



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item #16
6/2/05



MEMORANDUM

DATE: May 26, 2005

TO: Montgomery County Planning Board

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

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

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Resubdivision of Existing Lot 10B and Pt. of Lot 9, Block 8 English Village Subdivision
Subdivision for One Lot

PROJECT NAME: English Village

CASE #: 1-05078

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

ZONE: R-90

LOCATION: On east side of Radnor Road, approximately 200 feet east of Wilson Lane

MASTER PLAN: Bethesda-Chevy Chase

APPLICANT: Hemingway Homes at Bethesda LLC

ENGINEER: PG Associates, Inc.

FILING DATE: March 14, 2005

HEARING DATE: June 2, 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 one (1) residential dwelling unit.
- 2) Compliance with the conditions of approval for the tree save plan sealed by the Landscape Architect on April 13, 2005, with final details to be approve by M-NCPPC staff prior to the DPS issuance of the sediment and erosion control plan.
- 3) Compliance with the conditions of approval of the MCDPS stormwater management approval dated March 11, 2005.
- 4) Compliance with the conditions of the MCDPWT letter dated May 12, 2005 unless otherwise amended.
- 5) Prior to record plat, the applicant shall record a covenant whereby applicant agrees to pay a pro-rata share for future construction or reconstruction of Radnor Road, whether built as a Montgomery County project or by private developer under permit. The deed reference for this document shall be provided on the record plat.
- 6) Other necessary easements.

SITE DESCRIPTION

The subject property consists of 0.30 acres (13, 248 square feet) of land comprised of one existing lot, which was recorded in 1937, and one unrecorded part of a lot created by deed in 1962. The property is located on the east side of Radnor Road, approximately 200 feet east of Wilson Lane and is zoned R-90 (Attachment A). A residential dwelling exists on the property.

The property is within the Cabin John Creek watershed (Use Class I-P). There are no wetlands, floodplain or stream valley buffers on the subject property. The property contains several specimen trees but no forest.

PROJECT DESCRIPTION

This is an application to resubdivide an existing recorded lot and a part of a lot into a larger residential lot. The applicant proposes to combine existing lot 10B (7,866 square feet) with part of lot 9 (5,382 square feet) creating a new 13,248 square foot lot. The applicant proposes to remove the existing dwelling unit and construct a new one-family detached dwelling unit (Attachment B).

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 Master Plan in that it is a request for residential development and is consistent with the Zoning Ordinance development standards for the R-90 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 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 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 18 lots (Attachment C). The neighborhood includes all lots that abut or confront the proposed lot, as well as the lots along the same block on the frontage street. Existing parts of lots and outlots are excluded from the neighborhood. All the lots share the same R-90 zoning. 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 lot falls 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 40 feet to 299 feet. Proposed Lot 51 has a lot frontage of 65 feet. The proposed lot is within the range of lot frontages in the neighborhood. **In Staff’s opinion, the proposed lot will be of the same character as existing lots in the neighborhood with respect to lot frontage.**

Alignment: Proposed Lot 51 will be radial in alignment. There are 9 other radial lots in the neighborhood and 9 perpendicular aligned lots. **The proposed lot will be in character with the existing lots with respect to the alignment criterion.**

Size: The existing lots range in size from 7,098 square feet to 18,027 square feet. Proposed Lot 51 will be 13,248 square feet (0.30 acres). **The proposed lot 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 51 will be irregular in shape. The neighborhood consists of 14 irregularly shaped lots and 4 corner lots. **Therefore, the shape of the proposed lot is in character with shapes of the existing lots.**

Width: The existing lots range in width from 57 feet to 100 feet. Proposed Lot 51 will have a lot width of 70 feet. **The proposed lot will be in character with existing lots in the neighborhood with respect to width.**

Area: Lot areas in the neighborhood range from 2,120 square feet to 9,217 square feet. Proposed Lot 51 with an area of 5,520 square feet, will be within the range of areas for other lots in the neighborhood. **Therefore, staff finds the proposed lot 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.

