



Date Mailed: September 18, 2003

Action: Approved Staff Recommendation

Motion of Comm. Robinson, seconded by
Comm. Wellington with a vote of 5-0;

Comms. Berlage, Bryant, Perdue,
Robinson and Wellington voting
in favor

ATTACHMENT 6

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-03051

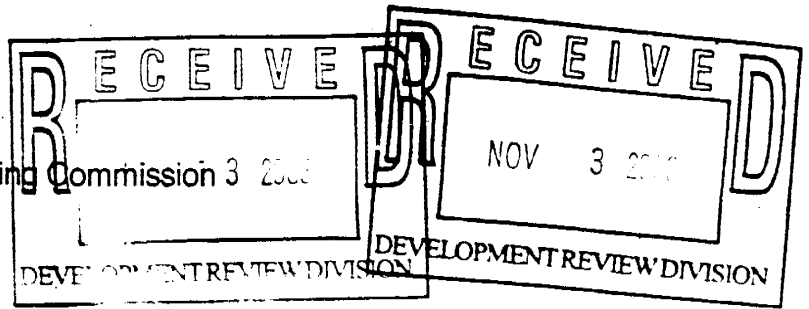
NAME OF PLAN: BANNOCKBURN HEIGHTS (RESUBDIVISION)

On 1/09/03, AL S. KHALATBARI submitted an application for the approval of a preliminary plan of subdivision of property in the R-200 zone. The application proposed to create 2 lots on 1.5 acres of land. The application was designated Preliminary Plan 1-03051. On 3/13/03, Preliminary Plan 1-03051 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received additional evidence into the record.

In order to approve an application for resubdivision, the Planning Board must find, among other things, that the proposed lot(s) comply with all seven characteristics of the "Resubdivision Criteria" as set forth in Section 50-29 (b)(2) of the Subdivision Regulations.

The Planning Board adopts Staff's delineation of the neighborhood, as set forth in the Staff Report dated February 14, 2003, for comparison purposes in analyzing the Resubdivision Criteria. With respect to the Resubdivision Criteria, the Planning Board finds that, based upon the testimony and evidence in the record, the proposed lots are not of the same character as to frontage and width as other lots within the existing neighborhood. Therefore, the Planning Board denies this application based on its failure to comply with the requirements of Section 50-29 (b)(2) of the Subdivision Regulations.

October 30, 2003
Mr. Richard Weaver
Senior Planner
Maryland-National Capital Park and Planning Commission 3 2003
Silver Spring, Md 20910



Dear Mr. Weaver,

On September 18, 2003, the Planning Board issued an opinion rejecting preliminary plan 1-03051 for Bannockburn Heights resubdivision of lot 7 submitted by Mr. Khalatbari. We understand that Mr. Khalatbari is going to submit another subdivision plan for the same property. Please do send us a copy of any new plan submitted, well in advance of the hearing on the plan.

Thank you very much.

Sincerely,

Reyes
REYES_042204 eyser
attach 7

6619 Braeburn Parkway
Bethesda, Md. 20817