



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB  
Item # 8  
5/12/05



**MEMORANDUM**

**DATE:** May 6, 2005

**TO:** Montgomery County Planning Board

**VIA:** Rose Krasnow, Chief *RK*  
Development Review Division

**FROM:** Catherine Conlon, Acting Supervisor *CAC* (301) 495-4542

**REVIEW TYPE:** Preliminary Plan Review

**APPLYING FOR:** Resubdivision of Existing Pt. of Lot 1, Pt. of Lot 2 and Outlot B, Costigan Subdivision, Lake Potomac with inclusion of Parcels P53 and P972 Subdivision for Two Lots

**PROJECT NAME:** Lake Potomac

**CASE #:** 1-05057

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

**ZONE:** RE-2

**LOCATION:** On east side of Lake Potomac Drive, approximately 600 feet northeast of River Road (MD 190)

**MASTER PLAN:** Potomac Subregion

**APPLICANT:** Chris Bogdan

**ENGINEER:** PG Associates, Inc.

**FILING DATE:** December 3, 2004

**HEARING DATE:** May 12, 2005

**STAFF RECOMMENDATION:** Approval Pursuant to Section 50-29(b)(2), subject to the following conditions:

- 1) Approval under this preliminary plan is limited to two (2) residential dwelling units.
- 2) Compliance with the conditions of approval for the preliminary forest conservation plan, including construction of split rail fences to delineate the category I forest conservation easement areas. 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) Record plat to reflect a Category II forest conservation easement to protect individual trees over the entire property outside the Category I forest conservation easement.
- 5) Record plat to reflect common ingress/egress and utility easements over all shared driveways.
- 6) Compliance with the conditions of approval of the MCDPS stormwater management approval dated March 28, 2005.
- 7) Compliance with the conditions of the MCDPWT letter dated March 11, 2005 unless otherwise amended.
- 8) Applicant shall dedicate to M-NCPPC a strip of land along the northeast side of the property, at least 10 feet in width, beginning at the point where the existing driveway enters the property from current parkland and continuing southeast to the eastern-most corner of the property. Land to be conveyed at time of record plat and be free of trash and unnatural debris.
- 9) Applicant shall adequately stake or fence the park boundary along the northeastern border of the subject property. Adequate signage shall be provided to identify the parkland.
- 10) Other necessary easements.

## **SITE DESCRIPTION**

The subject property consists of 4.12 acres of land comprised of two unplatted parcels, two parts of previously recorded lots, and a recorded outlot (Attachment A). The property is located on the east side of Lake Potomac Drive, approximately 600 feet northeast of River Road (MD 190) and is zoned RE-2. A residential dwelling with accessory uses including a pool, tennis court and sheds exists on the property.

The property drains to the Watts Branch stream valley (Use Classification I-P) within the existing M-NCPPC Watts Branch Stream Valley Park which abuts the property to the north, east and south. The existing WSSC Potomac Water Filtration facility is located on the south side of River Road near this property. The property contains numerous mature trees and shrubs throughout the site. Stream buffers are present on both the northeast and southwest portions of the site. There is a small forest at the southern end of the property.

## **PROJECT DESCRIPTION**

This is an application to resubdivide the 4.12 acre subject property into two residential lots. The applicant proposes to create a 2.01 acre (87,400 square feet) lot with 52,830 square feet of developable area ("Proposed Lot 38") and a 2.03 acre (88,400 square feet) lot with 36,800 square feet of developable area ("Proposed Lot 39"). The applicant proposes retention of the existing dwelling and pool on proposed Lot 28, and removal of the existing tennis court and construction of a new one-family detached dwelling on proposed Lot 29 (Attachment B).

## **DISCUSSION OF ISSUES**

### **Master Plan Compliance**

The Potomac Subregion 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 Master Plan in that it is a request for residential development and is consistent with the Zoning Ordinance development standards for the RE-2 zone.

### **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**

In administering Section 50-29(b)(2) of the Subdivision Regulations, the Planning Board must determine the appropriate "neighborhood" for evaluating the application. In this instance, the Neighborhood selected by Staff and the applicant consists of 16 lots (Attachment C). The lots included in the neighborhood have frontage with the subject property on Lake Potomac Drive, and share the same RE-2 zoning. The existing parts of lots and unrecorded parcels which comprise the existing parkland surrounding the subject property were not included in the neighborhood delineation. Staff believes the designated neighborhood provides an adequate sample of the lot and development pattern of the area. A tabular summary of the area based on the resubdivision criteria is included in Attachment D.

