent with the neighborhood.

**Suitability:** The proposed lots as shown on the pre-preliminary plan have an adequate and useable building area, meet all current zoning criteria and would be deemed suitable for residential development.

## CONCLUSION

In applying the resubdivision criteria to the neighborhood delineated by staff, staff finds that the proposed resubdivision does comply with 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. Staff finds that a high correlation does exist for all seven of these characteristics. Specifically, the application proposes two (2) 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.

Additional to the specific findings pursuant to the resubdivision criteria, staff makes the following conclusions: The proposed lots would be within the overall character of the lots with respect to the transition of lots sizes (larger to the north, smaller to the south). Staff also finds that the new lot pattern along Exeter Road created by the proposal would be consistent with existing lot patterns.

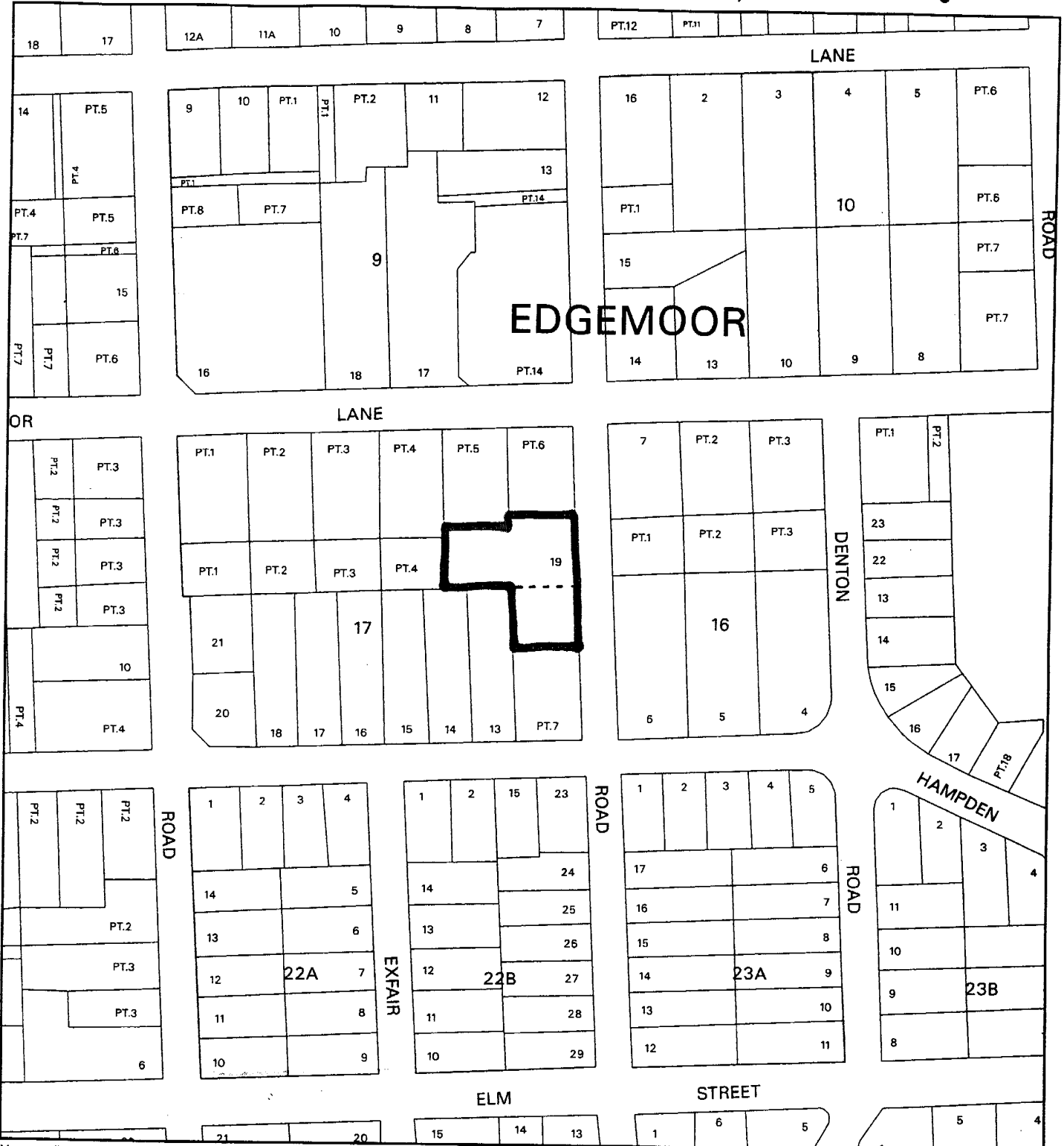
Staff does not object to the submission of a preliminary plan subject to that plan complying with all sections of Chapter 50, the Subdivision Regulations.

