**MEMORANDUM**

**DATE:** May 6, 2005

**TO:** Montgomery County Planning Board

**VIA:** Rose Krasnow, Chief *RK*  
Catherine Conlon, 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 18 Block B, Willerburn Acres  
Subdivision for Two Lots

**PROJECT NAME:** Willerburn Acres - Lots 56 & 57, Blk. B

**CASE #:** 1-05073

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

**ZONE:** R-90

**LOCATION:** Located on Gainsborough Road, approximately 1,100 feet east of  
the intersection with Seven Locks Road

**MASTER PLAN:** Potomac Subregion

**APPLICANT:** Walter Jakobowski, et al

**FILING DATE:** February 23, 2005

**HEARING DATE:** May 12, 2005

**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 two (2) dwelling units.
- 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) Compliance with the conditions of approval of the MCDPS stormwater management approval dated February 28, 2005.
- 4) Access and improvements as required by MCDPWT.
- 5) Other necessary easements

### **SITE DESCRIPTION:**

The existing Lot 18 ("Subject Property") is part of the Willerburn Acres subdivision, which was originally recorded in 1947. The Subject Property is located on Gainsborough Road, approximately 1,100 feet east of the intersection with Seven Locks Road. (Attachment 1) The site contains 1.24 acres and is zoned R-90.

### **PROJECT DESCRIPTION:**

This is an application to resubdivide the existing Lot 18 of the Willerburn Acres Subdivision, Block B, into two (2) residential lots for two (2) one-family detached dwelling units, one of which is already existing and will remain. The proposed Lot 56 will contain 25,660 square feet and the proposed Lot 57 will contain 27,905 square feet. The two lots will be adjacent to each other, back-to-back and will front on two different streets. The proposed Lot 56 will front on and have direct access from Mary Cassatt Drive and the proposed Lot 57 will front on and have direct access from Gainsborough Road. (Attachment 2)

### **DISCUSSION 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 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 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.

The neighborhood consists of 46 lots for analysis purposes. The neighborhood extends north beyond Gainsborough Road, south beyond Mary Cassatt Drive, east to Seven Locks Road and west to Cabin John Regional Park. (Attachment 3)

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. (Attachment 4)

## 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 46 lots, lot frontages range from 25 feet to 181.05 feet. The proposed Lot 56 has a frontage of 101.43 feet and the proposed Lot 57 has a frontage of 153.73 feet. **Staff finds that the proposed lots will be**

**consistent in character with other lots in the neighborhood with respect to frontage.**

**Area:** Lot areas range from 3,750 square feet to 37,300 square feet. The proposed Lot 56 will have an area of 12,740 square feet and the proposed Lot 57 square feet will have an area of 17,200 square feet, demonstrating that the proposed resubdivision will be in character with the existing lots in the neighborhood with respect to area.

**Lot Size:** The lot sizes in the delineated neighborhood range from 11,469 square feet to 47,929 square feet. The proposed Lot 56 will have a lot size of 25,660 square feet. The proposed Lot 57 will have a lot size of 27,905 square feet. **Therefore, the size of the proposed lots will be of the same character as the existing lots in the neighborhood.**

**Lot Width:** The lot widths in the existing neighborhood range from 71 feet to 305 feet. The proposed Lot 56 will have a lot width of 108 feet and Lot 57 will have a lot width of 147 feet. **The proposed lots will be of the same character as the other existing lots in the neighborhood as it pertains to lot width.**

**Shape:** There are five (5) corner lots, eleven (11) rectangular lots, one (1) pipestem lot and 29 irregular shaped lots in the neighborhood. **The proposed resubdivision will create two (2) irregularly shaped lots. The proposed lots will be of the same character as the existing lots in the neighborhood as it pertains to shape.**

**Alignment:** There are five (5) angular lots, five (5) corner lots, 17 perpendicular lots one (1) pipestem lot and 18 radial lots. **The proposed resubdivision will create two (2) perpendicular lots. The proposed subdivision will be consistent in character with the existing lots in the neighborhood as it pertains to alignment.**

