



**MEMORANDUM**

**DATE:** February 27, 2004

**TO:** Montgomery County Planning Board

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

**FROM:** A. Malcolm Shaneman, Supervisor (301) 495-4587 *Jan 5*  
Dolores M. Kinney, Senior Planner (301) 495-1321 *DK*

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

**APPLYING FOR:** Resubdivision of Existing Lot 9

**PROJECT NAME:** Columbia Forest

**CASE #:** 7-04022

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

**ZONE:** R-60

**LOCATION:** On the north side of Kentbury Drive, approximately 100 feet  
southeast of Rosedale Avenue

**MASTER PLAN:** Bethesda/Chevy Chase

**APPLICANT:** Marco A. Calderon

**FILING DATE:** December 31, 2003

**HEARING DATE:** March 4, 2004

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**STAFF RECOMMENDATION:** Objection to the submission of the preliminary plan application, pursuant to Section 50-29 (b)(2) of the Subdivision Regulations

## DISCUSSION OF ISSUES

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

This is an application to resubdivide one (1) existing lot into two (2) lots.

In order to approve an application for *Resubdivision*, the Planning Board must find that the proposed lots 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.

Staff and the applicant have conflicting views on the delineation of the neighborhood. An analysis and illustration that delineates the neighborhood recommended by staff and the neighborhood recommended by the applicant together with the tabular summary for Columbia Forest, are included in the staff report.

The neighborhood that the applicant has proposed includes about *one-half* of the lots to the east side of Lynbrook Drive fronting Chestnut Street and Rosedale Avenue. The area east and around the Lynbrook Recreation Center, and south along Newdale Road to Sleaford Road. This neighborhood includes over 90 residential lots. The neighborhood, as proposed by the applicant, is much larger than usually evaluated by the Board in assessing the resubdivision criteria.

Staff has chosen a different neighborhood delineation. The Staffs' neighborhood consists of *all* the lots east of Lynbrook Drive, east and around the Lynbrook Recreation Center, south along Kentbury Drive to Sleaford Road. It also takes into consideration the lots fronting Newdale Drive to the intersection of Lynbrook Drive. Staff did not include the area southwest of the neighborhood, a difference of twenty-two (22) lots. Staff believes that these lots do not have a direct relationship with the subject site. Staff has chosen this neighborhood delineation due to the proximity of the subject site. The subject property is located on the eastern boundary of the neighborhood with four roads providing access in and past the subject property. Based on the subject properties orientation to these roads staff included all the lots that confront these roadways.

## **Master Plan Compliance**

The subject property is located on the east side of Kentbury Road in the Bethesda Chevy Chase Master Plan Area and is identified as Lot 9, Block 6, Section 1 of the Columbia Forest Subdivision. The master plan does not specifically identify this property for discussion but does give general guidance and recommendations regarding zoning and land use. The plan recommends that this area maintain the existing zoning as adopted and maintain the residential land use consisting of one family detached homes. The proposed resubdivision complies with the recommendations adopted in the sector plan in that it is a request for residential development.

Although the proposed resubdivision complies with the land use and zoning recommendations adopted in the master plan in that it is a request for residential development, it must also adhere to the resubdivision criteria pursuant to Section 50-29 (b)(2) of the Subdivision regulations.

## **SITE DESCRIPTION**

Section One of the Columbia Forest Subdivision was originally approved in 1949. The subject property is zoned R-60 and contains 13,288 square feet. The proposed resubdivision will create two lots, identified as Lot 10 and Lot 11 on the attached development plan. Lot 10 will be a corner lot containing 7,026 square feet and Lot 11 will be a perpendicular lot containing 6,262 square feet.

## **ANALYSIS**

In performing its analysis Staff applied the resubdivision criteria to the delineated neighborhood. Staff concludes that the proposed resubdivision does not comply with the size and area criteria of 50-29(b)(2). The subject resubdivision application creates two lots. One lot (Lot 10) will be a corner containing 7,026 square feet with a lot area of 2,031. The other lot (Lot 11) will be a perpendicular lot containing, 6,262 square feet with a lot area of 2,404 square feet. In comparing the area and size of proposed Lot 11 to the other lots in the defined neighborhood it is evident that the proposed lot is significantly smaller and has less buildable area than almost all the other lots. In comparing the proposed lots with the other resubdivision characteristics such as width, frontage, alignment and shape the tabular summary illustrates that they are consistent with the other lots in the staff defined neighborhood.

