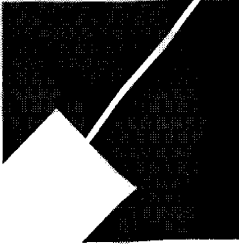


M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

MCPB AGENDA
ITEM# 3

DATE: 12/16/04



MEMORANDUM

DATE: December 10, 2004

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Catherine Conlon, Acting Supervisor *CC*
Development Review Division

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

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Resubdivision of Lot 1, Block C- Glen Mill Knolls and
Subdivision of Parcels 606 and 636, Tax Map FR31

PROJECT NAME: Glen Mill Knolls

CASE #: 1-03089

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

ZONE: RE-1

LOCATION: Located on the north side of Boswell Lane, approximately 800 feet
east of the intersection west of the intersection with Glen Mill
Road.

MASTER PLAN: Potomac

APPLICANT: R.A.M. Investing, Ltd.

FILING DATE: June 6, 2003

HEARING DATE: December 16, 2004

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

- 1) Approval under this preliminary plan is limited to four (4) single family residential lots.
- 2) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.
- 3) The applicant shall dedicate all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Master Plan unless otherwise designated on the preliminary plan.
- 4) Record plat to reflect a Category I easement over all areas of forest conservation.
- 5) Record plat to provide for dedication of right-of-way (35 ft. from centerline) for Boswell Lane.
- 6) Record plat to reflect common ingress/egress and utility easements over all shared driveways.
- 7) Compliance with the conditions of approval of the MCDPS stormwater management approval dated July 3, 2003.
- 8) Compliance with conditions of MCDPWT letter dated September 15, 2003, unless otherwise amended.
- 9) Other necessary easements.

SITE DESCRIPTION:

The Subject Property consists of an existing lot and 2 parcels containing 4.76 acres and zoned RE-1 (attachment A). Both existing Lot 1 and Parcel 606 are occupied by a house. Most of the site is vegetated with a Tulip Poplar/Oak forest. Slopes on the site are slight to moderate, sloping from the high point along Boswell Lane to the lowest point on the southeastern property line. The site is located in the Piney Branch watershed and is therefore subject to the Special Protection Area requirements.

PROJECT DESCRIPTION:

This application requests resubdivision of the subject property into four (4) residential lots (attachment B). The existing one-family home on Lot 1 will remain; the home on Parcel 606 will be removed. Three new homes are proposed to front on Boswell Lane with the fourth (existing house) to remain to the rear of the new homes. The new lots will range in size from 43,100 square feet to 54,700 square feet. Forest conservation will be met on site through the preservation of existing forest by means of Category I forest conservation easements.

DISCUSSION OF ISSUES

Master Plan Compliance

The Potomac Master Plan does not specifically identify the Subject Property for discussion but does give general guidance and recommendations regarding zoning and land uses. The plan recommends that this area maintain 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 master plan in that it is a request for development of one-family detached residential units.

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

A. Statutory Review Criteria

This application involves the subdivision of two unplatted parcels and the resubdivision of one platted lot under a common preliminary plan. Since the plan involves a platted lot it is subject to the resubdivision 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 state:

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 delineated neighborhood contains 12 lots, which are illustrated in the "Neighborhood Delineation" (attachment C), and include all platted lots contiguous to the subject property plus those in close proximity to the subject property along Boswell Lane. The "Data Table" (attachment D) illustrates the variation in lot shapes, sizes, areas, frontages, widths and alignments for the lots in the neighborhood delineation. Note that the Data Table ranks the proposed lots for three of the criteria to better reflect how the proposed lots compare to the existing lots.

