MEMORANDUM

DATE: December 18, 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: Preliminary Plan Review
APPLYING FOR: Resubdivision of Lot 10 and 11, Block 6 - Ridgewood Village
PROJECT NAME: Ridgewood Village
CASE #: 1-04034
REVIEW BASIS: Chapter 50, Sec. 50-29 (b)(2), Montgomery County Subdivision Regulations, and Resubdivision Criteria

ZONE: R-60
LOCATION: On the east side of Pinehurst Parkway, approximately 200 feet south of Greenvale Street

MASTER PLAN: Bethesda-Chevy Chase
APPLICANT: Ms. Barbara Tennenbaum
FILING DATE: November 17, 2003
HEARING DATE: December 18, 2003

STAFF RECOMMENDATION: Approval, pursuant to Section 50-29 (b)(2), Montgomery County Subdivision Regulations, and subject to the following conditions:
1) Applicant to submit a detailed tree save and grading plan for staff review and approval prior to recordation of plats
2) Compliance with conditions of MCDPWT letter dated December 5, 2003, unless otherwise amended
3) 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
4) Other necessary easements

PREVIOUS PLANNING BOARD ACTION

The Planning Board reviewed a pre-preliminary (7-03057) for the same subject property at their July 31, 2003 hearing. At that hearing the Planning Board reviewed a tabular summary and neighborhood delineation identical to the ones submitted with this preliminary plan application and included in this memo. The Planning Board supported the application and did not object to the submission of a preliminary plan subject to full compliance with Chapter 50 including Section 50-29 (b) (2), the resubdivision criteria.

DISCUSSION OF ISSUES

Conformance to Chapter 50-29(b)(2)

In order to support an application for Resubdivision, the Planning Board must find that the proposed lot(s) substantially 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

Under the resubdivision criteria the neighborhood used to evaluate the application can only include lots within the same zoning (R-60) classification as the subject property. The neighborhood as defined by staff includes two blocks, Block 6 of the Ridgewood Village Subdivision and Block 9 of the Pinehurst Village Subdivision. Block 6, Ridgewood Village, is comprised of the lots in the northern half of the neighborhood, and Block 9, Pinehurst Village is comprised of the lots in the southern half of the neighborhood. All lots surrounding the subject
property are zoned R-60. For this application, staff included all “whole” lots within Block 6 and Block 9. Staff excluded the properties identified as Parts of Lots 2 and Parts of Lot 3 and an outlot (O.L.) abutting the subject property to the east.

**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. If a preliminary plan were approved for this application, it is staff’s conclusion that they would comply with the general guidelines adopted in the master plan.

**DESCRIPTION**

**Vicinity**

The initial lots within this portion of Ridgewood Village subdivision were recorded by plat in 1948-1949. The Pinehurst Village subdivision completed the lots within the neighborhood in 1953 and 1955. The original lots have remained relatively unchanged, except for one lot line adjustment between lots 10 and 11, Block 9 in the year 2000. The neighborhood is well established with existing homes.

**Proposal**

This application for resubdivision proposes to shift the dividing lot line between the two subject lots 28 ft. to accommodate the necessary area and setback for an addition to an existing single family residence on proposed Lot 15. Had this lot line shift involved less than 5% of the total area of the two lots, this would have qualified as a minor lot line adjustment. However, in order to shift the lot line to gain the necessary area and setback for the addition, the “5% rule” for a minor lot line adjustment was not possible. This lot line shift does not create additional lots; rather, it results in two lots with modified sizes, areas, frontages and widths. Shape, alignment and suitability remain unchanged from existing conditions.

**ANALYSIS**

As stated above, the approval of this subdivision application would not result in the creation of new lots. The proposed lots differ from the existing lots only in relation to size, area, width, and frontage. Shape, alignment and suitability remain relatively unchanged. The new lots will have the following characteristics (*Respective to proposed Lots 15 and 14*): **Size** – 12,808 sq. ft. and 8,007 sq. ft.; **Area** – 6,190 sq. ft. and 3,398 sq. ft.; **Width** – 122.78 ft. and 86.6 ft.; **Frontage** – 125.26 ft. and 89.38 ft. Staff has reviewed the new lots for consistency with the neighborhood characteristics and has shown these relationships in the attached tabular summary.
CONCLUSION

The proposed lots substantially comply with all seven of the resubdivision criteria pursuant to Section 50-29(b)(2) of the Montgomery County Subdivision Regulations. Further, staff finds there to be a high correlation with the seven criteria. Specifically, the application proposes two lots that are generally of the same dimensional characteristics in comparison to all lots in the defined neighborhood. Staff recommends approval of the application subject to the conditions cited above.

Attachments:

- Neighborhood Delineation Map pg. 5
- Neighborhood Development Map pg. 6
- Tabular Summary pg. 7
- Preliminary Plan pg. 8

No citizen correspondence has been received to date
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Proposed lots