## C. Analysis

### Comparison of the Character of Proposed Lots to Existing

In performing the analysis, Staff applied the above-noted resubdivision criteria to the delineated neighborhood. Staff concludes that the proposed lots fall within the neighborhood ranges for the resubdivision criteria and are of the same character with respect to the resubdivision criteria as other lots within the defined neighborhood. Therefore, Staff concludes that the proposed resubdivision complies with the criteria of Section 50-2(b)(2). As set forth below, the attached tabular summary and graphical documentation support this conclusion:

**Frontage:** The existing lots range in frontage from 25 feet to 501 feet. Proposed Lot 28 has a lot frontage of 397 feet, and proposed Lot 29 has a frontage of 75 feet. The proposed lots are within the range of lot frontages in the neighborhood. **In Staff's opinion, the proposed lots will be of the same character as existing lots in the neighborhood with respect to lot frontage.**

**Alignment:** Both Lots 28 and 29 will be perpendicular in alignment. There are 11 other perpendicular lots in the neighborhood and 5 radial aligned lots. **The proposed lots will be in character with the existing lots with respect to the alignment criterion.**

**Size:** The existing lots range in size from 52,651 square feet to 123,572 square feet. Proposed Lot 28 will be 87,400 square feet (2.01 acres) and Lot 29 will be 88,400 square feet (2.03 acres). **The proposed lots will fall within the range of lot sizes in the neighborhood and will be in character with the existing lots with respect to size.**

**Shape:** Proposed Lot 28 and Lot 29 will both have irregular shapes. The neighborhood consists of 12 irregularly shaped lots (2 corners) and 4 pipestem lots. **Therefore, the shapes of the proposed lots are in character with shapes of the existing lots.**

**Width:** The existing lots range in width from 120 feet to 500 feet. Proposed Lot 28 will have a lot width of 330 feet and Lot 29, 150 feet. **The proposed lots will be in character with existing lots in the neighborhood with respect to width.**

**Area:** Lot areas in the neighborhood range from 16,600 square feet to 79,500 square feet. Proposed Lots 28 and 29, with areas of 52,830 square feet and 36,800 square feet, respectively, will be within the range of areas for other lots in the neighborhood. **Therefore, staff finds the proposed lots to be of the same character as other lots in the neighborhood with respect to area.**

**Suitability for Residential Use:** The existing and the proposed lots are zoned residential and the land is suitable for residential use.

## **Environment**

### **Forest Conservation**

There are 0.36 acres of existing forest on the property. This small forest adjoins a larger forest on adjacent park property. There are also numerous specimen trees throughout the site. Most of the specimen trees are in good condition. The applicant is proposing to retain all existing onsite forest, however, there will be an afforestation requirement. The applicant has proposed to meet this requirement through planting of unforested stream buffers and protection of critical root zones of specimen trees outside the stream buffer. The stream buffers will be protected with a Category I conservation easement. A Category II conservation easement will be placed over the remaining portions of the lots to protect individual specimen trees which are being credited toward afforestation requirements. Split rail fencing is also being required along the stream buffers to help delineate and protect the existing and newly planted forest area.

### **Environmental Guidelines**

The site includes stream buffers on both the northeastern and southwestern portions of the site. These areas will be protected by Category I conservation easements and replanted as discussed above.

## **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. As set forth above, the Staff finds that the two proposed lots are of the same character as the existing lots in the defined neighborhood with respect to each of the resubdivision criteria. Therefore, Staff believes the proposed resubdivision complies with Section 50-29(b)(2) of the Subdivision Regulations. Staff also believes the proposed subdivision meets all other requirements of the Subdivision Regulations (Chapter 50). Therefore, Staff recommends approval of the preliminary plan with the specified conditions.

## **Attachments**

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

*No citizen correspondence has been received up to this point.*



Map compiled on May 06, 2005 at 10:37 AM | Site located on base sheet no - 214NW12

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Key Map



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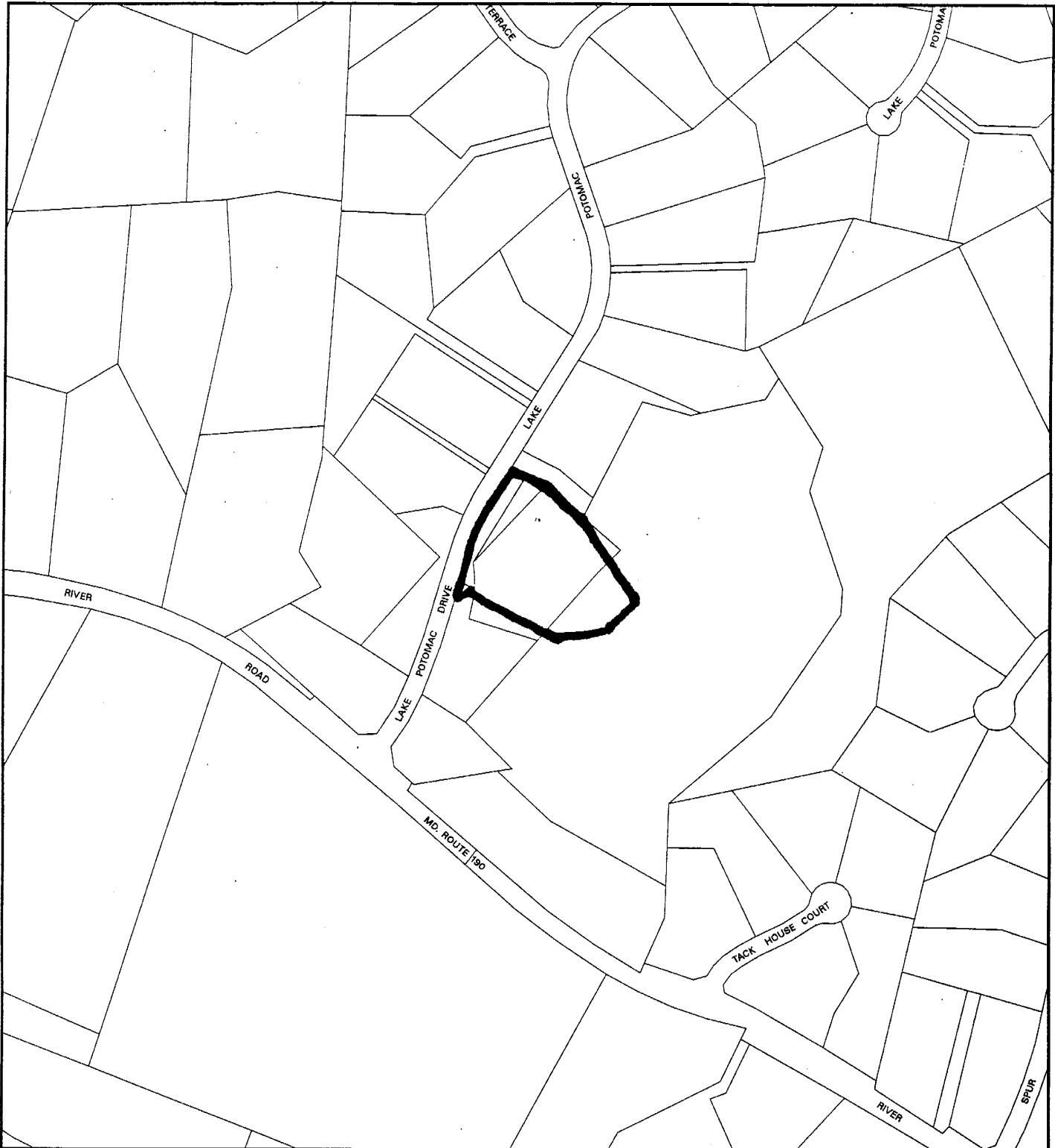


