



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
ITEM #10
5/12/05



MEMORANDUM

DATE: May 6, 2005

TO: Montgomery County Planning Board

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

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

REVIEW TYPE: Pre-Preliminary Plan Review (**Advisory Only**)

APPLYING FOR: Resubdivision of Part of Lot 5, Part of Lot 6, Part of Lot 7 and Part of Lot 8, Block I, Hillmead Bradley Hills

PROJECT NAME: Hillmead/Bradley Hills

CASE #: 7-05051

REVIEW BASIS: Chapter 50, Section 50-33, Montgomery County Subdivision Regulations

ZONE: R-60

LOCATION: Located in the southeast corner of the intersection of Valley Road and Ridge Road.

MASTER PLAN: Bethesda-Chevy Chase

APPLICANT: Phyllis P. Piotrow

FILING DATE: February 25, 2005

HEARING DATE: May 12, 2005

STAFF RECOMMENDATION: Objection to the submission of a preliminary plan for a resubdivision of five (5) lots.

SITE DESCRIPTION:

The Subject Property consists of four parts of lots totaling 1.35 acres in the R-60 zone (Attachment A). The original plat for the Hillmead subdivision was recorded in 1922. Many of the original lots have been resubdivided either by plat or by deed. The subject property includes four parts of lots that have been created by deed.

The property includes an existing house and thirty-two specimen trees. The property is surrounded to the south and east by the M-NCPPC Hillmead Neighborhood Park. Lots along Ridge Road have generally developed at the minimums allowed in the R-60 zone while lots to the west, along Bradley Boulevard and Valley Road, are much larger than the minimum lots sizes allowed in the R-60 zone. Staff believes the latter lots may have originally been developed on septic systems which required larger areas for septic drain fields.

PROJECT DESCRIPTION:

This application requests advice from the Planning Board regarding the appropriate number of lots which should be included in a resubdivision of the subject property. The preapplication plan proposes a total of five lots with three lots that front on Ridge Road, one lot fronting on Valley Road, and a fifth lot fronting to the intersection of Valley and Ridge Roads (Attachment B). The existing house on the property will be removed, but the existing circular driveway is proposed to remain and serve three of the proposed homes.

The applicant believes that all but nine of the thirty-two specimen trees on the property can be saved as part of the proposed plan. Staff has not received the information necessary to determine whether this is possible.

DISCUSSION

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 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 neighborhood analysis pursuant to Section 50-29(b)(2) of the Subdivision Regulations has been submitted with the pre-preliminary application in support of the applicant's belief that a five lot development is appropriate on the property.

A. Statutory Review Criteria

This application proposes the subdivision of four parts of lots into five residential lots. 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 identified by the applicant contains 12 lots, which are illustrated in the "Neighborhood Delineation" (Attachment C), and includes all platted lots contiguous to the subject property plus those in close proximity to the subject property along Valley and Ridge Roads. The "Data Table" (attachment D) illustrates the variation in lot shapes, sizes, areas, frontages, widths and alignments for the lots in the neighborhood delineation.

C. 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 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 does not comply with all resubdivision criteria as set forth below:

Area: In the delineated neighborhood the existing lot areas range from 2,280 square feet to 14,775 square feet. The proposed lots have useable areas ranging from 2,795 square feet to 8,944 square feet. The square footage of the useable areas for the proposed lots are within the range of the existing neighborhood and are therefore of the same character. (See discussion under suitability below.)

Lot Size: The lots range in total size from 6,227 square feet to 22,506 square feet. The proposed lots range from 6,660 square feet to 15,600 square feet. Staff finds the proposed lots to be of the same character with regard to size as those existing in the neighborhood.

Alignment: The lots within the defined neighborhood vary as to how they align to the street frontage. Given the curvature of the street system, many are described as radial. Along the straight portions of the road the lots align perpendicularly. Corner lots are described as such. The proposed lots will generally be perpendicular to the street frontage and also include a corner lot. The alignment of the proposed lots are of the same character as the lots in the defined neighborhood.