**Residential Use:** The existing lots and the proposed lots in the neighborhood are suitable for residential use.

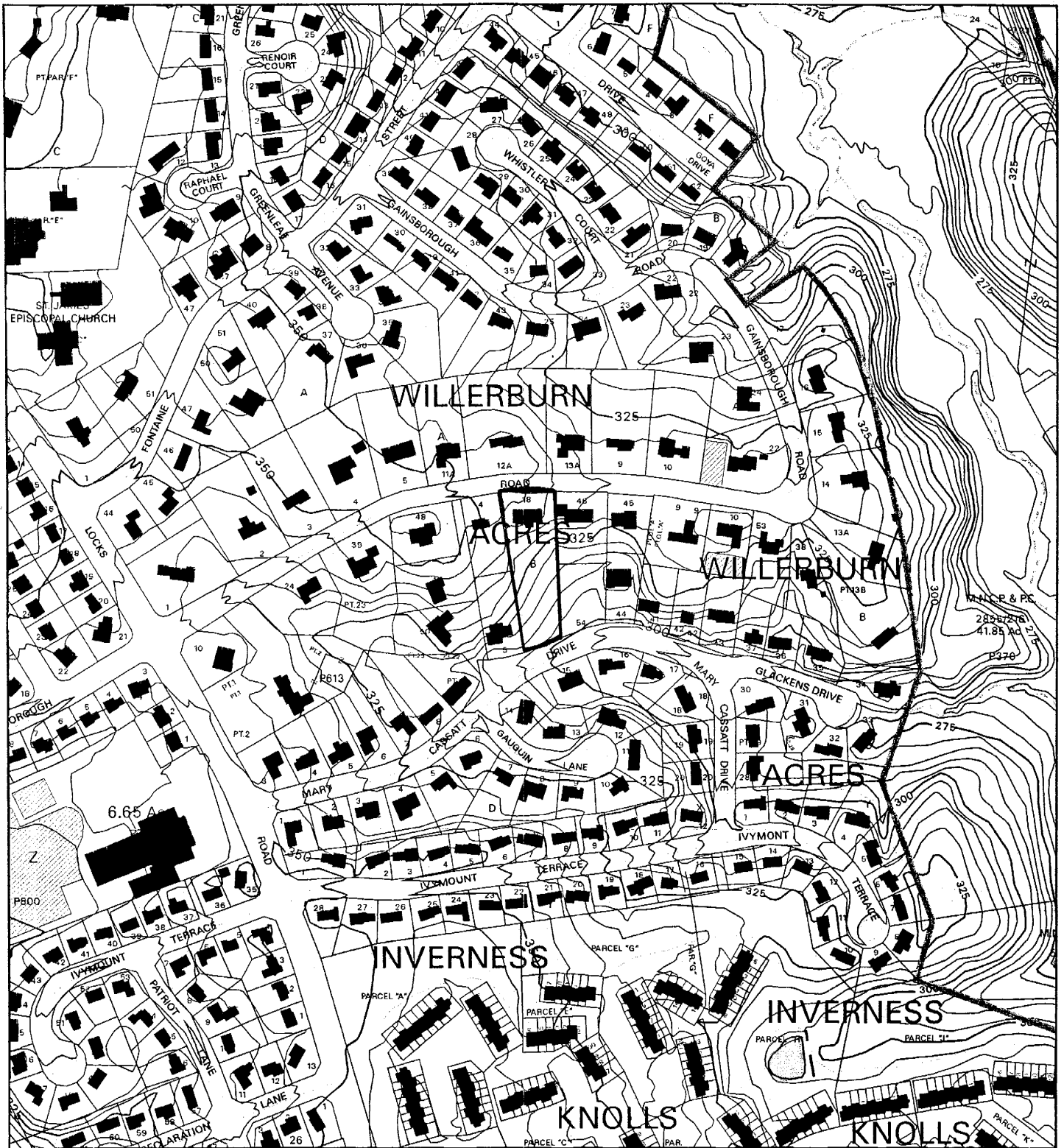
## **CONCLUSION:**

Section 50-29 (b) (2) of the Subdivision Ordinance specifies seven criteria for which resubdivided lots must substantially comply. They are: street frontage, alignment, size, shape, width, area and residential use within the existing block, neighborhood or subdivision. Staff has determined in the analysis that the proposed lots meet the characteristics of the neighborhood with respect to all seven resubdivision criteria. Therefore, based on the neighborhood delineated by the applicant and staff, staff recommends approval of the subject resubdivision application.

