



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

MCPB
Item #
4/22 /10



MEMORANDUM

DATE: April 10, 2010

TO: Montgomery County Planning Board

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

FROM: Richard Weaver, Coordinator (301-495-4544) *RAW*
Development Review Division

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: Resubdivision of Lot 1, Block A, Willerburn Acres, Part of Lot 1, Part of Lot 1, Part of Lot 2, Part of Lot 2, Lot 24, Parcel 613, Block B, Willerburn Acres and two portions of an abandoned right-of-way into five, one-family residential lots.

PROJECT NAME: Willerburn Acres
CASE #: 120090400
REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: R-90
LOCATION: Located in the northeast and southeast corners of the intersections of Seven Locks Road and Gainsborough Road

MASTER PLAN: Potomac Subregion
APPLICANT: Berman Enterprises
ENGINEER: Dewberry

FILING DATE: June 26, 2009

HEARING DATE: April 22, 2010

RECOMMENDATION: Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to five residential lots.
- 2) Compliance with the conditions of approval of the Preliminary Forest Conservation Plan. The applicant must meet all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permit(s) as appropriate.
- 3) The Applicant must comply with the noise mitigation measures outlined in the Environmental Staff Memorandum dated March 29, 2010.
- 4) The applicant must dedicate all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Master Plan unless otherwise designated on the preliminary plan.
- 5) The Applicant must comply with the conditions of the Montgomery County Department of Permitting Services (MCDPS) stormwater management approval dated June 16, 2009. These conditions may be amended by MCDPS provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 6) The Applicant must comply with the conditions of the Montgomery County Department of Transportation (MCDOT) letter dated February 19, 2010. These conditions may be amended by MCDOT provided the amendments do not conflict with other conditions of the preliminary plan.
- 7) The certified preliminary plan must contain the following note: "Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the preliminary plan are illustrative. The final locations of buildings, structures and driveway will be determined during the building permit process. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval."
- 8) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board resolution.
- 9) Other necessary easements must be shown on the plat.

SITE DESCRIPTION (See figure 1)

The subject property "Property" or "Subject Property" is identified as Lot 1, Block A, Willerburn Acres and Part of Lot 1, Part of Lot 1, Part of Lot 2, Part of Lot 2, Lot 24, Parcel 613, Block B, Willerburn Acres and two portions of an abandoned right-of-way all shown on Tax Map GQ122 totaling 3.99 acres in the R-90 Zone. The Property is located in the northeast and southeast corners of the intersection of Seven Locks Road and Gainsborough Road in the Potomac Subregion Master Plan Area. The site is split by Gainsborough Road with Lot 1, Block A on the north side and the remainder of the properties on the south side of Gainsborough Road. One home occupies Lot 1 to the north of Gainsborough Road and will remain; two homes occupy the land on the south side of Gainsborough Road, one located on a lot and the other on numerous partitions of land.

WILLERBURN ACRES (120090400)