## Attachments

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

Citizen correspondence has been attached to this memorandum

# EDGEMOOR, LOTS 22 & 23, BLK. 17 (7-04004) Defined Neighborhood



Map compiled on September 08, 2003 at 3:45 PM | Site located on base sheet no - 209NW05

## NOTICE

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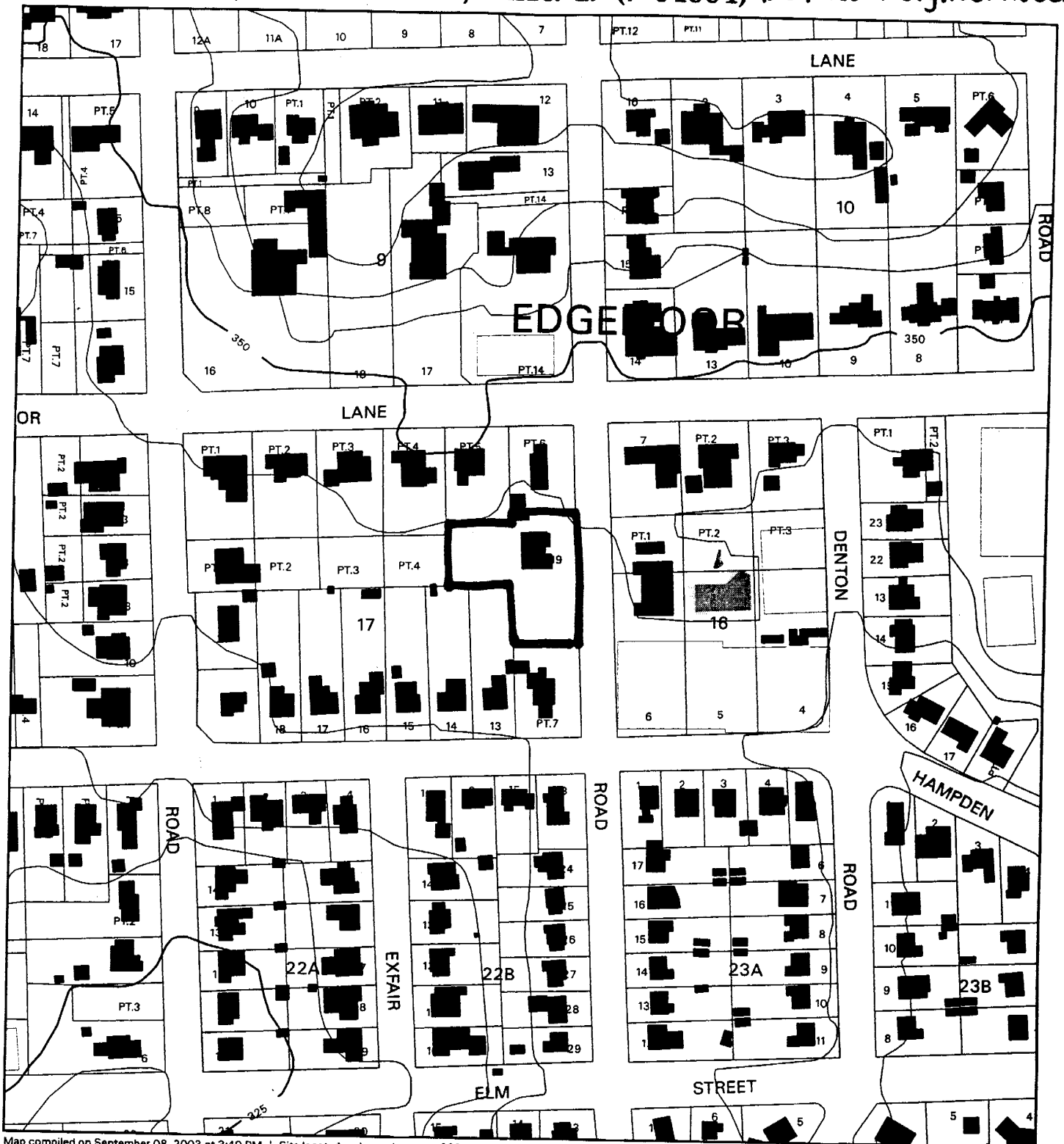
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# EDGEMOOR, LOTS 22 & 23, BLK. 17 (7-04004) Defined Neighborhood



