

MEMORANDUM

DATE: January 20, 2006

TO: Montgomery County Planning Board

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

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

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Resubdivision of Part of Lot 1 and Part of Lot 2

PROJECT NAME: Domingo Property

CASE #: 120060210 (Formerly 1-06021)

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

ZONE: R-60

LOCATION: Located in the southeast quadrant of the intersection of Grosvenor Lane and Broad Street

MASTER PLAN: North Bethesda Garrett Park

APPLICANT: Domingo Campuzano

ENGINEER: Design Engineering, Inc.

FILING DATE: August 15, 2005

HEARING DATE: February 16, 2006

- 1) Approval under this preliminary plan is limited to three (3) residential lots.
- 2) Compliance with conditions of MCDPWT letter dated, January 13, 2006 unless otherwise amended.
- 3) Compliance with the conditions of approval of the MCDPS stormwater management approval dated January 12, 2005.
- 4) Other necessary easements

SITE DESCRIPTION:

Parts of Lots 1 and 2, referred to as the "Subject Property", are part of the North Bethesda Subdivision, which was recorded in 1937. The Subject Property is located in the southeast quadrant of the intersection of Grosvenor Lane and Broad Street (Attachment A). The property contains 0.6617 square feet of land and is zoned R-60. Two one-family detached residential dwelling units currently exist on the Subject Property.

PROJECT DESCRIPTION:

This is a preliminary plan of subdivision application to create three (3) residential lots for three one-family detached dwelling units (Attachment B). Two dwellings, which currently exist on the property, will remain and a third dwelling will be constructed. Access to the Subject Property will be directly from Grosvenor Lane and Broad Street.

DISCUSSION OF ISSUES

Master Plan Compliance

The North Bethesda Garrett Park 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 gives attention to redeveloping areas and encourages land use patterns that provide opportunities for housing. The proposed resubdivision complies with the recommendations adopted in the master plan in that it is a request for residential development.

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

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.

Neighborhood Delineation

In administering the Resubdivision section, the Planning Board must determine the appropriate "neighborhood" for evaluating the application.

The applicant has proposed a neighborhood of 23 lots for analysis purposes (Attachment C). The neighborhood boundary extends north to Grosvenor Lane, east and west of Broad Street and south to Lone Oak Drive. Parts of lots are not included in the neighborhood for comparison purposes because they have not been sufficiently evaluated as buildable lots. 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.

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 (Attachment D) and graphical documentation support this conclusion:

Frontage: In a neighborhood of 23 lots, lot frontages range from 45 feet to 112 feet. Proposed Lots 12 and 13 have frontages of 59 and 50 feet, respectively. These are existing conditions and will not be changed by the current application. ~~The frontages are less than the requirements of the R-60 zone. However, Section 59-B-5.2, "Resubdivision of R-60 Lots" permits any lot in the R-60 zone that had frontage of less than 180 feet or an area of less than 18,000 square feet before June 1, 1958, to be resubdivided into lots with frontages of not less than 50 feet and an area of not less than 5,000 square feet if the majority of the recorded lots in the same block have frontages of less than 60 feet or areas of less than 6,000 square feet. These resubdivided lots (except outlots) are buildable lots.~~

Lot 14 has a frontage of 100 feet, which places the lot at the high end of the range of lots in the neighborhood with respect to frontage. The lot will be one of three lots, two of which are corner lots, with the largest frontages in the neighborhood. Since house orientation and access to the three largest lots will be from Broad

Street, Staff believes the proposed lot is comparable to the existing corner lots. Since the proposed lots are within the range of frontages in the neighborhood, **Staff finds that the proposed lot will be consistent in character with other lots in the neighborhood.**

Area: In a neighborhood of 23 lots, lot areas range from 1,177 square feet to 6,941 square feet in area. The proposed Lot 12 has an area of 2,355 square feet, Lots 13 has an area of 3,012 square feet and Lot 14 has an area of 4,395 square feet. **Staff finds that the proposed resubdivision will be consistent in character with the existing lots in the neighborhood with respect to area.**

