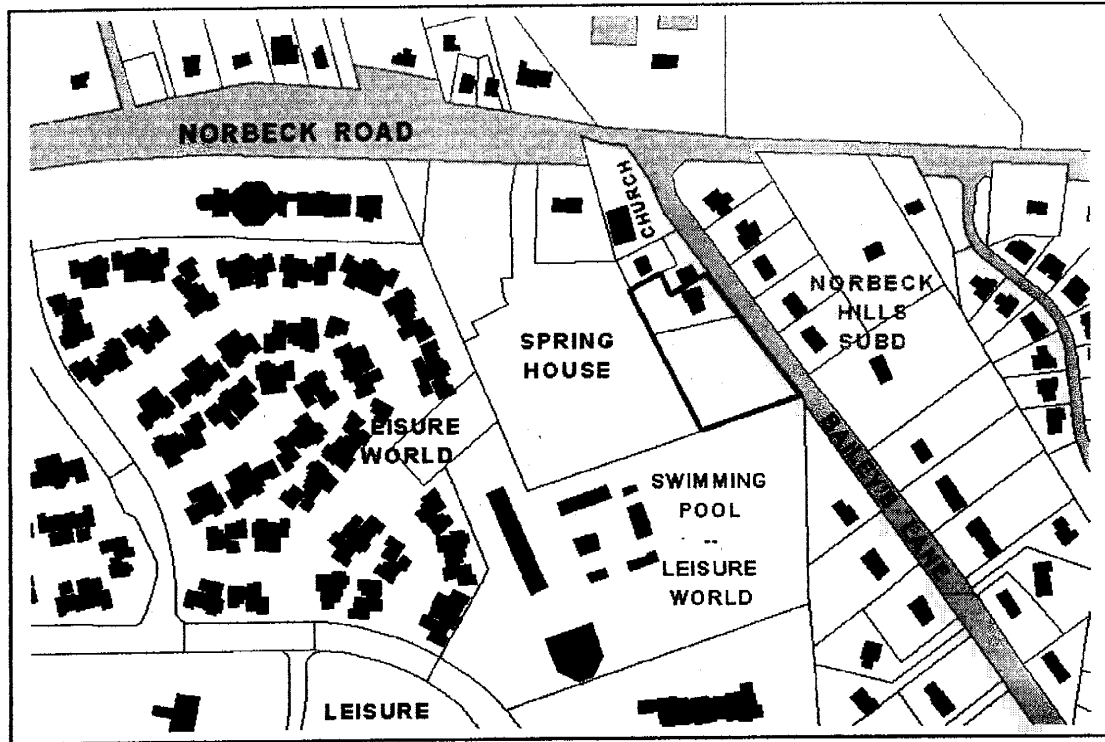


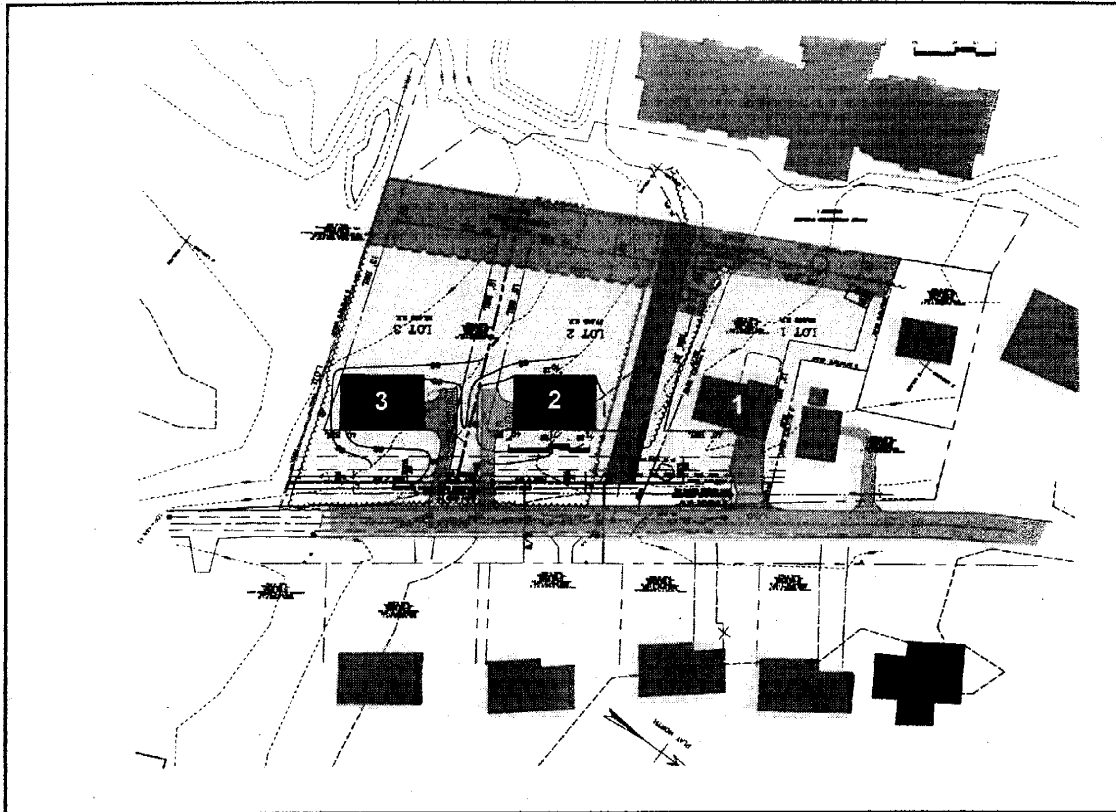
PROJECT DESCRIPTION: Site Description

The subject property is approximately rectangular in shape, however, with an irregular north property line that extends beyond the primary parcel shape. Street frontage for the entire parcel measures approximately 360 feet, while the maximum depth of the three lots is 239 feet. The site contains an existing WSSC sewer easement, 20 feet in width, that parallel the side lot lines between Lot 1 and Lot 2. The site, generally level in grade, contains substantial vegetation; however, most tree growth is young in age and represents small caliper maple trees.



PROJECT DESCRIPTION: Proposal

The proposed site plan features three one-family detached homes on three lots. The house on Lot 1, currently exists, and the two additional houses are proposed for construction. The two new houses retain the building line established by the existing house, and reflect the spacing and building locations of other houses in this RE2 Zone. A forest conservation easement is proposed for the rear of all three lots, interrupted only by the 20-foot WSSC easement that extends from street frontage to rear lot line, between Lot 1 and Lot 2. The proposal utilizes R-200 standards as applicable to the RE2-TDR2 zone.



The Kakar Property development proposes three houses facing Bailey's Lane: Lot 1, an existing house to be retained; Lot 2 and Lot 3: new houses located south of the existing house. The WSSC easement lies between Lots 1 and 2 (shown in blue); the forest conservation easement is shown in dark green at the rear of the parcels.

PROJECT DESCRIPTION: Prior Approvals

The proposal was the subject of Preliminary Plan 1-03071 approved by the Planning Board on July 3, 2003. [See attached, *Opinion 1-03071*, dated August 5, 2003]

Transportation Planning Comment

