

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

ITEM # 8



MEMORANDUM

DATE: May 21, 2004

TO: Montgomery County Planning Board

VIA: Richard Hawthorne, Acting Chief
Development Review Division *RCH*

FROM: Richard Weaver, Planning Coordinator, (301) 495-4544 *RAW*
Dolores M. Kinney, Senior Planner (301) 495-1321 *DML*

REVIEW TYPE: Pre-Preliminary Plan Review

APPLYING FOR: Resubdivision of Existing Lots 24 & 25

PROJECT NAME: Chevy Chase Section 1A Lots 28 & 29

CASE #: 1-04078

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

ZONE: R-60

LOCATION: On the North Side of Grove Street, 500 feet Southwest of Kirkside
Drive

MASTER PLAN: Bethesda/Chevy Chase

APPLICANT: The Chevy Chase Land Company

FILING DATE: April 8, 2004

HEARING DATE: May 27, 2004

STAFF RECOMMENDATION: Approval Pursuant to Section 50-29 (b) (2),
Montgomery County Subdivision Regulations subject to the following conditions:

- 1) Compliance with all recommendations included on the final Tree Save Plan dated April 4, 2004, as revised May 13, 2004. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits
- 2) Record plat to reflect common ingress/egress and utility easements over all shared driveways
- 3) Compliance with the conditions of approval of the MCDPS stormwater management approval.
- 4) 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
- 5) Other necessary easements

SITE/PROJECT DESCRIPTION:

The existing Lot 24 and Lot 25 are part of the Chevy Chase Section 1A subdivision in Chevy Chase Village, which were recorded, in their current configuration by plat in 1950. The subject lots are currently vacant. The property is located in an urban area of Chevy Chase at the northeast intersection of Belmont Avenue and Grove Street.

The subject resubdivision application proposes a lot line adjustment, which moves the lot line between the proposed Lots 28 and 29 approximately 17 feet to the east. The plan shows that the proposed Lot 28, a corner lot, contains 10,043 square feet. The proposed Lot 29 contains 7,750 square feet and is perpendicular in alignment and rectangular in shape. The applicant proposes a shared driveway with entrance from Grove Street.

DISCUSSION OF ISSUES

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

A. Statutory Review Criteria

This is an application to resubdivide two (2) existing lots by realigning the common lot line between Lot 24 and Lot 25.

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.

B. Neighborhood Delineation

In administering the Resubdivision section, the Planning Board must determine the appropriate "neighborhood" for evaluating the application. In this case, the applicant has provided a description of the area analyzed under the resubdivision criteria and an illustration that delineates the neighborhood, which is included in the staff report. Staff is of the opinion that the applicant's neighborhood delineation is appropriate because it provides an adequate sample that exemplifies the lot and development pattern of the area.

The neighborhood associated with this resubdivision includes 28 lots within the Chevy Chase Section 1A Subdivision, bounded by Center Street on the north, Belmont Avenue on the East, Grove Street and Western Avenue on the south.

Master Plan Compliance

The property is located within the Friendship Heights Sector Plan Area. The sector plan does not specifically identify this property for discussion but does give general guidance and recommendations regarding zoning and land use. The sector 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.

BACKGROUND/PRIOR REVIEW

This section of Grove Street was designated in the Friendship Heights Sector Plan as a buffer area to protect the residences of Chevy Chase Village from development in the Friendship Heights Central Business District. The subject property was considered by the Planning Board on January 29, 2004 as Pre-Preliminary Application No. 7-04013, entitled Chevy Chase Section 1A. To accommodate the construction of a dwelling on the proposed Lot 28 and to satisfy the 75-foot minimum frontage requirement in the Chevy Chase Village Code, the pre-preliminary plan proposed a lot line adjustment with a jog in the common lot line between existing Lots 24, and Lot 25, near the street frontage. The proposed jog in the lot line created lot shapes that staff argued were not consistent in character with the neighborhood and therefore, did not comply with Section 50-29(b) (2). For this reason, Staff objected to the submission of the preliminary plan. However, the Planning Board advised the applicant to go forward with the resubdivision in part, because the jog in the lot line, in the Board's opinion, had no adverse impact on the shape of the lots or the development pattern of the neighborhood.