Research & Technology Center



1 inch = 450 feet  
1 : 5400

# LAKE POTOMAC (1-05057)



Map compiled on May 06, 2005 at 10:27 AM | Site located on base sheet no - 215NW12

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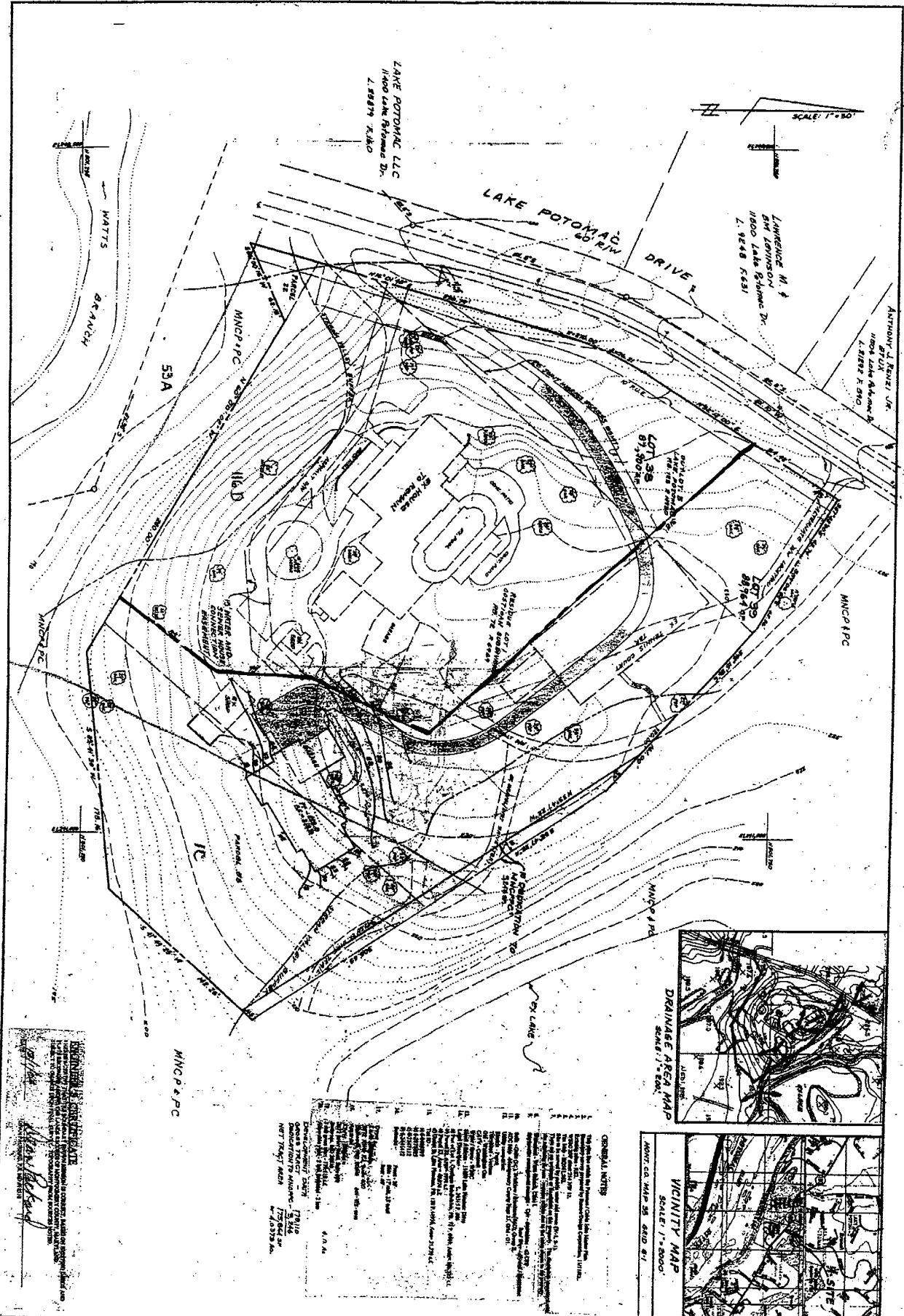
Key Map



