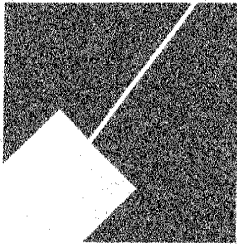


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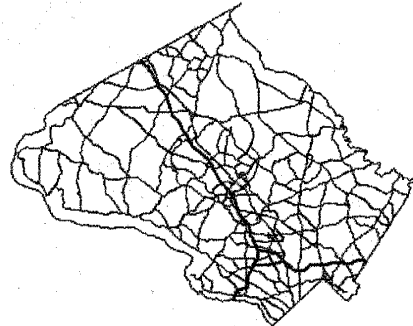


MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

MCPB
Item # 1
May 25, 2006



MEMORANDUM

DATE: May 12, 2006

TO: Montgomery County Planning Board

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

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

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Subdivision of Parcel 777, 935 and Outlot A

PROJECT NAME: Haines Addition to Damascus

CASE #: 120060110 (Formerly 1-06011)

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: RE-2

LOCATION: Located on the north side of Howard Chapel Road, approximately 5,000 feet northeast of the intersection with Main Street (MD 108)

MASTER PLAN: Damascus

APPLICANT: Charles W. Small, Jr.

ENGINEER: Tri-County Surveys, Inc.

FILING DATE: August 2, 2005

HEARING DATE: May 25, 2006

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 five (5) one-family residential lots and two (2) outlots.
- 2) The applicant shall construct all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Master Plan and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By _____" are excluded from this condition.
- 3) The applicant shall comply with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.
- 4) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation.
- 5) The applicant shall revise the preliminary plan as follows to address Fire and Rescue access requirements:
 - a) All common driveways for the length they are shared by more than one structure shall be 20 feet unobstructed width. These shared driveways must be constructed to support 85,000 pounds.
 - b) Shared driveways which serve as fire access that are in excess of 150 feet in length must be designed with acceptable cul-de-sac or hammerhead turn-arounds.
 - c) The radius for turns onto driveways which serve as fire access from county roads shall be a minimum of 25 feet at the inside curb line, and a minimum of 50 feet at the outside curb line.
- 6) Compliance with conditions of MCDPWT letter dated, December 15, 2005 unless otherwise amended.
- 7) Compliance with conditions of MCDPS (Health Dept.) septic approval dated April 5, 2006.
- 8) Record plat to reflect common ingress/egress and utility easements over all shared driveways.
- 9) Compliance with the conditions of approval of the MCDPS stormwater management approval dated March 15, 2005.
- 10) Other necessary easements.

SITE DESCRIPTION:

The property, identified as Parcel 777 and Parcel 935 (Subject Property), is located on the north side of Howard Chapel Road, approximately 5,000 feet northeast of the intersection with Main Street (MD 108) (Attachment A). The Subject Property contains 50.88 acres and is zoned RE-2.

PROJECT DESCRIPTION:

This is a subdivision application to create five (5) residential lots and two (2) outlots for the construction of five (5) one-family detached dwelling units. Access to the site will be via shared driveways from Howard Chapel Road and Gue Road. The proposed lots will be served by private wells and private sand mound septic systems. The Subject Property contains forests and a stream with associated stream valley buffer, which will be placed in a conservation easement and is identified on the preliminary plan as Outlot B. Outlot C is to be retained and may be consolidated into the adjacent unrecorded property which is not subject to this preliminary plan.

DISCUSSION:

Master Plan Compliance

The Damascus Master Plan does not specifically identify the Subject Property for discussion but does give general guidance and recommendations to encourage densities low enough to protect fragile environmental features. The Subject Property contains extensive environmentally sensitive features. Approximately 61% of the Subject Property will be protected by a conservation easement.

The area in which the Subject Property is located is primarily high ground or ridges. The master plan encourages the traditional development pattern of individual lots of one to two acres along the ridge lines and allows "rural infill" among existing residences. This plan is consistent with the master plan recommendations in that it proposes low-density residential development.

Environmental Compliance

The Subject Property is within the Upper Patuxent River Watershed and contains 27.94 acres of forest, 1.0 acre of wetlands, and 16.5 acres of stream valley buffer. The preliminary forest conservation plan proposes to save 22.84 acres of forest on-site. A Category I Forest Conservation Easement will be placed in a parcel on 30.9 acres containing the on-site forest and 7.16 acres of stream valley buffer.

Lots Without Frontage

Section 50-29 (a)(2) of the Subdivision Regulations requires that every lot shall abut on a street or road which has been dedicated to public use or which has acquired the status of a public road. The Board may, however, approve not more than two (2) lots on a private driveway or private right-of-way; provided, that proper showing is made that such access is adequate to serve the lots for emergency vehicles, for installation of public utilities, is accessible for other public services, and is not detrimental to future subdivision of adjacent lands.

The preliminary plan proposes two lots without frontage on a public road. Access to the lots is via a shared driveway from Howard Chapel Road which also serves a house on an existing unrecorded parcel which is not a part of the subject application. Staff supports the creation of the two lots without frontage (proposed Lots 12 and 13). It is Staff's opinion that the proposed access will be adequate to serve the lots for emergency vehicles (per condition #5), for installation of public utilities, and for public service access. Creation of the lots will not be detrimental to future development of this or other adjacent land parcels.