Subsequently, on March 8, 2004, the "Board of Managers" of Chevy Chase Village granted to the applicant a variance to allow the creation of a lot with frontage of

62 feet. Attached is a copy of the Decision of the Board of Managers. The subject preliminary plan depicts the revised 62-foot lot frontage, which has eliminated the requirement of the jog in the common lot line. As set forth below, the proposed lots are consistent with the character of existing lots in the neighborhood.

The subject lots are located within the incorporated Municipality of Chevy Chase Village. The Village reviewed the pre-preliminary application and expressed support for the proposal. Attached is a letter of support from Chevy Chase Village for the pre-preliminary application.

Comparison of the Character of Proposed Lots to Existing

Determinations regarding resubdivision applications are subject to Section 50-29(b)(2) of the Subdivision Regulations. Approval is based on a finding that a high correlation exists between the characteristics of the proposed lots and the existing lots in the delineated neighborhood. Specifically, these characteristics are shape, size, alignment, width, frontage, area and suitability for residential use. The attached tabular summary and graphics support staff's recommendation of approval and a finding that the proposed lots are of the same character as existing lots in the neighborhood

Area: The neighborhood consists of 28 lots. **Lot areas** range from 2,652 square feet to 8,763 square feet. Proposed Lot 28, with an area of 3,925.86 square feet, and Lot 29, with an area of 3,520 square feet, would, therefore, have a high correlation with the existing lots in the neighborhood with respect to area.

Lot Size: The **lot sizes** in the delineated neighborhood range from 7,500 square feet to 15,708 square feet. The proposed lots will have lot sizes of 10,043 square feet for Lot 28 and 7,750 square feet for Lot 29, which will be consistent in character with the other lots in the neighborhood.

Lot Frontage: The **lot frontages** range from 60 feet to 200. The proposed Lot 28, a corner lot, will have a lot frontage of 164.28 feet (on two sides) and Lot 29 will have a lot frontage of 62 feet. Therefore, the proposed lots will be consistent in character with the lots in the neighborhood.

Lot Width: The **lot widths** range from 60 feet to 80 feet. The proposed Lot 28, which is a corner lot, will have a lot width of 70 feet and the proposed Lot 29 will have a lot width of 62 feet, which demonstrates a high correlation with the other lots in the neighborhood.

Shape: All of the lots are rectangular in **shape**. The proposed Lot 28 is a corner lot and Lot 29 is a rectangular lot. Therefore, the proposed lots will be in character with the neighborhood.

Alignment: All of the existing and proposed lots are perpendicular in alignment.

Residential Use: The existing and the proposed lots are residential in use.

Based on the size, shape, width, frontage, alignment, area and suitability for residential use, the proposed Lot 28 and Lot 29 will have a high correlation with the existing lots in the neighborhood and complies with Section 50-29 (b) (2) of the Subdivision Ordinance.

CONCLUSION:

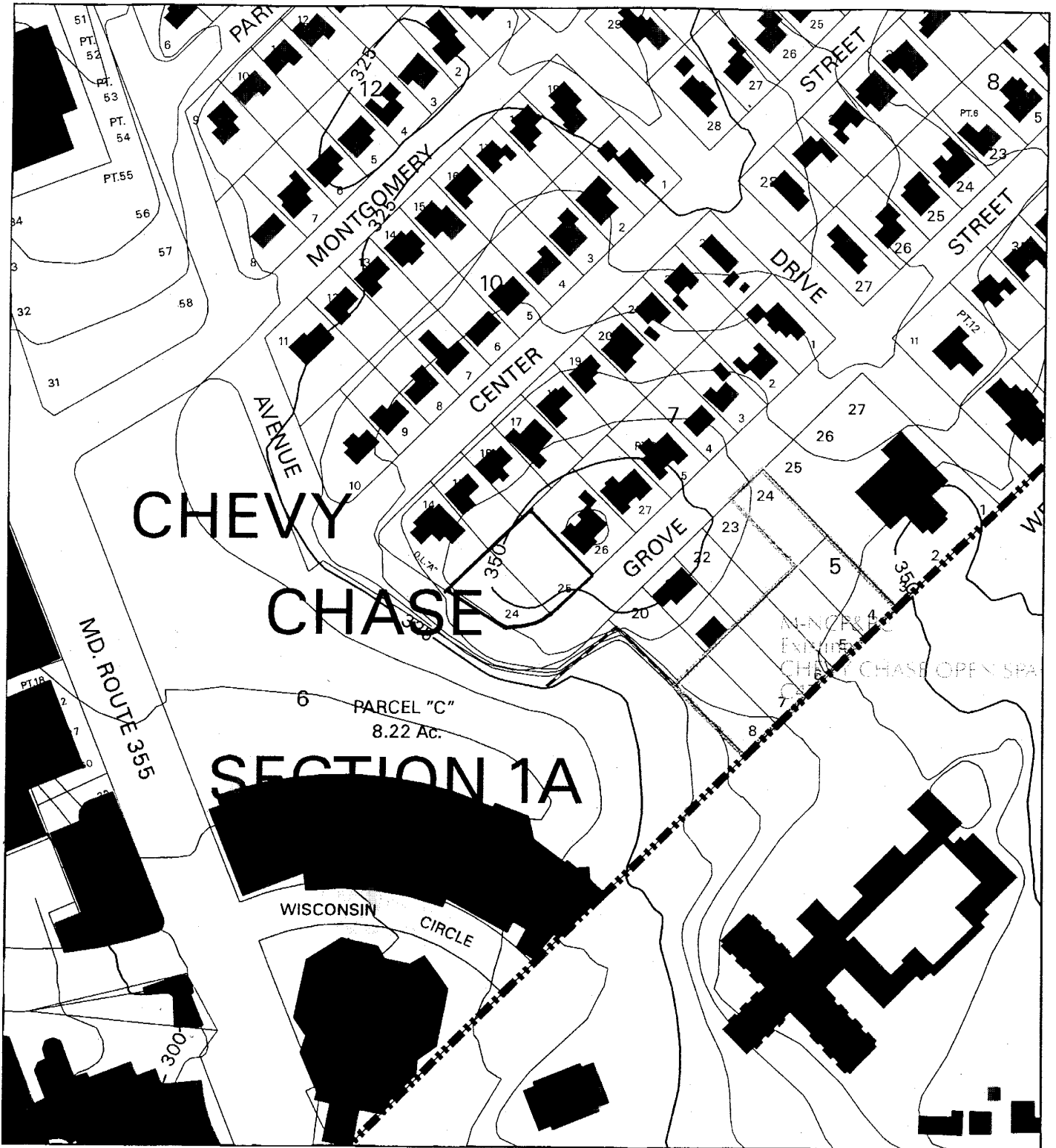
Section 50-29 (b) (2) of the Subdivision Ordinance specifies seven criteria for which resubdivided lots must substantially comply. Staff has determined in the analysis that the proposed lots are of the same character with respect to each of the resubdivision criteria as other lots in the delineated neighborhood. Therefore, staff recommends approval of the subject application.