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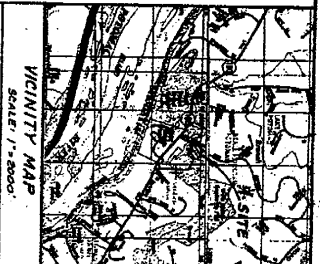
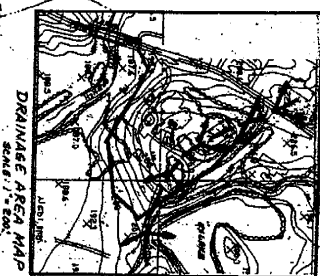
SCALE: 1" = 50'

LAKE POTOMAC LLC  
11000 LAKE POTOMAC DR.  
L. 92419 X1380

LINCOLN M. &  
BET ELLIOTTSON  
11000 LAKE POTOMAC DR.  
L. 92418 X1381

ANTHONY J. REVERI, JR.  
DRIVE  
11000 LAKE POTOMAC DR.  
L. 92419 X1380

MNC P & P C



**GENERAL NOTES**

1. THIS PLAN IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONSTRUCTION.
2. THE PROPERTY IS SUBJECT TO THE EASEMENTS AND RESTRICTIONS SHOWN ON THE PLATS RECORDED IN THE MONTGOMERY COUNTY RECORDS.
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**PROFESSIONAL SEAL**

ANTHONY J. REVERI, JR.  
REGISTERED PROFESSIONAL SURVEYOR  
MONTGOMERY COUNTY, MARYLAND  
NO. 10000

**PRELIMINARY PLAN**  
LOTS 28 & 29 BLOCK B  
LAKE POTOMAC  
PARCEL 53 AND RESUBDIVISION OF LOT 1, 2 & OUTLOT B  
POTOMAC SELECTION DISTRICT NO. 10  
MONTGOMERY COUNTY, MARYLAND