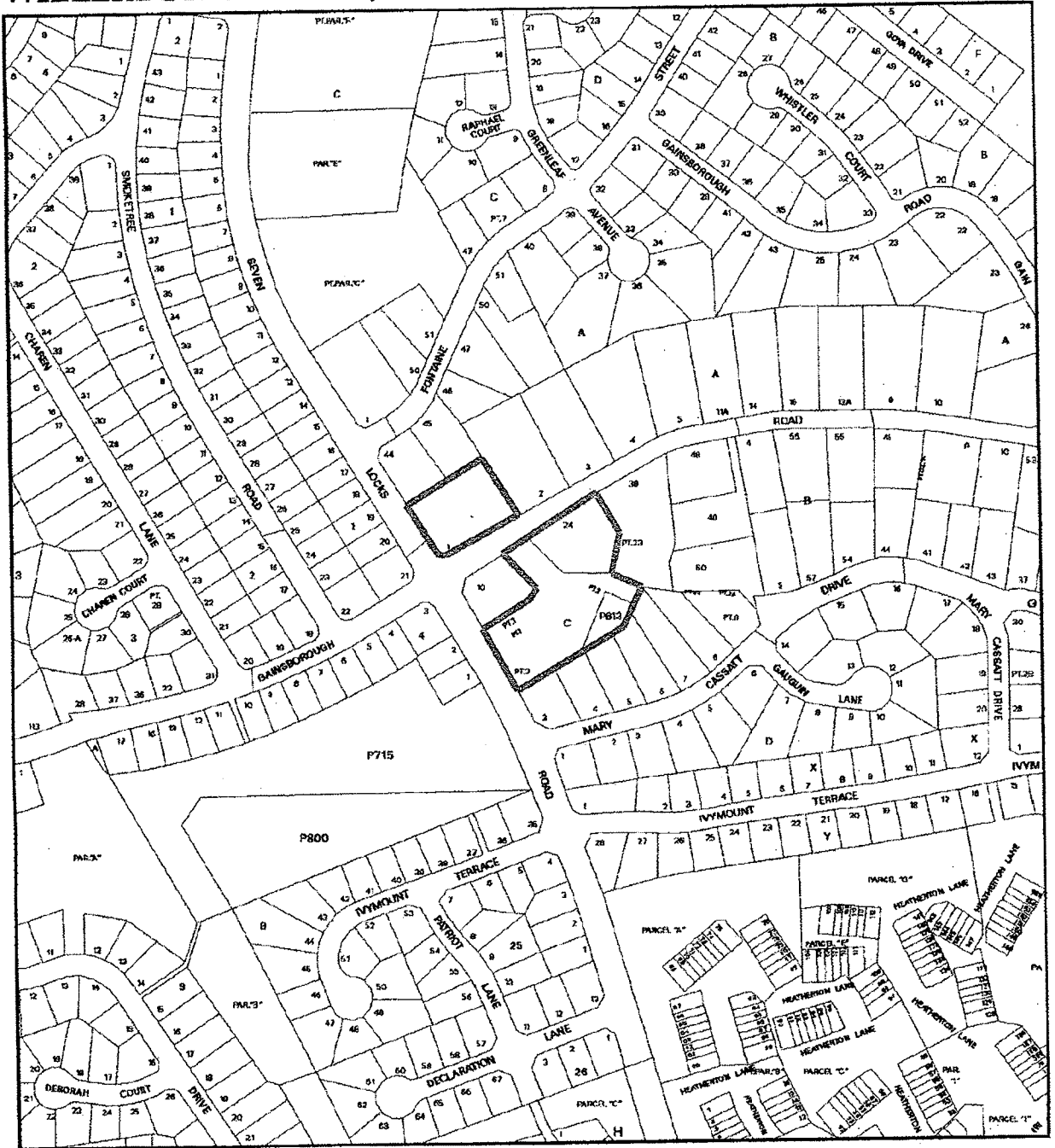


Figure 1

The Property is located in the existing subdivision of Willerburn Acres which is predominantly one family residential homes built at various times since the 1950's. The neighborhood has been the subject of numerous resubdivisions. Immediately abutting the Property in the southeast corner of Seven Locks Road and Gainsborough Road is the Friends of

Lubavitch Temple on a half acre lot. All properties on the east side of Seven Locks Road in this general area are zoned R-90.

The Subject Property is comprised of a number of record lots and parts of lots that have been created by deed transfers of land. Also included in this application are an unplatted parcel and two portions of a right-of-way abandoned as part of Council abandonment procedure in 1966. A sewer and storm drain easement crosses through the southern half of the property as does a natural gas easement. No forest exists on site, however; there are seven specimen trees. There are no other sensitive environmental features such as streams, wetland or buffers. The site drains to the Cabin John Creek, a Use I-P watershed. The Property abuts existing community water and sewer lines.

PROJECT DESCRIPTION (see figure 2)

The application proposes to resubdivide the assemblage of land to create five (5) lots, allowing three new homes to be built and two of the three existing homes to remain on new lots. One home, on the north side of Gainsborough Road, will be removed. Four of the lots will front on to Gainsborough Road and one of the existing homes will continue to front on to Seven Locks Road where it has existing access. The two new homes on the north side of Gainsborough Road will share a single driveway while the three other homes will have single driveways. The size of the five proposed lots is: 21,780 square feet, 22,898 square feet, 24,186 square feet, 30,905 square feet and 73,371 square feet from smallest to largest. All homes will have the ability to connect to public water, sewer, natural gas, telecommunications and cable service.