Lot Size: The lot sizes in the delineated neighborhood range from 5,760 square feet to 20,000 square feet. The proposed Lot 12 will have a lot size of 9,372 square feet. Lots 13 will have a lot size of 8,130 square feet and Lot 14 will have a lot size of 10,557 square feet. **Therefore, the lot sizes 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 45 feet to 110 feet in width. Proposed Lots 12 and 13 will have lot widths of 60 feet and 50 feet, respectively. Lot 14 will have a lot width of 98 feet and will be one of three lots with widths at the high end of the neighborhood. The two others are corner lots and access for all three are from Broad Street. **Since the lots are within the range of widths in the neighborhood, the proposed resubdivision will be of the same character as the other lots in the neighborhood.**

Shape: There are four (4) corner lots in the neighborhood and the remaining lots are rectangular in shape. **The proposed resubdivision will create two rectangular lots and one corner lot. Staff finds that the proposed resubdivision will be consistent in character with the lots in the neighborhood.**

Alignment: All the existing lots in the neighborhood are perpendicular in alignment. **The proposed lots are also perpendicular lots and will be of the same character as the other existing lots in the neighborhood.**

Residential Use: ~~Except for the one existing commercial lot, the existing lots and~~ the proposed lots are residential in use.

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. The proposed resubdivision will create three lots that will have a high correlation with all of the lots in the existing neighborhood based on the resubdivision criteria. Staff finds that the proposed resubdivision is of the same character as existing

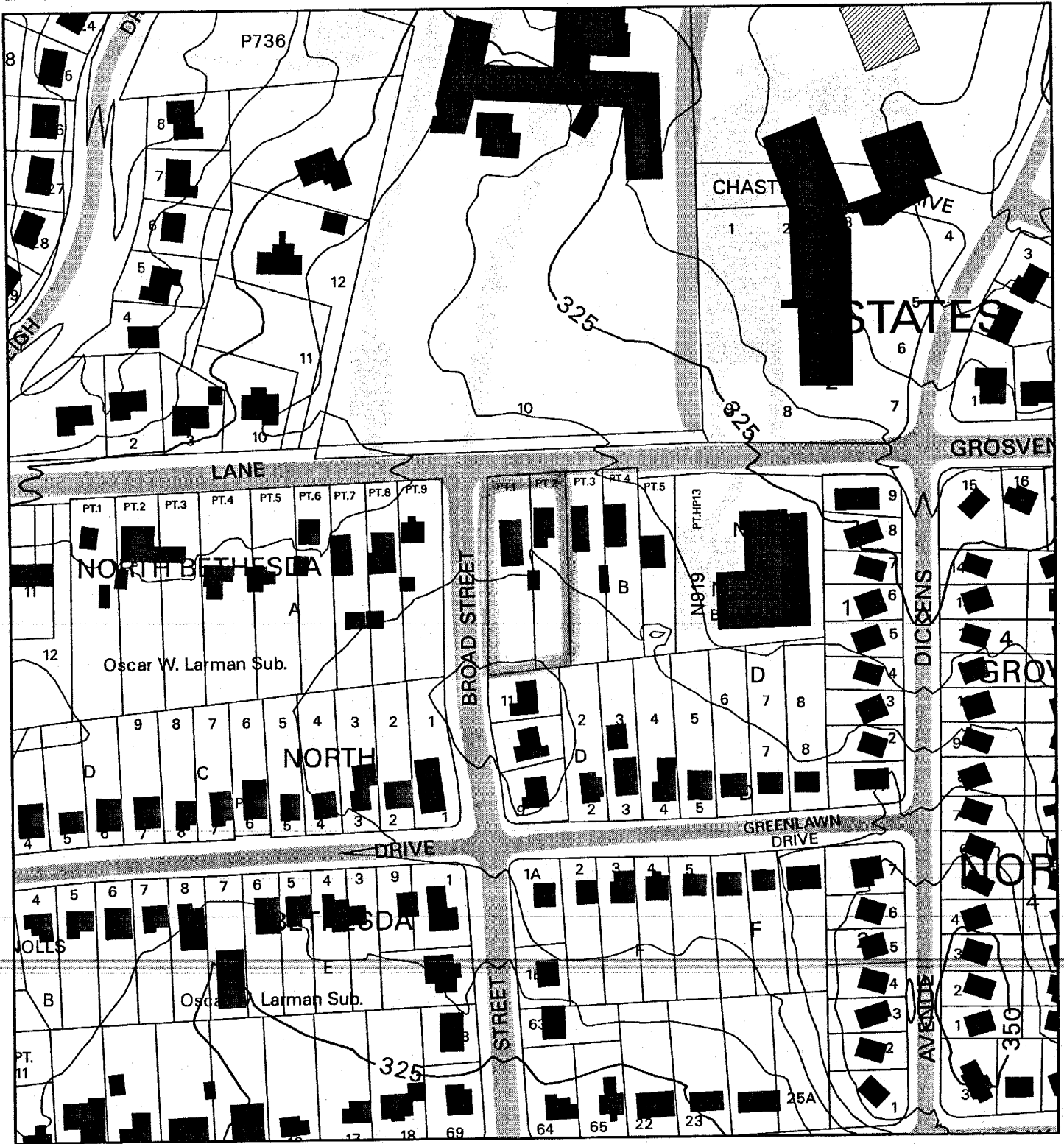
lots in the neighborhood, therefore, it complies with Section 50-29(b)(2) of the Subdivision Regulations.