Map compiled on September 08, 2003 at 3:40 PM | Site located on base sheet no - 209NW05

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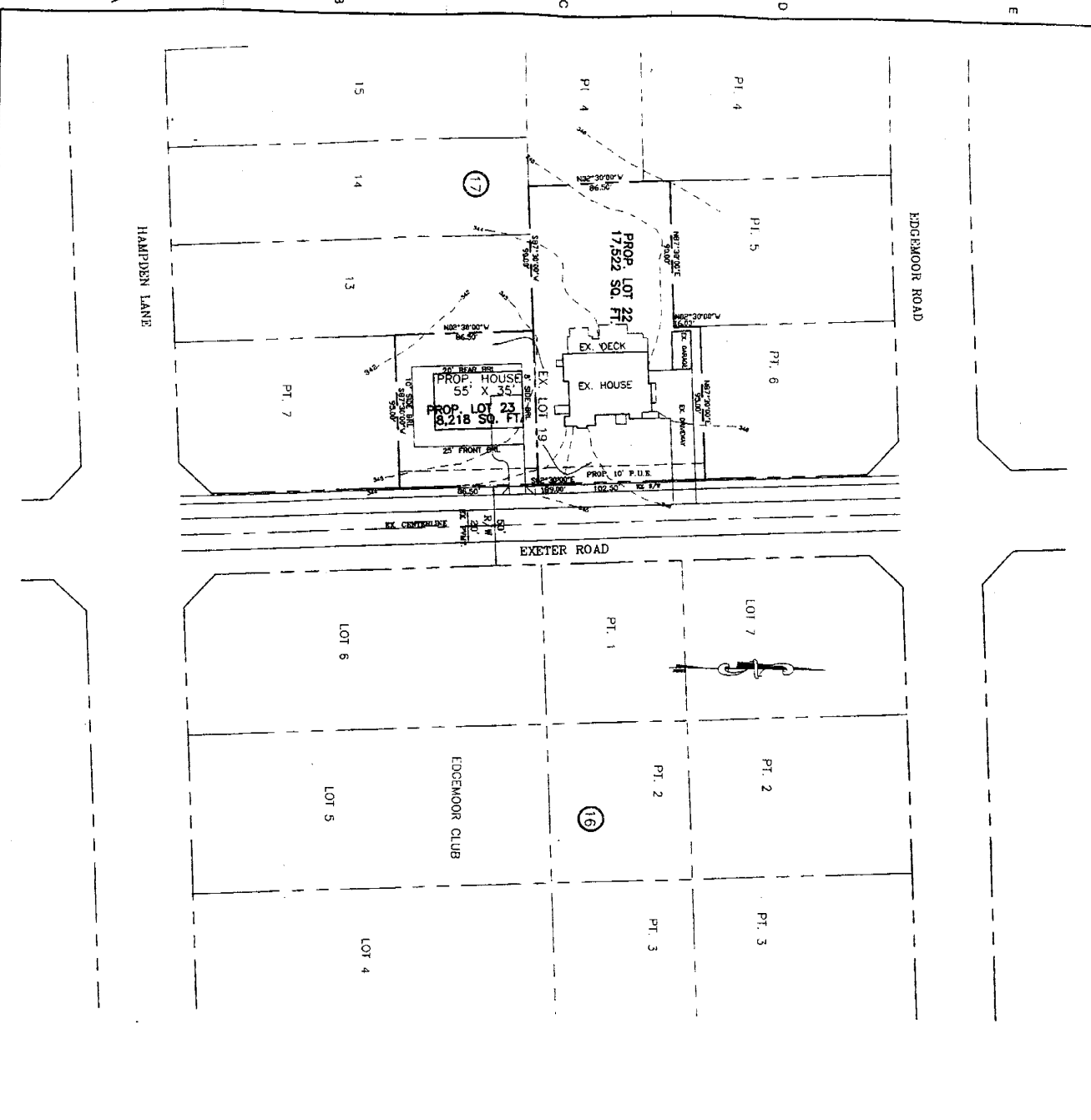
Key Map