Lot Frontage: The lot frontages in the existing neighborhood range from 61 feet to 148 feet. The proposed resubdivision will have four lots with 61 feet of frontage and a corner lot with frontage similar to other corner lots in the defined neighborhood. Staff believes that the lots are of the same character as all lots in the defined neighborhood.

Shape: Lot shapes vary in the existing neighborhood, including rectangular, pie, and irregular shapes. One of the proposed lots will be irregular, the other four will be somewhat rectangular. The shapes of the lots in the proposed resubdivision 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 62 feet to 130 feet. Four of the proposed lots will be 61 feet in width at the building frontage line. The corner lot will have a much wider width due to the curvature of the lot at the street frontage. Based on the very small difference between the proposed lots and the lower end of the existing range of lots widths, Staff believes the proposed lots are of the same character with respect to width.

Suitability for Residential Use: Staff believes that the suitability of proposed lot 105 is compromised due to the configuration of its useable area. While the gross square footage of the useable area of Lot 105 compares favorably with all lots in the defined neighborhood, the shape of the building envelope dictates a house location that leaves little useable rear or side yard for outdoor activities. The lot is a corner lot, and as such, it essentially has two front yard setbacks, at 25 feet from the street frontage. The front yard setback, as required in the R-60 zone, greatly shrinks the useable area for this lot and is further compounded by the shape of the lot that tapers to the rear. Although not required under the Zoning Ordinance or Subdivision Regulations it has been staff practice to attempt to require at least 25 feet from the rear of the house to the closest lot line. This enables adequate area for recreation, decks, sheds, or modest additions within the rear yard.

Lot 105 on the proposed plan is very tight, with the apparent rear of the house up against the 8 ft. side yard setback. A small triangular area of approximately 1,000 square feet to the side of the proposed house is the only private yard area available for outdoor recreation. Only 700 square feet of the 1,000 square feet is within the building envelope to allow for an addition if it were ever proposed. While the distance from the side of the house to the nearest lot line exceeds 25 feet in places, it is, in staff's estimation, inadequate. Therefore, staff does not believe that proposed Lot 105 is suitable for residential development.

Conformance with Section 50-29(a)(1)

Section 50-29(a)(1) of the Subdivision Regulations requires that lots be appropriate for their location within the subdivision with respect to size, shape width and orientation. It is Staff's belief that Lot 105 does not meet the resubdivision criterion for suitability for the reasons stated above, and that Lots 105 and 106 are also not appropriate for their location with respect to their size and width. The defined neighborhood has two contrasting characteristics as previously described. The lots on Ridge Road are generally smaller and typical of more recent subdivision approvals using sewer in the R-60 zone. The lots approach, and meet, the minimum dimensional requirements allowed in the zone. The lots within the defined neighborhood on Valley Road are characteristic of the lots found along Bradley Boulevard; much larger than the minimums allowed in the R-60 zone. Again, it is staff's assumption that they were created prior to the provision of public sewer.

Staff believes that proposed Lots 105 and 106 are out of character with respect to the larger, wider lots directly across the street on Valley Road. Staff does not support the proposal to create two lots with a combined frontage width (118 ft.) on Valley Road that is less than the width of the single lot (Lot 23, Block 3) immediately across the street (148 ft.). The proposal also creates a 4:3 relationship of proposed lots to existing lots on the Ridge Road frontage that Staff does not support.

Staff does not support the creation of Lots 105 and 106 with respect to size, as they are out of character with the large lot nature of Lots 22 and 23, Block 3, immediately across Valley Road. Lots 22 and 23, Block 3, are 22,506 square feet and 19,623 square feet, respectively. The proposed Lots 105 and 106 are 6,660 and 8,113 square feet, respectively, or less than half the size of the two lots across the street. To Staff, the relationship appears to be very much out of character given their location in the subdivision.

CONCLUSION:

The pre-preliminary plan proposes a resubdivision of the property into five lots. Section 50-29 (b) (2) of the Subdivision Regulations specifies seven criteria with which resubdivided lots must comply. These criteria are: street frontage, alignment, size, shape, width, area and suitability for residential use within the existing block, neighborhood or subdivision. Staff finds that the proposed application does not comply

with all seven criteria, specifically, staff believes that Lot 105 as shown on the submitted pre-preliminary plan is not suitable for residential use in that there is insufficient private outdoor area to the rear (or side) of the proposed home. In keeping with staff practice we would not support a lot with such limited useable yard.