Staff also finds that the proposed preliminary plan complies with Chapter 50 of the Montgomery County Code, Subdivision Regulations, in that public facilities will be adequate to support and service the area of the proposed subdivision and Chapter 59, the Zoning Ordinance, as summarized in the attached data table (Attachment E). As such, Staff recommends approval of the preliminary plan.

Attachments

- Attachment A Vicinity Development Map
- Attachment B Proposed Development Plan
- Attachment C Neighborhood Delineation Map
- Attachment D Tabular Summary
- Attachment E Data Table

DOMINGO PROPERTY (1-06021)



Map compiled on September 19, 2005 at 10:43 AM | Site located on base sheet no - 213NW06

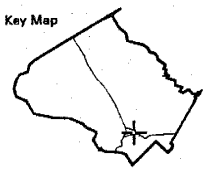
NOTICE

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Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

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

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 8787 Georgia Avenue - Silver Spring, Maryland 20910-3760

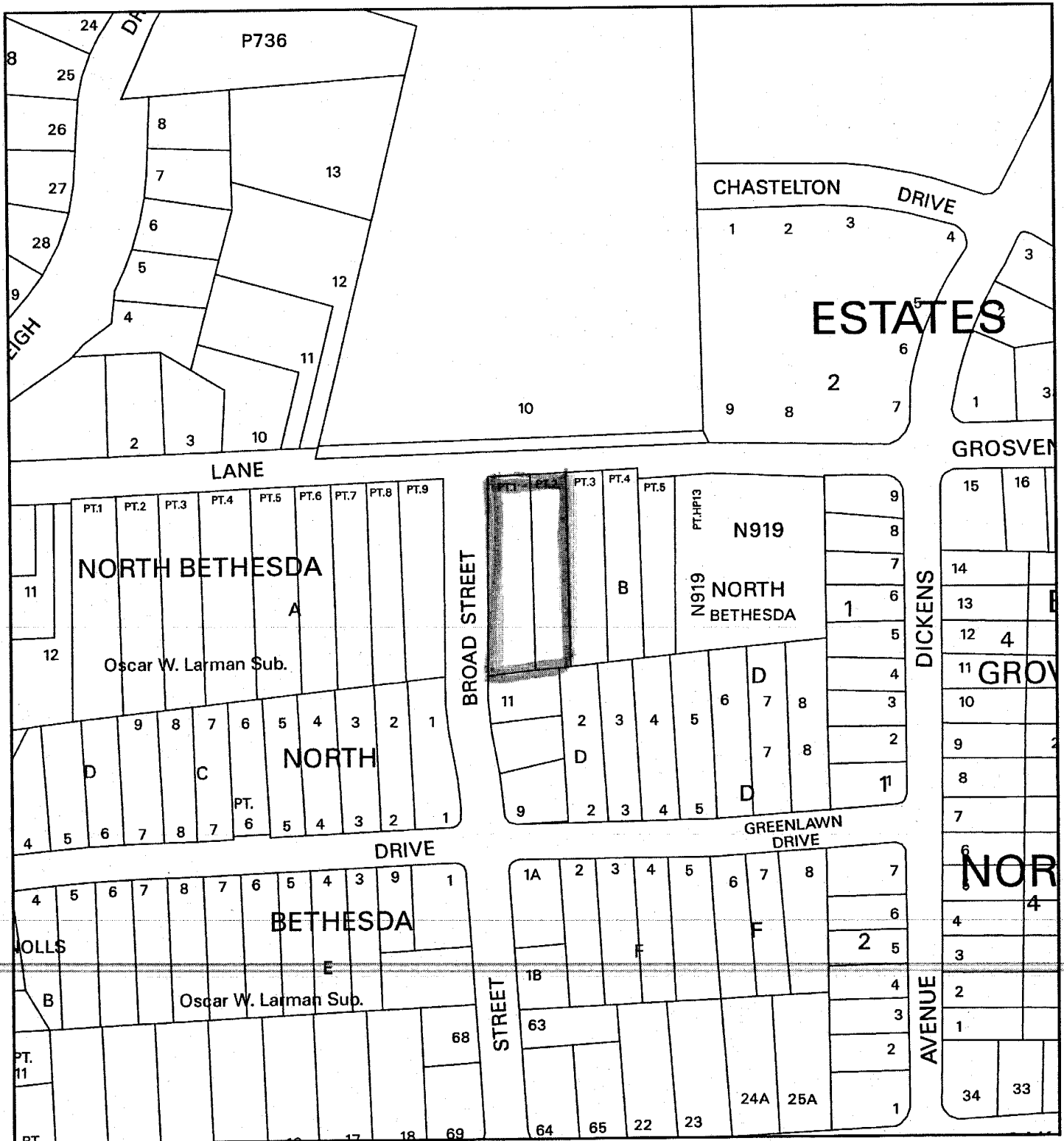


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Research & Technology Center

1 inch = 200 feet
1 : 2400

DOMINGO PROPERTY (1-06021)



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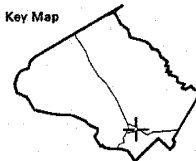
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Key Map