Forest Conservation

A forest conservation exemption (4-05252E) was approved for this 13,248 square foot property which stipulated that a tree save plan, including, at a minimum, a limit of disturbance and critical root zone analysis, be submitted with the preliminary plan application. This plan satisfies the stipulation and includes a condition for necessary tree protection.

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 proposed lot is 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

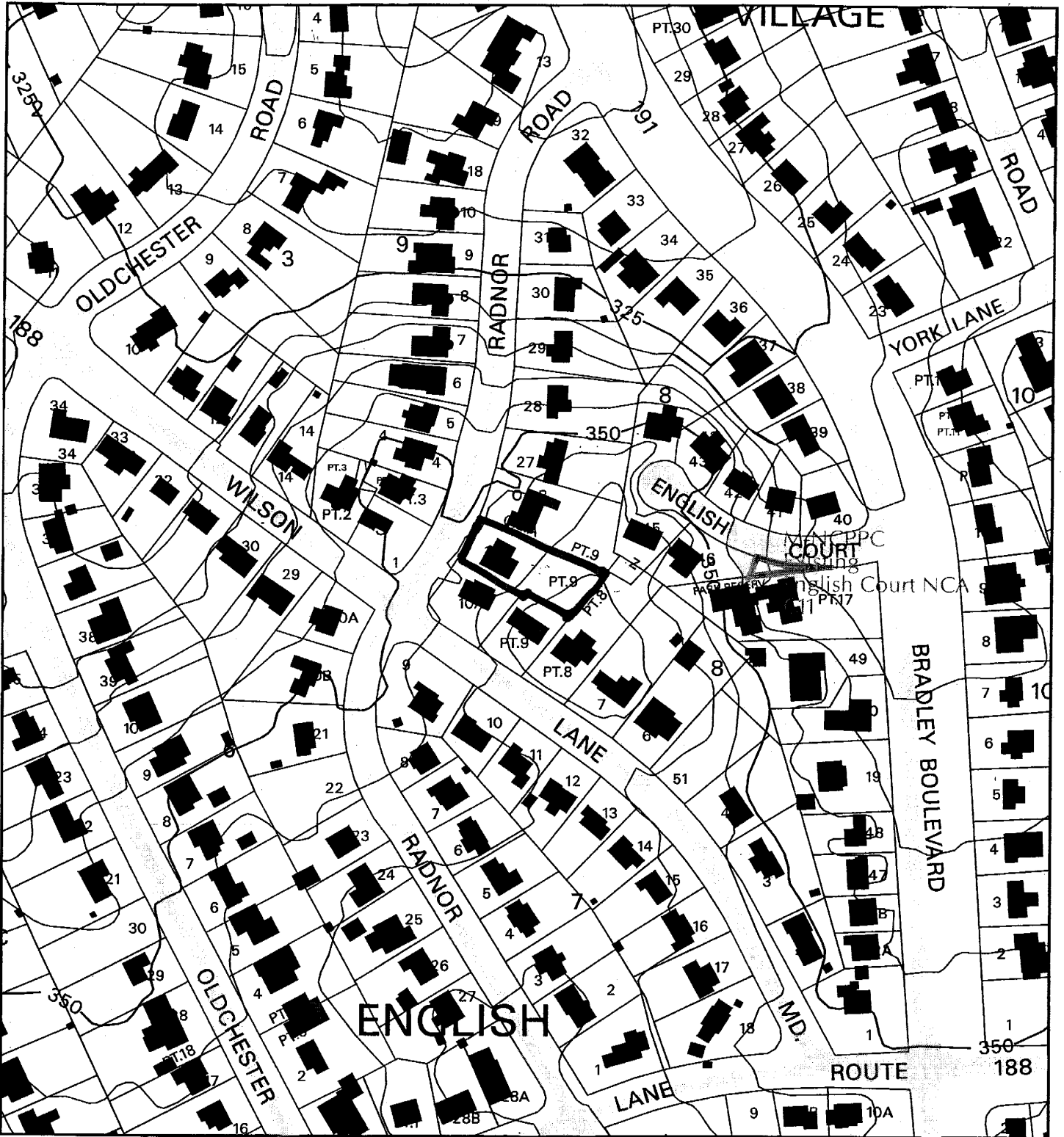
Attachment B – Proposed Development Plan

Attachment C – Neighborhood Delineation Map

Attachment D – Tabular Summary

No citizen correspondence has been received up to this point.