Research & Technology Center



1 : 2400



**GENERAL NOTES:**

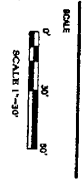
1. THIS PLAN FOR THE EDGEMOOR SUBDIVISION IS A PRELIMINARY PLAN. IT IS SUBJECT TO THE APPROVAL OF THE CITY OF BETHESDA, MARYLAND. THE CITY ENGINEER'S OFFICE SHALL REVIEW THIS PLAN AND SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE CITY ENGINEER'S OFFICE SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED IN ANY OTHER DOCUMENTS OR PLANS WHICH MAY BE REFERRED TO IN THIS PLAN.
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3. THE PROPERTY SHOWN ON THIS PLAN IS THE PROPERTY OF THE CITY OF BETHESDA, MARYLAND. THE CITY ENGINEER'S OFFICE SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED IN ANY OTHER DOCUMENTS OR PLANS WHICH MAY BE REFERRED TO IN THIS PLAN.

PROPOSED LOT	AREA (SQ. FT.)	PERCENTAGE OF TOTAL AREA
PROPOSED LOT 22	17,522	100.00%
PROPOSED LOT 23	8,218	46.82%

**Dewberry**

2015 Perry Parkway, Suite 1  
 Gaithersburg, MD 20878-2149  
 www.dewberry.com

**PRE-PRELIMINARY  
 SUBDIVISION PLAN  
 EDGEMOOR**  
 LOT 19, BLOCK 17  
 PROPOSED LOTS 22 & 23  
 7424 EXETER ROAD  
 BETHESDA, MD 20814



NO.	DATE	BY	DESCRIPTION

DESIGNED BY: JJC  
 CHECKED BY: JJC  
 DATE: 08/29/03

**PRE-PRELIMINARY  
 PLAN EDGEMOOR  
 LOTS 22 & 23  
 BLOCK 17**

PROJECT NO. E2751  
**1 OF 1**

**Comparable Lot Data Table**

Ranked By Lot Number

Lot #	Block	Frontage	Alignment	Size sq. ft.	Shape	Width	Area
9	9	70	PERPENDICULAR	8,750	RECTANGULAR	70	2,960
10	9	70	PERPENDICULAR	8,750	RECTANGULAR	70	2,960
11	9	80	PERPENDICULAR	8,000	SQUARE	80	3,410
12	9	100	PERPENDICULAR	14,000	RECTANGULAR	100	6,365
16	9	185	PERPENDICULAR	49,037	RECTANGULAR	185	34,580
17	9	114.87	PERPENDICULAR	31,882	IRREGULAR	100	19,590
18	9	90	PERPENDICULAR	26,704	RECTANGULAR	90	17,640
2	10	100	PERPENDICULAR	21,000	RECTANGULAR	100	14,350
3	10	100	PERPENDICULAR	21,000	RECTANGULAR	100	14,350
10	10	100	PERPENDICULAR	21,000	RECTANGULAR	100	14,350
13	10	100	PERPENDICULAR	16,250	RECTANGULAR	100	9,635
14	10	85	PERPENDICULAR	13,452	RECTANGULAR	100	7,380
15	10	80	PERPENDICULAR	13,250	RECTANGULAR	80	4,650
16	10	100	PERPENDICULAR	15,000	RECTANGULAR	100	8,610
7	16	100	PERPENDICULAR	13,600	RECTANGULAR	100	7,462
13	17	60	PERPENDICULAR	13,350	RECTANGULAR	60	7,455
14	17	60	PERPENDICULAR	13,350	RECTANGULAR	60	7,455
15	17	60	PERPENDICULAR	13,350	RECTANGULAR	60	7,455
16	17	60	PERPENDICULAR	13,350	RECTANGULAR	60	7,455
17	17	60	PERPENDICULAR	13,350	RECTANGULAR	60	7,455
18	17	60	PERPENDICULAR	13,350	RECTANGULAR	60	7,455
20	17	60	PERPENDICULAR	9,250	SQUARE	90	3,561
21	17	60	PERPENDICULAR	10,011	RECTANGULAR	111.2	4,196
1	22A	70	PERPENDICULAR	8,199	RECTANGULAR	70	2,553
2	22A	60	PERPENDICULAR	7,028	RECTANGULAR	60	2,898
3	22A	60	PERPENDICULAR	7,028	RECTANGULAR	60	2,898
4	22A	60	PERPENDICULAR	7,028	RECTANGULAR	60	1,944
5	22A	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
6	22A	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
7	22A	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
8	22A	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
9	22A	60.19	PERPENDICULAR	7,519	RECTANGULAR	60.19	3,375
10	22A	60	PERPENDICULAR	7,506	RECTANGULAR	60	3,360
11	22A	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
12	22A	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
13	22A	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
14	22A	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
1	22B	65	PERPENDICULAR	7,613	RECTANGULAR	65	2,208
2	22B	60	PERPENDICULAR	7,028	RECTANGULAR	60	2,622
10	22B	60.23	PERPENDICULAR	7,500	RECTANGULAR	60.23	2,986
11	22B	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360



