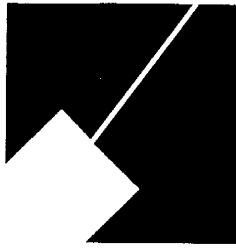


M-NCPPC



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 # 5
6/29/06



MEMORANDUM

DATE: June 13, 2006

TO: Montgomery County Planning Board

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

FROM: Catherine Conlon, Subdivision Supervisor (301-495-4542)
Development Review Division *CC*

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: Preliminary Plan Approval for 12 dwelling units

PROJECT NAME: Kentsdale Estates

CASE NO. 120060200

REVIEW BASIS: Chapter 50, the Subdivision Regulations and Chapter 59, the Zoning Ordinance

ZONE: RE-2

LOCATION: On the north side of Democracy Boulevard at the intersection with Stapleford Hall Drive

MASTER PLAN: North and West Silver Spring

APPLICANT: Democracy Investments, L.L.C.

ATTORNEY: Holland & Knight, LLP

ENGINEER: Landmark Engineering, Inc.

FILING DATE: August 18, 2005

HEARING DATE: June 29, 2006

Staff Recommendation: Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 12 dwelling units.
- 2) Compliance with the conditions of the preliminary forest conservation plan approval dated June 15, 2006. The applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits, as applicable.
- 3) No clearing or grading on the site, except for demolition of existing structures, prior to the approval of a final forest conservation plan.
- 4) Final approval of a detailed landscape plan by technical staff prior to plat recordation.
- 5) Applicant shall construct an 8-foot-wide shared-use path along Democracy Boulevard between Stapleford Hall Drive and the western property boundary, as shown on the preliminary plan. The improvement shall be complete and open to bicycle traffic prior to the issuance of the 6th building permit.
- 6) The final alignment of the shared-use path, and the size and location of the public improvement and public utility easements, shall be determined by technical staff prior to plat recordation.
- 7) The private street shall be constructed by the applicant to the structural standards of a tertiary street, in the location shown on the preliminary plan.
- 8) Compliance with the conditions of the MCDPS stormwater management approval dated March 30, 2006.
- 9) Compliance with conditions of MCDPWT letter dated May 5, 2006, unless otherwise amended.
- 10) Record plat to reflect a Category I conservation easement over all stream valley buffer areas.
- 11) Record plat to reflect denial of access along the Democracy Boulevard site frontage, except at the two entrance points shown on the preliminary plan.
- 12) Record plat to reflect common ingress/egress and utility easements over all shared driveways.
- 13) Record plat to reflect public use, common ingress/egress and utility easements over the proposed private road.
- 14) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s).
- 15) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.
- 16) Other necessary easements.

SITE DESCRIPTION and SURROUNDING AREA:

The subject property consists of 28.7 acres located on the north side of Democracy Boulevard west of its intersection with Stapleford Hall Drive (see Attachment A). The property is zoned RE-2 and consists of two parcels, one of which is recorded. There are two existing structures on the property which will both be removed. The property is surrounded on the north,

east and south sides by residential lots in the RE-2 zone. The Bullis School is located on the western boundary of the site.

The site lies within the Cabin John Creek watershed (Water Use Classification I), and is split from northwest to south, and north to south by two tributary streams. The stream buffers associated with these two streams significantly impact the overall developable area of the property. The site does not contain any existing forest, but there are several large trees along the streams and along the Democracy Boulevard property frontage.

PROJECT DESCRIPTION

This application proposes to create a residential community with 12 dwelling units distributed on the property in a manner which preserves the existing stream valley buffers (see Attachment B). Lot sizes range between 2.06 and 3.87 acres. The plan incorporates proposed protection measures to preserve several individual trees, and incorporates large forest planting areas along both stream valleys.

Access for vehicles will be provided by both shared and private driveways from Democracy Boulevard and Stapleford Hall Drive, and by a private street from Democracy Boulevard. The proposed lots are served by public water and sewer. A shared-use trail will be constructed by the applicant along the Democracy Boulevard frontage of the site.