ENGLISH VILLAGE (1-05078)



Map compiled on April 04, 2005 at 1:46 PM | Site located on base sheet no - 209NW06

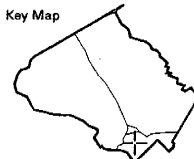
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Key Map



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Research & Technology Center



1 inch = 200 feet
1 : 2400

ENGLISH VILLAGE (1-05078)



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Key Map



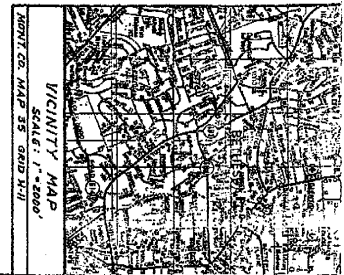
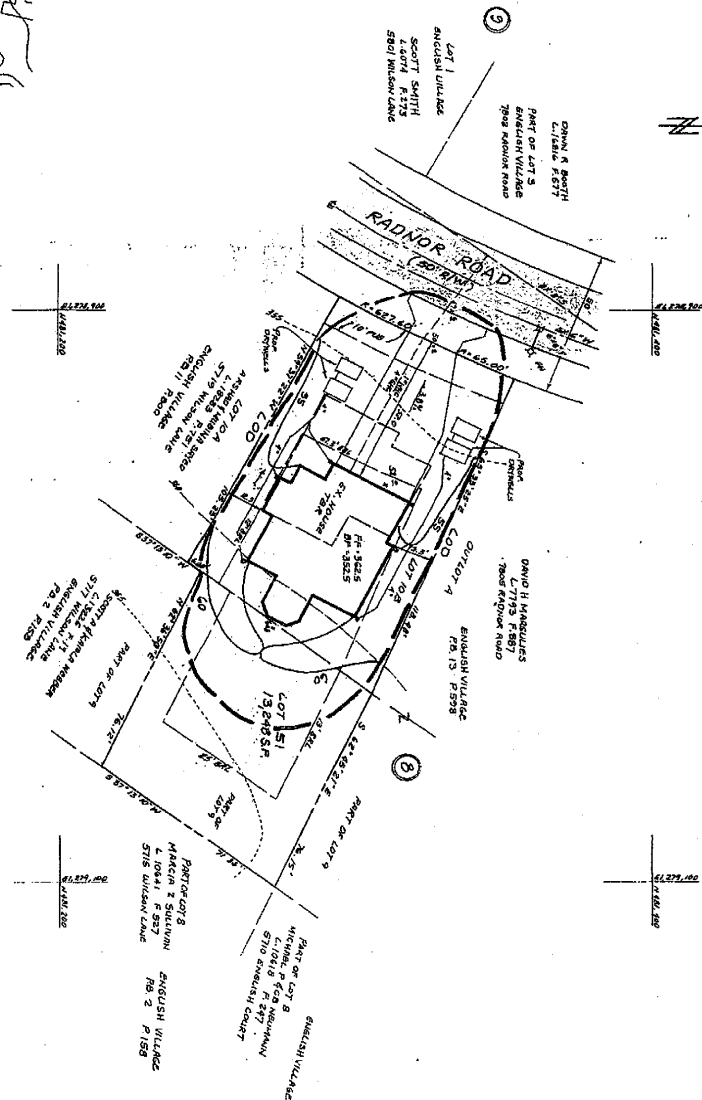
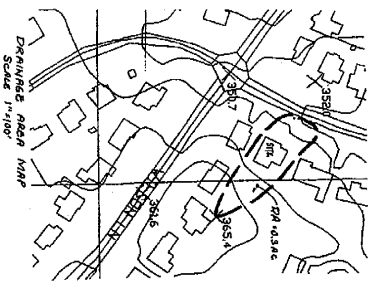
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Research & Technology Center



1 inch = 200 feet
1 : 2400



- GENERAL NOTES**
1. THE PLANNED LOTS WITHIN THE BETHESDA MASTER PLAN
 2. SHALL BE AVAILABLE BEING AND PLATS
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 19. THE PLANNED LOTS WITHIN THE BETHESDA MASTER PLAN
 20. SHALL BE AVAILABLE BEING AND PLATS

ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF MARYLAND.