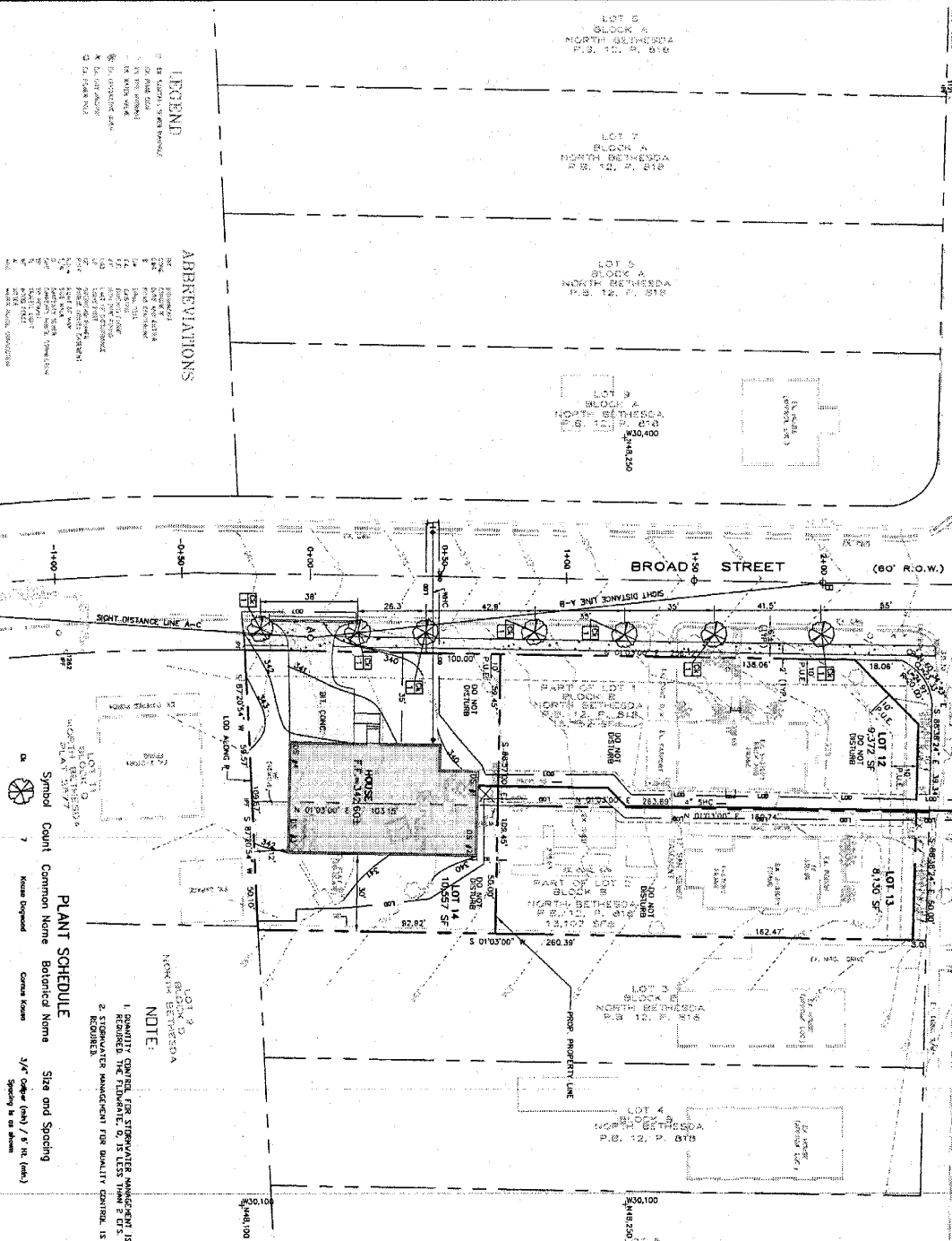


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RESEARCH FOR ACTION

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1 inch = 200 feet
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| (Symbol) | 7 | Koeleria | Koeleria | 3/4" Center (max) / 5' R.C. (min) |
- NOTE:**
1. QUANTITY CONTROL FOR STOPWATER MANAGEMENT IS REQUIRED. THE FLOWRATE IS 0.15 FEET PER SECOND.
 2. STOPWATER MANAGEMENT FOR QUALITY CONTROL IS REQUIRED.

ENGINEER'S CERTIFICATE

THIS IS TO CERTIFY THAT THE EXHIBIT AND UNDERGROUND SURVEY IS FIELD RUN AND BASED ON PLAT DATA AS SHOWN.