## **CONCLUSION**

In conclusion Staff does not support this pre-preliminary plan application for resubdivision and recommends that the applicant not proceed to preliminary plan. The proposed resubdivision creates two lots, one of which is a corner lot and the other, a perpendicular lot to the unimproved Newdale Road. Assessment of staff's neighborhood indicates that the proposed corner lot will be one of the smallest corner lots in reference to area and size. Pursuant to Section 50-29 of the Subdivision Regulations for, resubdivision, there must be a high correlation between characteristics of the proposed and existing lots in the defined neighborhood. Staff believes that a high correlation does not exist between all of the proposed lots and the existing lots.

### **Attachments:**

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Applicant's Neighborhood Delineation Map and Tabulation	9 - 11
Proposed Resubdivision Plan	12

# COLUMBIA FOREST (7-04022)



Map compiled on February 27, 2004 at 8:14 AM | Site located on base sheet no - 210NW04

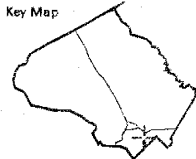
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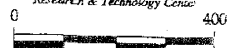
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Key Map



Research & Technology Center

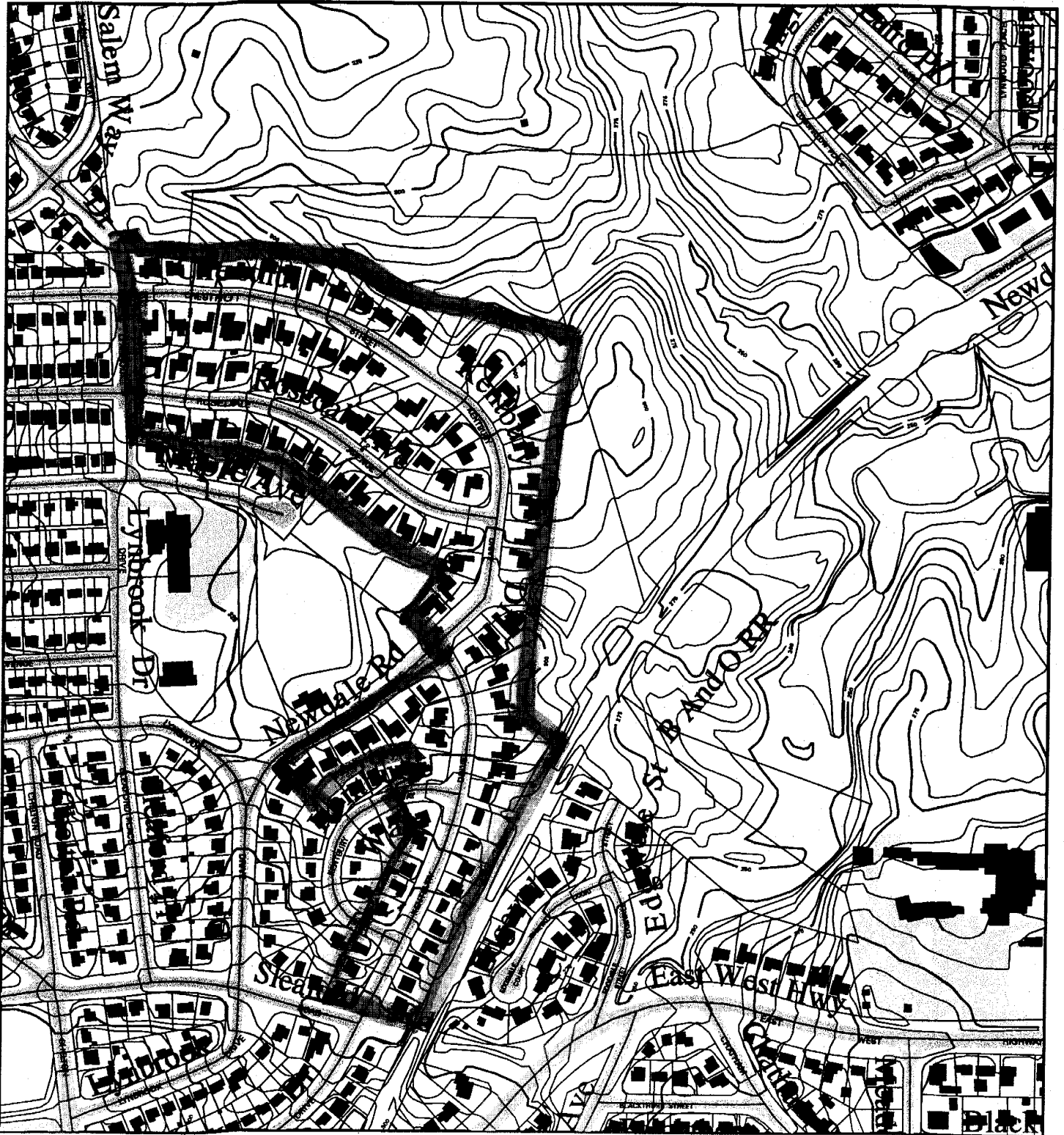


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**MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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# COLUMBIA FOREST (7-04022)