DISCUSSION OF ISSUES

Relationship to the Potomac Master Plan

The Potomac 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 subdivision 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 RE-2 zone.

Lots on a Private Street

The proposed subdivision includes six lots which will be accessed by, and have frontage on a private street. The zoning ordinance, in Section 59-C-1.34.1 provides that:

“In the RE-2 zone, lots may front on a private cul-de-sac if the Planning Board finds, as part of the subdivision plan approval process, that the private cul-de-sac:

1. Provides safe and adequate access;
2. Has sufficient width to accommodate the dwelling units proposed;

3. Will better protect significant environmental features on and off site than would a public road; and
4. Has proper drainage.”

In staff’s opinion, the proposed private street meets the specified criteria. The street will provide safe and adequate access to the proposed houses for vehicles, including fire and rescue. The street will be built to meet the minimum width and structural requirements of a public road, and will be designed to provide proper drainage. Finally, the proposed private street facilitates better protection of the environmental buffers because it permits the roadway to be constructed through the proposed lots and improves the roadway and house alignments in relation to the streams. Stream crossings are avoided and the entire stream buffer is available for forest planting.

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

A. Statutory Review Criteria

The subject application includes a previously recorded parcel and is, therefore, subject to resubdivision review. In order to approve an application for resubdivision, the Planning Board must find that each of the proposed lots comply 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 (“Neighborhood”). In this instance, the Neighborhood selected by staff and the applicant consists of 28 lots (Attachment C). The lots included in the Neighborhood are adjacent to and confronting the subject property and share the same zoning. In staff’s opinion, 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 E.

C. Analysis

Comparison of the Character of Proposed Lots to Existing

In performing the analysis, Staff applied the above-noted resubdivision criteria to the Neighborhood. Based on analysis, staff concludes that the proposed lots 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

50-29(b)(2). As set forth below, the attached tabular summary (Attachment D) and graphical documentation support this conclusion:

Size: The proposed lots will be in character with existing lots in the designated neighborhood with respect to size.

The existing lots range in size from 87,120 square feet to 599,821 square feet. The largest lot is a recorded portion of the adjacent Bullis School. When this extraordinarily large lot is excluded, the lots in the neighborhood range between 87,120 and 137,314 square feet in size. The proposed lots range in size from 87,398 to 168,680 square feet. One proposed lot will be larger in size than the Neighborhood range, however, this difference in size is not significant in larger-lot zones, such as this. The lot acreage includes stream buffer area which cannot be developed, so overall, the lot will not seem larger than others in the Neighborhood. The remainder of the proposed lots are consistent in size with the existing lots in the Neighborhood.

Width: The proposed lots will be in character with existing lots in the neighborhood with respect to width.

The existing lots range in width from 80.91 feet to 338.51 feet. As noted in the data summary table, the widths for existing lots were measured at the established building restriction lines. Therefore, the two lots with the smallest widths, 80.91 feet and 99.24 feet, respectively, reflect existing house locations. The lots themselves meet the minimum width requirement of 150 feet in the RE-2 zone. The proposed lots range in width from 150 feet to 439.46 feet. The proposed lots substantially fall within the range of widths in the designated neighborhood. The difference in widths, i.e., two proposed lots which are larger than lots in the neighborhood, is the result of a significant amount of stream buffer on the lots. The actual widths of the lots within which a house could be located is very much in keeping with the range of lots in the neighborhood.

Frontage: In staff's opinion, the proposed lots will be of the same character as existing lots in the neighborhood with respect to lot frontage.

The existing lots range in frontage from 25 feet to 325.24 feet. The proposed lots range in frontage from 25 feet to 555.93 feet. As with width, two of the proposed lots have frontages which are larger than the existing neighborhood because of the on-lot stream valley buffers. In staff's opinion, these larger frontages do not make these lots out of character with the neighborhood.

