**MEMORANDUM**

DATE: October 1, 2004

TO: Montgomery County Planning Board

VIA: Richard Hawthorne, Acting Chief *RH*
Development Review Division

FROM: Catherine Conlon, Acting Supervisor (301) 495-4542 *CC*

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Resubdivision of Existing Lot 1, Falconhurst
Subdivision for Four Lots

PROJECT NAME: Falconhurst

CASE #: 1-05011

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

ZONE: RE-2

LOCATION: On south side of Newbridge Drive, approximately 500 feet
northeast of River Road

MASTER PLAN: Potomac

APPLICANT: NCI, David Niroo

FILING DATE: July 16, 2004

HEARING DATE: October 7, 2004

STAFF RECOMMENDATION: Approval, pursuant to Section 50-29(b)(2),
Montgomery County Subdivision Regulations, and subject to the following conditions:

- 1) Approval under this preliminary plan is limited to four (4) residential dwelling units.
- 2) Compliance with the conditions of approval for the preliminary forest conservation plan, including installation of split-rail fencing along the conservation easement. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.
- 3) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation.
- 4) Record plat to reflect a 40 foot building restriction line along the western property boundary of proposed Lot 1 to provide adequate usable rear yard outside the stream buffer.
- 5) Compliance with the conditions of the MCDPS stormwater management approval.
- 6) Compliance with conditions of MCDPWT letter dated, September 24,2004 unless otherwise amended.
- 7) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s).
- 8) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed.
- 9) Other necessary easements.

SITE DESCRIPTION:

The Subject Property, Lot 1, was a part of the Falconhurst Resubdivision which was recorded in 1965. The subject property is located on the south side of Newbridge Drive, approximately 500 feet northeast of River Road. The property contains 8.6 acres and is zoned RE-2. The property is developed with a private school and associated surface parking areas.

PROJECT DESCRIPTION:

This is an application to resubdivide the 8.6 acre Subject Property into four (4) residential lots. The proposed lot sizes range from 87,187 square feet (2 acres) to 112,311 square feet (2.58 acres).

DISCUSSION OF ISSUES

Environmental Buffer Protection

A stream valley buffer for a tributary stream to Cabin John Creek crosses all the proposed lots. To provide adequate protection for the buffer, Staff is recommending installation of a permanent split-rail fence along the edge of the conservation easement area. Additionally, Staff is recommending a 40' building restriction line for the western property boundary of proposed Lot 1 so a house constructed on the lot will have adequate yard area outside the buffer.

Master Plan Compliance

The Potomac Subregion 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 single-family detached homes. The proposed resubdivision 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.

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 consists of 40 lots. The lots included in the neighborhood extend north to Newbridge Drive, west to River Road, south below to Belle Tree Way, east to Congressional Parkway and northeast to Mayberry Court. The lots share the same RE-2 zoning and range in size from 87,120 square feet (2 acres) to 134,600 square feet (3.09 acres).

ANALYSIS

Comparison of the Character of Proposed Lots to Existing

In performing the analysis, Staff applied the above-noted resubdivision criteria to the delineated neighborhood. Staff concludes that the proposed lots fall within the neighborhood ranges for the resubdivision criteria and are of the same character with respect to the resubdivision criteria as other lots within the defined neighborhood. Specifically, the criteria are shape, size, alignment, width, frontage, area and suitability for residential use. Therefore, Staff concludes that the proposed resubdivision complies with the criteria of Section 50-2(b)(2). As set forth below, the attached tabular summary and graphical documentation support this conclusion:

Frontage: The existing lots range in frontage from 25 feet to 492 feet. The proposed resubdivision will have lots with frontages that are approximately 183 to 438 feet. **The proposed lots therefore have a high correlation to the existing lots with respect to the frontage criterion and will be of the same character as the other lots in the neighborhood.**

Alignment: The existing neighborhood consists of 17 angular lots, 14 perpendicular lots and nine radial lots. The proposed lots will consist of two (2) perpendicular lots and two (2) radial lots. **The proposed lots have a high correlation to the existing lots with respect to the alignment criterion and will be of the same character as the other lots in the neighborhood.**

Size: The existing neighborhood lots range in size from 87,120 square feet to 98,010 square feet. The proposed lots range in size from 89,152 square feet to 98,124 square feet. **The proposed lots, therefore, have a high correlation with respect to size with other lots in the neighborhood and will be of the same character.**

Shape: The existing neighborhood consists of 13 irregular lots, five (5) pipestem lots, six (6) rectangular lots 15 trapezoidal lots and one (1) triangular lot. The proposed resubdivision creates one (1) rectangular lot and three (3) triangular lots. **Therefore, there is a high correlation between the shapes of the proposed lots and the shapes of the existing lots, and the proposed lots will be of the same character as the existing lots with respect to shape.**

Width: The existing neighborhood lots range in width from 150 feet to 436 feet. The proposed lots range in width from 173 feet to 384 feet. **The proposed lots will, therefore, have a high correlation in width to other neighborhood lots, and be of the same character with respect to width.**