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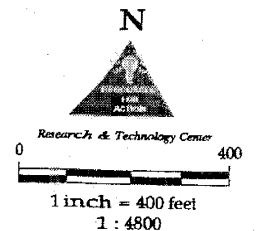
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Key Map



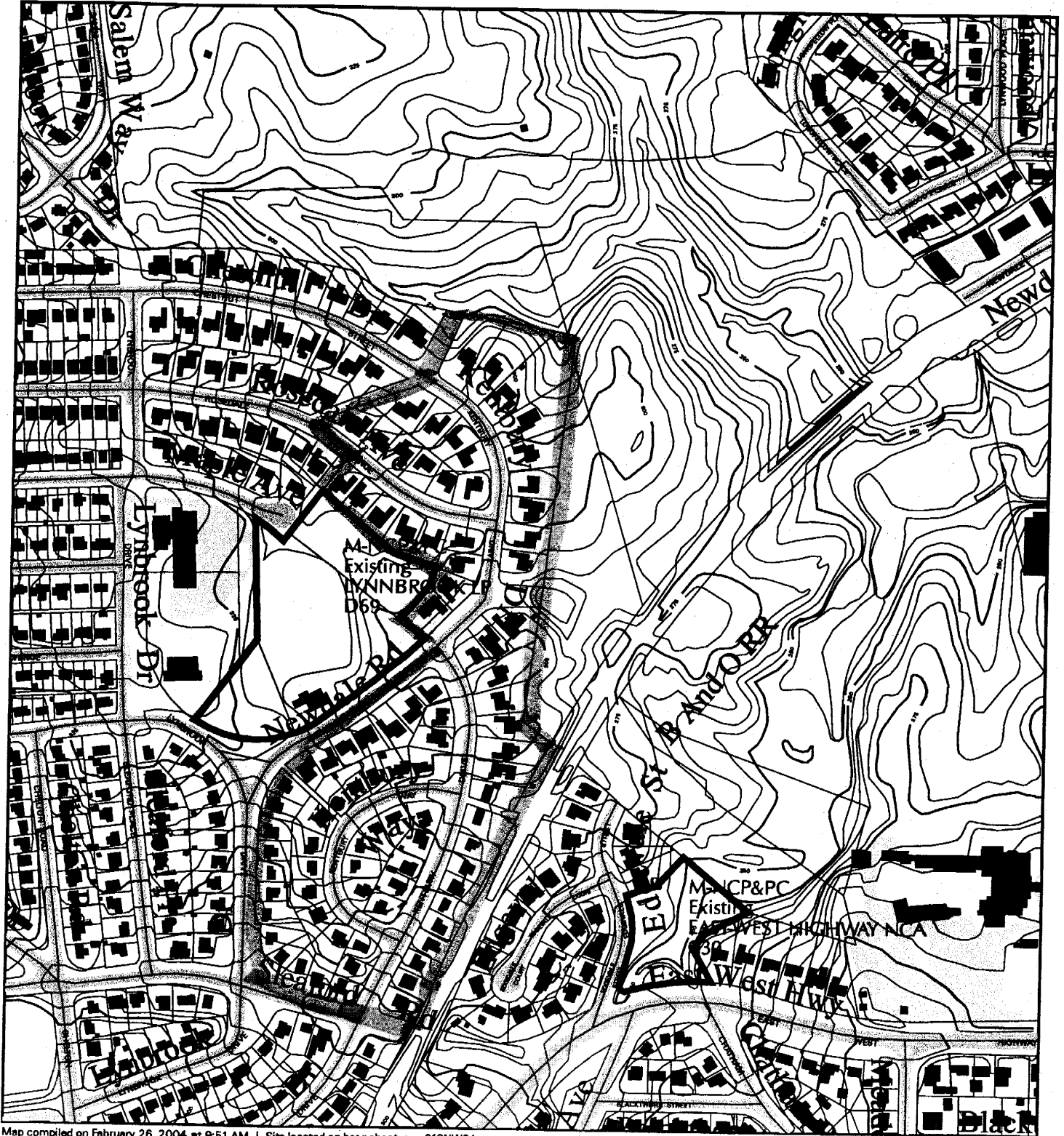
**Columbia Forest Resubdivision - Staff's Recommended Neighborhood**