For this discussion, the applicant has also provided calculations for Lot Size and Total Lot Size. Lot Size represents the size of the lots excluding the pipestem area; Total Lot Size includes the pipestem area. While not a resubdivision criterion, staff requested the calculations to exclude the pipestem area to further assure that the lots were similar in character to the other lots in the neighborhood. 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 12 lot neighborhood the existing lot areas range from 7,200 square feet to 33,450 square feet. The proposed lots have useable areas ranging from 10,675 square feet to 30,868 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 areas of the existing lots in the neighborhood.**

Lot Size: The lots in the neighborhood range in total size from 25,145 square feet to 160,540 square feet. The proposed lots range from 43,100 square feet to 54,700 square feet. **The size of each of the four proposed lots has a high correlation to the size of existing lots in the neighborhood.** (Lot size, excluding the pipestem area for the proposed lots, is also similar in character to the existing lots) **Staff finds the proposed lots to be of the same character with regard to size as those existing in the neighborhood.**

Alignment: There are eight lots, Lots 1 through 8, in Potomac Glen South that align at an angle to the road frontage. The remainder of the lots are perpendicular to the road frontage. The proposed lots will generally be perpendicular to the street frontage. Although proposed Lot 7 is a radial lot, its side lot lines meet the frontage in a perpendicular orientation. **This perpendicular alignment has a high correlation to the 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 25 feet to 68 feet. The proposed resubdivision will have lots with frontages that range from 25 to 270 feet. Three of the proposed lots do not fall within the range of frontages for the neighborhood lots. The majority of lots in the neighborhood are pipestems. Two lots in the delineated neighborhood have frontages of 37 feet and 68 feet. Pipestems, while allowed by the Zoning Ordinance and Subdivision Regulations, are typically created to provide frontage for lots when a property has

minimal road frontage. The subject property has significant frontage on Boswell Lane and only requires one pipestem for frontage purposes. Three of the four proposed lots are more conventional in nature and have wider frontages than all lots in the delineated neighborhood. **While a high correlation with respect to frontage does not exist, staff does find that the lots are of the same character as all lots in the defined neighborhood.**

Shape: The existing neighborhood has a wide variation in lots shapes, including rectangular, pipestem, and irregular. One of the proposed lots will be a pipestem; two will be rectangular and one will be generally triangular. Given the irregular shapes found in the neighborhood, staff finds that **the shapes of the lots in the proposed resubdivision have a high correlation to the shapes of the existing lots. 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 95 feet to 265 feet. The proposed lots range in width from 125 feet to 232 feet. **The width of the proposed lots fall within the width ranges of the existing lots. Consequently these lots have a high correlation to the existing lots, and staff finds that the width of each of the four 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 they are suitable for residential use.

CONCLUSION:

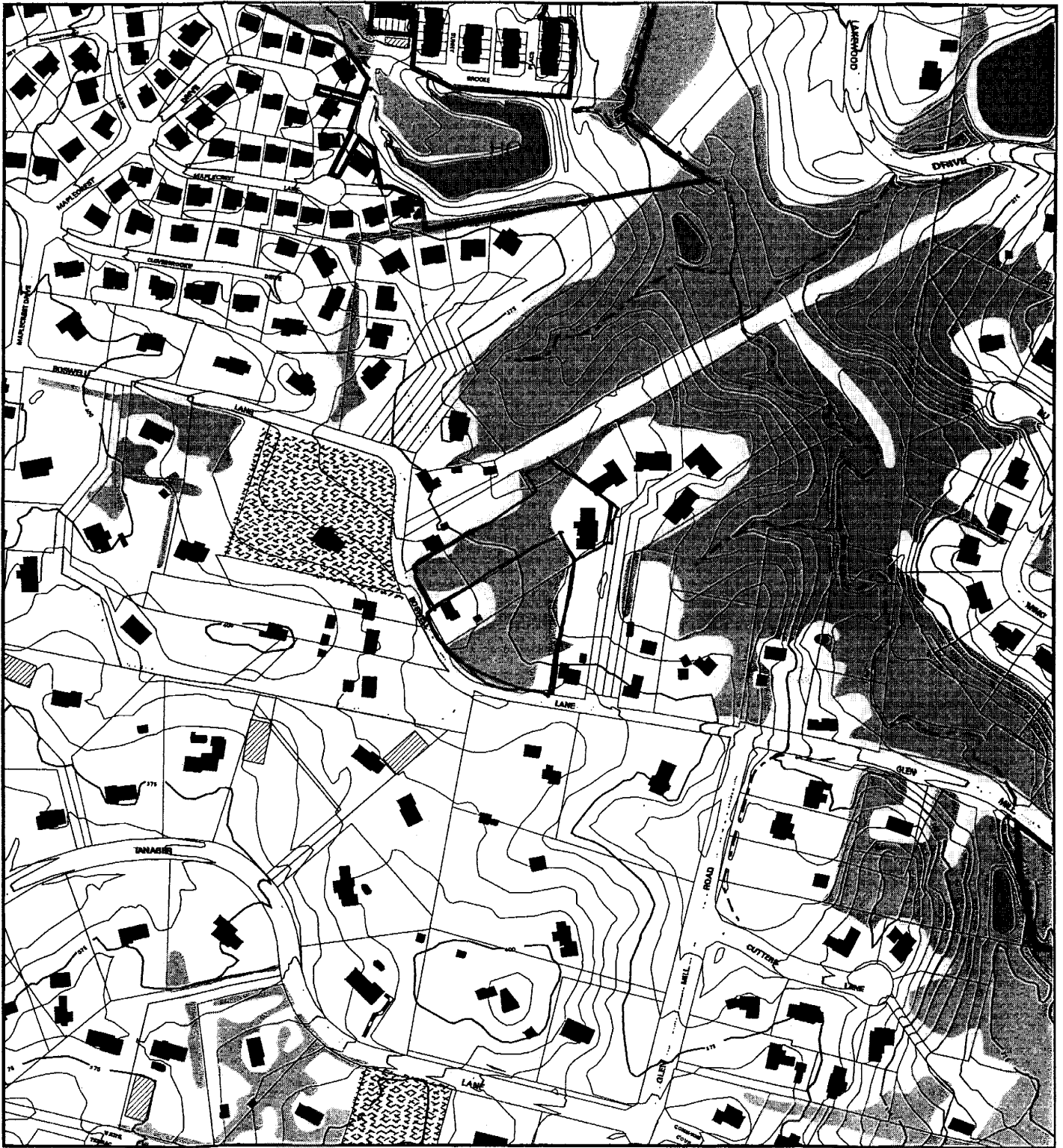
Section 50-29 (b) (2) of the Subdivision Regulations specifies seven criteria with which resubdivided lots must comply: street frontage, alignment, size, shape, width, area and suitability for residential use within the existing block, neighborhood or subdivision. Staff finds that there is generally a high correlation between the characteristics of the four proposed lots and those of the existing lots in the neighborhood; the exception being the frontage criterion. As discussed above, this application does not require creation of lots with minimal frontage (pipestems) because the subject property has ample frontage on a public street. Therefore, staff does not find the proposed frontages for three of the lots to be out of character with the lots in the delineated neighborhood. In conclusion, staff finds that the four proposed lots meet the resubdivision criteria, are of the same character as the lots existing in the neighborhood, and comply with Section 50-29(b)(2) of the Subdivision Regulations. As such, staff recommends approval of the preliminary plan.

Attachments

Attachment A Vicinity Development Map
Attachment B Proposed Development Plan
Attachment C Neighborhood Delineation Map
Attachment D Tabular Summary

GLEN MILL KNOLLS (1-03089)

A



Map compiled on May 20, 2003 at 12:53 PM | Site located on base sheet no - 217NW10

NOTICE

The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland - National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

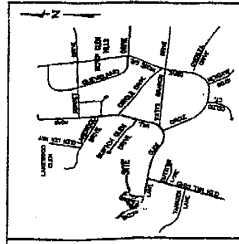
Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998

Key Map



1 : 4800



VICINITY MAP
SCALE 1" = 2,000'

DEVELOPMENT STANDARDS (RE-1)

Standard/Requirement	Proposed
Lot Area (RE-1.2)(3)	40,000 s.f. min.
Lot Width (RE-1.2)(3)	25 ft. min.
Setback from Street	25 ft. min.
Setback from Side	15 ft. min.
Setback from Rear	15 ft. min.
Area (RE-1.2)(3)	40,000 s.f. min.
Area (RE-1.2)(3)	40,000 s.f. min.
Area (RE-1.2)(3)	40,000 s.f. min.

DENSITY TABULATION

CFR 4.78
Block Density: 9 s.f./ac = 4.3 d.u.s.
RE-1 TOTAL = 4.3 d.u.s.