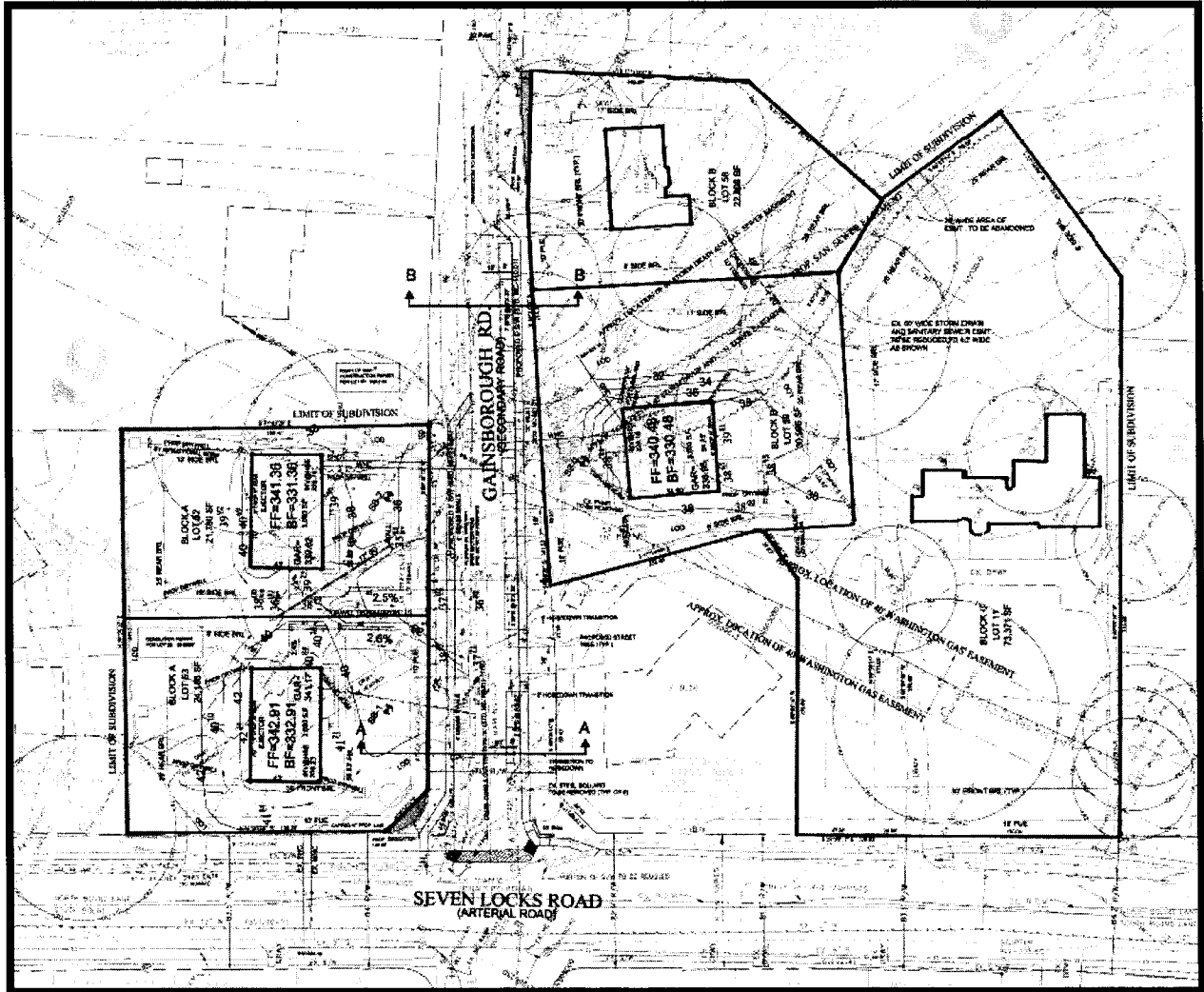


Figure 2

ANALYSIS AND FINDINGS

Master Plan Compliance

The Potomac Subregion Master Plan (2002) recommended the continuation of the R-90 zone for the Property and nearby properties in recognition of, and to accommodate, the existing development patterns that had been established in this area. The Master Plan makes no specific recommendations for this Property. As such, the creation of lots for one family dwellings in conformance with the R-90 zoning designation is in conformance with the Master Plan recommendations.

Public Facilities

Roads and Transportation Facilities

The proposed use will generate less than 30 vehicle trips during the morning or evening peak-hour, and therefore, the application is not subject to Local Area Transportation or Policy Area Mobility Review. Sidewalks are being provided along Gainsborough Road and will connect to the sidewalks, where they exist, on Seven Locks Road. Through a covenant with the Montgomery County Department of Transportation (MCDOT), future property owners of this subdivision will be required to pay a pro-rate share of future improvements to Seven Locks Road. The extent of those improvements is not fully known at this time but will likely include completion of the sidewalk along the Seven Locks Road frontage of the Property among other items. The applicant is also required to dedicate and widen Gainsborough Road and provide an additional 8 foot wide parking lane to accommodate 11 parallel parking spaces on the south side of Gainsborough Road. Staff finds that proposed vehicle and pedestrian access for the subdivision will be safe and adequate.

Other Public Facilities and Services

The application has been reviewed by all local utility agencies (gas, electric, and telecommunications) who have recommended approval of the plan because their respective utility, if available, can adequately serve the development. Other public facilities and services, such as schools, police stations, firehouses and health services, are operating within the standards set by the Growth Policy Resolution currently in effect. The Property is not subject to payment of a School Facilities Payment; the local school cluster is operating within acceptable levels.

Environment

Environmental Guidelines

The Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) #420091890 for this property was approved on May 21, 2009. The NRI/FSD identifies the environmental constraints and forest resources on the subject property. The property contains no forest. There are eight specimen trees and twelve large trees on the property. The site's topography includes steep slopes (> 25%); however, the overall site is generally less than 15% slopes. There are no streams, wetlands, or mapped 100-year floodplain on the property.

Forest Conservation

The forest conservation requirement on the 3.99 acre net tract equals 0.80 acres of afforestation. To meet this requirement, the Preliminary Forest Conservation Plan shows the entire requirement being met off-site. This project proposes to create five lots with an average size of 0.79 acres. Staff supports the applicant's request to take the planting requirements off-site since the lots are relatively small, there are no environmentally sensitive areas/priority planting areas on-site, nor is there adjoining protected forest.

Stormwater Management

The application has an approved stormwater management concept dated June 16, 2009. The concept consists of non-structural water quality control measures. Channel protection measures are not required because post development flow does not exceed 2.0 cubic feet per second. The application meets the requirements of Chapter 50-24(j) for stormwater management.

Forest Conservation Variance

Section 1607(c) of the Natural Resources Article, MD Ann. Code identifies certain individual trees as high priority for retention and protection. If a forest conservation plan cannot be altered to protect these trees, the Applicant is required to demonstrate that it qualifies for a variance in accordance with Section 22A-21 of the Montgomery County Code to remove them. In general, the law requires the retention and protection of all trees that measure 30" DBH and greater; trees that are 75% the diameter of the county champion for that species; and rare, threatened and endangered species. Since this project will require one tree greater than 30 inches DBH to be removed and one other will be impacted, a variance is required. The tree that is requested to be removed is identified on the Preliminary Forest Conservation Plan as tree #10. Tree #10 is located in the center of proposed lot #59 and is a 34" DBH white pine (*Pinus strobus*) listed in good condition.