Lot	Block	Size	Frontage	Width	Area	Shape	Alignment	Use
3	1	7,835	70	70	3,291	Rectangular	Perpendicular	Residential
5	1	8,238	70	70	3,460	Rectangular	Perpendicular	Residential
2	1	8,238	70	80	3,460	Rectangular	Perpendicular	Residential
4	1	8,396	70	70	3,526	Rectangular	Perpendicular	Residential
6	1	8,703	70	70	3,655	Rectangular	Perpendicular	Residential
1	1	8,716	90	70	3,661	Corner	Corner	Residential
10	1	9,104	70	72	3,824	Rectangular	Perpendicular	Residential
9	1	9,336	70	70	3,921	Rectangular	Perpendicular	Residential
7	1	9,355	70	72	3,929	Rectangular	Perpendicular	Residential
8	1	10,117	70	72	4,249	Rectangular	Perpendicular	Residential
11	1	15,913	110	107	6,683	Corner	Corner	Residential
6	2	8,242	75	72	3,462	Rectangular	Perpendicular	Residential
9	2	8,320	76	73	3,494	Rectangular	Perpendicular	Residential
7	2	8,515	75	72	3,576	Rectangular	Perpendicular	Residential
8	2	8,537	75	72	3,586	Rectangular	Perpendicular	Residential
2	2	8,710	75	74	3,658	Rectangular	Perpendicular	Residential
15	2	8,880	74	74	3,730	Rectangular	Perpendicular	Residential
16	2	8,880	74	74	3,730	Rectangular	Perpendicular	Residential
3	2	8,935	75	73	3,753	Rectangular	Perpendicular	Residential
14	2	9,161	74	75	3,848	Rectangular	Perpendicular	Residential
5	2	9,175	74	75	3,854	Rectangular	Perpendicular	Residential
4	2	9,280	75	75	3,898	Rectangular	Perpendicular	Residential
12	2	9,763	74	77	4,100	Rectangular	Perpendicular	Residential
13	2	10,023	74	77	4,210	Rectangular	Perpendicular	Residential
10	2	10,075	123	109	4,232	Corner	Corner	Residential
17	2	10,126	84	86	4,253	Corner	Corner	Residential
1	2	10,866	90	90	4,564	Corner	Corner	Residential
11	2	12,461	50	68	5,234	Corner	Corner	Residential
2	3	6,836	70	70	2,871	Rectangular	Perpendicular	Residential
6	3	7,100	75	72	2,982	Rectangular	Perpendicular	Residential
7	3	7,162	75	72	3,008	Rectangular	Perpendicular	Residential
3	3	7,208	70	70	3,027	Rectangular	Perpendicular	Residential
4	3	7,307	70	70	3,069	Rectangular	Perpendicular	Residential
5	3	7,464	75	72	3,135	Rectangular	Perpendicular	Residential
8	3	7,646	75	72	3,211	Rectangular	Perpendicular	Residential
1	3	7,898	84	82	3,317	Corner	Corner	Residential
1	4	7,986	70	70	3,354	Corner	Corner	Residential
2	4	7,986	70	70	3,354	Rectangular	Perpendicular	Residential
3	4	8,645	70	73	3,631	Rectangular	Perpendicular	Residential
8	4	8,715	98	88	3,660	Rectangular	Perpendicular	Residential
6	4	8,917	80	80	3,745	Corner	Corner	Residential
7	4	9,107	94	87	3,825	Rectangular	Perpendicular	Residential
4	4	9,982	70	75	4,192	Rectangular	Perpendicular	Residential
5	4	10,158	70	73	4,266	Rectangular	Perpendicular	Residential
4	5	7,789	90	81	3,271	Rectangular	Perpendicular	Residential
8	5	8,400	70	70	3,528	Rectangular	Perpendicular	Residential
9	5	8,400	70	70	3,528	Rectangular	Perpendicular	Residential
6	5	8,448	90	85	3,548	Rectangular	Perpendicular	Residential
7	5	8,910	75	71	3,742	Rectangular	Perpendicular	Residential
3	5	8,959	90	81	3,763	Rectangular	Perpendicular	Residential
2	5	10,589	90	86	4,447	Rectangular	Perpendicular	Residential
5	5	10,605	110	110	4,454	Rectangular	Perpendicular	Residential
10	5	11,254	130	118	4,727	Corner	Corner	Residential
1	5	13,964	70	84	5,865	Corner	Corner	Residential
8	6	9,750	75	75	4,095	Rectangular	Perpendicular	Residential