- NOTES
1. Temporary from Aerial Survey dated March 30, 2005.
 2. Boundary information from boundary survey by M.D. December, 2002.
 3. Water and sewer easements for Lot 2 and 3, respectively.
 4. The property is zoned RE-1. The proposed land use is residential.
 5. Area (RE-1.2)(3)
 6. Area (RE-1.2)(3)
 7. Number of lots proposed by this plan: 4
 8. The site is within the Glen Mill Knolls Master Plan Area.
 9. This site is within the Rural Transportation Policy Area.
 10. The site is within the Rural Transportation Policy Area.
 11. The site is within the Rural Transportation Policy Area.
 12. The site is within the Rural Transportation Policy Area.
 13. Building footprints and existing site are subject to adjustment at time of final plan.
 14. Existing structures to be removed, and existing well to be abandoned.
 15. All utility easements to be shown.
 16. All utility easements to be shown.
 17. All utility easements to be shown.
 18. All utility easements to be shown.

TAX MAP FR 341

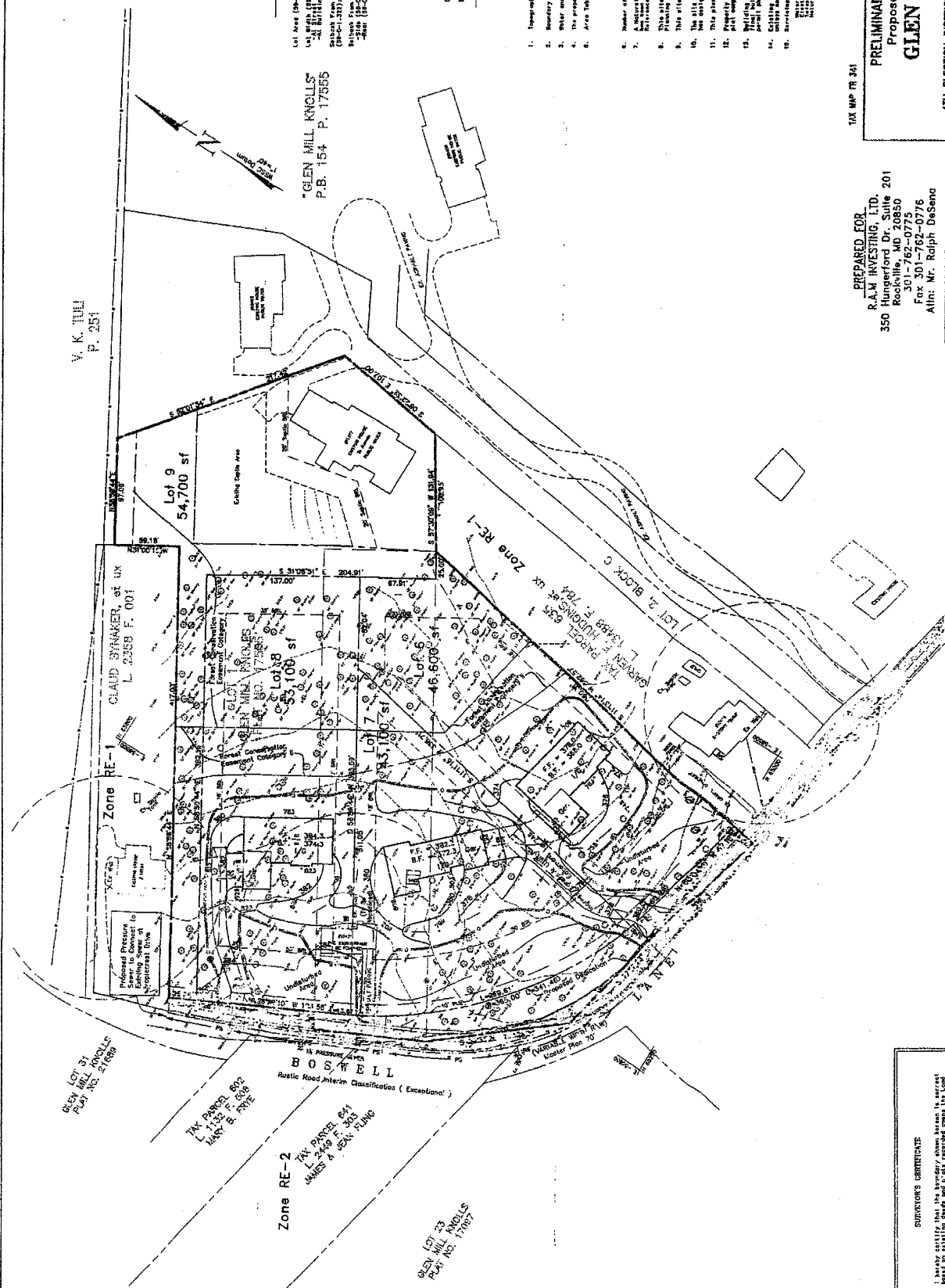
WSSC 217 MH10

PRELIMINARY PLAN OF SUBDIVISION
Proposed Lots 6-9 Block C
GLEN MILL KNOLLS

4TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

MHG
Merritt, Hendricks & Glascock, P.A.
Engineers & Planners
1000 Wisconsin Ave., Suite 100
Bethesda, MD 20814
Phone: 301-461-4500
Fax: 301-461-4501
www.mhgpa.com

Prep. By: Designer
Date: 4-10-03
Scale: 1"=40'
Project No.: 217 MH10
Sheet: 1 of 1



PREPARED FOR
P.A.M. INVESTING, LTD.
350 Huntwood Dr., Suite 201
Rockville, MD 20850
301-762-0775
Fax 301-762-0776
Attn: Mr. Ralph DeSena

NO.	DATE	DESCRIPTION	BY

SURVYOR'S CERTIFICATE

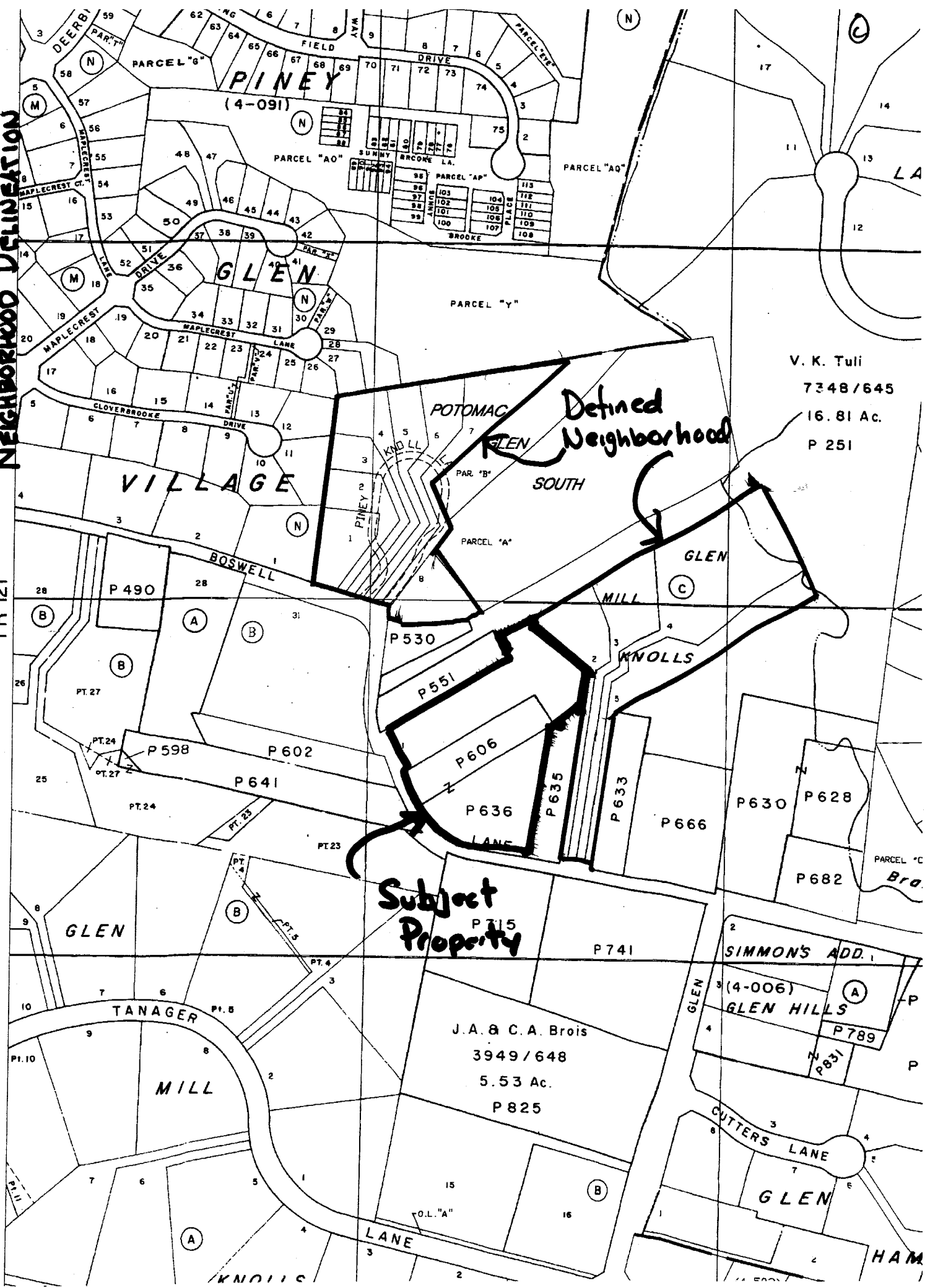
I, the undersigned, being a duly licensed Professional Surveyor in the State of Maryland, do hereby certify that the foregoing plat was prepared by me or under my direct supervision and that the same are true and correct in accordance with the provisions of the Surveying and Mapping Act of 1961, as amended.