Attachments

- Attachment 1 Vicinity Development Map
- Attachment 2 Neighborhood Delineation Map
- Attachment 3 Proposed Development Plan
- Attachment 4 Tabular Summary
- Attachment 5 Decision of the Chevy Chase Village Board of Manager
- Attachment 6 Chevy Chase Village Letter of Approval for Pre-Preliminary Application

ATTACHMENTS

CHEVY CHASE SECTION 1A (1-04078)



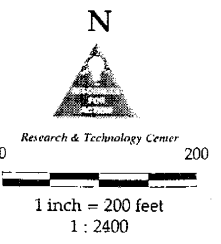
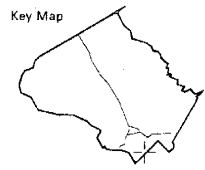
Map compiled on April 20, 2004 at 1:31 PM | Site located on base sheet no - 207NW04

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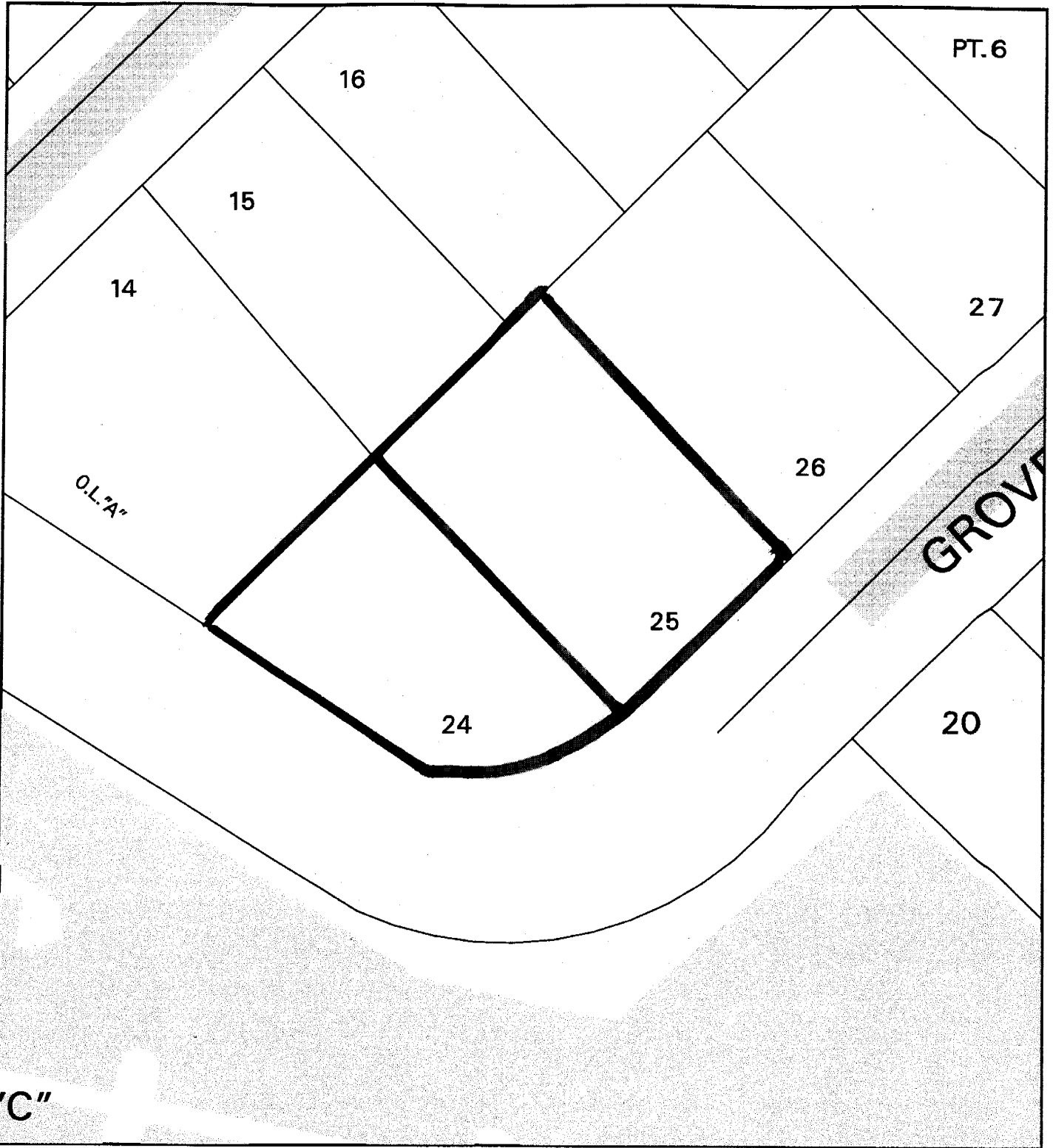
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CHEVY CHASE SECTION 1A (1-04078)