Additionally, Section 50-29(a)(1) requires that lots be appropriate for their location within a subdivision with respect to size, shape, width and orientation. Staff does not believe that Lots 105 and 106 are appropriate with respect to size and width. They are not of the same character as the lots immediately confronting on Valley Road as they create a 4:3 relationship and are less than half the size of the existing lots.

For these reasons, Staff objects to the resubdivision of the property into five lots. Staff believes a four lot subdivision, which combines the areas of proposed Lots 105 and 106 as shown on the submitted pre-preliminary plan, may be more appropriate for the site.

Attachments

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

No citizen correspondence has been received up to this point.

HILLMEAD/BRADLEY HILLS LOTS 102-107 BLK. #1 (7-05051)



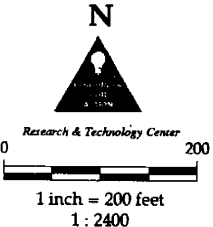
Map compiled on April 04, 2005 at 3:42 PM | Site located on base sheet no - 210NW06

NOTICE

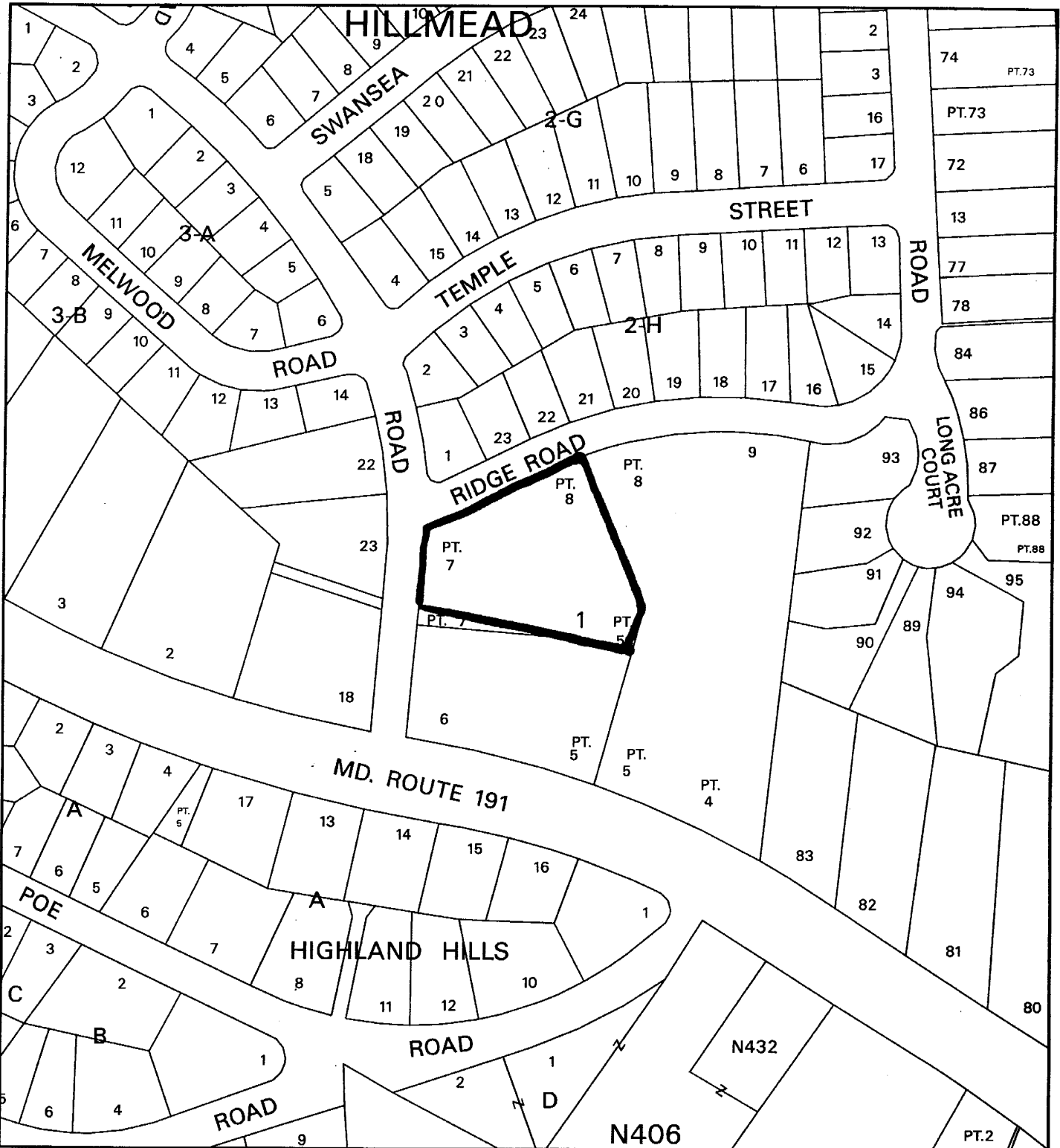
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HILLMEAD/BRADLEY HILLS LOTS 102-107 BLK. #1 (7-05051)