Dated this 10th day of April, 2003.

[Signature]
Professional Surveyor
No. 10127

NEIGHBORHOOD DELINEATION

FR 121



V. K. Tuli
 7348/645
 16.81 Ac.
 P 251

Defined Neighborhood

Subject Property

J. A. & C. A. Brois
 3949/648
 5.53 Ac.
 P 825

SIMMONS ADD. 1
 (4-006)
 GLEN HILLS
 P 789

CUTTERS LANE
 GLEN

HAM



RE-SUBDIVISION CHART
 JOB NAME: Glen Mill Knolls
 MHG JOB NUMBER: 2001.209
 DATE: 11-23-04

Data Table

SUBDIVISION	Lot/Block	FRONTAGE	TOTAL LOT SIZE	LOT SIZE*	BUILDABLE AREA	WIDTH @ BRL	SHAPE	ALIGNMENT
Glen Mill Knolls	2/C	25'	45,173sf	31,724sf	7,600sf	125'	Irregular	Perpendicular
	3/C	25'	50,523sf	37,270sf	7,600sf	145'	Irregular	Perpendicular
	4/C	25'	130,677sf	112,552sf	8,200sf	132'	Irregular	Perpendicular
	5/C	25'	63,348sf	52,008sf	22,400sf	265'	Irregular	Perpendicular
	31/B	740'	160,540	160,540	33,450sf	395'	Irregular	Perpendicular
SUBJECT SITE	9/C	25'	54,700sf	45,171sf	10,675sf	232'	Pipe Stem	Perpendicular
SUBJECT SITE	8/C	137'	53,100sf	53,100sf	30,868sf	137'	Rectangular	Perpendicular
SUBJECT SITE	7/C	270'	43,100sf	43,100sf	21,865sf	191'	Triangular	Radial
SUBJECT SITE	6/C	125'	46,600sf	46,600sf	25,108sf	125'	Rectangular	Perpendicular
Potomac Glen South	1	68.1'	28,933sf	28,933sf	13,000sf	110'	Irregular	Angular
	2	26.6'	28,265sf	17,415sf	9,750sf	110'	Pipe Stem	Angular
	3	26.6'	25,145sf	14,915sf	8,000sf	100'	Pipe Stem	Angular
	4	26.6'	35,644sf	24,294sf	7,200sf	100'	Pipe Stem	Angular
	5	26.6'	31,581sf	20,041sf	7,800sf	95'	Pipe Stem	Angular
	6	26.6'	35,180sf	23,710sf	8,200sf	110'	Pipe Stem	Angular
	7	26.6'	51,281sf	40,741sf	10,800sf	110'	Pipe Stem	Angular
	8	37.7'	31,574sf	31,574sf	18,900sf	120'	Irregular	Angular