Map compiled on May 21, 2004 at 11:20 AM | Sites located on base sheet no - 207NW04

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Key Map



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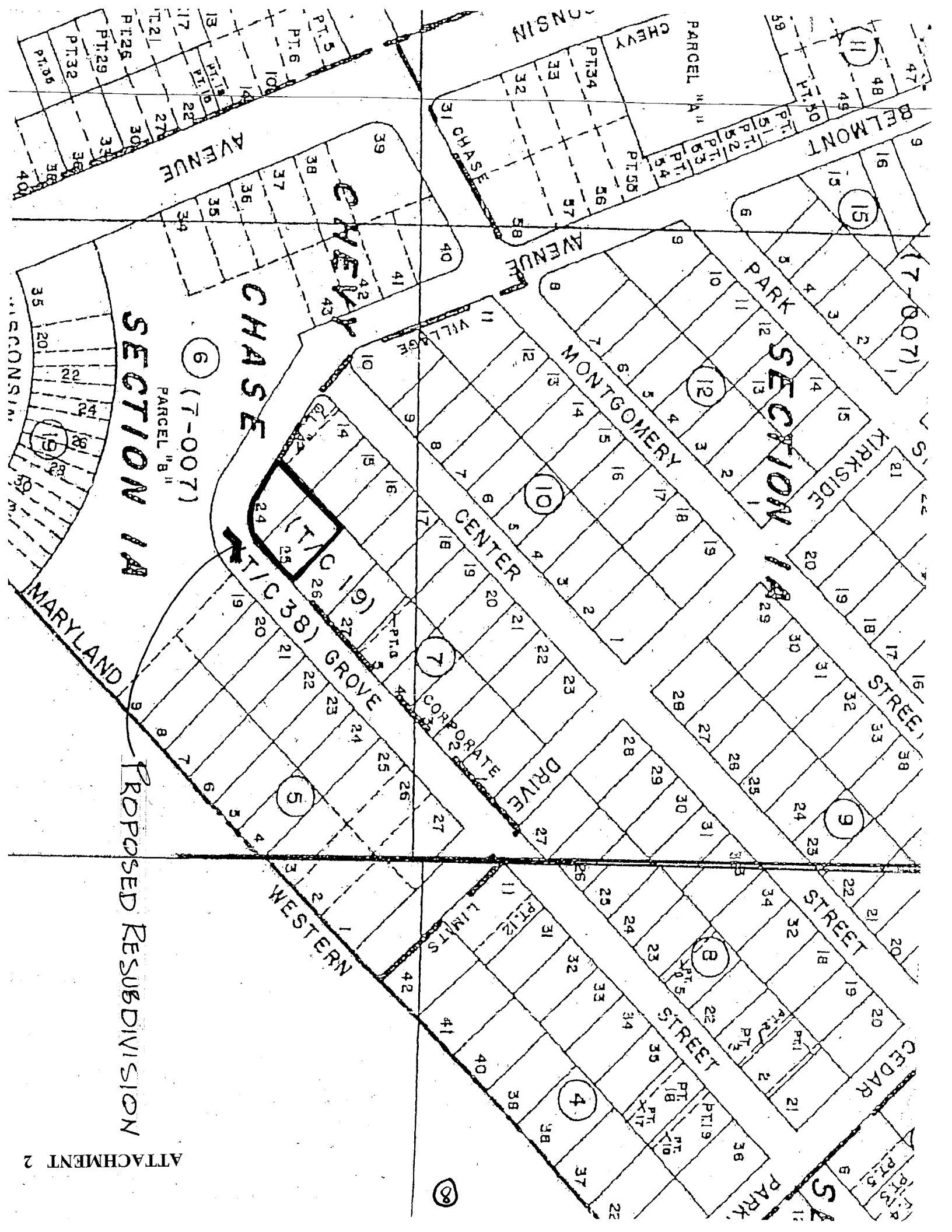