Two of the proposed lots are bisected by the proposed private street, and have frontage on both sides of the easement within which the street is located. This street configuration is unusual, but not unprecedented for RE-2 subdivisions. Staff is not aware of a subdivision in this configuration that has been reviewed per the resubdivision criteria, but in staff's opinion, the finding can be made that the resulting lots are not out of character with the neighborhood. For comparison purposes, the frontages of the proposed lots are measured along the side of the street from which the future houses would have access. At these

locations, the proposed lots have 195.23 feet and 222.65 feet of frontage, respectively. These frontages are within the range of existing lots in the neighborhood. A third lot is also bisected by the street, but its frontage is measured on Democracy Boulevard.

Area: Staff finds the proposed lots to be of the same character as other lots in the neighborhood with respect to buildable area.

The buildable areas of lots in the designated neighborhood range from 14,350 square feet to 87,601 square feet, with the majority being around 50,000 square feet in area (excluding the 500,086 square foot adjacent Bullis School lot). The proposed lots range in area between 24,596 square feet and 72,255 square feet. Some of the proposed lots fall at the low end of the neighborhood range. This includes the buildable area of the three lots which are bisected by the proposed private street, and three lots which are significantly impacted by stream valley buffer area. For the lots along the private street (proposed Lots 54 and 55), area was measured on only the side of the street where houses will be located. After excluding stream buffer area, these lots all have buildable areas just above 30,000 square feet. Proposed Lots 52, 53, and 60 have buildable areas of 33,163, 24,596 and 35,677 square feet, respectively. Only four lots within the designated neighborhood have smaller buildable areas. Like the proposed lots, the existing lots are also affected by stream valley buffer and other types of easements which limit the area within which a house can be constructed. The lots themselves are not smaller than those within the existing neighborhood.

Although some of the proposed lots statistically fall within the low range with respect to area, staff, nevertheless finds that the areas of these lots are of the same character with respect to the criterion as other lots within the defined neighborhood. The area criterion (as a measure of developable area within a lot) is less critical in large lot zones than it is in small lot zones because the usable area in a large lot is typically more than adequate to accommodate a house and yard. Therefore, a statistically “high correlation” is not necessary to find that the lot is of the same character.

Alignment: The proposed lots will be in character with the existing lots with respect to the alignment criterion.

All the proposed lots are perpendicular and radial in alignment, which is consistent with the existing lots in the designated neighborhood.

Shape: The shapes of the proposed lots are in character with shapes of the existing lots.

The proposed lots are mostly irregular, with one proposed pipestem. The majority of lots within the designated neighborhood are irregular in shape, and there are existing pipestem lots.

Suitability for Residential Use: The existing and the proposed lots are zoned residential and the land is suitable for residential use.

Transportation

Staff concludes that the subject preliminary plan will provide safe and adequate access for vehicles and pedestrians. The development is not anticipated to generate more than 30 peak-hour trips and is therefore, not subject to Local Area Transportation review. No significant impact to the adjacent transportation infrastructure is anticipated as a result of this development. To facilitate safe pedestrian access around this site, a shared-use pedestrian path will be constructed by the applicant along the Democracy Boulevard property frontage.

Master Plan Bikeway

The 2005 Countywide Bikeways Functional Master Plan recommends a dual bikeway along Democracy Boulevard, consisting of both an off-road, shared-use path along the north side, as well as on-road accommodation in the form of shared travel lanes and shoulders providing bike use. The applicant will construct an eight-foot wide, shared-use path along the property frontage as described in the June 14, 2006 Transportation Planning staff memo (Attachment F).

Environment

The property contains no forest, but does include several significant individual trees which are 24 inches or more in diameter. The individual trees are located in the stream valleys and along the property frontage. The site layout has been designed to maximize the level of protection afforded to the trees and the on-site stream buffers.

Forest Conservation/Tree Preservation

The applicant is proposing to provide 8.83 acres of afforestation within the onsite stream buffer area which will exceed the minimum forest conservation law requirements. The Forest Conservation Plan proposes a "buffer edge" to demarcate the afforestation edge within the proposed lots. This detail is intended to be used in lieu of fencing.

