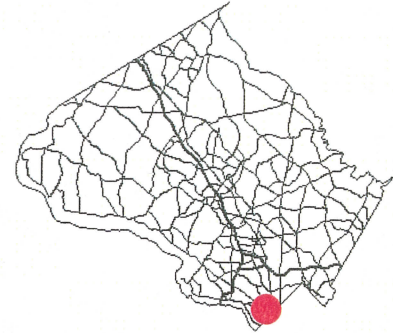


**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**MCPB**  
**Item #**  
**6/14/07**



**MEMORANDUM**

**DATE:** June 1, 2007

**TO:** Montgomery County Planning Board

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

**FROM:** <sup>*NB*</sup> Neil Braunstein, Coordinator (301-495-4532)  
Development Review Division

**REVIEW TYPE:** Pre-Preliminary Plan Review per Section 50-33 (advice only)

**APPLYING FOR:** Subdivision to create two one-family residential lots

**PROJECT NAME:** Sellar Property

**CASE #:** 720070180

**REVIEW BASIS:** Chapter 50, Montgomery County Subdivision Regulations

**ZONE:** R-60

**LOCATION:** Located on the south side of Newport Avenue, 500 feet west of River Road (MD 190).

**MASTER PLAN:** Bethesda/Chevy Chase

**APPLICANT:** Peter and Nancy Sellar

**ENGINEER:** Site Solutions, Inc.

**ATTORNEY:** Knopf and Brown

**FILING DATE:** January 8, 2007

**HEARING DATE:** June 14, 2007

**RECOMMENDATION:** No objection to submission of a preliminary plan.

**SITE DESCRIPTION**

The subject property, shown below and in Attachment A, is an unplatted parcel measuring 0.5 acres within the R-60 zone. The property is located on the south side of Newport Avenue, approximately 500 feet west of River Road (MD 190). The site is currently developed with a one-family residence, which is proposed to be removed to accommodate the subdivision. Properties surrounding the site to the north, south, east, and west are developed with one-family residences and are zoned R-60.

The site is located within the Little Falls watershed. No environmental features exist on the site other than several specimen trees, which are mostly concentrated near the rear lot line.



**PROJECT DESCRIPTION**

The application is a Pre-Preliminary Subdivision Plan that seeks Planning Board advice on the creation of two one-family residential lots 9,831 square feet and 9,625 square feet in size, respectively. In addition, approximately 2,266 square feet of property will be dedicated to the right-of-way of Newport Avenue, to create a 67-foot-wide right-of-way along the property frontage.

Because the property is 117.5 feet wide, the applicant is proposing to create an angled side lot line to meet the 60-foot lot width requirement of the R-60 zone. Lot width is measured at the front building line. By creating an angled side lot line and placing one of the proposed houses slightly forward of the other, the required 60-foot lot width can be achieved for both lots.

The applicant is requesting the Planning Board's nonbinding opinion on the following question: Is the proposed lot configuration with an angled side lot line acceptable, considering that a straight lot line cannot yield two 60-foot-wide lots?

(Attachment B – proposed plan)

## **ANALYSIS AND FINDINGS**

### **Compliance with the Subdivision Regulations and Zoning Ordinance**

Lots in the R-60 zone are required to be at least 60 feet wide at the front building line. The subject property is 117.5 feet wide, which is 2.5 feet less than what is required to create two rectangular 60-foot-wide lots. Therefore, the applicant is proposing to create an angled lot line between the two lots. By placing one of the two houses slightly forward of the other, the 60 foot lot width at the front building line can be achieved for both lots. This proposed shape is appropriate for the location of the subdivision because the lots will meet the required width dimension of the R-60 zone. The irregular shape is not a significant departure from rectangular and complies with the requirements of the Subdivision Regulations and the Zoning Ordinance. This unrecorded parcel is not subject to the resubdivision criteria of Section 50-29(b)(2), but it is staff's opinion that this slight angle of the lot line does not result in lots that are significantly different from the neighborhood. In fact, the majority of the lots on this block were developed under different standards, and have lot widths of 50-55 feet.

### **Citizen Correspondence and Issues**

On January 17, 2007, the applicant notified 10 adjacent and confronting property owners that the Sellar Property Pre-Preliminary Plan had been filed with the M-NCPPC and that it was under review. Notification was also sent to surrounding citizens associations on January 19, 2007. In addition, notice of the public hearing was sent to the adjacent and confronting property owners and citizens associations on June 1, 2007. We have not received any letters of concern regarding the application as of the date of this staff report.