## **Attachments**

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

# WILLERBURN ESTATES (1-05073)



Map compiled on March 15, 2005 at 10:24 AM | Site located on base sheet no - 215NW08

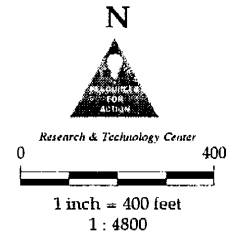
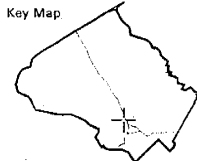
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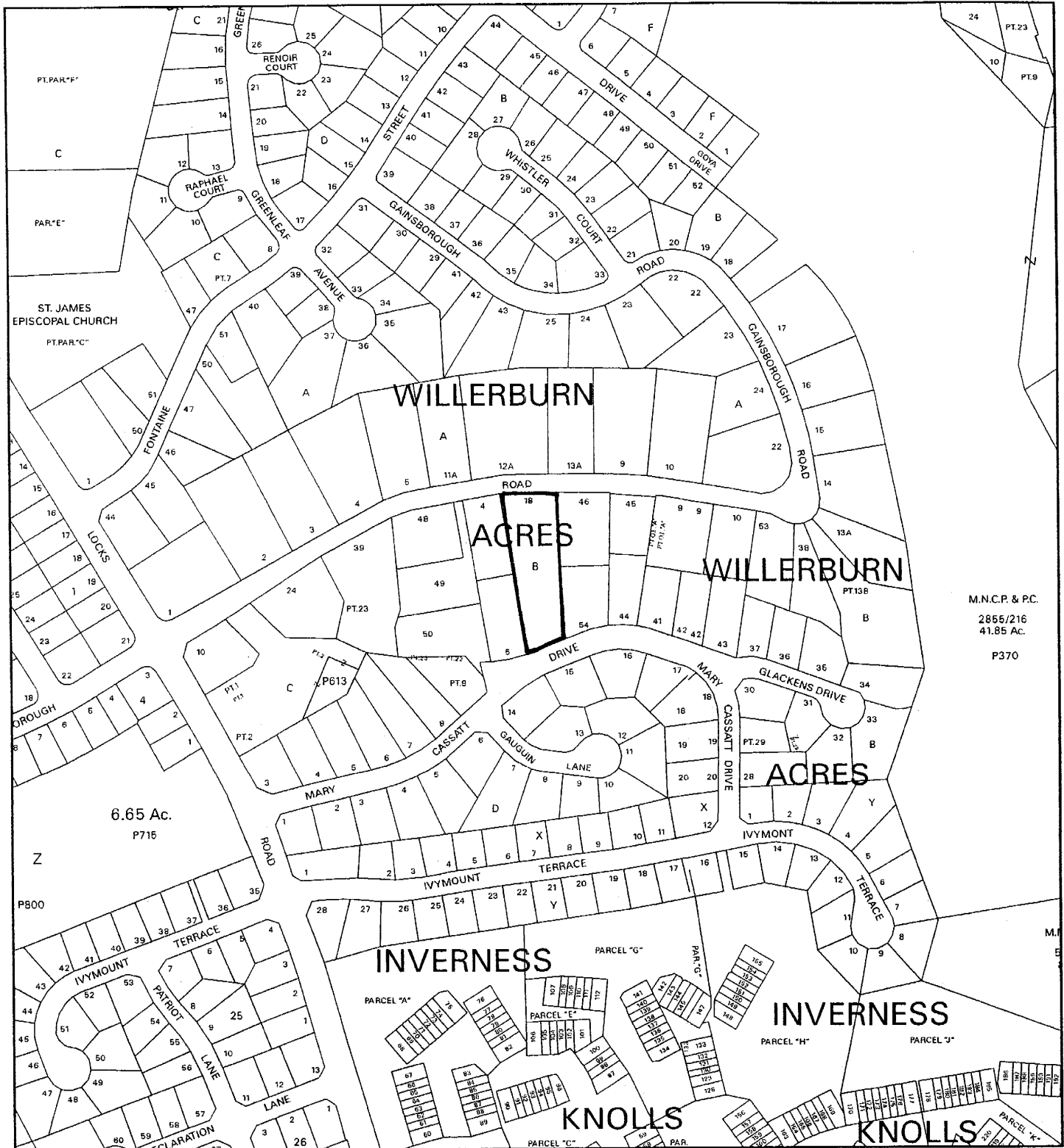
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This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This 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