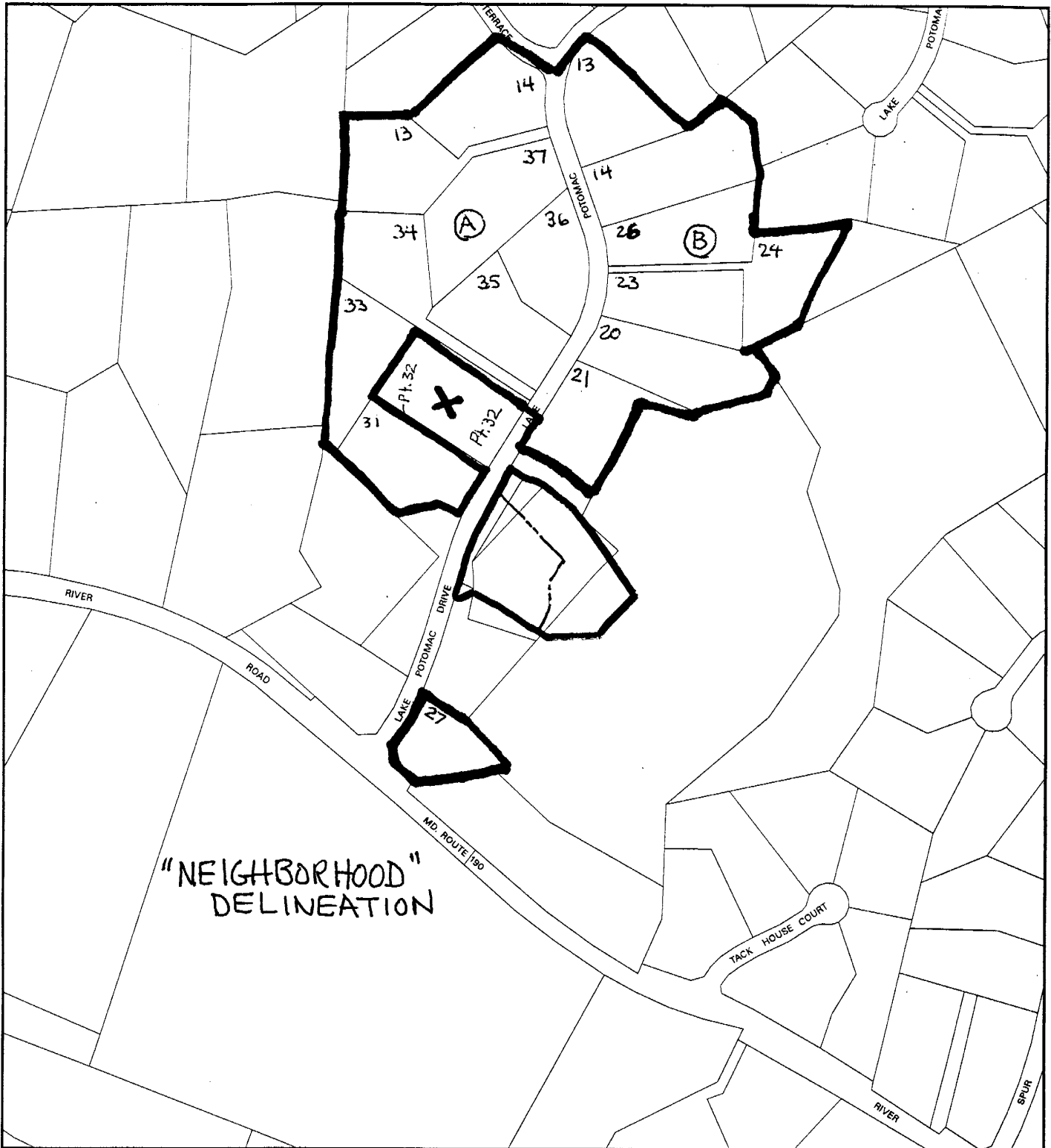


**P.G. ASSOCIATES, INC.**  
CIVIL ENGINEERS \* SURVEYORS \* LAND PLANNERS  
992 HUNGERFORD DRIVE, SUITE 4B  
ROCKVILLE, MARYLAND 20850  
PHONE (301) 309-1361

NO.	REVISED BY	REVISIONS



# LAKE POTOMAC (1-05057)



"NEIGHBORHOOD"  
DELINEATION

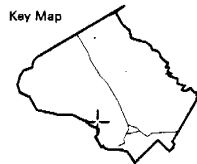
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RESUBDIVISION TABULAR ANALYSIS

Proposed Lots 28 & 29, Block B, Lake Potomac

Lot	Block	Plat	Date Recorded	Re-division	Frontage	Alignment	Size	Shape	Width	Building Area
13	A	13106	1980	No	25'	Perpendicular	102,462sf	Pipestem	150'	56,500sf
14	A	13106	1980	No	350'	Radial	95,379sf	Irregular	320'	60,030sf
31	A	16449	1984	Yes	156'	Perpendicular	96,010sf	Irregular	160'	35,798sf
33	A	14930	1984	Yes	25'	Perpendicular	102,227sf	Pipestem	500'	30,175sf
34	A	14917	1984	Yes	25'	Perpendicular	89,920sf	Pipestem	150'	53,700sf
35	A	14917	1984	Yes	198'	Perpendicular	87,228sf	Irregular	198'	26,341sf
36	A	14917	1984	Yes	501'	Radial	87,548sf	Irregular	460'	19,638sf
37	A	14917	1984	Yes	127'	Perpendicular	123,572sf	Irregular	150'	79,500sf
13	B	13106	1980	No	430'	Radial	87,150sf	Irregular	380'	25,630sf
14	B	13106	1980	No	178'	Perpendicular	109,625sf	Irregular	178'	56,855sf
20	B	14917	1984	Yes	140'	Perpendicular	94,229sf	Irregular	150'	65,034sf
21	B	14917	1984	Yes	334'	Perpendicular	90,818sf	Irregular	334'	57,225sf
23	B	15985	1986	Yes	145'	Perpendicular	87,120sf	Irregular	155'	54,400sf
24	B	15985	1986	Yes	25'	Perpendicular	97,676sf	Pipestem	320'	46,800sf
26	B	16449	1987	Yes	133'	Radial	96,586sf	Irregular	150'	61,925sf
27	B	20110	1996	Yes	83'	Radial	52,651sf	Irregular	120'	16,600sf
38	B		PROPOSED	Yes	397'	Perpendicular	87,400sf	Irregular	330'	52,830sf
39	B		PROPOSED	Yes	75'	Perpendicular	88,400sf	Irregular	150'	36,800sf

Existing size of subject property: 4.12 acres (179,467 sf)



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

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## C. Analysis

### Comparison of the Character of Proposed Lots to Existing

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**Frontage:** The existing lots range in frontage from 25 feet to 501 feet. Proposed Lot 28 has a lot frontage of 397 feet, and proposed Lot 29 has a frontage of 75 feet. The proposed lots are within the range of lot frontages in the neighborhood. **In Staff's opinion, the proposed lots will be of the same character as existing lots in the neighborhood with respect to lot frontage.**

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**Suitability for Residential Use:** The existing and the proposed lots are zoned residential and the land is suitable for residential use.