## **CONCLUSION**

Staff has no objection to the submittal of a future preliminary plan for the subject property. We believe that the slightly irregularly shaped lots will be appropriate for the location of the subdivision because the lots will meet the dimensional requirements of the R-60 zone.

**Attachments**

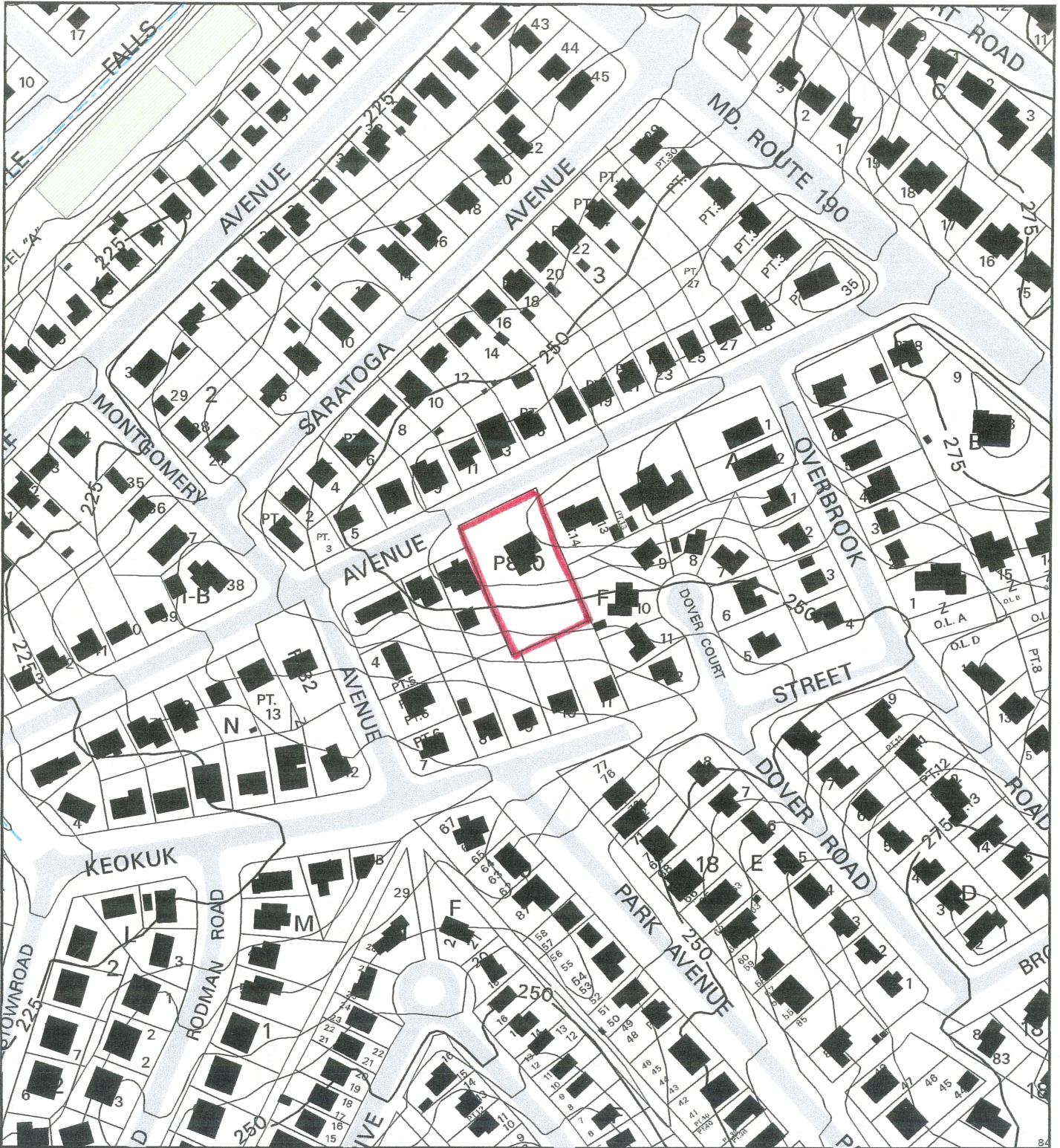
Attachment A – Vicinity Development Map  
Attachment B – Proposed Development Plan