# WILLERBURN ESTATES (1-05073)



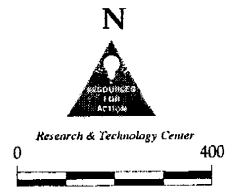
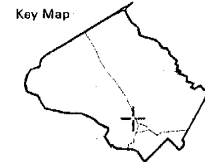
Map compiled on March 15, 2005 at 10:26 AM | Site located on base sheet no - 215NW08

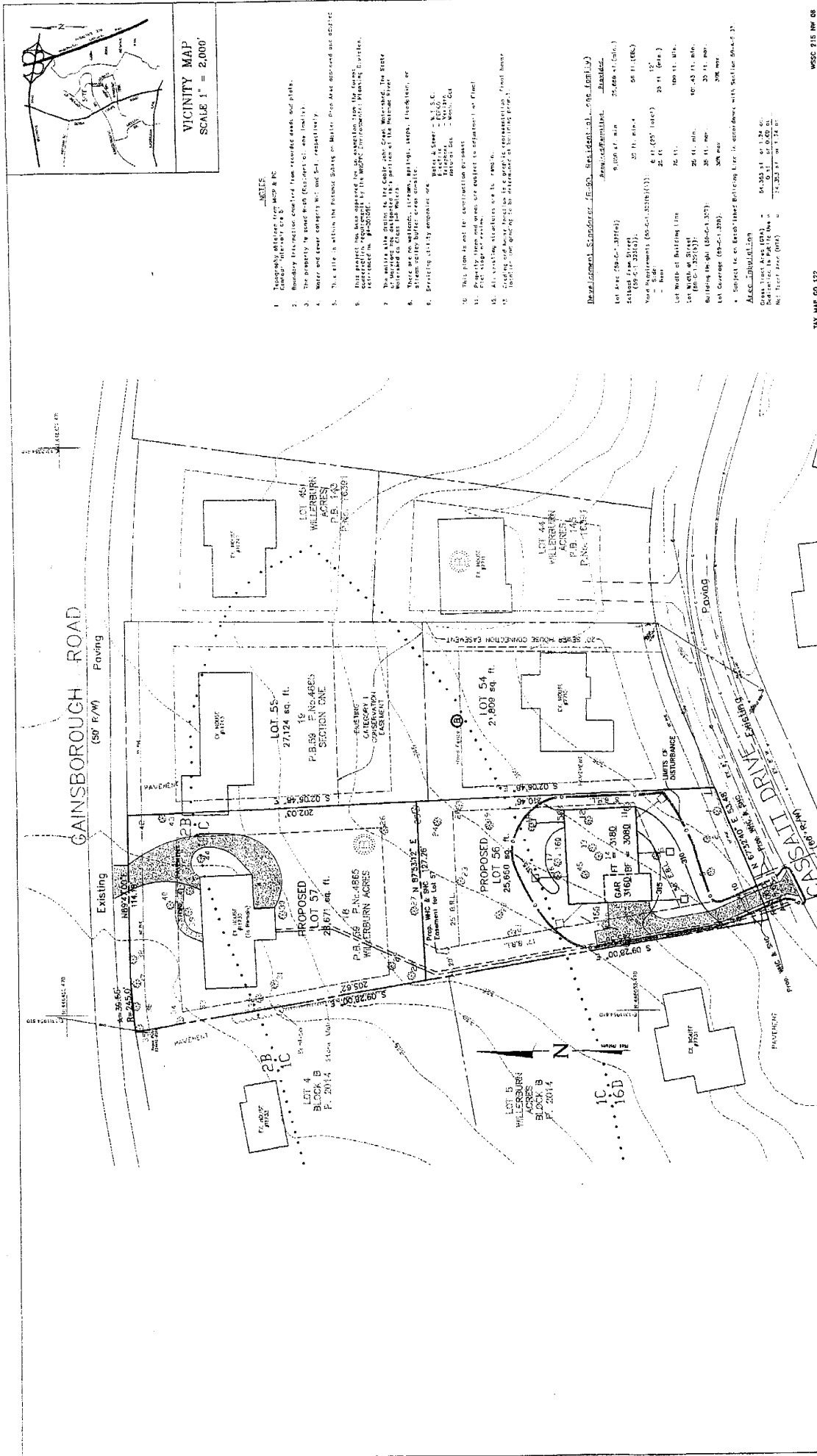
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VICINITY MAP  
SCALE 1" = 2,000'