*Excluding Pipe Stem

Rank By Frontage

SUBDIVISION	Lot/Block	FRONTAGE	TOTAL LOT SIZE	LOT SIZE*	BUILDABLE AREA	WIDTH @ BRL	SHAPE	ALIGNMENT
Glen Mill Knolls	2/C	25	45,173	31,724	7,600	125	Irregular	Perpendicular
Glen Mill Knolls	3/C	25	50,523	37,270	7,600	145	Irregular	Perpendicular
Glen Mill Knolls	4/C	25	130,677	112,552	8,200	132	Irregular	Perpendicular
Glen Mill Knolls	5/C	25	63,348	52,008	22,400	265	Irregular	Perpendicular
SUBJECT SITE	9/C	25	54,700	45,171	10,675	232	Pipe Stem	Perpendicular
Potomac Glen South	2	26.6	28,265	17,415	9,750	110	Pipe Stem	Angular
Potomac Glen South	3	26.6	25,145	14,915	8,000	100	Pipe Stem	Angular
Potomac Glen South	4	26.6	35,644	24,294	7,200	100	Pipe Stem	Angular
Potomac Glen South	5	26.6	31,581	20,041	7,800	95	Pipe Stem	Angular
Potomac Glen South	6	26.6	35,180	23,710	8,200	110	Pipe Stem	Angular
Potomac Glen South	7	26.6	51,281	40,741	10,800	110	Pipe Stem	Angular
Potomac Glen South	8	37.7	31,574	31,574	18,900	120	Irregular	Angular
Potomac Glen South	1	68.1	28,933	28,933	13,000	110	Irregular	Angular
SUBJECT SITE	6/C	125	46,600	46,600	25,108	125	Rectangular	Perpendicular
SUBJECT SITE	8/C	137	53,100	53,100	30,868	137	Rectangular	Perpendicular
SUBJECT SITE	7/C	270	43,100	43,100	21,865	191	Triangular	Radial
Glen Mill Knolls	31/B	740	160,540	160,540	33,450	395	Irregular	Perpendicular

Rank By Lot Size *

SUBDIVISION	Lot/Block	FRONTAGE	TOTAL LOT SIZE	LOT SIZE*	BUILDABLE AREA	WIDTH @ BRL	SHAPE	ALIGNMENT
Potomac Glen South	3	26.6	25,145	14,915	8,000	100	Pipe Stem	Angular
Potomac Glen South	2	26.6	28,265	17,415	9,750	110	Pipe Stem	Angular
Potomac Glen South	5	26.6	31,581	20,041	7,800	95	Pipe Stem	Angular
Potomac Glen South	6	26.6	35,180	23,710	8,200	110	Pipe Stem	Angular
Potomac Glen South	4	26.6	35,644	24,294	7,200	100	Pipe Stem	Angular
Potomac Glen South	1	68.1	28,933	28,933	13,000	110	Irregular	Angular
Potomac Glen South	8	37.7	31,574	31,574	18,900	120	Irregular	Angular
Glen Mill Knolls	2/C	25	45,173	31,724	7,600	125	Irregular	Perpendicular
Glen Mill Knolls	3/C	25	50,523	37,270	7,600	145	Irregular	Perpendicular
Potomac Glen South	7	26.6	51,281	40,741	10,800	110	Pipe Stem	Angular
SUBJECT SITE	7/C	270	43,100	43,100	21,865	191	Triangular	Radial
SUBJECT SITE	9/C	25	54,700	45,171	10,675	232	Pipe Stem	Perpendicular
SUBJECT SITE	6/C	125	46,600	46,600	25,108	125	Rectangular	Perpendicular
Glen Mill Knolls	5/C	25	63,348	52,008	22,400	265	Irregular	Perpendicular
SUBJECT SITE	8/C	137	53,100	53,100	30,868	137	Rectangular	Perpendicular
Glen Mill Knolls	4/C	25	130,677	112,552	8,200	132	Irregular	Perpendicular
Glen Mill Knolls	31/B	740	160,540	160,540	33,450	395	Irregular	Perpendicular

