

MEMORANDUM

DATE: February 4, 2005

TO: Montgomery County Planning Board

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

FROM: Dolores M. Kinney, Senior Planner *DK*
Development Review Division

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Resubdivision of Existing Lot 21

PROJECT NAME: Longwood

CASE #: 1-04062

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

ZONE: R-90

LOCATION: Located on the west side of Armat Drive, at the southwest quadrant of the intersection of U.S. 495 and U.S. 270.

MASTER PLAN: Bethesda Chevy Chase

APPLICANT: Pollin Development

HEARING DATE: February 10, 2005

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

- 1) Approval under this preliminary plan is limited to one (1) one-family dwelling unit.
- 2) Compliance with the conditions of approval for the tree save plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.
- 3) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation.
- 4) Compliance with conditions of MCDPWT letter dated, August 12, 2004 unless otherwise amended.
- 5) Compliance with the conditions of approval of the MCDPS stormwater management approval.
- 6) Other necessary easements.

SITE DESCRIPTION:

Lot 21, referred to as the "Subject Property", is part of the Longwood Subdivision, which was originally recorded by plat in 1984. The Subject Property is located on the west side of Armat Drive, at the southwest quadrant of the intersection with U.S. 495 and U.S. 270. The property contains 1.24 acres and is zoned R-200.

PROJECT DESCRIPTION:

This is a preliminary plan of subdivision application to reconfigure the boundary lines of the Subject Property for the construction of one one-family detached dwelling unit. The remaining portion of the lot will be retained under ownership by the adjacent property owner. The property contains a stream and associated stream valley buffer. Access to the site will be directly from a public cul-de-sac, Armat Drive.

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 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.

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 the proposed lot 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

In administering the Resubdivision section, the Planning Board must determine the appropriate “neighborhood” for evaluating the application.

The applicant has proposed a neighborhood of seven (7) lots for analysis purposes. The neighborhood extends north and west to U.S. 495, north and east to Armat Drive and south one block above Bradley Boulevard. The properties in the neighborhood range in frontage from 26 feet to 108 feet. 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 applicant has provided a tabular summary of the area based on the resubdivision criteria, which is included in the staff report.

ANALYSIS

Comparison of the Character of Proposed Lots to Existing

In performing the analysis, Staff applied the resubdivision criteria to the delineated neighborhood. Based on the analysis, Staff finds that the proposed resubdivision will be of the same character as the existing lots in the neighborhood. As set forth below, the attached tabular summary and graphical documentation support this conclusion:

Frontage: In a neighborhood of seven (7) lots, lot frontages range from 26 feet to 108 feet. One (1) lot has a frontage of 26 feet, one (1) lot has a frontage of 76 feet, one (1) at 89 feet, one (1) at 95 feet, one (1) at 98 feet and one (1) at 108 feet. Proposed Lot 21 has a lot frontage of 26 feet, which is one (1) of two lots with the narrowest lot frontage in the neighborhood and at the lowest end of the range. Although the Proposed Lot 21 falls at the lowest end of the range for lot frontages, given that there are only seven lots in the neighborhood, having two lots at the low end of the range is not statistically significant. Therefore, Staff

finds that the proposed lot will be consistent in character with other lots in the neighborhood.

Area: In a neighborhood of seven (7) lots, lot areas range from 7,000 square feet to 48,000 square feet. One (1) lot has an area of 7,000 square feet, one (1) lot has an area of 7,200 square feet, one (1) lot at 9,600 square feet, one (1) lot at 13,500 square feet, one (1) lot at 16,000 square feet and one (1) lot at 48,000 square feet. **The proposed Lot 21 has an area of 33,000 square feet and will be consistent in character with the existing lots in the neighborhood with respect to area.**

Lot Size: The lot sizes in the delineated neighborhood range from 15,307 square feet to 30,885 square feet. The proposed Lot 21 will have a lot size of 54,192 square feet, which will fall at the highest end of the scale for lot sizes. Although the proposed lot will be the largest in size in the neighborhood, sixty-three percent (63%) of the lot will be occupied by the stream and associated buffer. **Therefore, given the restraints imposed on the lot by the stream valley buffer area, the useable area of approximately 21,000 square feet, is of the same character as the existing lots in the neighborhood.**

Lot Width: The lot widths range from 100 feet to 250 feet. Four (4) lots have lot widths of 100 feet, one (1) lot has a lot width of 140 feet and one (1) lot has a width of 250 feet. **The proposed Lot 21 will have a lot width of 160 feet, which is the second largest in the neighborhood and demonstrates consistency in character and has a high correlation to the other lots in the neighborhood.**

Shape: There is one (1) pie shaped lot, one (1) pipestem lot, two (2) rectangular lots and two (2) irregular lots in the neighborhood. **The proposed lot will be the third irregular lot in the neighborhood, and will be consistent in character with the overall pattern of differently shaped lots in the neighborhood.**

Alignment: There is one (1) existing pipestem lot in the neighborhood, three (3) radial lots and two (2) perpendicular lots. **The proposed Lot 21 is also radial in alignment and will have a high correlation to, and be consistent in character with, the other radial lots.**

Residential Use: The existing lots and the proposed Lot 21 are residential in 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. The proposed resubdivision will create a lot that will have a high correlation in character based on the resubdivision criteria with all of the lots in the existing neighborhood with the exception of lot size. The Subject Property will anchor the

highest end of the scale as it pertains to lot size. However, given that 63% of the proposed lot will consist of stream valley buffer, the remaining 21,000 square feet of the lot will be consistent in lot size with the existing lots in the neighborhood. Therefore, Staff finds that the proposed resubdivision is of the same character as existing lots in the neighborhood and complies 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 Neighborhood Delineation Map

Attachment C Proposed Development Plan

Attachment D Tabular Summary