12	22B	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
13	22B	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
14	22B	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
15	22B	60	PERPENDICULAR	6,848	RECTANGULAR	60	2,903
23	22B	65	PERPENDICULAR	7,147	RECTANGULAR	65	1,949
24	22B	51.5	PERPENDICULAR	5,937	RECTANGULAR	51.5	3,000
25	22B	51.5	PERPENDICULAR	6,438	RECTANGULAR	51.5	3,000
26	22B	51.5	PERPENDICULAR	6,438	RECTANGULAR	51.5	3,000
27	22B	51.5	PERPENDICULAR	6,438	RECTANGULAR	51.5	3,000
28	22B	51.5	PERPENDICULAR	6,438	RECTANGULAR	51.5	3,000
29	22B	50.1	PERPENDICULAR	6,256	RECTANGULAR	50.1	2,248
1	23A	60	PERPENDICULAR	6,600	RECTANGULAR	60	2,730
2	23A	60	PERPENDICULAR	6,600	RECTANGULAR	60	2,730
3	23A	60	PERPENDICULAR	6,600	RECTANGULAR	60	2,730
4	23A	60	PERPENDICULAR	6,600	RECTANGULAR	60	2,730
5	23A	78.41	PERPENDICULAR	6,367	RECTANGULAR	60	1,755
6	23A	50	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
7	23A	50	PERPENDICULAR	7,500	RECTANGULAR	50	3,360
8	23A	50	PERPENDICULAR	7,500	RECTANGULAR	50	3,360
9	23A	50	PERPENDICULAR	7,500	RECTANGULAR	50	3,360
10	23A	50	PERPENDICULAR	7,500	RECTANGULAR	50	3,360
11	23A	57.83	PERPENDICULAR	8,666	RECTANGULAR	57.83	3,646
12	23A	57.6	PERPENDICULAR	8,649	RECTANGULAR	57.6	4,578
13	23A	50	PERPENDICULAR	7,500	RECTANGULAR	50	3,780
14	23A	50	PERPENDICULAR	7,500	RECTANGULAR	50	3,780
15	23A	50	PERPENDICULAR	7,500	RECTANGULAR	50	3,780
16	23A	50	PERPENDICULAR	7,500	RECTANGULAR	50	3,780
17	23A	50	PERPENDICULAR	7,500	RECTANGULAR	50	3,780
<b>Proposed Lots</b>							
22	17	102.5	PERPENDICULAR	17,522	RECTANGULAR	102.5	10,582
23	17	86.5	PERPENDICULAR	8,218	RECTANGULAR	86.5	3,425

**Comparable Lot Data Table**

Ranked By Size

Lot #	Block	Frontage	Alignment	Size sq. ft.	Shape	Width	Area
24	22B	51.5	PERPENDICULAR	5,937	RECTANGULAR	51.5	3,000
29	22B	50.1	PERPENDICULAR	6,256	RECTANGULAR	50.1	2,248
5	23A	78.41	PERPENDICULAR	6,367	RECTANGULAR	60	1,755
25	22B	51.5	PERPENDICULAR	6,438	RECTANGULAR	51.5	3,000
26	22B	51.5	PERPENDICULAR	6,438	RECTANGULAR	51.5	3,000
27	22B	51.5	PERPENDICULAR	6,438	RECTANGULAR	51.5	3,000
28	22B	51.5	PERPENDICULAR	6,438	RECTANGULAR	51.5	3,000
1	23A	60	PERPENDICULAR	6,600	RECTANGULAR	60	2,730
2	23A	60	PERPENDICULAR	6,600	RECTANGULAR	60	2,730
3	23A	60	PERPENDICULAR	6,600	RECTANGULAR	60	2,730
4	23A	60	PERPENDICULAR	6,600	RECTANGULAR	60	2,730
15	22B	60	PERPENDICULAR	6,848	RECTANGULAR	60	2,903
4	22A	60	PERPENDICULAR	7,028	RECTANGULAR	60	1,944
2	22B	60	PERPENDICULAR	7,028	RECTANGULAR	60	2,622
2	22A	60	PERPENDICULAR	7,028	RECTANGULAR	60	2,898
3	22A	60	PERPENDICULAR	7,028	RECTANGULAR	60	2,898
23	22B	65	PERPENDICULAR	7,147	RECTANGULAR	65	1,949
10	22B	60.23	PERPENDICULAR	7,500	RECTANGULAR	60.23	2,986
6	23A	50	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
7	23A	50	PERPENDICULAR	7,500	RECTANGULAR	50	3,360
8	23A	50	PERPENDICULAR	7,500	RECTANGULAR	50	3,360
9	23A	50	PERPENDICULAR	7,500	RECTANGULAR	50	3,360
10	23A	50	PERPENDICULAR	7,500	RECTANGULAR	50	3,360
5	22A	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
6	22A	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
7	22A	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
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13	22A	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
14	22A	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
11	22B	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
12	22B	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
13	22B	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
14	22B	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
13	23A	50	PERPENDICULAR	7,500	RECTANGULAR	50	3,780
14	23A	50	PERPENDICULAR	7,500	RECTANGULAR	50	3,780
15	23A	50	PERPENDICULAR	7,500	RECTANGULAR	50	3,780
16	23A	50	PERPENDICULAR	7,500	RECTANGULAR	50	3,780
17	23A	50	PERPENDICULAR	7,500	RECTANGULAR	50	3,780
10	22A	60	PERPENDICULAR	7,506	RECTANGULAR	60	3,360