Table 1: Preliminary Plan Data Table and Checklist

<b>Plan Name: Sellar Property</b>				
<b>Plan Number: 720071080</b>				
<b>Zoning: R-60</b>				
<b># of Lots: 2</b>				
<b># of Outlots: 0</b>				
<b>Dev. Type: One-family residential</b>				
<b>PLAN DATA</b>	<b>Zoning Ordinance Development Standard</b>	<b>Proposed for Approval the Preliminary Plan</b>	<b>Verified</b>	<b>Date</b>
Minimum Lot Area	6,000 sq. ft.	9,625 sq. ft. is minimum proposed	NB	6/1/07
Lot Width	60 ft.	60 ft. is minimum proposed	NB	6/1/07
Lot Frontage	25 ft.	51 ft. is minimum proposed	NB	6/1/07
Setbacks				
Front	25 ft. Min.	Must meet minimum <sup>1</sup>	NB	6/1/07
Side	8 ft. Min./ 18 ft. total	Must meet minimum <sup>1</sup>	NB	6/1/07
Rear	20 ft. Min.	Must meet minimum <sup>1</sup>	NB	6/1/07
Height	30 ft. Max.	May not exceed maximum <sup>1</sup>	NB	6/1/07
Max Resid'l d.u. per Zoning	2	2	NB	6/1/07
MPDUs	N/A		NB	6/1/07
TDRs	N/A		NB	6/1/07
Site Plan Req'd?	No		NB	6/1/07

<sup>1</sup> As determined by MCDPS at the time of building permit.

# SELLAR PROPERTY (720070180)



Map compiled on February 13, 2007 at 8:39 AM | Site located on base sheet no - 207NW05

### NOTICE

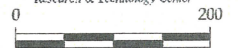
The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland -National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

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

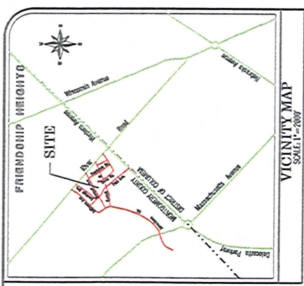


Research & Technology Center



1 inch = 200 feet  
1 : 2400

Attachment 6



**Site Data**

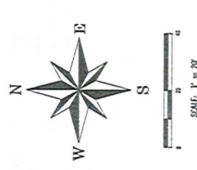
1. Zoning: R-60 (Standard Residential)
2. Gross Tract Area: 21,272 sq. ft. (0.5 ac.)
3. Planning Area: Beltsville / Chevy Chase, PA 35
4. This property is to be developed as a single phase.
5. Public Water & Sewer to be utilized.

**Development Standards**

STANDARD	REQUIRED / RECOMMENDED	PROPOSED
Minimum Lot Size	6,000 sq. ft.	6,000 sq. ft.
Minimum Lot Width at Front Building Line	60 feet	60 feet
Minimum Lot Width at Side	25 feet	25 feet
Minimum Setbacks		
Front Street	25 feet	25 feet
Side	20 feet	20 feet
Back	8 feet	8 feet
Side of Lots Street	18 feet	18 feet
Maximum Building Height	To Feet	35 feet
To Maximum of Roof		30 feet
Maximum Building Coverage	35%	35%

**General Notes**

1. The boundary lines shown on this property line data from Pacific digital files. The owner and the applicant are responsible for verifying the accuracy of the data.
2. Subject property boundary data, bearings & distances from a "Known location point", dated March 1, 2014, prepared by Westling & Associates, Inc., Rockville, MD.



**PRE-APPLICATION CONCEPT PLAN**  
**SELLAR PROPERTY**  
 Peter O. & Nancy T. Sellar  
 5129 Newport Avenue  
 Bethesda, Md. 20816

**OWNERS:** Peter O. & Nancy T. Sellar  
 5129 Newport Avenue  
 Bethesda, Md. 20816

**DATE:** 08/15/2016

**SCALE:** 1" = 20'

**FIG. NO.:** 1 OF 1

**DATE:** 08/15/2016

**PROJECT:** MONTGOMERY COUNTY, MARYLAND

**SITE SOLUTIONS, INC.**  
 2810 Observatory Drive, Suite 200  
 Gaithersburg, Maryland 20878-0000  
 (301) 940-7800 Fax (301) 940-7801  
 Planning Engineering Architecture