ANALYSIS:

Staff's review of Preliminary Plan #120060110 (Formerly 1-06011), Haines Addition to Damascus, indicates that the plan conforms to the Damascus Master Plan. The proposed preliminary plan is consistent with the master plan goal to maintain the low-density residential character. 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, as demonstrated in the data table, Attachment C. Staff further finds that the size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.

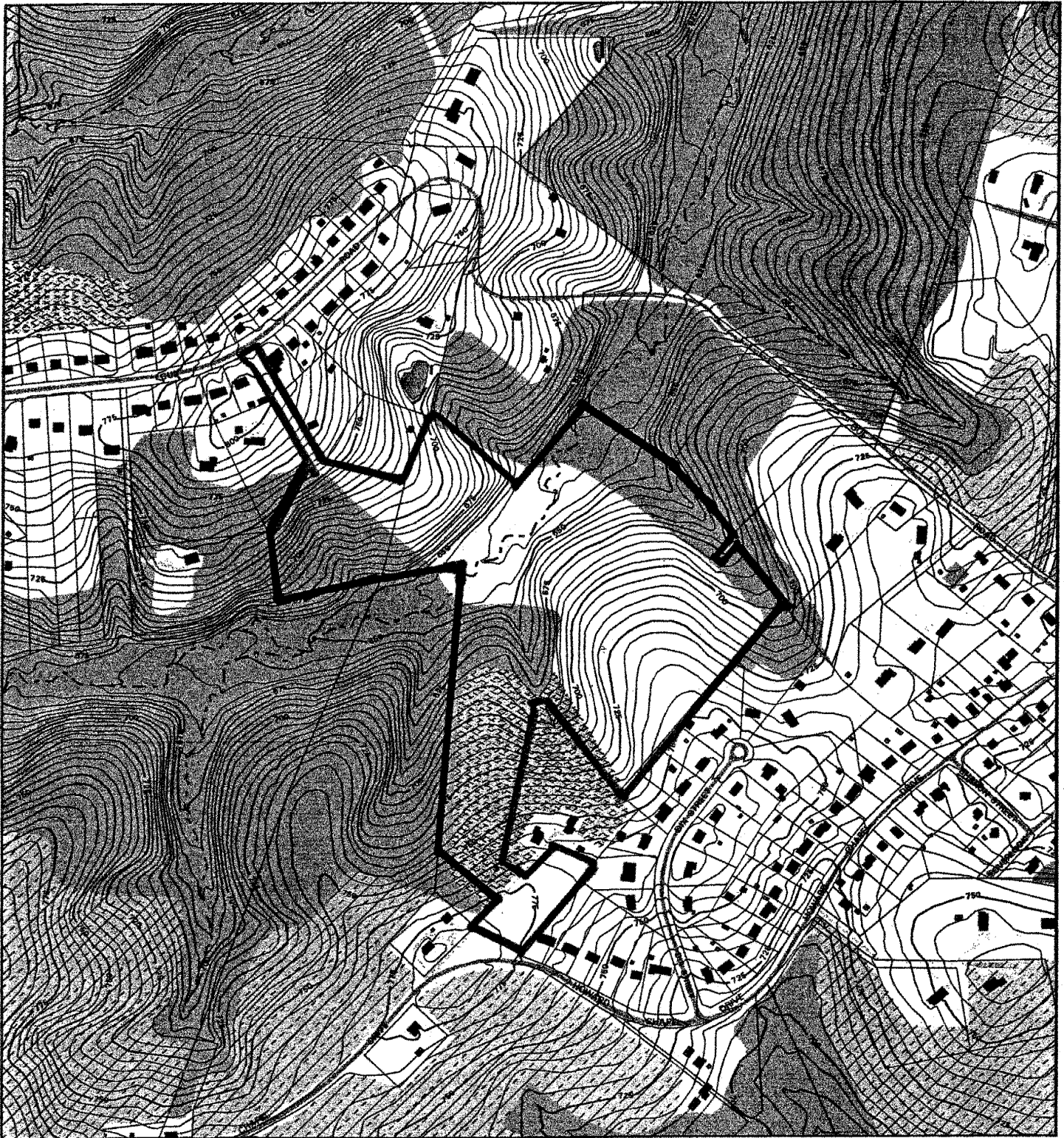
CONCLUSION:

Staff finds that Preliminary Plan #1-06011, Haines Addition to Damascus, conforms to the residential land use objectives of the Damascus Master Plan 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 |
| Attachment D | Agency Correspondence |

HAINES ADDITION TO DAMASCUS (1-06011)



Map compiled on September 01, 2005 at 11:05 AM | Site located on base sheet no - 238NW09

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Key Map



N



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1 : 7200

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HAINES ADDITION TO DAMASCUS (1-06011)



Map compiled on September 01, 2005 at 11:07 AM | Site located on base sheet no - 238NW09

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