Lot	Block	Size	Frontage	Width	Area	Shape	Alignment	Use
7	6	10,040	75	75	4,217	Rectangular	Perpendicular	Residential
6	6	11,471	70	75	4,818	Rectangular	Perpendicular	Residential
5	6	14,167	70	75	5,950	Rectangular	Perpendicular	Residential
4	6	20,466	70	75	8,596	Radial	Perpendicular	Residential
1	6	22,391	92	95	9,404	Corner	Corner	Residential
2	6	27,221	70	75	11,433	Rectangular	Perpendicular	Residential
3	6	32,076	70	75	13,472	Radial	Perpendicular	Residential
2	7	6,807	100	81	2,859	Triangular	Perpendicular	Residential
1	7	7,231	70	68	3,037	Rectangular	Perpendicular	Residential
3	7	7,911	60	60	3,323	Rectangular	Perpendicular	Residential
4	7	8,108	102	100	3,405	Corner	Corner	Residential
10	7	9,430	55	59	3,961	Rectangular	Perpendicular	Residential
9	7	10,239	60	60	4,300	Rectangular	Perpendicular	Residential
6	7	10,455	60	64	4,391	Rectangular	Perpendicular	Residential
7	7	11,241	60	64	4,721	Rectangular	Perpendicular	Residential
8	7	12,210	60	60	5,128	Rectangular	Perpendicular	Residential
5	7	13,883	60	65	5,831	Rectangular	Perpendicular	Residential
16	10	5,744	60	60	2,412	Rectangular	Perpendicular	Residential
17	10	7,353	73	73	3,088	Corner	Corner	Residential
15	10	6,616	70	70	2,779	Corner	Corner	Residential
29	10	6,625	80	72	2,783	Rectangular	Perpendicular	Residential
31	10	6,762	65	65	2,840	Rectangular	Perpendicular	Residential
32	10	7,333	65	65	3,080	Rectangular	Perpendicular	Residential
3	10	8,008	70	67	3,363	Rectangular	Perpendicular	Residential
34	10	8,201	75	77	3,444	Irregular	Perpendicular	Residential
33	10	8,931	65	67	3,751	Irregular	Perpendicular	Residential
1	10	10,137	122	122	4,258	Corner	Corner	Residential
4	10	11,231	109	109	4,717	Corner	Corner	Residential
2	10	6,570	80	74	2,759	Irregular	Perpendicular	Residential
30	10	6,500	65	60	2,730	Rectangular	Perpendicular	Residential
4	11	6,223	65	65	2,614	Rectangular	Perpendicular	Residential
3	11	6,392	70	70	2,685	Rectangular	Perpendicular	Residential
2	11	6,531	80	78	2,743	Rectangular	Perpendicular	Residential
5	11	7,368	78	78	3,095	Corner	Corner	Residential
1	11	9,254	101	101	3,887	Corner	Corner	Residential
Totals		872,211	6,920	6,865				
Avg.		10,903	87	86				
<b>Proposed Lots</b>								
10	6	7,026	110	110	2,031	Corner	Corner	Residential
11	6	6,262	65	65	2,404	Rectangular	Perpendicular	Residential



# COLUMBIA FOREST (7-04022)



Map compiled on February 26, 2004 at 8:51 AM | Site located on base sheet no - 210NW04

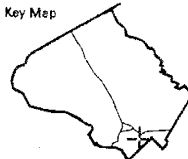
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Key Map