Research & Technology Center



1 inch = 50 feet
1 : 600

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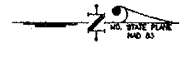
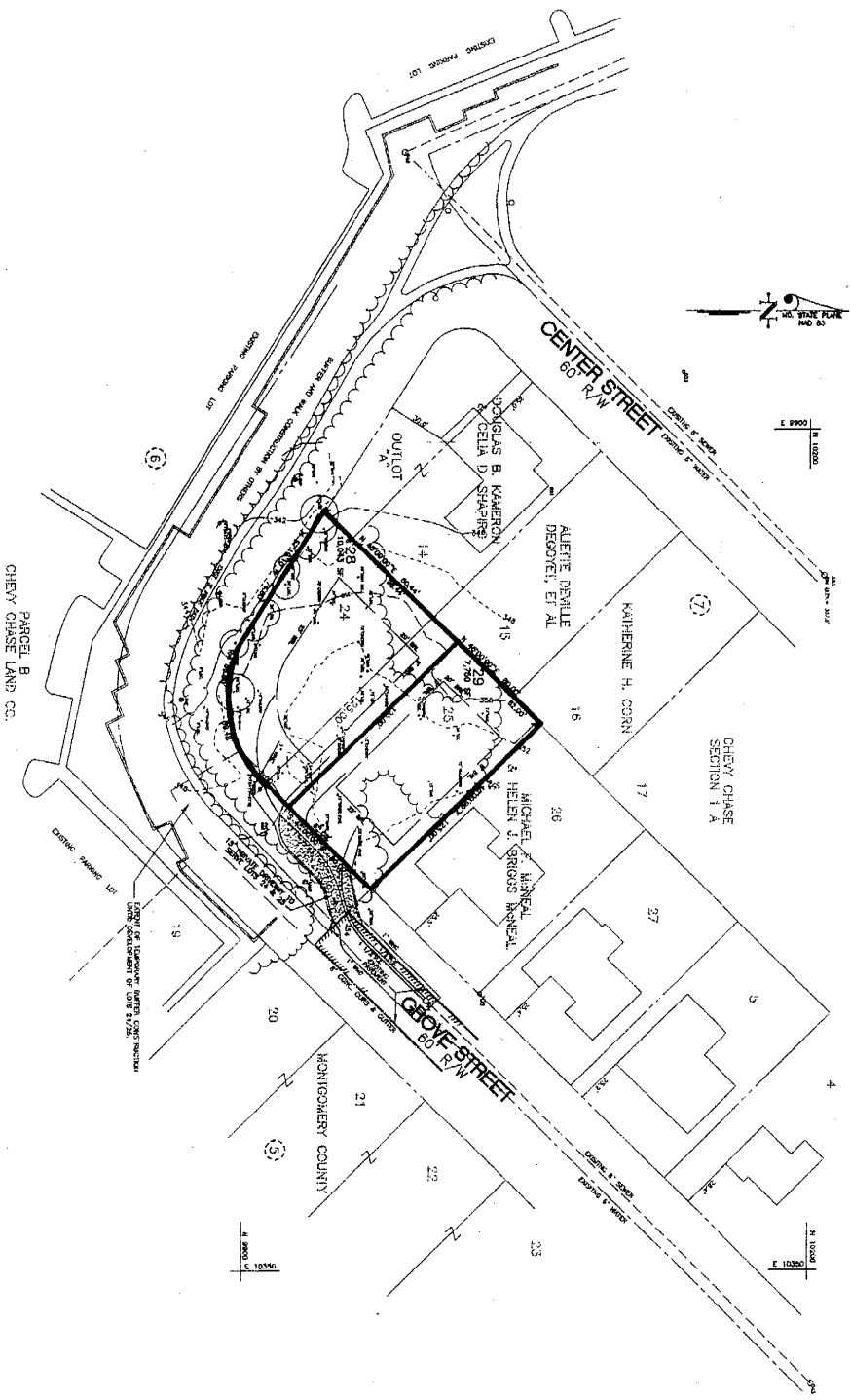
SECTION 1A
PARCEL "B"

