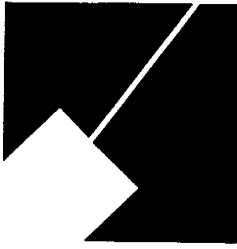


Item # 12
10/21/04

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org



MEMORANDUM

DATE: October 15, 2004

TO: Montgomery County Planning Board

VIA: Richard Hawthorne, Acting Chief *RH*
Catherine Conlon, Acting Supervisor *CC*
Development Review Division

FROM: Richard Weaver, Planner Coordinator (301) 495-4544 *RW*

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Resubdivision of Pt. Lot 42 and Lot 1, Chevy Chase Subdivision

PROJECT NAME: Chevy Chase

CASE #: 1-04032

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

ZONE: R-60

LOCATION: Located on the east side Oakridge Avenue, at the terminus of Curtis Road.

MASTER PLAN: Bethesda/Chevy Chase

APPLICANT: Bloom Builders

FILING DATE: July 9, 2004

HEARING DATE: October 21, 2004

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

- 1) Compliance with ISA Certified Arborist's recommendations on Tree Preservation Plan signed September 28, 2004. Arborist shall be present at onsite pre-construction meeting with MNCPPC inspector before any clearing or grading may occur onsite. Category Two easement for tree save shall be placed over entire property, with record plat reference to final Tree Preservation Plan.
- 2) Compliance with the conditions of approval for the MCDPS stormwater management approval dated October 1, 2004.
- 3) Prior to issuance of building permits, applicant to submit an engineered sediment and erosion control plan to MCDPS for review and approval.
- 4) Other necessary easements

SITE DESCRIPTION:

The Subject Property, Lot 1 and Pt. 42 ("Subject Property"), is part of Chevy Chase Sections 4 and 8 Subdivision. Chevy Chase Section 4 was recorded in 1929 and Section 8 was recorded in 1926. The subject-property is located on the east side of Oakridge Avenue at the terminus of Curtis Road and is presently improved with two single-family detached dwellings. The property contains .66 acre and is zoned R-60.

PROJECT DESCRIPTION:

This is an application to resubdivide the subject property into 3 residential lots. The two, existing single-family homes will remain. A garage on Lot 1 will need to be altered to allow it to adhere to the setbacks for the new lot lines. The proposed lot sizes range from 8,867 square feet to 10,629 square feet.

DISCUSSION OF ISSUES

Master Plan Compliance

The Bethesda Chevy Chase Master Plan does not specifically identify the Subject 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 single-family detached homes. The proposed resubdivision complies with the recommendations adopted in the sector plan in that it is a request for development of single-family detached residential units.

Conformance with Section 50-29(b)(2)

A. Statutory Review Criteria

In order to approve an application for resubdivision, the Planning Board must find that each of the proposed lots complies with all seven of the resubdivision criteria, 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

The neighborhood contains 44 lots, which extend north and west to Leland Street, east to Maple Avenue and south to Thornapple Street. The lots in the neighborhood range in size from 4,871 square feet to 10,744 square feet. The lot areas are from 1,628 square feet to 5,958 square feet. The frontages range from 28.99 feet to 117 feet. Staff concurs with the neighborhood proposed by the applicant because it provides an adequate sample that exemplifies the lot and development pattern of the area.

ANALYSIS

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. The application must demonstrate a high correlation in characteristics between the characteristics of the proposed lot and the existing lots in the delineated neighborhood. Specifically, these characteristics are shape, size, alignment, width, frontage, area and suitability for residential use. Staff concludes that the proposed resubdivision complies with the criteria. As set forth below, the attached tabular summary supports this conclusion:

Area: In the 44 lot neighborhood the existing lot areas range from 1,628 square feet to 5,958 square feet. The proposed lots have useable areas ranging from 4,069 square feet to 4,783 square feet. **The square footage of the useable area has a high correlation to the square footage of the existing lots in the neighborhood. Staff finds that the area of the proposed lots is of the same character as the area within the existing lots in the neighborhood.**

Lot Size: The lots range in size from 4,871 square feet to 10,744 square feet. The proposed lots are 8,867 square feet, 9,679 square feet and 10,629 square feet. **The size of the each of the three proposed lots has a high correlation to the size of existing lots in the neighborhood. Staff finds the proposed lots to be of the same character with regard to size as those existing in the neighborhood.**

Alignment: There are sixteen (16) radial lots and twenty-eight (28) perpendicular lots in the neighborhood. The proposed resubdivision application

will create three lots that align perpendicularly to the street. **This perpendicular alignment has a high correlation to the predominant lot alignment in the neighborhood, and staff finds the proposed lots are of the same character as the existing lots in the neighborhood with respect to alignment.**

Lot Frontage: The lot frontages in the existing neighborhood range from 28.99 feet to 117 feet. The proposed resubdivision will have lots with frontages that are approximately 60 to 61 feet. **The frontages of the proposed lots fall well within the range of frontages of the existing lots. Staff finds that these numbers reflect a high correlation between the frontages of the proposed and existing lots, and staff finds that the proposed lots will be of the same character as existing lots in the neighborhood with respect to lot frontage.**

Shape: The existing neighborhood has a wide variation in lots shapes (including triangular, mostly square, and “pie-shaped”). Two (2) are irregularly shaped lots. One irregular lot (Lot 56, Block 16) is the result of a deed conveyance. Proposed Lots 12 and 60 share a common lot line with Lot 56. Due to the deed conveyance, two of the proposed lots will also take on a somewhat irregular shape, mirroring the shape of existing Lot 56. **The shapes of the lots in the proposed resubdivision have a high correlation to the shapes of the existing lots, and staff finds that they are of the same character as the existing lots in the neighborhood with respect to shape.**

Width: The neighborhood consists of lots which range from 50 feet to 97.50 feet. The proposed lots range in width from 60.16 feet to 60.78 feet. **The width of the proposed lots fall squarely within the width ranges of the existing lots. Consequently these widths have a high correlation to the widths of the existing lots, and staff finds that the width of each of the three proposed lots is of the same character as the existing lots in the neighborhood.**

Suitability for Residential Use: **The proposed lots in the neighborhood are zoned for residential use, and staff finds that they are suitable for residential use.**

CONCLUSION:

Section 50-29 (b) (2) of the Subdivision Regulations specifies seven criteria with which resubdivided lots must comply. They are street frontage, alignment, size, shape, width, area and suitability for residential use within the existing block, neighborhood or subdivision. Staff finds that for each of these seven characteristics, there is a high correlation between the characteristics of the three proposed lots and those of the existing lots in the neighborhood. As a result, staff finds that the three proposed lots meet the seven (7) resubdivision criteria, that the three lots are of the same character as the lots existing in the neighborhood, and that the proposed resubdivision and complies with Section 50-29(b)(2) of the Subdivision Regulations. As such, staff recommends approval of the preliminary plan.

Attachments

- Attachment 1 Vicinity Development Map
- Attachment 2 Neighborhood Delineation Map
- Attachment 3 Proposed Development Plan
- Attachment 4 Tabular Summary
- Attachment 5 Correspondence