Citizen Correspondence

This application pre-dated any formal requirements for meetings with the surrounding community, but the applicant did share details of the proposal with the local neighborhood alliance which has submitted a letter of support (Attachment E). All adjacent and confronting homeowners, and the local homeowners and civic associations, also received notice of the application and the public hearing.

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 lots are 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 and recommends approval of the preliminary plan.

Staff also finds the size, width and orientation of the proposed lots are appropriate for their location in the proposed subdivision and that the overall plan complies with the requirements of Chapter 50, the Subdivision Regulations and Chapter 59, the Zoning Ordinance, as summarized in Table 1. Based on these findings, staff recommends approval of the proposed subdivision plan, including access to six proposed lots via a private street, with the specified conditions.

Attachments:

- Attachment A – Site Vicinity Map
- Attachment B – Preliminary Plan
- Attachment C – Resubdivision Neighborhood
- Attachment D – Resubdivision Data Table
- Attachment E – Citizen Letters
- Attachment F – Agency Correspondence

Table 1. Preliminary Plan Data and Checklist

Plan Name: Kentsdale Estates				
Plan Number: 120060200				
Zoning: RE-2				
# of Lots: 12				
# of Outlots: 0				
Dev. Type: Residential				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval on the Preliminary Plan	Verified	Date
Minimum Lot Area	87,120 s.f.	89,052 s.f. is minimum proposed	CAC	6/14/06
Lot Width	150'	Must meet minimum	CAC	6/14/06
Lot Frontage	25'	Must meet minimum	CAC	6/14/06
Setbacks				
Front	50 ft. Min.	Must meet minimum	CAC	6/14/06
Side	17' min./30' total	Must meet minimum	CAC	6/14/06
Rear	35 ft. Min.	Must meet minimum	CAC	6/14/06
Height	50 ft. Max.	May not exceed maximum	CAC	6/14/06
Max Resid'l d.u. or Comm'l s.f. per Zoning	14 dwelling units	12 dwelling units	CAC	6/14/06
MPDUs	N/A			
TDRs	N/A			
Site Plan Req'd?	No		CAC	6/14/06
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street	Public or Private	Public and Private	CAC	6/14/06
Road dedication and frontage improvements	Yes		Agency letter	5/5/06
Environmental Guidelines	Yes		Staff memo	5/24/06
Forest Conservation	Yes		Staff memo	5/24/06
Master Plan Compliance	Yes		CAC	6/14/06
Other				
ADEQUATE PUBLIC FACILITIES				
Stormwater Management	Yes		Agency memo	3/30/06
Water and Sewer (WSSC)	Yes		Agency comment	3/27/06
10-yr Water and Sewer Plan Compliance	Yes		CAC	6/14/06
Well and Septic	N/A			
Local Area Traffic Review	N/A		Staff memo	6/14/06
Fire and Rescue	Yes		Agency memo	3/6/06
Other				

ENTSDDALE ESTATES (1-06020)



Map compiled on September 19, 2005 at 11:06 AM | Site located on base sheet no - 213NW09