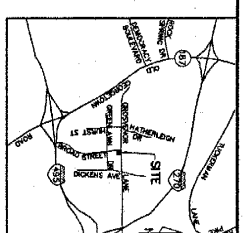
PRITAM ARURA
REGISTERED PROFESSIONAL ENGINEER
NO. 0011100

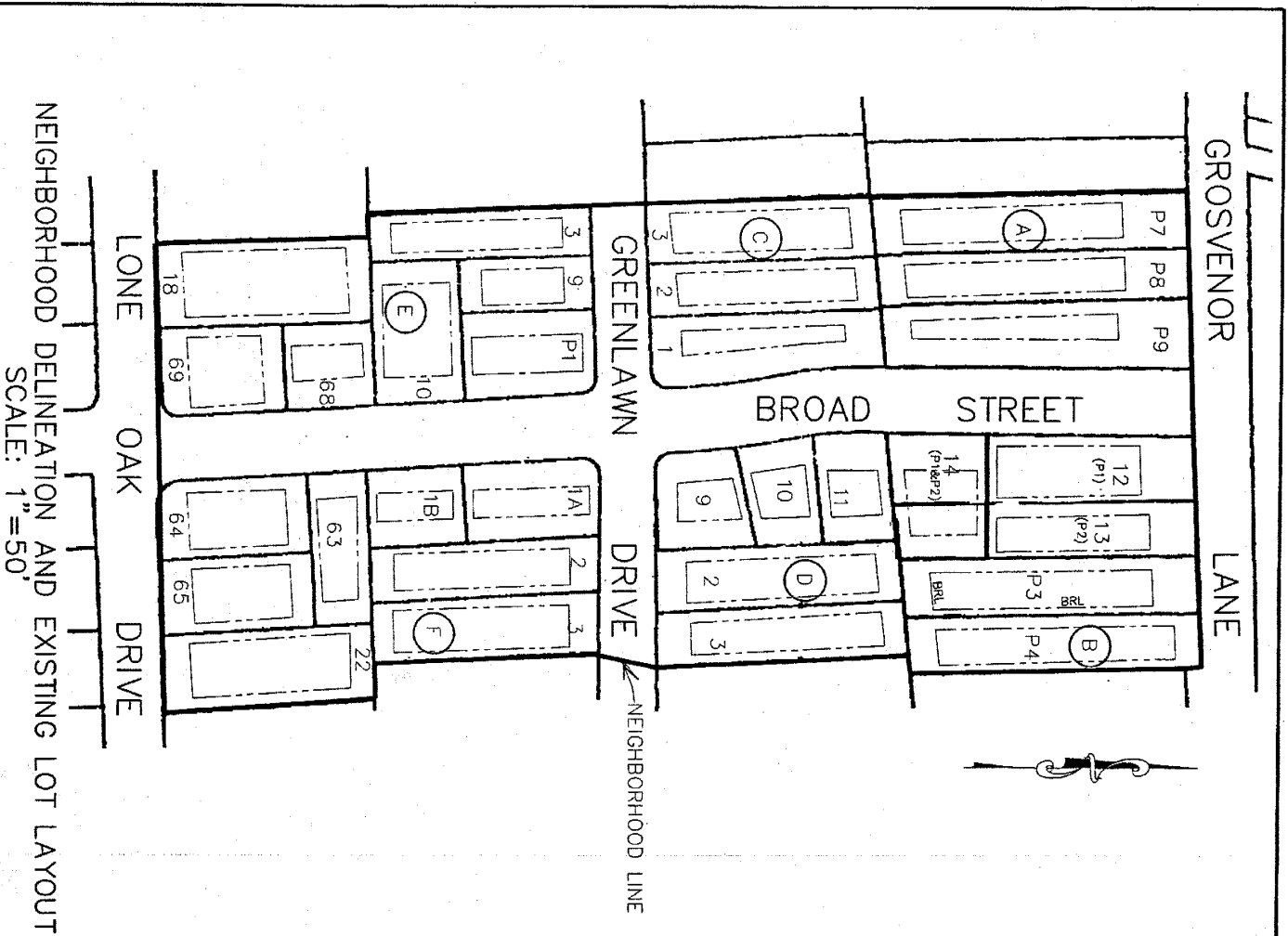
- GENERAL NOTES & ZONING ANALYSIS**
1. PROJECT NAME: DOMINGO PROPERTY, GROSVENOR LANE, MONTGOMERY COUNTY, MARYLAND
 2. OWNER / DEVELOPER: DOMINGO PROPERTY, 5716 GROSVENOR LANE, P.O. BOX 59, BETHESDA, MARYLAND 20814. PHONE: (301) 591-2778. FAX: (301) 892-3079.
 3. CIVIL ENGINEER: DESIGN ENGINEERING INCORPORATED, 18229-A FLDOWER HILL VAY, GAITHERSBURG, MARYLAND 20879. PHONE: (301) 258-1173 EXT. 102. FAX: (301) 258-0690. CONTACT PERSON: PRITAM ARURA.
 4. LEGAL DESCRIPTION: TAX MAP NO. 0743, L. 15598 F. 122 & L. 14928 F. 20.
 5. SITE AREA: 0.6107 AC. (26,599 SQ. FEET).
 6. ZONING: RESIDENTIAL SINGLE-FAMILY DETACHED (R-60).