Rank By Total Lot Size

SUBDIVISION	Lot/Block	FRONTAGE	TOTAL LOT SIZE	LOT SIZE*	BUILDABLE AREA	WIDTH @ BRL	SHAPE	ALIGNMENT
Potomac Glen South	3	26.6	25,145	14,915	8,000	100	Pipe Stem	Angular
Potomac Glen South	2	26.6	28,265	17,415	9,750	110	Pipe Stem	Angular
Potomac Glen South	1	68.1	28,933	28,933	13,000	110	Irregular	Angular
Potomac Glen South	8	37.7	31,574	31,574	18,900	120	Irregular	Angular
Potomac Glen South	5	26.6	31,581	20,041	7,800	95	Pipe Stem	Angular
Potomac Glen South	6	26.6	35,180	23,710	8,200	110	Pipe Stem	Angular
Potomac Glen South	4	26.6	35,644	24,294	7,200	100	Pipe Stem	Angular
SUBJECT SITE	7/C	270	43,100	43,100	21,865	191	Triangular	Radial
Glen Mill Knolls	2/C	25	45,173	31,724	7,600	125	Irregular	Perpendicular
SUBJECT SITE	6/C	125	46,600	46,600	25,108	125	Rectangular	Perpendicular
Glen Mill Knolls	3/C	25	50,523	37,270	7,600	145	Irregular	Perpendicular
Potomac Glen South	7	26.6	51,281	40,741	10,800	110	Pipe Stem	Angular
SUBJECT SITE	8/C	137	53,100	53,100	30,868	137	Rectangular	Perpendicular
SUBJECT SITE	9/C	25	54,700	45,171	10,675	232	Pipe Stem	Perpendicular
Glen Mill Knolls	5/C	25	63,348	52,008	22,400	265	Irregular	Perpendicular
Glen Mill Knolls	4/C	25	130,677	112,552	8,200	132	Irregular	Perpendicular
Glen Mill Knolls	31/B	740	160,540	160,540	33,450	395	Irregular	Perpendicular

Rank By Buildable Area

SUBDIVISION	Lot/Block	FRONTAGE	TOTAL LOT SIZE	LOT SIZE*	BUILDABLE AREA	WIDTH @ BRL	SHAPE	ALIGNMENT
Potomac Glen South	4	26.6	35,644	24,294	7,200	100	Pipe Stem	Angular
Glen Mill Knolls	2/C	25	45,173	31,724	7,600	125	Irregular	Perpendicular
Glen Mill Knolls	3/C	25	50,523	37,270	7,600	145	Irregular	Perpendicular
Potomac Glen South	5	26.6	31,581	20,041	7,800	95	Pipe Stem	Angular
Potomac Glen South	3	26.6	25,145	14,915	8,000	100	Pipe Stem	Angular
Glen Mill Knolls	4/C	25	130,677	112,552	8,200	132	Irregular	Perpendicular
Potomac Glen South	6	26.6	35,180	23,710	8,200	110	Pipe Stem	Angular
Potomac Glen South	2	26.6	28,265	17,415	9,750	110	Pipe Stem	Angular
SUBJECT SITE	9/C	25	54,700	45,171	10,675	232	Pipe Stem	Perpendicular
Potomac Glen South	7	26.6	51,281	40,741	10,800	110	Pipe Stem	Angular
Potomac Glen South	1	68.1	28,933	28,933	13,000	110	Irregular	Angular
Potomac Glen South	8	37.7	31,574	31,574	18,900	120	Irregular	Angular
SUBJECT SITE	7/C	270	43,100	43,100	21,865	191	Triangular	Radial
Glen Mill Knolls	5/C	25	63,348	52,008	22,400	265	Irregular	Perpendicular
SUBJECT SITE	6/C	125	46,600	46,600	25,108	125	Rectangular	Perpendicular
SUBJECT SITE	8/C	137	53,100	53,100	30,868	137	Rectangular	Perpendicular
Glen Mill Knolls	31/B	740	160,540	160,540	33,450	395	Irregular	Perpendicular