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Key Map

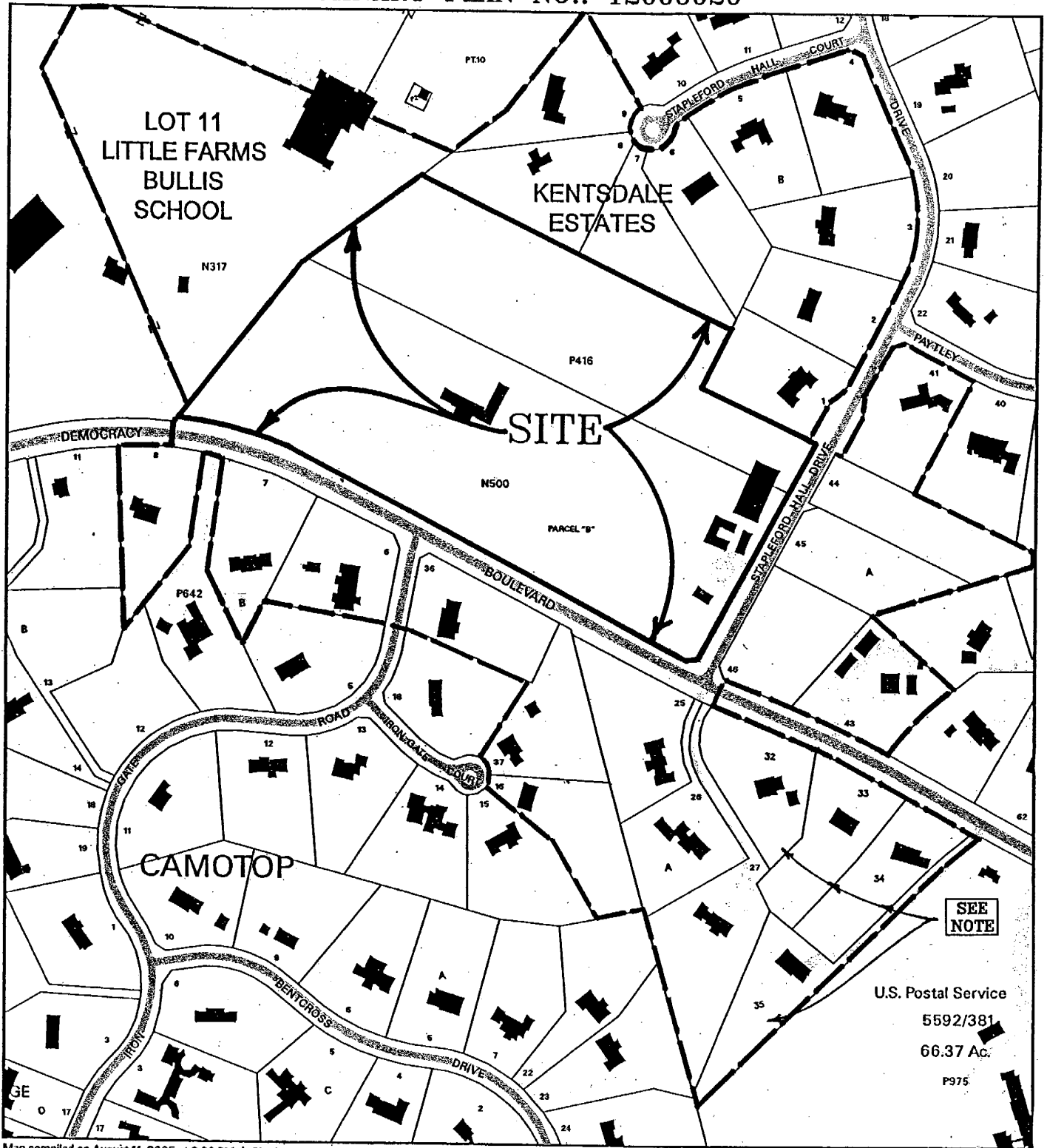


Research & Technology Center
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1 inch = 600 feet
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MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue - Silver Spring, Maryland 20910-3760

KENTSDALE ESTATES PRELIMINARY PLAN OF SUBDIVISION PRELIMINARY PLAN NO.: 12006020



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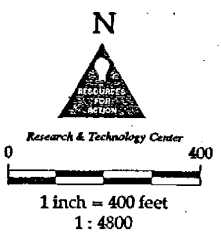
Map compiled on August 11, 2005 at 2:20 PM | Site located on base sheet no - 213NW09

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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