 7. ZONING DISTRICT: R-60.
 8. TAX ACCOUNT NO.: 00876293 & 00876186.
 9. ELECTION DISTRICT: 07.
 10. BUILDING DISTRICT: 07.
 11. PROPOSED USE: SINGLE-FAMILY - DETACHED DETACHING.
 12. MIN. LOT AREA REQUIRED: 6,000 SQ. FEET.
 13. MIN. LOT AREA PROVIDED: 6,129 SQ. FEET.
 14. MIN. LOT WIDTH REQUIRED AT FRONT BLDG. LINE: 60 FEET.
 15. MIN. LOT WIDTH PROVIDED AT FRONT BLDG. LINE: 64 FEET.
 16. MIN. LOT WIDTH REQUIRED AT STREET LINE: 29 FEET.
 17. MIN. LOT WIDTH PROVIDED AT STREET LINE: 32 FEET.
 18. CONSTRUCTION WITHIN PUBLIC RIGHT-OF-WAY: ENTRANCE CONSTRUCTION WILL BE WITHIN PUBLIC RIGHT-OF-WAY.
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DATE	TITLE	REVISIONS
7/12/05	PRELIMINARY PLAN	
		8-10-05 MINOR CORRECTIONS
		12-12-05 IMPROVEMENTS
		1-13-06 REVISION LOT WIDTH