## **Environment**

### **Forest Conservation**

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## **Attachments**

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Attachment B – Neighborhood Delineation Map  
Attachment C – Proposed Development Plan  
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# LAKE POTOMAC (1-05057)

Attachment A



Map compiled on May 06, 2005 at 10:37 AM | Site located on base sheet no - 214NW12

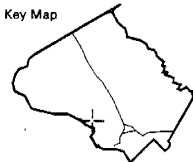
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Key Map



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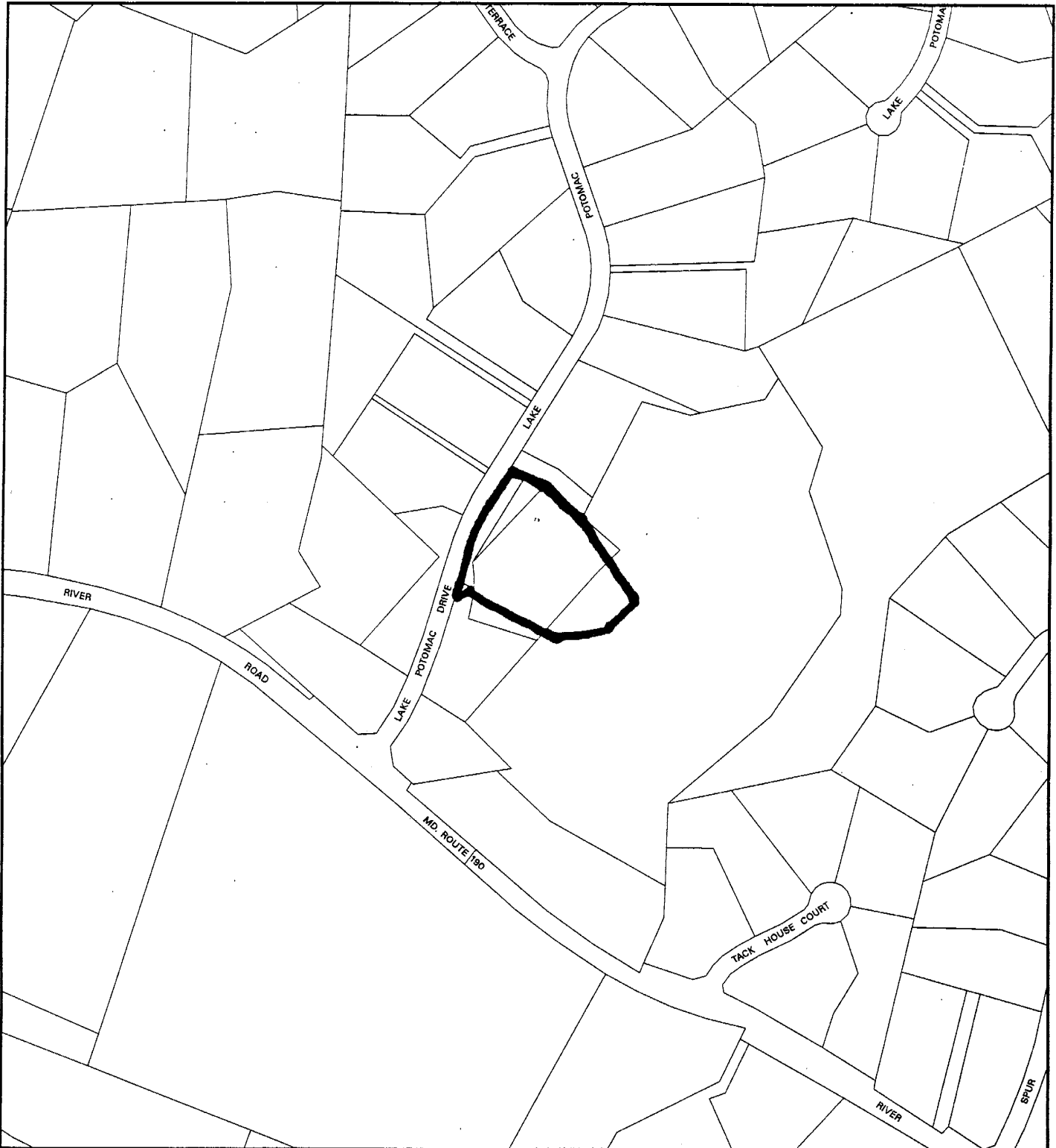
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1 inch = 450 feet  
1 : 5400



# LAKE POTOMAC (1-05057)



Map compiled on May 06, 2005 at 10:27 AM | Site located on base sheet no - 215NW12