The Planning Board approved Preliminary Plan No. 1-03071 on July 3, 2003, to create three lots for two new (or three total) ^{one} single-family detached units. The Planning Board amended staff's condition No. 2 for access and improvements identified in DPWT's letter dated June 19, 2003. In DPWT's letter, their comment No. 11.B. was to construct a four-foot wide sidewalk on Bailey's Lane along the property frontage and extended offsite to Norbeck Road with the language "if required as an off-site amenity by the Montgomery County Planning Board". Planning Board voted to delete the requirement to construct a sidewalk because Bailey's Lane is a dead end street and currently is an open-section road with no current sidewalks. Additional right-of-way would have to be acquired to construct the sidewalk between the property line and Norbeck Road.

Summary

The Planning Board, in its Preliminary Plan deliberation, considered the issue of sidewalks, as applied to this open section lane with swales, and found that an on-site and off-site sidewalks requirement is "out of place" for this subdivision. The subsequent site plan application process reviewed the feasibility of sidewalks for the subject site's frontage, in response to the applicant's request for a waiver of such sidewalk. The Department of Permitting Services has reviewed the subject site with favorable inclination to a recommendation that a sidewalk within the street frontage is not necessary for the following reasons:

- Bailey's Lane is an open section macadam-surfaced road, with no curbs, gutters or sidewalks; the road terminates in a cul-de-sac with a loop road extension;
- The location of the drainage swales for storm water conveyance requires that any sidewalk be constructed outside of the right-of-way, on the subject property;
- The subject lots remain the only undeveloped parcels on Bailey's Lane; the other 24 houses were constructed before 1990;
- Relocation of the drainage swale and/or the installation of a curb and gutter system entails excessively costs;

The applicant has offered to agree to a covenant that would obligate the future property owners of the subject lots to participate on an equitable, pro-rata basis with other property owners to provide the sidewalk along the full length of Bailey's Lane.



ANALYSIS: Conformance to Master Plan

The subject site is not specifically addressed in the Aspen Hill Master Plan, except for its recommendation for RE2-TDR2 Zoning.