Tree #11 will have some Critical Root Zone (CRZ) impacts and the applicant is proposing tree preservation measures to help ensure the tree survives construction. Tree #11 is located just off-site to the south of the property and is a 43" DBH white pine (*Pinus strobus*) listed in good/fair condition.

In accordance with Montgomery County Code, Section 22A-21(c) the Planning Board to refer a copy of the variance request to the County Arborist in the Montgomery County Department of Environmental Protection for a written recommendation prior to acting on the request. The County Arborist has elected not to review the variance request. As such, the County Arborist's recommendation for the variance request is therefore presumed to be favorable.

In accordance with Section 22A-21(e), the Planning Board must find that the applicant has met all criteria required to grant the variance.

- a) Will not confer on the applicant a special privilege that would be denied to other applicants.

The tree in question will most likely become a hazardous tree if it is required to remain in place. Therefore, staff believes that is not a special privilege that would be denied to other applicants.

- b) Is not based on conditions or circumstances which are the result of the actions by the applicant.

The site layout and design necessitates the removal of the 34" DBH white pine (*Pinus strobus*) since this tree will likely become a hazardous tree following the removal of the CRZ and the proposed grading for the proposed houses.

- c) Does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property.

The requested variance is a result of the proposed site design and layout on the subject property and not as a result of land or building use on a neighboring property.

- d) Will not violate State water quality standards or cause measurable degradation in water quality.

The tree proposed to be removed would most likely not survive once the CRZ has been impacted. As such, the removal of this tree is not considered to have an adverse impact on the water quality standards or degradation in water quality.

As a result of the above findings, staff recommends that the Board approve the applicant's request for a variance from Forest Conservation Law to remove the 34" DBH white pine (*Pinus strobus*) and impact the CRZ's of tree #11.

Compliance with the Subdivision Regulations and Zoning Ordinance

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections and with the subdivision waiver, as discussed below, meets the resubdivision criteria. Staff has reviewed the proposed lot size, width, shape and orientation and finds them to be appropriate for the location of the subdivision.

The lots were reviewed for compliance with the dimensional requirements of the R-90 zone as specified in the Zoning Ordinance. The lots, as proposed, will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in attached Table 1. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

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

A. Statutory Review Criteria

In order to approve an application for resubdivision, the Planning Board must find that each of the proposed lots 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.

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. In this instance, the Neighborhood agreed upon by staff and the applicant consists of 60 lots. (See figure 3) This Neighborhood, while large, is consistent with the Neighborhoods used for two other resubdivisions on Gainsborough Road which the Planning Board reviewed. This Neighborhood is the same used for those two analyses. The Neighborhood includes abutting lots, lots within the same block and lots created as part of the Willerburn Acres Subdivision which began platting in the late 1940's. All of the lots share the same R-90 zoning classification. As with the other resubdivisions in the general area, staff believes that this Neighborhood provides an adequate sample of the lot and development pattern of the area. The tabular summary of the lots, based on the resubdivision criteria, is included in Attachment A.