DOMINGO PROPERTY
LOTS 12 THROUGH 14
 RESUBDIVISION OF PART OF LOTS 1 & 2, BLOCK B
 5716 & GROSVENOR LANE
 BETHESDA, MONTGOMERY COUNTY, MARYLAND

DESIGN ENGINEERING INCORPORATED
 FULL SERVICE ENGINEERING
 18229-A FLDOWER HILL VAY GAITHERSBURG, MARYLAND 20879
 PHONE: (301) 258-1173 EXT. 102 FAX: (301) 258-0690
 CONTACT PERSON: PRITAM ARURA E-MAIL: p.arura@dei.us.com





NEIGHBORHOOD DELINEATION AND EXISTING LOT LAYOUT
SCALE: 1"=50'



DATE	7/23/05	TITLE	NEIGHBORHOOD DELINEATION AND EXISTING LOT LAYOUT
SCALE	1"=50'	DRAWN:	SAA
SHEET	C - 18	DESIGNED:	PLA

REVISIONS	
DATE	DESCRIPTION
3/23/05	DESCRIPTION
12/12/05	REVISION
1/20/06	REVISION

DOMINGO PROPERTY
 SUBDIVISION OF PART OF LOTS 1 & 2, BLOCK B
 8716 & 8718 GROSVENOR LANE
 BETHESDA, MONTGOMERY COUNTY, MARYLAND



DESIGN ENGINEERING INCORPORATED
 ENGINEERING PLANNING
 18229-A FLOWER HILL WAY GAITHERSBURG, MARYLAND 20879
 PHONE: (301) 258-1172