Michael P. ...
 Michael P. ...
 ENGINEER

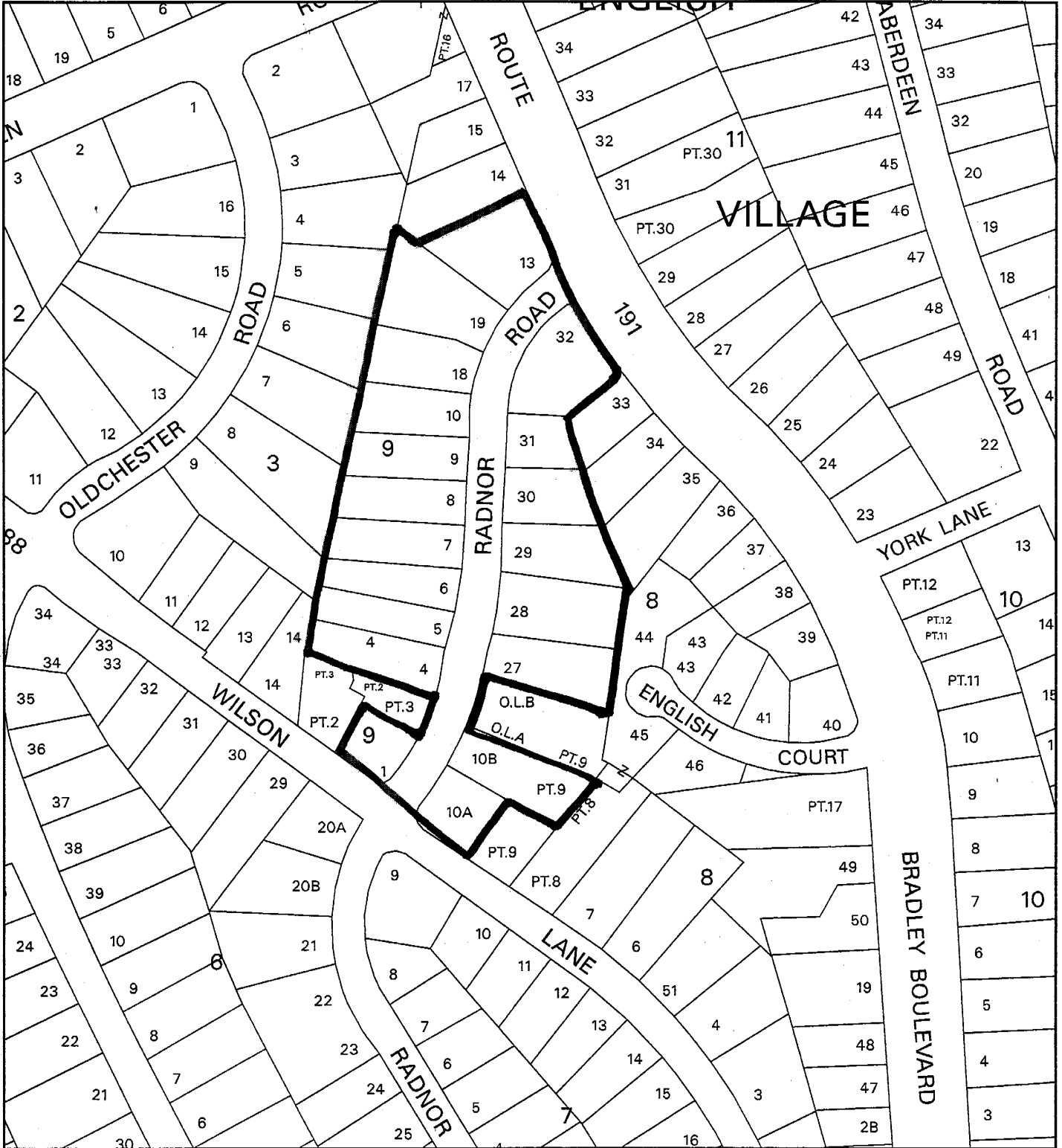
LOT 51 BLOCK 8
PRELIMINARY PLAN
 A RESUBDIVISION OF PART OF LOT 9 AND LOT 10
ENGLISH VILLAGE
 NO. 1152
 RD. 11
 POLIO 560
 11533 11533
 BETHESDA ELECTION DISTRICT NO. 7
 MONTGOMERY COUNTY, MARYLAND