9	22A	60.19	PERPENDICULAR	7,519	RECTANGULAR	60.19	3,375
1	22B	65	PERPENDICULAR	7,613	RECTANGULAR	65	2,208
11	9	80	PERPENDICULAR	8,000	SQUARE	80	3,410
1	22A	70	PERPENDICULAR	8,199	RECTANGULAR	70	2,553
<b>23</b>	<b>17</b>	<b>86.5</b>	<b>PERPENDICULAR</b>	<b>8,218</b>	<b>RECTANGULAR</b>	<b>86.5</b>	<b>3,425</b>
12	23A	57.6	PERPENDICULAR	8,649	RECTANGULAR	57.6	4,578
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15	17	60	PERPENDICULAR	13,350	RECTANGULAR	60	7,455
16	17	60	PERPENDICULAR	13,350	RECTANGULAR	60	7,455
17	17	60	PERPENDICULAR	13,350	RECTANGULAR	60	7,455
18	17	60	PERPENDICULAR	13,350	RECTANGULAR	60	7,455
14	10	85	PERPENDICULAR	13,452	RECTANGULAR	100	7,380
7	16	100	PERPENDICULAR	13,600	RECTANGULAR	100	7,462
12	9	100	PERPENDICULAR	14,000	RECTANGULAR	100	6,365
16	10	100	PERPENDICULAR	15,000	RECTANGULAR	100	8,610
13	10	100	PERPENDICULAR	16,250	RECTANGULAR	100	9,635
<b>22</b>	<b>17</b>	<b>102.5</b>	<b>PERPENDICULAR</b>	<b>17,522</b>	<b>RECTANGULAR</b>	<b>102.5</b>	<b>10,582</b>
2	10	100	PERPENDICULAR	21,000	RECTANGULAR	100	14,350
3	10	100	PERPENDICULAR	21,000	RECTANGULAR	100	14,350
10	10	100	PERPENDICULAR	21,000	RECTANGULAR	100	14,350
18	9	90	PERPENDICULAR	26,704	RECTANGULAR	90	17,640
17	9	114.87	PERPENDICULAR	31,882	IRREGULAR	100	19,590
16	9	185	PERPENDICULAR	49,037	RECTANGULAR	185	34,580

Lot #	Block	Frontage	Alignment	Size sq. ft.	Shape	Width	Area
MEDIAN	ALL	60	PERPENDICULAR	7,500	RECTANGULAR	60	3,360
MIN	ALL	50	PERPENDICULAR	5,937	RECTANGULAR	50	1,755
MAX	ALL	185	PERPENDICULAR	49,037	RECTANGULAR	185	34,580
<b>Existing Lot 19, Block 17 (Subject Lot Proposed to be Resubdivided)</b>							
19	17	189	PERPENDICULAR	25,740	L-SHAPED	189	16,101
<b>Proposed Resubdivided Lots, Concept 1</b>							
22 (1)	17	102.5	PERPENDICULAR	17,522	RECTANGULAR	102.5	10,582
23 (1)	17	86.5	PERPENDICULAR	8,218	RECTANGULAR	86.5	3,425