## NOTICE

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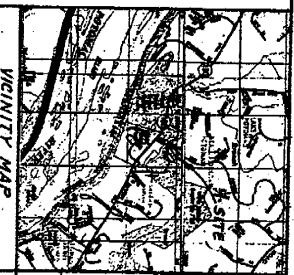
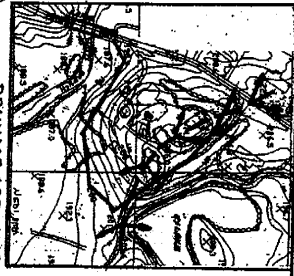
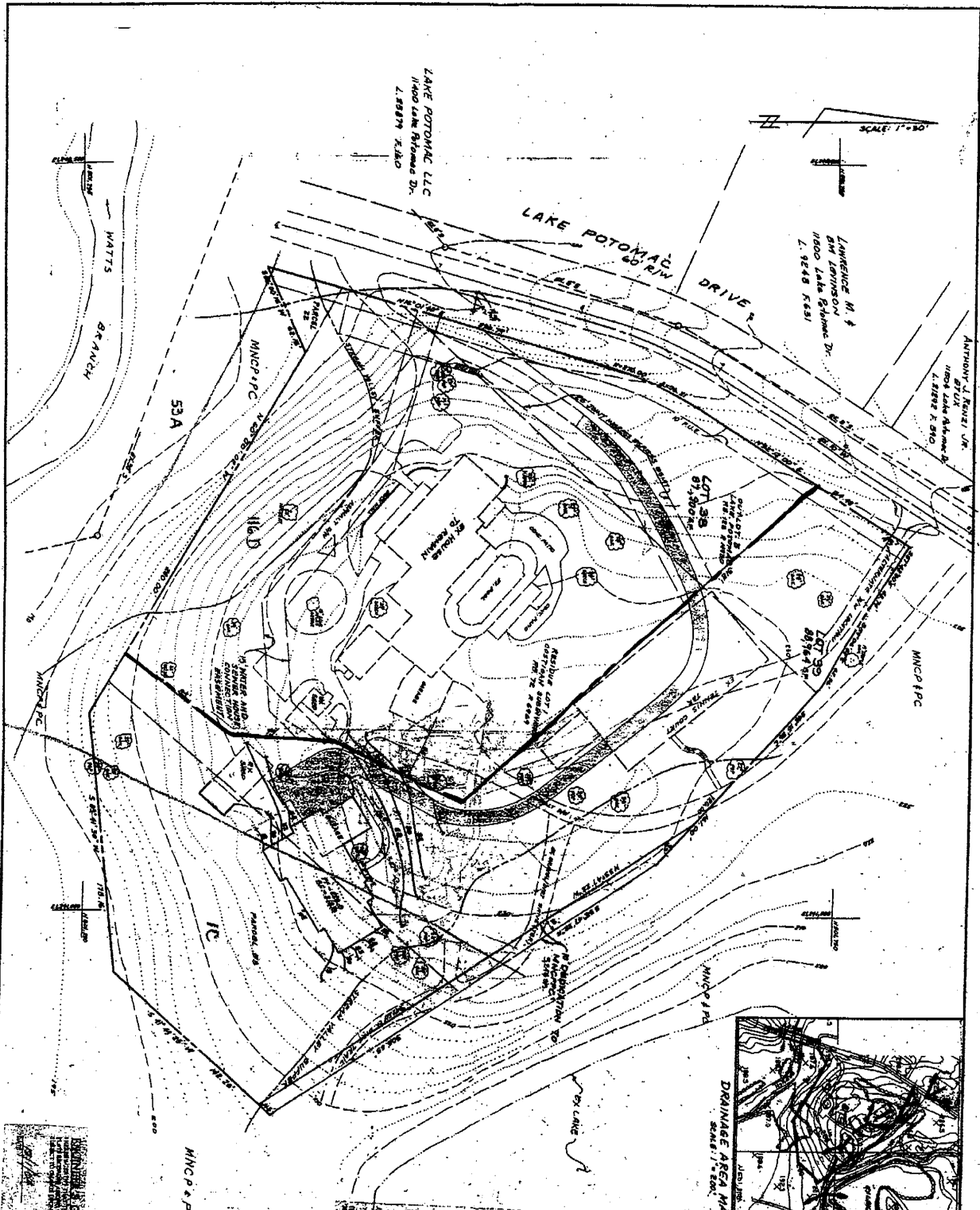
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SCALE: 1"=50'