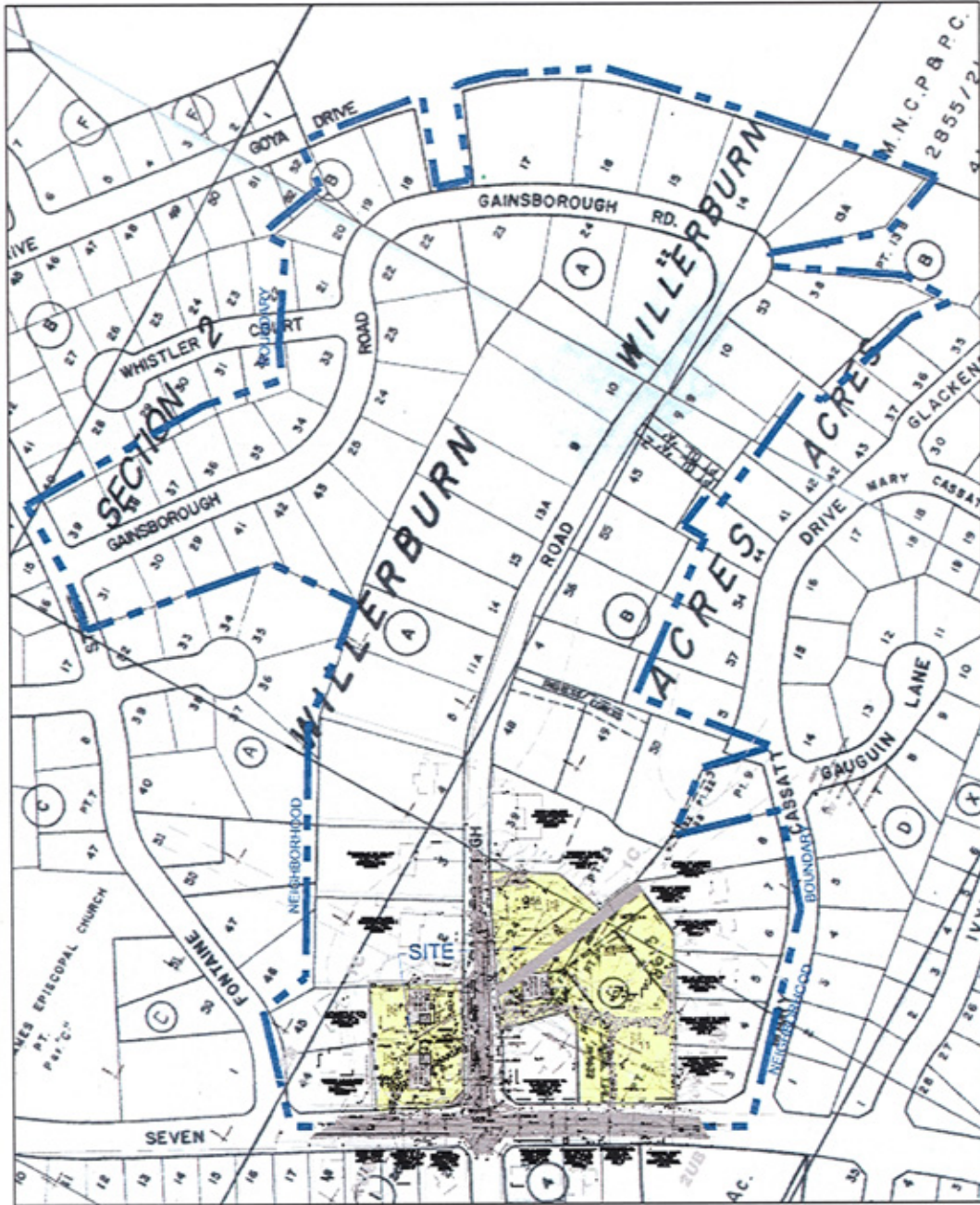


Figure 3

C. Analysis

Comparison of the Character of Proposed Lots to Existing

In performing the analysis, the above-noted resubdivision criteria were applied to the delineated Neighborhood. Proposed Lots 52 and 53 in Block A and 58 and 59 in Block B are of the same character with respect to the resubdivision criteria as compared to other lots within the

defined Neighborhood. Lot 11 Block B requires a subdivision waiver as discussed below. With the approval of the waiver, the proposed resubdivision complies with the criteria of Section 50-29(b)(2) and Chapter 50 in general. As set forth below, the attached tabular summary and graphical documentation support this conclusion:

Frontage:

Lot frontages in the Neighborhood range from 25 feet to 204 feet. The Proposed lots will have frontages that range from 116 feet to 197 feet. **The proposed lots will be of the same character as existing lots in the Neighborhood with respect to lot frontage.**

Alignment:

In the 60 lot Neighborhood, all lots except 5 align perpendicularly to the street line in either a corner, radial or standard perpendicular fashion. All of the proposed lots have standard perpendicular alignments to the street. **The proposed lots are of the same character as existing lots with respect to the alignment criterion.**

Size:

Lot sizes in the Neighborhood range from 9,783 square feet to 54,763 square feet. **Proposed Lots 52 and 53 in Block A and 58 and 59 in Block B fall within this range and will be of the same character.** Proposed Lot 11 which fronts on to River Road will be the largest lot at 73,371 square feet and not within the range of all other lots. Staff recommends a waiver under 50-38(a)(1) for proposed Lot 11.

Shape:

There are a wide variety of lot shapes in the Neighborhood including rectangular, trapezoids, and irregular shapes. The proposed lots are rectangular and irregular. **The shapes of the proposed lots will be in character with shapes of the existing lots.**

Width:

Lot widths in the Neighborhood range from 78 feet to 242 feet. The proposed lots vary in width from 116 to 197 feet and, therefore, **will be in character with existing lots in the Neighborhood with respect to width.**

Area:

The buildable area of lots in the Neighborhood ranges from 3,125 square feet to 38,736 square feet. **Proposed Lots 52 and 53 in Block A and 58 and 59 in Block B fall within this range and will be of the same character.** Proposed Lot 11 which fronts on to River Road will be the largest lot with respect to area at 43,782 square feet and not within the range of all other lots. Staff recommends a waiver under 50-38(a)(1) for proposed Lot 11.

Suitability for Residential Use:

The existing and the proposed lots are zoned residential and the land is suitable for residential use.

Subdivision Regulations Waiver 50-38(a)(1)

As noted above, proposed Lot 11 will have the largest dimensional characteristics with respect to *size and buildable area (area)* for all lots within the Neighborhood. Staff recommends a Subdivision Regulation Waiver pursuant to Section 50-38 of the Subdivision Regulations to provide relief from two (*size and area*) of the seven Resubdivision Criteria found within 50-29(b)(2) of the Subdivision Regulations. The Planning Board has the authority to grant such a waiver pursuant to Section 50-38(a)(1) of the Subdivision Regulations provided certain findings can be made. The section states:

“The Board may grant a waiver from the requirements of this Chapter upon a determination that practical difficulties or unusual circumstances exist that prevent full compliance with the requirements from being achieved, and that the waiver is: 1) the minimum necessary to provide relief from the requirements; 2) not inconsistent with the purposes and objectives of the General Plan; and 3) not adverse to the public interest.”