NOTES

1. Topography obtained from MDC & BC.
2. Boundary lines shown based on recorded deed and plans.
3. The property is zoned R-40 (Residential Single-Family).
4. Water and sewer capacity MDC and S&I respectively.
5. The site is within the historic district of the City of Baltimore.
6. This project requires approval by the Historic Preservation Commission, Planning Board, and other agencies.
7. The existing site drains to the City of Baltimore Water and Sewer Department.
8. There are no wetlands, streams, springs, seeps, floodplains, or other environmentally sensitive areas on the site.
9. Erection of any structure on the site shall be in accordance with the Baltimore City Code, Title 21, Chapter 100.
10. This plan is not for construction purposes.
11. Property lines and areas are shown in relation to the plan.
12. All existing structures are to remain.
13. Existing structures shall be in a good state of repair.
14. Existing structures shall be in a good state of repair.

DEVELOPMENT STANDARDS (16.03 - Residential - Single-Family)

Item	Requirement	Proposed	Remarks
1. Lot Area (29,400 - 37,700 sq. ft.)	9,000 sq. ft. min.	25,000 sq. ft.	OK
2. Setbacks (Front, Side, Rear)	10 ft. min.	10 ft. min.	OK
3. Height (Maximum)	35 ft. max.	35 ft.	OK
4. Floor Area Ratio (FAR)	0.41 (29,400 sq. ft.) - 0.45 (37,700 sq. ft.)	0.41 (25,000 sq. ft.)	OK
5. Building Footprint Coverage	25 ft. min.	25 ft.	OK
6. Lot Width of Building Line	25 ft. min.	25 ft.	OK
7. Lot Width of Street	100 ft. min.	100 ft.	OK
8. Building Height	100 ft. max.	100 ft.	OK
9. Building Footprint Coverage	25 ft. min.	25 ft.	OK
10. Total Coverage (29,400 - 37,700 sq. ft.)	25 ft. min.	25 ft.	OK

Assoc. Jurisdiction  
 Great Street Area (2014) - 54,300 sq. ft. (1.24 acre)  
 Baltimore to Park (2014) - 0.11 acre (0.0025 acre)  
 No. First Area (2014) - 14,300 sq. ft. (0.33 acre)

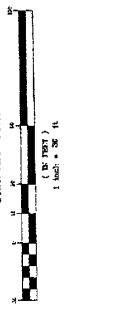
TVA MAP 60 122 WSC 715 NR 08

**PRELIMINARY SUBDIVISION PLAN**  
**Proposed Lots 56 & 57, Block B**  
**WILLERBURN ACRES**  
 Resubdivision of Lot 18, Block B  
 4TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

**MHG**  
 Michael, Hendricks & Glasscock, P.A.  
 Landscape Architects  
 2020 Wiggins Road, Suite 120  
 Montgomery Village, Maryland  
 20854-2178  
 Phone: (301) 961-6700  
 Fax: (301) 961-6700

Project No. 2014-001  
 Date: 02/11/15  
 Project No. 2014-001  
 Date: 02/11/15

PREPARED FOR:  
 MR. MICHAEL JAKOBOWSKI  
 11739 GAINSBOROUGH ROAD  
 ROCKVILLE, MARYLAND 20854  
 PHONE (301) 961-6700  
 FAX (301) 961-6700