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1 inch = 400 feet  
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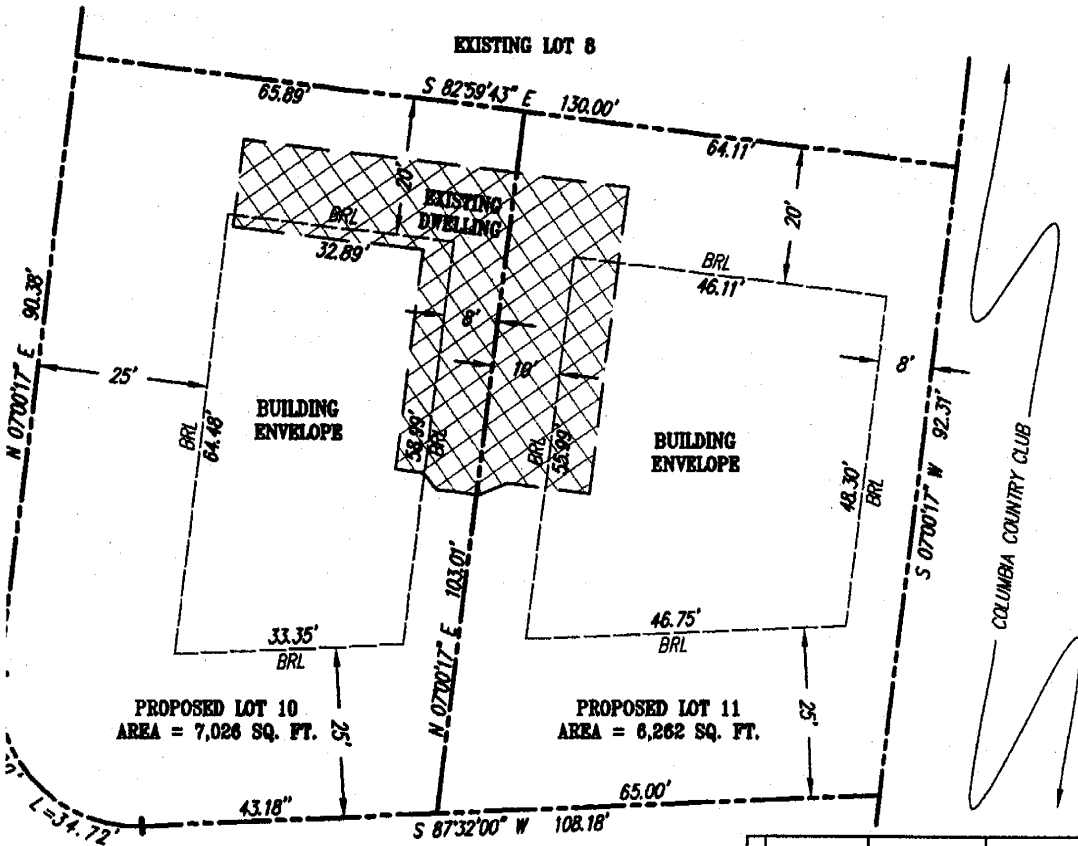
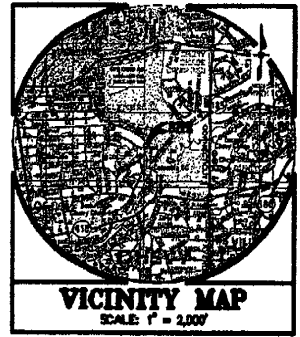
**COLUMBIA FOREST, PRE- APPLICATION CONCEPT PLAN, 7-04022  
PROPOSED RE- SUBDIVISION, LOTS 10 & 11, BLOCK 6**