The waiver request pertains only to Lot 11 and it is staff’s belief that a practical difficulty exists due to the fact that the house is currently built across the common boundary line of part of lot 2 and unplatted, Parcel 615. The driveway serving the house crosses on to part of Lot 1. This assemblage of property also abuts a previously abandoned portion of right-of-way; all mentioned properties are under common ownership of the applicant. The preliminary plan drawing represents the most reasonable configuration of Lot 11 that accommodates the existing improvements and consolidates the abandoned right-of-way into a single lot.

Proposed Lot 11 shown on the preliminary plan drawing will be the largest lot with respect to *size and area* and this has historically been reason to find a proposed lot(s) out of character with other lots in a Neighborhood, thereby failing the resubdivision test. However, given the size and location of the house staff believes that there are no better options that would result in a more logical lot around the house than Proposed Lot 11. To suggest that it might be possible to exclude some of the land around the house to create a smaller lot would leave “leftover” partitions of land that could not be consolidated into any other adjacent properties without running afoul of other resubdivision criteria and it would impact existing improvements that the Applicant has no intention of removing.

It is also important to note the in order to receive a building permit, if necessary in the future¹, the partitions of land around the house (excluding existing lot 24 and lot 1, see figure 4) would need to be platted as a single lot following a review of a preliminary plan of resubdivision. These same issues would be before the Board for consideration, although the size and area of that lot would be even greater than what is proposed under this application. Staff notes the preceding because it demonstrates that a practical difficulty would exist in more than one scenario.

¹ A building permit is not necessary at this time but would be to replace or significantly add on to the house

Therefore, in order to assemble the properties already encumbered by the existing house in a manner that can meet the resubdivision criteria for *size and area* in the most reasonable configuration, staff finds that a practical difficulty exists. Further, staff finds that the requested waiver of the *size and area* criteria of the resubdivision analysis for Lot 11 is the minimum necessary to provide relief from this requirement. The waiver is not adverse to the objectives of the General Plan and not adverse to the public interest. The plan was distributed to the members of the Development Review Committee and there were no objections to the size and area of Lot 11. Therefore, staff finds that all required findings have been made pursuant to Section 50-38(a)(1) and recommends approval of a waiver of Section 50-29(b)(2) for *size and area* only.

Citizen Correspondence and Issues

This plan was properly processed in accordance with the current submittal procedures. A pre-submission meeting was held with interested neighbors on April 19, 2009 at the Chabad of Potomac Synagogue in Potomac, Maryland. Fifteen individuals other than the applicant's team were at the meeting. According to the minutes provided, the bulk of the questions regarded the character of the proposed lots with respect to the neighborhood. The Applicant appeared to answer all of the questions that were posed at the meeting. Staff would add that the resubdivision analysis shows that the lots are similar in character to the lots that are included in the analysis Neighborhood. Staff has not received any correspondence with respect to this application.

CONCLUSION

The proposed lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and complies with the recommendations of the Potomac Subregion Master Plan. Access and public facilities will be adequate to serve the proposed lot and use and the application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

Attachment A

Resubdivision Tables (2)

Table 1: Preliminary Plan Data Table and Checklist

Plan Name: Willerburn Acres				
Plan Number: 120090400				
Zoning: R-90				
# of Lots: 5				
# of Outlots:				
Dev. Type: Residential				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	
Minimum Lot Area	9,000 sq. ft.	21,780 sq. ft.	RW	4/9/10
Lot Width	75 ft.	78 ft.	RW	4/9/10
Lot Frontage	25 ft.	25 ft.	RW	4/9/10
Setbacks				4/9/10
Front	30 ft. Min.	Must meet minimum ¹	RW	4/9/10
Side	8 ft. Min./ 2 ft. total	Must meet minimum ¹	RW	4/9/10
Rear	25 ft. Min.	Must meet minimum ¹	RW	4/9/10
Height	35 ft. Max.	May not exceed maximum ¹	RW	4/9/10
Max Resid'l d.u. per Zoning	19	5	RW	4/9/10
MPDUs	N/A		RW	4/9/10
TDRs	N/A		RW	4/9/10
Site Plan Req'd?	No		RW	4/9/10
FINDINGS				
<i>SUBDIVISION</i>				
Lot frontage on Public Street		Yes	RW	4/9/10
Road dedication and frontage improvements		Yes	Agency letter	2/19/10
Environmental Guidelines		N/A	Staff memo	3/29/10
Forest Conservation		Yes	Staff memo	3/29/10
Master Plan Compliance		Yes	RW	4/9/10
Other (i.e., parks, historic preservation)		N/A	RW	4/9/10
Stormwater Management		Yes	Agency letter	6/16/09
Water and Sewer (WSSC)		Yes	Agency letter	7/13/09
10-yr Water and Sewer Plan Compliance		Yes	RW	4/9/10
Well and Septic		N/A	RW	4/9/10
Local Area Traffic Review		N/A	RW	4/9/10
Policy Area Mobility Review		N/A	RW	4/9/10
Transportation Management Agreement		N/A	RW	4/9/10
School Cluster in Moratorium?		No	RW	4/9/10
School Facilities Payment?		No	RW	4/9/10
Fire and Rescue		Yes	Agency letter	2/24/10
Other (i.e., schools)		N/A	RW	4/9/10

¹ As determined by MCDPS at the time of building permit.