ATTACHMENT D

				Domingo Property					
Subdivision	Block	Lot	Buildable Area	Size	Frontage	Alignment	Shape	Width	
North Bethesda	C	1	3,637	12,079	60	Perpendicular	Corner	60	
North Bethesda	D	9	2,084	7,726	65	Perpendicular	Corner	65	
Lone Oak		64	3,547	10,134	72	Perpendicular	Corner	70	
Lone Oak		69	3,150	9,000	80	Perpendicular	Corner	80	
North Bethesda	E	1	2,911	8,318	100	Perpendicular	Corner	100	
North Bethesda	F	1A	2,994	8,554	112	Perpendicular	Corner	110	
North Bethesda	D	3	3,930	11,229	45	Perpendicular	Rectangular	45	
North Bethesda	E	9	2,080	6,000	50	Perpendicular	Rectangular	50	
North Bethesda	C	2	3,632	10,377	50	Perpendicular	Rectangular	50	
Lone Oak		63	2,940	8,400	52	Perpendicular	Rectangular	52	
North Bethesda	F	2	3,500	10,000	52	Perpendicular	Rectangular	52	
North Bethesda	A	3	3,585	10,244	55	Perpendicular	Rectangular	55	
North Bethesda	D	2	3,884	11,096	55	Perpendicular	Rectangular	55	
North Bethesda	F	3	3,500	10,000	60	Perpendicular	Rectangular	60	
North Bethesda	D	10	2,071	6,872	65	Perpendicular	Rectangular	63	
North Bethesda	D	11	1,940	7,466	65	Perpendicular	Rectangular	65	
Lone Oak		22	4,900	14,000	65	Perpendicular	Rectangular	65	
Lone Oak		65	3,283	9,380	67	Perpendicular	Rectangular	67	
North Bethesda	E	10	3,369	9,627	77	Perpendicular	Rectangular	75	
Lone Oak		68	2,100	6,000	78	Perpendicular	Rectangular	78	
Lone Oak		18	5,250	15,000	78	Perpendicular	Rectangular	78	
North Bethesda	F	1B	1,885	5,760	83	Perpendicular	Rectangular	83	
North Bethesda	E	3 and 4	7,000	20,000	95	Perpendicular	Rectangular	95	
Proposed Lots									
Domingo	D	12	3,280	9,372	59	Perpendicular	Rectangular	60	
Domingo	D	13	2,846	8,130	50	Perpendicular	Rectangular	50	
Domingo	D	14	3,695	10,557	100	Perpendicular	Rectangular	98	

Preliminary Plan Data Table and Checklist

Plan Name: Domingo Property				
Plan Number: 120060210				
Zoning: R-60				
# of Lots: 3				
# of Outlots: 0				
Dev. Type: 3 one-family detached dwelling units				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval on the Preliminary Plan	Verified	Date
Minimum Lot Area	6,000 sq.ft.	8,130 sq.ft. is minimum proposed	<i>Dmit</i>	Jan. 24, 2006
Lot Width	*60 ft.	*Must meet minimum	<i>Dmit</i>	Jan. 24, 2006
Lot Frontage	25 ft.	Must meet minimum	<i>Dmit</i>	
Setbacks				
Front	25 Ft. Min.	Must meet minimum	<i>Dmit</i>	Jan. 24 2006
Side	8 ft. Min./ 18 ft. total	Must meet minimum	<i>Dmit</i>	Jan. 24, 2006
Rear	25 Ft. Min.	Must meet minimum	<i>Dmit</i>	Jan. 24, 2006
Height	35 ft. Max.	May not exceed maximum	<i>Dmit</i>	Jan. 24, 2006
Max Resid'l d.u. or Comm'l s.f. per Zoning	4 dwelling units	3 dwelling units	<i>Dmit</i>	Jan. 24, 2006
Site Plan Req'd?	No	No	<i>Dmit</i>	Jan. 24, 2006
FINDINGS				
<i>SUBDIVISION</i>				
Lot frontage on Public Street	Yes	Yes	<i>Dmit</i>	Jan. 24, 2006
Road dedication and frontage improvements	Dedication	Yes	DPWT memo	Jan. 12, 2005
Environmental Guidelines	Yes	Yes	Environmental memo	Dec. 23, 2005
Forest Conservation	Yes	Exempted	Environmental memo	Dec. 25, 2005
Master Plan Compliance	Yes	Yes	<i>Dmit</i>	Jan. 24, 2006
Other				
<i>ADEQUATE PUBLIC FACILITIES</i>				
Stormwater Management	Yes	Yes	DPS memo	Jan. 12, 2006
Water and Sewer (WSSC)	Yes	Yes	WSSC memo	Sept. 26, 2005
Local Area Traffic Review	Not required	N/A	<i>Dmit</i>	
Fire and Rescue	Yes	Yes	MCFRS memo	Jan. 20, 2006

*Pursuant to Section 59-B-5.2 of the Zoning Ordinance, "Resubdivision of R-60 Lots"
See staff report.