Map compiled on April 04, 2005 at 3:44 PM | Site located on base sheet no - 210NW06

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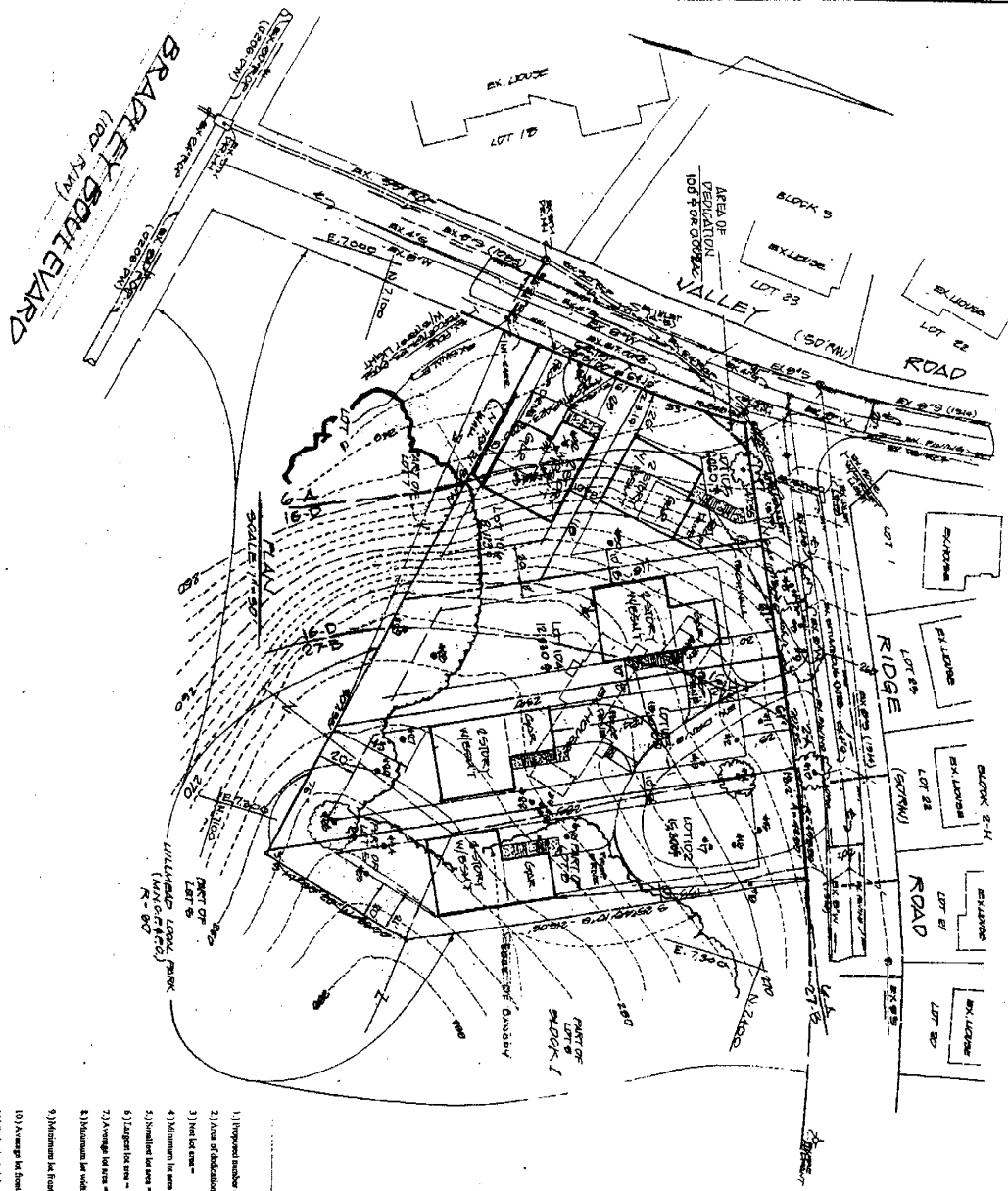
Key Map