Neighborhood for
Resubdivision: Wilburton Acres (Berman Properties)

Comparable Lot Data Table

February 2009

Ranked By Lot Number

Lot #	Block	Frontage (ft.)	Alignment	Size (sq. ft.)	Shape	Width (ft.)	Area (sq. ft.)
2	A	189	Perpendicular	52,871	Rectangular	189	26,713
3	A	189	Perpendicular	43,850	Rectangular	189	29,645
4	A	145	Perpendicular	54,753	Trapezoid	170	33,736
5	A	140	Perpendicular	44,127	Rectangular	140	26,140
9	A	148	Perpendicular	47,909	Trapezoid	150	34,392
10	A	148	Perpendicular	45,908	Trapezoid	149	31,558
14	A	105	Perpendicular	33,212	Rectangular	108	22,059
15	A	105	Radial	33,515	Rectangular	108	22,085
22	A	205	Corner	24,015	Irregular Polygon	240	11,051
22	A	204	Corner	41,089	Irregular Polygon	165	23,422
23	A	115	Radial	28,573	Irregular Rectangle	120	18,264
23	A	159	Radial	38,053	Irregular Polygon	150	23,422
24	A	115	Radial	25,829	Irregular Rectangle	118	13,044
24	A	152	Radial	29,099	Trapezoid	151	13,917
25	A	115	Radial	23,455	Irregular Rectangle	115	12,238
29	A	84	Perpendicular	10,884	Rectangular	84	4,144
30	A	90	Perpendicular	10,403	Rectangular	90	3,816
31	A	85	Corner	12,450	Rectangular	95	3,682
41	A	67	Perpendicular	12,730	Rectangular	97	4,623
42	A	75	Radial	18,151	Irregular Rectangle	85	8,285
43	A	95	Radial	27,807	Irregular Rectangle	105	14,947
44	A	129	Radial	22,968	Trapezoid	85	9,273
45	A	100	Radial	22,068	Irregular Pentagon	88	10,099
52	A	110	Perpendicular	21,780	Rectangular	115	12,071
52	A	129	Corner	24,188	Rectangular	132	12,324
11A	A	118	Perpendicular	38,235	Rectangular	122	24,304
10A	A	127	Perpendicular	37,470	Rectangular	127	24,040
4	B	115	Perpendicular	26,191	Rectangular	115	12,981
8	B	120	Perpendicular	24,200	Rectangular	120	13,874
10	B	123	Perpendicular	34,930	Rectangular	123	13,171
14	B	138	Perpendicular	43,590	Trapezoid	152	28,714
15	B	130	Perpendicular	29,219	Trapezoid	122	15,518
15	B	130	Radial	30,270	Trapezoid	132	15,750
17	B	198	Radial	43,984	Trapezoid	203	28,345
18	B	80	Radial	18,523	Irregular Rectangle	85	7,885
19	B	74	Radial	17,289	Irregular Polygon	82	12,373
20	B	80	Radial	11,513	Irregular Rectangle	85	4,241
21	B	78	Corner	11,825	Irregular Rectangle	95	3,126
33	B	100	Corner	13,451	Irregular Rectangle	115	4,305
34	B	115	Radial	10,770	Irregular Rectangle	108	3,348
35	B	100	Radial	11,764	Rectangular	101	4,587
36	B	91	Perpendicular	12,201	Rectangular	93	5,107
37	B	82	Perpendicular	9,785	Rectangular	82	3,437
38	B	80	Perpendicular	10,251	Rectangular	90	4,280
38	B	25	Radial	23,110	Irregular Polygon	78	12,895
39	B	23	Curve	12,209	Rectangle	30	4,000
39	B	197	Perpendicular	28,980	Irregular Rectangle	173	14,081
45	B	134	Perpendicular	30,906	Trapezoid	128	9,824
48	B	189	Perpendicular	38,334	Rectangular	185	14,957
49	B	25	Perpendicular	23,122	Polygon	217	18,382
50	B	72	Irregular	34,891	Irregular Polygon	242	23,870
53	B	112	Perpendicular	33,993	Irregular Polygon	117	17,671
55	B	111	Perpendicular	27,136	Rectangular	125	15,925
58	B	153	Perpendicular	38,592	Trapezoid	140	18,816
58	B	133	Perpendicular	22,895	Irregular Polygon	130	11,059
59	B	182	Perpendicular	33,905	Trapezoid	176	13,729
10A	B	25	Radial	30,228	Irregular Polygon	25	12,250
3	C	90	Angled	15,780	Irregular Rectangle	113	5,543
4	C	95	Angled	18,778	Trapezoid	95	7,895
5	C	90	Angled	18,982	Trapezoid	95	9,879
6	C	99	Angled	20,304	Trapezoid	98	13,582
7	C	88	Perpendicular	23,938	Irregular Polygon	100	18,219
8	C	92	Perpendicular	22,857	Irregular Polygon	100	12,202
10	C	123	Corner	24,486	Trapezoid	125	13,191
11	C	197	Perpendicular	73,371	Irregular Polygon	187	47,232

Shading indicates new lots

Neighborhood for
Resubdivision: Wilburton Acres (Berman Properties)

Comparable Lot Data Table

February 2009

Lot #	Block	Frontage (ft.)	Alignment	Size (sq. ft.)	Shape	Width (ft.)	Area (sq. ft.)
Minimum	Varies	25	Varies	3,161	Varies	78	3,125
Median	Varies	115	Varies	24,188	Varies	117	13,271
Maximum	Varies	224	Varies	73,371	Varies	242	47,392