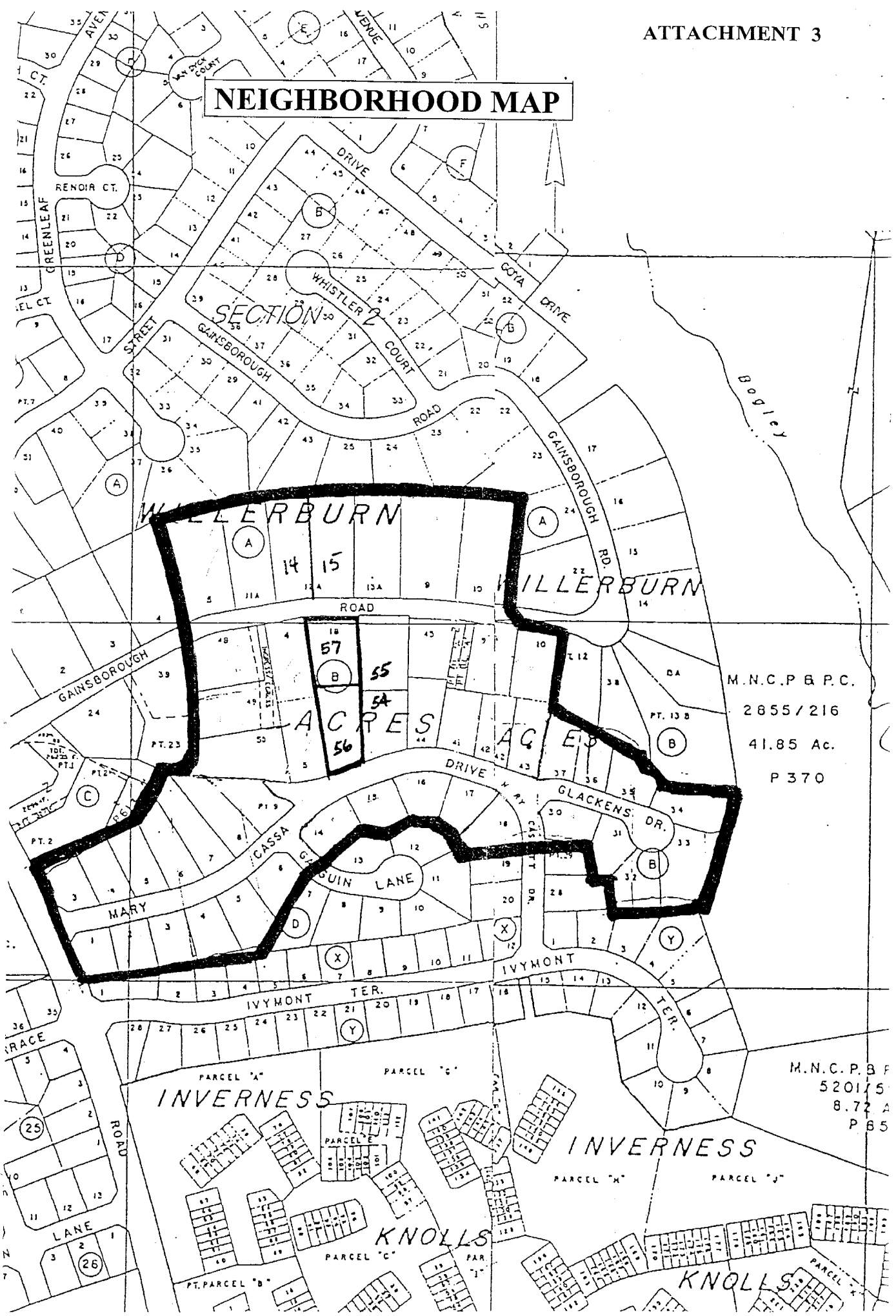
**REVIEWER'S CERTIFICATE**

I hereby certify that the boundary shown herein is correct and that the same conform to the requirements of the laws of the State of Maryland.