NOTE: THESE LOT NUMBERS WERE UPDATED
ON THIS MAP PROVIDED BY MNCPPC

(REVISED MAY 15, 2006) ④

Lot #/Block	Origin	Frontage	Alignment	Size (1)	Shape	Width (2)	Area (3)	Street Name
KENTSDALE ESTATES SUBDIVISION								
1/B	Sub	246.76'	Perpendicular	87,120	Irregular	244.74'	51,821	STAPLEFORD HALL DRIVE
2/B	Sub	278.93'	Perpendicular	87,120	Trapezoidal	266.93'	56,534	STAPLEFORD HALL DRIVE
3/B	Sub	297.42'	Perpendicular	87,120	Irregular	285.86'	56,338	STAPLEFORD HALL DRIVE
4/B	Sub	236.40'/287.84'	Perpendicular/ Corner	87,120	Irregular	217.85'/373.97'	47,618	STAPLEFORD HALL COURT
5/B	Sub	307.63'	Perpendicular	87,120	Irregular	285.93'	55,829	STAPLEFORD HALL COURT
6/B	Sub	150.91'	Askew	87,120	Irregular	172.28'	56,764	STAPLEFORD HALL COURT
7/B	Sub	95'	Askew	87,120	Pipestem	150'	54,924	STAPLEFORD HALL COURT
8/B	Sub	25'	Perpendicular	103,229	Pipestem	150'	29,217	STAPLEFORD HALL COURT
9/B	Sub	76.83'	Perpendicular	87,120	Pipestem	260.10'	16,725	STAPLEFORD HALL COURT
41/A	Sub	304.30'/303.12'	Perpendicular/ Corner	88,519	Irregular	356.64'/250.12'	43,827	STAPLEFORD HALL DRIVE
43/A	Sub	304.09'	Perpendicular	88,204	Irregular	338.51'	51,401	DEMOCRACY BOULEVARD
44/A	Resub	160.01'	Perpendicular	98,752	Trapezoidal	159.87'	64,255	STAPLEFORD HALL DRIVE
45/A	Resub	214.67'	Perpendicular	88,274	Irregular	205.62'	56,001	STAPLEFORD HALL DRIVE
46/A	Resub	325.24'/237.77'	Perpendicular/ Corner	90,773	Irregular	347.86'/236.05'	55,217	STAPLEFORD HALL DRIVE
11/-	Sub*	0'	Perpendicular	599,821	Irregular	275.46'	500,086	FALLS ROAD
*								Part of Bullis School Total Property
LITTLE FARMS SUBDIVISION								
CAMOTOP SUBDIVISION								
6/B	Sub	245.23'/248.03'	Perpendicular/ Corner	87,412	Irregular	280.44'/251.65'	52,487	IRON GATE ROAD
7/B	Sub	274.49'	Perpendicular	87,516	Irregular	270.88'	50,070	DEMOCRACY BOULEVARD
8/B	Sub	250.45'	Perpendicular	87,407	Irregular	244.95'	42,750	DEMOCRACY BOULEVARD
16/A	Sub	50.31'	Perpendicular	89,907	Trapezoidal	80.91'	14,350	DEMOCRACY BOULEVARD
25/A	Sub	323.22'	Perpendicular	101,155	Irregular	332.51'	62,812	DEMOCRACY BOULEVARD
26/A	Sub	25.00'	Perpendicular	87,229	Pipestem	150'	49,503	DEMOCRACY BOULEVARD
27/A	Sub	25.01'	Perpendicular	137,314	Pipestem	150'	87,601	DEMOCRACY BOULEVARD
32/A	Resub	320.90'	Perpendicular	89,476	Irregular	319.20'	65,325	DEMOCRACY BOULEVARD
33/A	Resub	296.31'	Perpendicular	92,436	Irregular	253.49'	50,805	DEMOCRACY BOULEVARD
34/A	Resub	214.06'	Askew	88,853	Irregular	210.61'	59,303	DEMOCRACY BOULEVARD
35/A	Resub	26.88'	Askew	94,270	Pipestem	150'	55,350	DEMOCRACY BOULEVARD
36/A	Resub	235.88'/434.76'	Perpendicular/ Corner	87,125	Irregular	445.10'/217.08'	38,085	DEMOCRACY BOULEVARD

Notes: (1) "Size" means the lot area as shown on the record plat.
 (2) "Width" means the width of the lot at the established building line.
 (3) "Area" means the computed building envelope area.