Neighborhood for
Resubdivision: Wilburton Acres (Berman Properties)

Comparable Lot Data Table

February 2009

Ordered By Lot Size

Lot #	Block	Frontage (ft.)	Alignment	Size (sq. ft.)	Shape	Width (ft.)	Area (sq. ft.)
27	B	52	Perpendicular	2,783	Rectangular	52	2,437
38	B	90	Perpendicular	12,351	Rectangular	90	4,242
30	A	90	Perpendicular	12,453	Rectangular	90	3,578
34	C	145	Radial	14,774	Irregular Polygon	106	3,548
29	A	84	Perpendicular	12,564	Rectangular	84	4,144
20	B	80	Radial	11,513	Irregular Rectangle	85	4,041
35	B	108	Radial	11,754	Rectangular	101	4,567
21	B	76	Corner	11,925	Irregular Rectangle	95	3,129
36	B	91	Perpendicular	12,051	Rectangular	93	5,107
31	A	95	Corner	12,453	Rectangular	95	3,682
28	B	85	Corner	12,588	Rectangular	95	4,020
41	A	97	Perpendicular	12,720	Rectangular	97	4,822
33	B	150	Corner	13,651	Irregular Rectangle	115	4,665
3	C	90	Angled	15,700	Irregular Rectangle	113	5,043
18	B	80	Radial	15,522	Irregular Rectangle	85	7,695
4	C	88	Angled	16,778	Trapezoid	95	7,885
19	B	74	Radial	17,599	Irregular Polygon	82	10,373
42	A	75	Radial	18,191	Irregular Rectangle	85	8,385
5	C	90	Angled	19,452	Trapezoid	95	9,979
45	D	124	Perpendicular	20,000	Trapezoid	120	9,804
6	C	99	Angled	20,384	Trapezoid	99	10,582
52	A	116	Perpendicular	21,780	Rectangular	116	12,071
48	A	100	Radial	22,059	Irregular Pentagon	98	15,009
44	A	129	Radial	22,888	Trapezoid	95	8,273
9	C	99	Perpendicular	20,687	Irregular Polygon	106	12,009
50	B	133	Perpendicular	22,698	Irregular Pentagon	126	11,059
39	B	25	Radial	22,113	Irregular Polygon	70	12,695
25	A	110	Radial	22,455	Irregular Rectangle	115	12,238
7	C	99	Perpendicular	21,999	Irregular Polygon	100	12,315
10	B	120	Perpendicular	24,000	Rectangular	120	13,271
9	B	120	Perpendicular	24,000	Rectangular	120	13,574
22	A	185	Corner	24,073	Irregular Polygon	240	11,051
53	A	128	Corner	24,189	Rectangular	132	12,304
10	C	125	Corner	24,480	Trapezoid	125	13,191
24	A	115	Radial	25,529	Irregular Rectangle	118	13,044
24	A	150	Radial	25,009	Trapezoid	101	10,917
4	B	115	Perpendicular	26,191	Rectangular	115	13,981
39	B	197	Perpendicular	26,880	Irregular Rectangle	173	14,081
55	B	111	Perpendicular	27,135	Rectangular	125	15,635
43	A	95	Radial	27,807	Irregular Rectangle	105	14,847
49	R	196	Perpendicular	28,034	Rectangular	186	14,967
56	D	153	Perpendicular	28,582	Trapezoid	143	16,679
53	B	112	Perpendicular	28,893	Irregular Polygon	117	17,071
15	B	130	Perpendicular	29,019	Trapezoid	132	16,513
25	A	115	Radial	29,575	Irregular Rectangle	120	18,304
13A	R	25	Radial	30,526	Irregular Polygon	95	19,350
16	D	130	Radial	30,370	Trapezoid	132	18,780
59	B	162	Perpendicular	30,905	Trapezoid	175	13,729
49	B	25	Perpendicular	33,122	Polygon	217	19,322
14	A	108	Perpendicular	35,312	Rectangular	108	22,099
15	A	108	Radial	33,516	Rectangular	109	22,985
50	B	72	Irregular	34,691	Irregular Polygon	242	23,010
23	A	199	Radial	35,053	Irregular Polygon	190	23,422
11A	A	118	Perpendicular	36,295	Rectangular	122	24,304
13A	A	127	Perpendicular	37,670	Rectangular	127	24,586
22	A	204	Corner	41,059	Irregular Polygon	185	23,422
17	K	168	Radial	41,994	Trapezoid	201	28,145
14	B	138	Perpendicular	43,560	Trapezoid	152	28,714
3	A	148	Perpendicular	43,800	Rectangular	149	29,945
5	A	140	Perpendicular	44,127	Rectangular	145	26,160
10	A	148	Perpendicular	45,908	Trapezoid	149	31,556
9	A	148	Perpendicular	47,929	Trapezoid	150	34,332
2	A	188	Perpendicular	52,871	Rectangular	188	29,713
4	A	145	Perpendicular	54,763	Trapezoid	170	38,736
11	C	107	Perpendicular	73,371	Irregular Polygon	197	47,382

Shading indicates new lots

Attachment 2