**Comparable Lot Data Table**

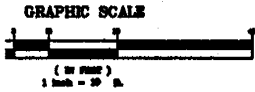
**EXISTING LOTS**

Lot #	Block	Lot Size	Width @ Street	Alignment	Shape	Width @ BRL	Lot Area W/ BRL
16	10	5744	60	Perpendicular	Rectangular	60	2131
23	10	6000	60	Perpendicular	Rectangular	60	2309
24	10	6000	60	Perpendicular	Rectangular	60	2309
25	10	6000	60	Perpendicular	Rectangular	60	2309
4	11	6223	65	Perpendicular	Rectangular	65	2385
19	10	6255	79	Perpendicular	Rectangular	70	2342
11	6	6262	65	Perpendicular	Rectangular	65	2404
3	11	6392	70	Perpendicular	Rectangular	70	2461
11	10	6398	60	Perpendicular	Rectangular	60	2537
26	10	6423	69	Perpendicular	Rectangular	67	2532
30	10	6500	65	Perpendicular	Rectangular	60	2585
2	11	6531	80	Perpendicular	Rectangular	78	2312
6	10	6564	60	Perpendicular	Rectangular	62	2648
2	10	6570	80	Perpendicular	Rectangular	74	2437
6	12	6600	60	Perpendicular	Rectangular	60	2729
7	12	6600	60	Perpendicular	Rectangular	60	2729
8	12	6600	60	Perpendicular	Rectangular	60	2729
9	12	6600	60	Perpendicular	Rectangular	60	2729
15	10	6616	70	Corner	Corner	70	1776
29	10	6625	80	Perpendicular	Rectangular	72	2667
5	12	6649	60	Perpendicular	Rectangular	60	2762
8	11	6732	88	Perpendicular	Triangular	75	2729
22	10	6758	64	Perpendicular	Irregular	64	2768
31	10	6762	65	Perpendicular	Rectangular	65	2737
9	11	6773	78	Perpendicular	Rectangular	68	2795
2	7	6807	100	Corner	Triangular	81	2685
21	10	6943	80	Perpendicular	Irregular	71	2922
4	12	6972	60	Perpendicular	Rectangular	61	2958
10	6	7026	110	Corner	Corner	110	2031
20	10	7075	80	Perpendicular	Rectangular	70	3012
8	10	7092	55	Perpendicular	Rectangular	59	3068
7	10	7198	60	Perpendicular	Rectangular	64	2994
10	11	7214	80	Perpendicular	Rectangular	75	2827
7	11	7217	65	Perpendicular	Rectangular	62	3096
5	10	7230	60	Perpendicular	Rectangular	66	2998
1	7	7231	70	Perpendicular	Rectangular	68	3052
3	12	7234	60	Perpendicular	Rectangular	61	3138
28	10	7331	80	Perpendicular	Rectangular	73	3174
32	10	7333	65	Perpendicular	Rectangular	65	3059
27	10	7343	85	Perpendicular	Rectangular	77	3066
17	10	7353	73	Corner	Corner	73	2300
5	11	7368	78	Corner	Corner	78	2276
6	11	7555	131	Perpendicular	Triangular	103	3135
2	12	7724	60	Perpendicular	Rectangular	61	3479
4	5	7789	90	Perpendicular	Rectangular	81	3238
3	7	7911	60	Perpendicular	Rectangular	60	3607
18	10	7925	60	Perpendicular	Rectangular	64	3559
1	4	7986	70	Perpendicular	Rectangular	70	3594
2	4	7986	70	Perpendicular	Rectangular	70	3594
3	10	8008	70	Perpendicular	Rectangular	67	3599

Lot #	Block	Lot Size	Width @ Street	Alignment	Shape	Width @ BRL	Lot Area W/ BRL
				Corner	Corner	100	2700
4	7	8108	102	Perpendicular	Rectangular	77	3504
34	10	8201	75	Perpendicular	Rectangular	64	3734
9	10	8282	55	Perpendicular	Rectangular	68	3709
10	10	8341	60	Perpendicular	Rectangular	70	3901
8	5	8400	70	Perpendicular	Rectangular	70	3901
9	5	8400	70	Perpendicular	Rectangular	85	3712
6	5	8448	90	Perpendicular	Rectangular	69	3851
12	10	8489	60	Perpendicular	Rectangular	69	3897
13	10	8610	60	Perpendicular	Rectangular	88	3002
9	4	8643	88	Perpendicular	Rectangular	73	3982
3	4	8645	70	Perpendicular	Rectangular	88	3970
8	4	8715	98	Perpendicular	Rectangular	71	4188
7	5	8910	75	Perpendicular	Rectangular	80	3072
6	4	8917	80	Corner	Corner	67	4290
33	10	8931	65	Perpendicular	Rectangular	88	3026
10	12	8935	88	Perpendicular	Rectangular	81	4259
3	5	8959	90	Perpendicular	Rectangular	87	4268
7	4	9107	94	Perpendicular	Rectangular	101	2972
1	11	9254	101	Corner	Corner	69	4354
14	10	9416	60	Perpendicular	Rectangular	59	4667
10	7	9430	55	Perpendicular	Rectangular	75	4846
8	6	9750	75	Perpendicular	Rectangular	75	4809
4	4	9982	70	Perpendicular	Rectangular	75	5040
7	6	10040	75	Perpendicular	Rectangular	122	3382
1	10	10137	122	Corner	Corner	73	5045
5	4	10158	70	Perpendicular	Rectangular	60	5219
9	7	10239	60	Perpendicular	Rectangular	64	5419
6	7	10455	60	Perpendicular	Rectangular	86	5398
2	5	10589	90	Perpendicular	Rectangular	110	4555
5	5	10605	110	Corner	Corner	83	5674
1	12	11007	84	Perpendicular	Rectangular	109	4661
4	10	11231	109	Corner	Corner	64	4927
7	7	11241	60	Perpendicular	Rectangular	118	5410
10	5	11254	130	Perpendicular	Rectangular	75	6027
6	6	11471	70	Perpendicular	Rectangular	60	6614
8	7	12210	60	Perpendicular	Rectangular	65	7814
5	7	13883	60	Perpendicular	Rectangular	84	7551
1	5	13964	70	Perpendicular	Rectangular	75	8018
5	6	14167	70	Perpendicular	Rectangular	95	12320
4	6	20466	70	Perpendicular	Rectangular	75	12736
1	6	22391	92	Perpendicular	Rectangular	75	18453
2	6	27221	70	Perpendicular	Rectangular	75	22308
3	6	32076	70	Perpendicular	Rectangular		