PROPOSED RESUBDIVISION

LOT (C 26) (38) GROVE

6 (7-007)

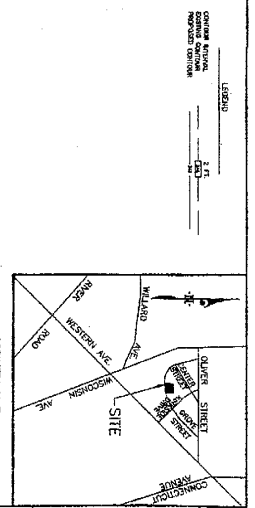
SECTION 1A



PARCEL B
CHEVY CHASE LAND CO.

NOTES

1. SITE AREA: 17,793 SF OR 0.41 AC.
2. EXISTING ZONING: R-60
3. EX. TOPOGRAPHY BY CLARK, FINEROCK AND SACKETT, SEPT. 2003
4. CONTOUR INTERVAL: 2 FEET
5. TAX MAP: HM 343
6. 200 SCALE BASE MAP: 200NMA
7. NUMBER OF LOTS PROPOSED: 2
8. WATER AND SEWER CATEGORIES: W-1, S-1
9. PROPOSED WATER AND SEWER SERVICE: PUBLIC
10. MINIMUM LOT STANDARDS - CHEVY CHASE VILLAGE:
 - MIN. LOT AREA: 7,500 SF
 - MIN. LOT FRONTAGE: 75 FT. (VAIVED)
 - MIN. FRONT YARD SETBACK: 25 FT.
 - MIN. SIDE OR REAR SETBACK: 8 FT.
11. MINIMUM LOT STANDARDS - R-60 ZONE:
 - MIN. LOT AREA: 6,000 SF
 - MIN. LOT FRONTAGE AT BRL: 60 FT.
 - MIN. FRONT YARD SETBACK: 25 FT.
 - MIN. REAR YARD SETBACK: 8 FT. (10 FT. 18' MAX. BUILDING HEIGHT)
 - MAX. BUILDING HEIGHT: 2 1/2 STORIES OR 35 FT.
 - MAX. LOT COVERAGE: 35%
12. WATERSHED: POTOMAC
13. THERE ARE NO FLOODPLAINS OR ENVIRONMENTALLY SENSITIVE AREAS WITHIN THE SITE.
14. STORMWATER MANAGEMENT CONCEPT NUMBER: 212095



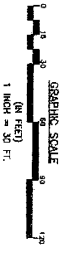
SURVEYOR'S CERTIFICATE
I, the undersigned, being a duly licensed Professional Engineer in the State of Maryland, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the Chevy Chase Land Co. and as the same appears on the original survey filed in the Office of the State Surveyor, Baltimore, Maryland, on the 14th day of August, 2003.