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

DATE	DESCRIPTION	BY

ENGLISH VILLAGE (1-05078)



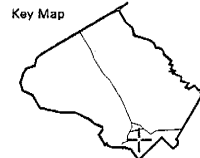
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RE-SUBDIVISION TABLE
 English Village, Lot 10B and Part of Lot 9, Block 9

Subdivision	Lot	Block	Plat	Date Recorded	Original Subdivision	Re-Subdivision	Frontage	Alignment	Size	Shape	Width	Building Area
English Village	32	8	13/898	1938	Yes	No	299'	Radial	15,684sf	Corner	100'	2,233sf
English Village	31	8	13/898	1938	Yes	No	78'	Perpendicular	7,098sf	Irregular	78'	2,120sf
English Village	30	8	13/898	1938	Yes	No	76'	Perpendicular	9,318sf	Irregular	76'	3,825sf
English Village	29	8	13/898	1938	Yes	No	76'	Perpendicular	13,044sf	Irregular	95'	6,460sf
English Village	28	8	13/898	1938	Yes	No	70'	Radial	14,706sf	Irregular	85'	5,797sf
English Village	27	8	13/898	1938	Yes	No	70'	Radial	14,982sf	Irregular	80'	6,159sf
English Village	13	8	13/898	1938	Yes	No	198'	Radial	16,532sf	Corner	85'	7,082sf
English Village	12	8	13/898	1938	Yes	No	80'	Radial	18,027sf	Irregular	85'	9,217sf
English Village	11	9	11/800	1937	Yes	No	52'	Radial	10,192sf	Irregular	60'	4,592sf
English Village	10	9	11/800	1937	Yes	No	60'	Perpendicular	10,341sf	Irregular	65'	8,125sf
English Village	9	9	11/800	1937	Yes	No	60'	Perpendicular	10,030sf	Irregular	60'	5,828sf
English Village	8	9	11/800	1937	Yes	No	60'	Perpendicular	10,616sf	Irregular	60'	5,766sf
English Village	7	9	11/800	1937	Yes	No	60'	Perpendicular	10,478sf	Irregular	59'	5,250sf
English Village	6	9	11/800	1937	Yes	No	60'	Radial	9,596sf	Irregular	58'	8,395sf
English Village	5	9	11/800	1937	Yes	No	60'	Radial	9,627sf	Irregular	57'	7,570sf
English Village	4	9	11/800	1937	Yes	No	40'	Radial	9,486sf	Irregular	57'	4,002sf
English Village	1	9	11/800	1937	Yes	No	64'	Perpendicular	7,796sf	Corner	88'	2,531sf
English Village	10A	8	11/800	1937	Yes	No	51'	Perpendicular	8,117sf	Corner	78'	2,281sf
English Village	51	8	Subject	Subject	No	Yes	65'	Radial	13,248sf	Irregular	70'	5,520sf
Summary							Avg-84'	Perpendicular -9 Radial - 9	Min-7,098sf Max-18,027sf Avg-11,426sf	Rectangular-Irregular-14 Corner-4	Min-57' Max-100'	Min-2,120sf Max-9,217sf Avg-5,402sf