

**MEMORANDUM**

DATE: October 14, 2005

TO: Montgomery County Planning Board

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

FROM: Dolores Kinney, Senior Planner (301) 495-1321 *DK*
Development Review

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Subdivision of Parcel 159

PROJECT NAME: Cleveland's Subdivision Kensington

CASE #: 120060040 (Formerly 1-06004)

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: R-60

LOCATION: Located on the south side of Dupont Avenue, approximately 235 feet west of the intersection with St. Paul Street

MASTER PLAN: Master Plan for the Communities of Kensington-Wheaton

APPLICANT: Alan Shoup

HEARING DATE: October 20, 2005

STAFF RECOMMENDATION: Approval, pursuant to Chapter 50 of the Montgomery County Subdivision Regulations, and subject to the following conditions:

- 1) Approval under this preliminary plan is limited to one (1) one-family detached dwelling unit
- 2) Compliance with conditions of MCDPWT letter dated, September 30, 2005 unless otherwise amended.
- 3) Other necessary easements.

SITE DESCRIPTION:

The property, identified as Parcel 159 (Subject Property), is located on the south side of Dupont Avenue, approximately 235 feet west of the intersection with St. Paul Street (Attachment A). The Subject Property contains approximately 0.1734 acres (7,553 square feet) and is zoned R-60. It is currently developed with a one-family detached dwelling which will be removed.

PROJECT DESCRIPTION:

The applicant attempted to obtain a building permit to construct a new dwelling on the existing Parcel 159. Pursuant to Section 50-20 of the Subdivision Regulations, a building permit may not be issued for a structure on an unplatted parcel. As such, a preliminary plan must be approved by the Planning Board.

This is a subdivision application to create one (1) residential lot for the construction of a new (1) one-family detached dwelling unit. The Subject Property will have direct access from Dupont Avenue. The Subject Property is exempt from forest conservation. Stormwater management was addressed by the Department of Permitting Services (DPS) with approval of a Small Lot Disturbance Application (SLDA) which waives properties containing lot areas less than 20,000 square feet.

ANALYSIS

Staff's review of Preliminary Plan #1-06004, Cleveland's Subdivision Kensington, indicates that the plan conforms to the Master Plan for the Communities of Kensington-Wheaton. The proposed preliminary plan is consistent with the master plan goal to maintain the area's medium density residential character. Staff also finds that the proposed preliminary plan complies with Chapter 50 of the Montgomery County Code, Subdivision Regulations as shown in the Data Table (Attachment C), in that public facilities will be adequate to support and service the area of the proposed subdivision. Staff further finds that the size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.

CONCLUSION:

Staff finds that Preliminary Plan #1-06004 Cleveland's Subdivision Kensington, conforms to the land use objectives of the Master Plan for the Communities of Kensington-Wheaton and meets all necessary requirements of the Subdivision Regulations. As such, Staff recommends approval of the preliminary plan, subject to the above conditions.

ATTACHMENTS:

Attachment A	Vicinity Map
Attachment B	Preliminary Plan
Attachment C	Data Table and Checklist