Robert J. Sackett
Professional Engineer
No. 10000

CLARK · FINEROCK & SACKETT, INC.
ENGINEERS · PLANNERS · SURVEYORS

7135 WHEATLAND AVE. · COLUMBIA, MD 21046 · (410) 381-7500 FAX: (410) 821-8100

DATE	4-2-03	PROJECT	PRELIMINARY PLAN OF LOTS 24 AND 25, BLOCK 7 CHEVY CHASE SECTION 1-A
BY	RJS	CLIENT	CHEVY CHASE LAND CO.
CHECKED BY	RJS	SCALE	AS SHOWN
DATE	4-2-03	PROJECT	PRELIMINARY PLAN OF LOTS 24 AND 25, BLOCK 7 CHEVY CHASE SECTION 1-A
BY	RJS	CLIENT	CHEVY CHASE LAND CO.
CHECKED BY	RJS	SCALE	AS SHOWN



Chevy Chase Section 1A							
Lot	Block	Frontage	Alignment	Size	Shape	Area*	Width**
11	4	***197.00	PERPENDICULAR	15,708	CORNER	8,763.00	72.20
20	5	60.00	PERPENDICULAR	8,400	RECTANGULAR	3,570.00	60.00
21	5	60.00	PERPENDICULAR	8,400	RECTANGULAR	3,570.00	60.00
22	5	60.00	PERPENDICULAR	8,400	RECTANGULAR	3,570.00	60.00
23	5	60.00	PERPENDICULAR	8,400	RECTANGULAR	3,570.00	60.00
24	5	60.00	PERPENDICULAR	8,400	RECTANGULAR	3,570.00	60.00
25	5	60.00	PERPENDICULAR	8,400	RECTANGULAR	3,570.00	60.00
26	5	60.00	PERPENDICULAR	8,400	RECTANGULAR	3,570.00	60.00
27	5	***200.00	PERPENDICULAR	10,500	CORNER	4,845.00	75.00
2	7	60.00	PERPENDICULAR	7,500	RECTANGULAR	3,570.00	60.00
3	7	60.00	PERPENDICULAR	7,500	RECTANGULAR	3,570.00	60.00
4	7	60.00	PERPENDICULAR	7,500	RECTANGULAR	3,570.00	60.00
14	7	60.00	PERPENDICULAR	7,500	RECTANGULAR	3,570.00	60.00
15	7	60.00	PERPENDICULAR	7,500	RECTANGULAR	3,570.00	60.00
16	7	60.00	PERPENDICULAR	7,500	RECTANGULAR	3,570.00	60.00
17	7	60.00	PERPENDICULAR	7,500	RECTANGULAR	3,570.00	60.00
18	7	60.00	PERPENDICULAR	7,500	RECTANGULAR	3,570.00	60.00
19	7	60.00	PERPENDICULAR	7,500	RECTANGULAR	3,570.00	60.00
20	7	60.00	PERPENDICULAR	7,500	RECTANGULAR	3,570.00	60.00
21	7	60.00	PERPENDICULAR	7,500	RECTANGULAR	3,570.00	60.00
22	7	60.00	PERPENDICULAR	7,500	RECTANGULAR	3,570.00	60.00
5	7	70.00	PERPENDICULAR	8,750	RECTANGULAR	3,570.00	70.00
27	7	70.00	PERPENDICULAR	8,750	RECTANGULAR	4,420.00	70.00
1	7	***200.00	PERPENDICULAR	9,375	CORNER	4,845.00	75.00
23	7	***200.00	PERPENDICULAR	9,375	CORNER	4,845.00	75.00
26	7	80.00	PERPENDICULAR	10,000	RECTANGULAR	5,270.00	80.00
28	8	***192.20	PERPENDICULAR	8,400	CORNER	2,652.00	67.20
27	8	***197.20	PERPENDICULAR	9,025	CORNER	3,077.00	72.20
Proposed Lots							
28	7	***164.28	PERPENDICULAR	10,043	CORNER	3,925.86	70.00
29	7	62.00	PERPENDICULAR	7,750	RECTANGULAR	3,520.00	62.00
* Denotes Buildable Area							
** Width at the building restriction line							
*** Represents frontage on two sides							