N



1 inch = 200 feet
1:2400



DEVELOPMENT NOTES

- 1) Proposed number of lots - 5
- 2) Area of dedication - 100 sq. ft. or 0.002 acres
- 3) Lot area - 38,000 sq. ft. or 0.872 acres
- 4) Minimum lot area (R-60 zone) - 6,000 sq. ft.
- 5) Maximum lot area - 6,000 sq. ft.
- 6) Minimum lot area - 15,000 sq. ft.
- 7) Average lot area - 11,211 sq. ft.
- 8) Minimum lot width @ front RFL - 60 ft. (proposed)
- 9) Minimum lot frontage - 60 ft. (proposed)
- 10) Average lot frontage - 68 ft. 6"
- 11) Setbacks (minimum)

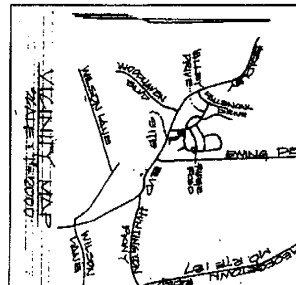
Required	Proposed
A) Front	10 ft.
B) Side	10 ft.
C) Rear	20 ft.

GENERAL NOTES

- 1) Proposed number of lots - 5
- 2) Area of dedication - 100 sq. ft. or 0.002 acres
- 3) Lot area - 38,000 sq. ft. or 0.872 acres
- 4) Minimum lot area (R-60 zone) - 6,000 sq. ft.
- 5) Maximum lot area - 6,000 sq. ft.
- 6) Minimum lot area - 15,000 sq. ft.
- 7) Average lot area - 11,211 sq. ft.
- 8) Minimum lot width @ front RFL - 60 ft. (proposed)
- 9) Minimum lot frontage - 60 ft. (proposed)
- 10) Average lot frontage - 68 ft. 6"
- 11) Setbacks (minimum)

Required	Proposed
A) Front	10 ft.
B) Side	10 ft.
C) Rear	20 ft.