**UNNAMED 60' R/W STUB**  
NOT BUILT / "PAPER STREET"



ITEM	ZONING CODE	EXISTING LOTS	SUBJECT LOTS	
			10	11
1 STREET FRONT	25' MIN.	85'-178'	80'	85'
2 ALIGNMENT	---	STD. GRID NO FLAG LOTS	STD. GRID NO FLAG LOTS	
3 SIZE (LOT)	8,000 SQ. FT. MIN.	8,744 SQ. FT. - 32,078 SQ. FT.	7,026 SQ. FT.	6,262 SQ. FT.
4 SHAPE	---	RECTANGULAR	RECTANGULAR	
5 WIDTH (MIN.)	60' MIN.	58'-108'	67'	65'
6 AREA (BUILDABLE)	---	1,518 SQ. FT. - 22,306 SQ. FT.	2,031 SQ. FT.	2,404 SQ. FT.
7 SUITABILITY	---	SINGLE FAMILY	SINGLE FAMILY	

**NOTES:**

- 1) PLANNING AREA: BETHESDA - CHEVY CHASE / PA35
- 2) EXISTING LOT AREA = 13,288 SQ. FT. (RECORD)  
PROPOSED LOT AREAS:  
LOT 10 = 7,026 SQ. FT.  
LOT 11 = 6,262 SQ. FT.
- 3) PROPERTY ZONED: R-60
- 4) EXISTING LAND USE: ONE (1) SINGLE FAMILY DWELLING  
PROPOSED LAND USE: TWO (2) SINGLE FAMILY DWELLINGS
- 5) WSSC SERVICE CATEGORIES:  
WATER = W-1  
SEWER = S-1
- 6) SITE LIES WITHIN THE ROCK CREEK WATERSHED.
- 7) THERE ARE NO FORESTS, WETLANDS, FLOODPLAINS OR HISTORIC RESOURCES ON THE SUBJECT PROPERTY.
- 8) SITE DOES NOT LIE WITHIN A SPECIAL PROTECTION AREA.
- 9) STORMWATER MANAGEMENT CONCEPT: "FEE-IN-LIEU"
- 10) TRAFFIC STUDY / STATEMENT: N/A

**DEVELOPMENT PROGRAM**

THE EXISTING SINGLE FAMILY DWELLING ON LOT 9 SHALL BE DEMOLISHED. A SINGLE FAMILY DWELLING SHALL BE CONSTRUCTED ON EACH OF PROPOSED LOTS 10 AND 11. PROPOSED LOT 10 WILL HAVE DIRECT ACCESS TO KENTURBY DRIVE (SIMILAR TO EXISTING LOT 9). PROPOSED LOT 11 WILL HAVE ACCESS TO KENTURBY DRIVE VIA A PRIVATE DRIVEWAY THROUGH THE UNNAMED 60' R/W STUB.

**SURVEYOR'S CERTIFICATE:**

I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH SECTIONS 50-33 AND 50-33A OF THE MONTGOMERY COUNTY CODE AND THAT IT IS TRUE AND CORRECT.

DATE

DAVID S. WEBER  
PROFESSIONAL LAND SURVEYOR  
MD. REG. NO. 10852

**WSSC: 210NW04**

PREPARED FOR: <b>MARCO CALDERON</b> 9107 KENTURBY DRIVE BETHESDA, MD 20814 301-907-0208	<b>PRE-APPLICATION CONCEPT PLAN</b> <b>LOT 9, BLOCK 6, SECTION 1</b> <b>PROPOSED RESUBDIVISION INTO LOTS 10 &amp; 11</b> <b>COLUMBIA FOREST</b> <small>The Book 25 Plan No. 2321</small>			SCALE AS NOTED	ZONING R-60	G. L. R. FILE NO. <b>03012</b>
	BETHESDA ELECTION DISTRICT No.			DATE DECEMBER 2003	TAX MAP HN 343	SHEET 1 OF 1
	MONTGOMERY COUNTY, MARYLAND					