Lot #/Block	Origin	Frontage	Alignment	Size (1)	Shape	Width (2)	Area (3)	Street Name
37/A	Resub	51.36'	Perpendicular	87,398	Trapezoidal	99.24'*	17,729	DEMOCRACY BOULEVARD
CAMOTOP SUBDIVISION								
PROPOSE SUBDIVISION LOTS								
52	Sub	220.78'	Perpendicular	92,202	Trapezoidal	218.69'	33,163	DEMOCRACY BOULEVARD
53	Sub	495.16'	Askew	89,690	Irregular	426.49'	24,596	DEMOCRACY BOULEVARD
54	Sub	555.93'	Askew	114,298	Irregular	439.46'	32,738	DEMOCRACY BOULEVARD
55	Sub	195.23' *	Perpendicular	101,436	Trapezoidal	194.83'	30,866	PRIVATE STREET
56	Resub	222.65' *	Perpendicular	101,864	Trapezoidal	224.79'	31,950	PRIVATE STREET
57	Resub	66.18' *	Perpendicular	104,152	Trapezoidal	150'	52,687	PRIVATE STREET
58	Resub	119.52' *	Perpendicular	92,257	Trapezoidal	174.90'	59,915	PRIVATE STREET
59	Resub	60.13' *	Perpendicular	94,913	Trapezoidal	150'	43,221	PRIVATE STREET
60	Sub	236.99/337.03'	Perpendicular/ Corner	90,708	Trapezoidal	194.30/305.90'	35,677	STAPLEFORD HALL DRIVE
61	Sub	187.05'	Perpendicular	89,052	Trapezoidal	187.05'	44,682	STAPLEFORD HALL DRIVE
62	Resub	256.08'	Perpendicular	112,336	Trapezoidal	254.08'	72,092	STAPLEFORD HALL DRIVE
63	Resub	25.02'	Perpendicular	168,680	Pipestem	272.37'	72,255	STAPLEFORD HALL DRIVE
* Frontage distance at the Public Ingress/Egress easement line 5' off the edge of paving								

- Notes: (1) "Size" means the lot area as shown on the record plat.
 (2) "Width" means the width of the lot at the established building line.
 (3) "Area" means the computed building envelope area.

THE GREATER DEMOCRACY NEIGHBORHOOD ALLIANCE, INC.

Roger and Irene Zuckerman
10505 Stapleford Hall Drive
Potomac, Maryland 20854
301/983-9220 (Home)
301/983-3136 (Home Fax)

RECEIVED
SEP 15 2005

Roger E. Zuckerman
ZUCKERMAN SPAEDER LLP
1800 M Street, N.W.
Washington, D.C. 20036
202/778-1800 (Office)
202/822-8106 (Office Fax)
rzuckerman@zuckerman.com

September 12, 2005

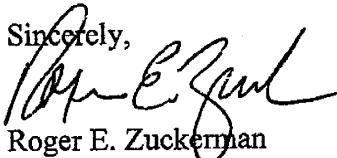
Mr. Marc Rose
Director of Land Acquisition
MTR Land, Inc.
13972 Baltimore Avenue
Laurel, Maryland 20707

Dear Marc:

I am writing to confirm that the Greater Democracy Neighborhood Alliance supports the proposed development of the Tauber property by the Rose Companies in the general form described in the preliminary plan of subdivision of August 15, 2005, prepared by Landmark Engineering Inc.

The Greater Democracy Neighborhood Alliance is composed of homeowners in Kentsdale Estates, Camotop, and certain surrounding subdivisions. In our view, the proposed plan of development by the Rose Companies is fully consistent with the surrounding character of the neighborhood. It is welcomed by the Greater Democracy Neighborhood Alliance and has its support.

Please let me know if there is additional information I can provide that would be of assistance.

Sincerely,

Roger E. Zuckerman
President
Greater Democracy Neighborhood Alliance