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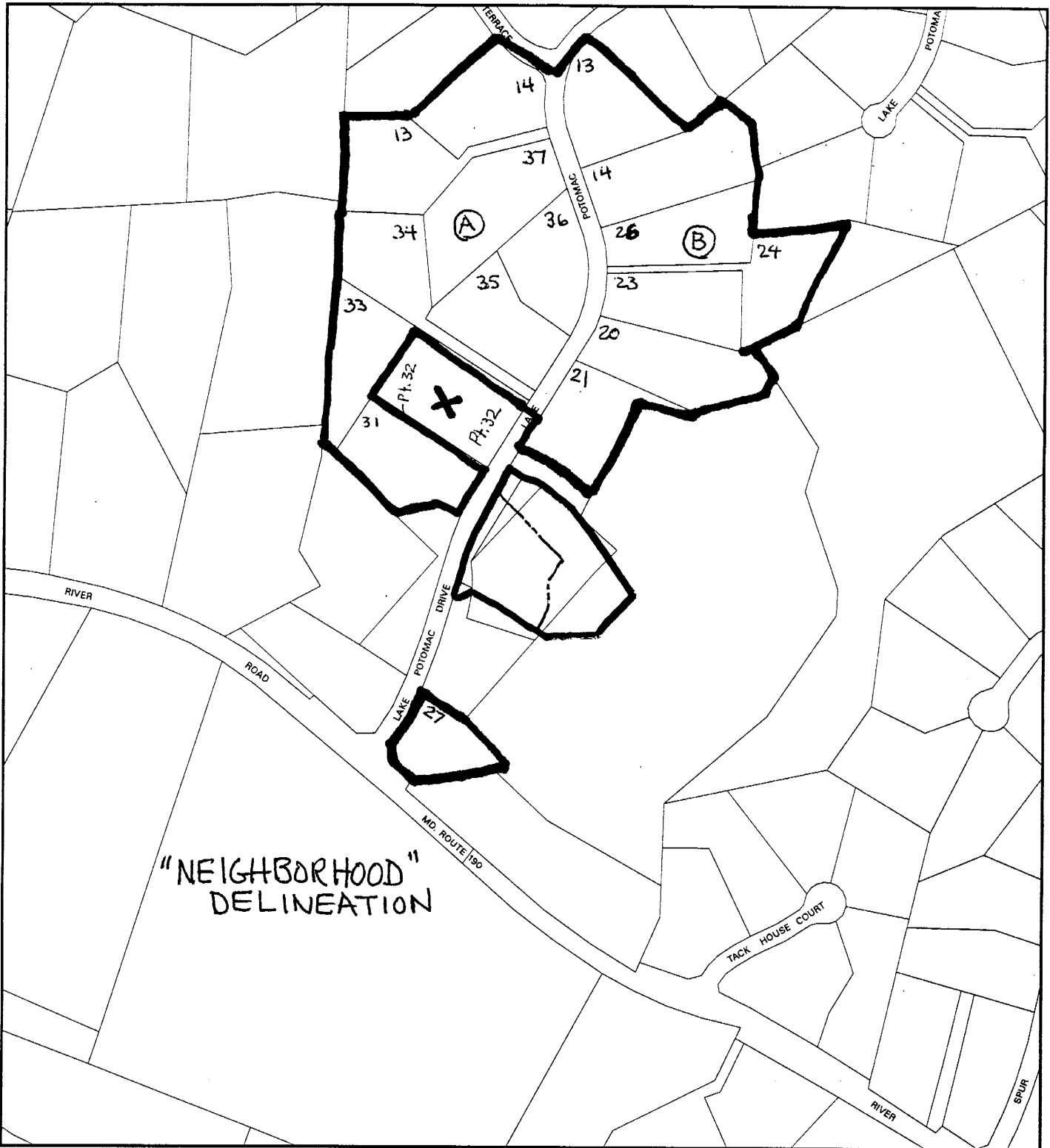
PRELIMINARY PLAN  
LOTS 28 & 29 BLOCK B  
LAKE POTOMAC  
PARCEL 53 AND RESUBDIVISION OF LOT 1, 2 & OUTLOT B  
POTOMAC ELECTION DISTRICT NO. 10  
MONTGOMERY COUNTY, MARYLAND



P.G. ASSOCIATES, INC.  
CIVIL ENGINEERS \* SURVEYORS \* LAND PLANNERS  
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ROCKVILLE, MARYLAND 20850  
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DATE	REV FOR	DESCRIPTION

# LAKE POTOMAC (1-05057)



"NEIGHBORHOOD"  
DELINEATION

Map compiled on May 06, 2005 at 10:27 AM | Site located on base sheet no - 215NW12

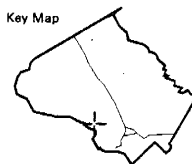
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Key Map



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RESUBDIVISION TABULAR ANALYSIS

Proposed Lots 28 & 29, Block B, Lake Potomac

Lot	Block	Plat	Date Recorded	Re- subdivision	Frontage	Alignment	Size	Shape	Width	Building Area
13	A	13106	1980	No	25'	Perpendicular	102,462sf	Pipestem	150'	56,500sf
14	A	13106	1980	No	350'	Radial	95,379sf	Irregular	320'	60,030sf
31	A	16449	1984	Yes	156'	Perpendicular	96,010sf	Irregular	160'	35,798sf
33	A	14930	1984	Yes	25'	Perpendicular	102,227sf	Pipestem	500'	30,175sf
34	A	14917	1984	Yes	25'	Perpendicular	89,920sf	Pipestem	150'	53,700sf
35	A	14917	1984	Yes	198'	Perpendicular	87,228sf	Irregular	198'	26,341sf
36	A	14917	1984	Yes	501'	Radial	87,548sf	Irregular	460'	19,638sf
37	A	14917	1984	Yes	127'	Perpendicular	123,572sf	Irregular	150'	79,500sf
13	B	13106	1980	No	430'	Radial	87,150sf	Irregular	380'	25,630sf
14	B	13106	1980	No	178'	Perpendicular	109,625sf	Irregular	178'	56,855sf
20	B	14917	1984	Yes	140'	Perpendicular	94,229sf	Irregular	150'	65,034sf
21	B	14917	1984	Yes	334'	Perpendicular	90,818sf	Irregular	334'	57,225sf
23	B	15985	1986	Yes	145'	Perpendicular	87,120sf	Irregular	155'	54,400sf
24	B	15985	1986	Yes	25'	Perpendicular	97,676sf	Pipestem	320'	46,800sf
26	B	16449	1987	Yes	133'	Radial	96,586sf	Irregular	150'	61,925sf
27	B	20110	1996	Yes	83'	Radial	52,651sf	Irregular	120'	16,600sf
38	B		PROPOSED	Yes	397'	Perpendicular	87,400sf	Irregular	330'	52,830sf
39	B		PROPOSED	Yes	75'	Perpendicular	88,400sf	Irregular	150'	36,800sf

Existing size of subject property: 4.12 acres (179,467 sf)