#	TYPE	SIZE	DESCRIPTION	LOCATION	CONDITION
1	Asphalt	30' x 30'	Driveway	Lot 1	Asphalt
2	Asphalt	30' x 30'	Driveway	Lot 2	Asphalt
3	Asphalt	30' x 30'	Driveway	Lot 3	Asphalt
4	Asphalt	30' x 30'	Driveway	Lot 4	Asphalt
5	Asphalt	30' x 30'	Driveway	Lot 5	Asphalt
6	Asphalt	30' x 30'	Driveway	Lot 6	Asphalt
7	Asphalt	30' x 30'	Driveway	Lot 7	Asphalt
8	Asphalt	30' x 30'	Driveway	Lot 8	Asphalt
9	Asphalt	30' x 30'	Driveway	Lot 9	Asphalt
10	Asphalt	30' x 30'	Driveway	Lot 10	Asphalt
11	Asphalt	30' x 30'	Driveway	Lot 11	Asphalt
12	Asphalt	30' x 30'	Driveway	Lot 12	Asphalt
13	Asphalt	30' x 30'	Driveway	Lot 13	Asphalt
14	Asphalt	30' x 30'	Driveway	Lot 14	Asphalt
15	Asphalt	30' x 30'	Driveway	Lot 15	Asphalt
16	Asphalt	30' x 30'	Driveway	Lot 16	Asphalt
17	Asphalt	30' x 30'	Driveway	Lot 17	Asphalt
18	Asphalt	30' x 30'	Driveway	Lot 18	Asphalt
19	Asphalt	30' x 30'	Driveway	Lot 19	Asphalt
20	Asphalt	30' x 30'	Driveway	Lot 20	Asphalt
21	Asphalt	30' x 30'	Driveway	Lot 21	Asphalt
22	Asphalt	30' x 30'	Driveway	Lot 22	Asphalt
23	Asphalt	30' x 30'	Driveway	Lot 23	Asphalt
24	Asphalt	30' x 30'	Driveway	Lot 24	Asphalt
25	Asphalt	30' x 30'	Driveway	Lot 25	Asphalt
26	Asphalt	30' x 30'	Driveway	Lot 26	Asphalt
27	Asphalt	30' x 30'	Driveway	Lot 27	Asphalt
28	Asphalt	30' x 30'	Driveway	Lot 28	Asphalt
29	Asphalt	30' x 30'	Driveway	Lot 29	Asphalt
30	Asphalt	30' x 30'	Driveway	Lot 30	Asphalt



PRELIMINARY PLAN
 A REVISION OF PART OF LOTS 1, 7 & 8, BLOCK 1
HILLMEAD/BRADLEY HILLS
 THE ELECTION DISTRICT OF MONTGOMERY COUNTY, MD.
 BY MAP ON 153 WSSC NO 21021102

PHYLLIS POTROW
 2221 BRADLEY LANE
 BETHESDA, MD 20817
 301-366-0248



13838 Layhill Road
 Silver Spring, MD 20906
 301-671-6527
 Fax: 301-438-3139

Revising
 17

COMPARABLE LOT DATA TABLE – PIOTROW PROPERTY (Feb 21, 2005)

LOT #	BLOCK #	FRONTAGE L.F.	ALIGNMENT	SIZE S. F.	SHAPE	WIDTH @ B.R.L.	BUILDING AREA
+ 1	2-H	N/A	Corner	7,210	Rectangle	70'+/- 100'+/-	2,750 sq.ft.
+ 23	"	62'	Perpendicular	6,227	"	62'	2,280 " "
+ 22	"	62'	"	6,616	"	62'+/-	2,668 " "
+ 21	"	62'	Radial	7,903	"	62'+/-	3,390 " "
+ 20	"	61'	"	7,623	"	62'+/-	3,442 " "
+ 19	"	61'	"	7,556	"	62'+/-	3,360 " "
+ 18	"	61'	"	7,138	"	62'+/-	2,576 " "
+ 17	"	61'	Perpendicular	7,306	"	62'+/-	3,212 " "
+ 16	"	76'	Radial	7,220	"	63'+/-	3,080 " "
+ 15	"	100.22'	"	7,200	Pie	73'+/-	2,600 " "
* 22	3	110'	Radial	22,506	Irregular	105'+/-	14,775 " "
* 23	"	148'	"	19,623	"	130'+/-	12,880 " "
AVERAGE		<u>78.6'</u>	-	<u>9,516</u>	-	<u>75'+/-</u>	<u>4,751 " "</u>
PROPOSED LOTS							
+ 102	1	61'	Perpendicular	15,300	Rectangle	61'	8,400 " "
+ 103	"	61'	"	15,600	"	61'	8,944 " "
+ 104	"	61'	"	12,930	"	61'	7,096 " "
+ 105	"	N/A	Corner	6,660	Irregular	78' & 74'	2,970 " "
+ 106	"	61'	Perpendicular	8,113	Rectangular	61'	2,795 " "
AVERAGE		<u>61'</u>	-	<u>11,720</u>	-	<u>66'+/-</u>	<u>6,041 " "</u>

+ These lots are a resubdivision of land shown on Plat 234 (1922).

* These lots have been resubdivided two (2) times – 1951 (plat # 2865) = 3 lots + 1 outlot & 1952 (plat # 3029) = 2 lots.