*[Signature]*  
 Surveyor



# NEIGHBORHOOD MAP



M.N.C.P & P.C.  
 2855/216  
 41.85 Ac.  
 P 370

M.N.C.P. B F  
 5201/5  
 8.72 A  
 P 85

Willerburn Acres Block F, Lots 56 & 57							
Lot	Block	Frontage	Size	Area	Width	Shape	Alignment
36	B	86.60	13,922	7,125	88.00	Irregular	Angular
4	C	97.90	16,778	8,100	95.00	Irregular	Angular
5	C	97.80	19,462	11,000	95.00	Irregular	Angular
42	B	101.54	18,855	9,310	100.00	Irregular	Angular
43	B	101.54	20,618	10,570	100.00	Irregular	Angular
3	D	99.80	14,759	6,200	100.00	Corner	Corner
14	D	111.00	16,521	5,200	105.00	Corner	Corner
1	D	95.00	13,537	4,800	118.00	Corner	Corner
6	D	102.00	15,736	6,400	135.00	Corner	Corner
30	B	73.20	14,714	6,500	215.00	Corner	Corner
37	B	80.90	12,947	6,700	80.00	Irregular	Perpendicular
15	A	105.00	33,516	18,920	106.00	Irregular	Perpendicular
45	B	129.34	20,006	10,620	120.00	Irregular	Perpendicular
35	B	126.40	18,158	8,350	131.00	Irregular	Perpendicular
9	A	148.00	47,929	33,100	150.00	Irregular	Perpendicular
48	B	181.05	26,034	15,100	185.00	Irregular	Perpendicular
10	B	120.00	24,000	13,770	71.00	Rectangular	Perpendicular
14	A	105.00	33,312	18,270	106.00	Rectangular	Perpendicular
2	D	110.00	14,450	5,900	110.00	Rectangular	Perpendicular
5	B	115.26	26,054	15,030	115.00	Rectangular	Perpendicular
4	B	115.00	26,191	15,660	115.00	Rectangular	Perpendicular
9	B	120.00	24,000	13,770	120.00	Rectangular	Perpendicular
11A	A	118.00	36,235	23,422	120.00	Rectangular	Perpendicular
13A	A	127.32	37,470	24,380	127.32	Rectangular	Perpendicular
55	B	135.00	27,136	11,700	132.00	Rectangular	Perpendicular
5	A	139.26	44,127	31,780	140.00	Rectangular	Perpendicular
10	A	148.00	45,908	37,300	150.00	Rectangular	Perpendicular
49	B	25.00	33,122	10,100	200.00	Pipestem	Pipestem
44	B	81.00	18,137	9,790	85.00	Irregular	Radial
6	C	98.60	20,384	9,900	92.00	Irregular	Radial
7	C	98.60	23,899	12,500	94.00	Irregular	Radial
4	D	95.00	17,634	8,500	98.00	Irregular	Radial
8	C	98.70	22,887	10,800	98.00	Irregular	Radial
17	D	150.43	16,524	7,100	100.00	Irregular	Radial
41	B	100.86	17,197	7,840	100.00	Irregular	Radial
5	D	95.00	18,963	9,500	100.00	Irregular	Radial
50	B	82.36	34,691	8,500	100.00	Irregular	Radial
3	C	90.00	15,780	5,400	115.00	Irregular	Radial
16	D	166.27	16,381	6,800	122.00	Irregular	Radial
54	B	121.81	21,740	10,350	124.00	Irregular	Radial
15	D	135.45	16,000	5,700	128.00	Irregular	Radial
34	B	75.50	20,140	6,250	130.00	Irregular	Radial
18	D	155.50	17,584	8,700	135.00	Irregular	Radial
32	B	60.70	16,766	8,750	180.00	Irregular	Radial
31	B	139.10	11,469	3,750	240.00	Irregular	Radial
33	B	100.20	26,482	7,500	305.00	Irregular	Radial
<b>Proposed Lots</b>							
56		101.43	25,660	12,740	108	Irregular	Perpendicular
57		153.73	27,905	17,200	147	Irregular	Perpendicular
<b>Note: Lot 18 was originally 1.24 acres.</b>							