Area: Lot areas for the existing lots in the designated neighborhood range from 44,692 square feet to 67,642 square feet (stream buffer impact areas have not been removed). The proposed lots range from 53,522 square feet to 65,718

square feet if stream buffer impacts are not considered. When the stream buffer is subtracted from the lot area of the proposed lots, the lot areas range from 26,402 square feet to 57,768 square feet. The lot area for proposed Lot 1, at 26,402 square feet is the lowest area shown on the table. Staff, nevertheless finds that the area of that lot is of the same character with respect to the criterion as other lots within the defined neighborhood. Staff has made this finding because the stream buffer which impacts the proposed lots also affects several of the existing lots in the defined neighborhood. Based on visual analysis, staff believes that when stream buffer areas are excluded from usable area of existing lots, proposed Lot 1 is in the same range for lot area with the existing lots. **Therefore, the proposed lots have a high correlation to the existing lots in the neighborhood with respect to the area criterion and will be of the same character with respect to area.**

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

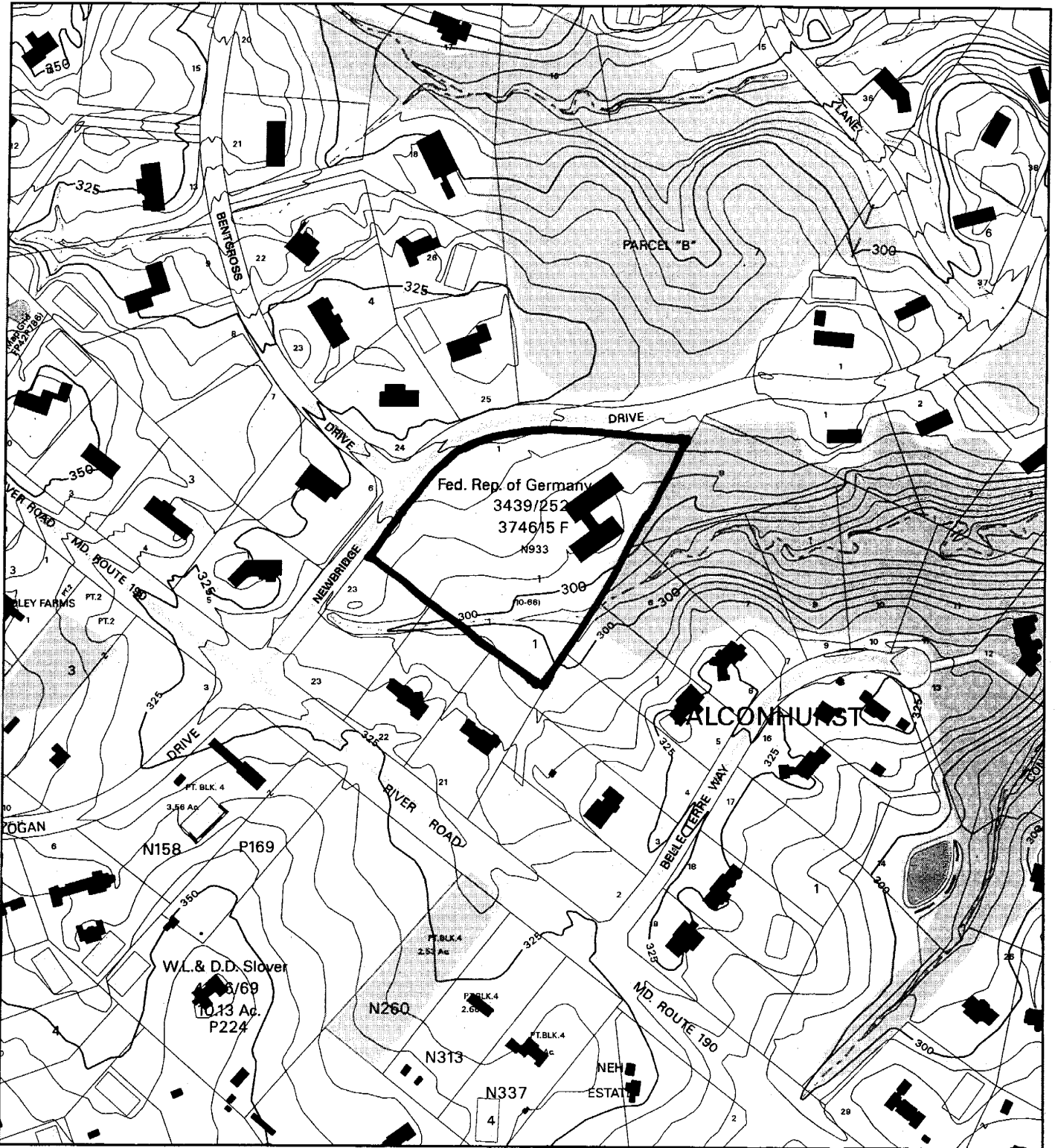
CONCLUSION

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. As set forth above, the Staff finds that the four 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 finds the proposed resubdivision complies with Section 50-29(b)(2) of the Subdivision Regulations and recommends approval of the preliminary plan.

Attachments

- Attachment 1 Vicinity Development Map
- Attachment 2 Neighborhood Delineation Map
- Attachment 3 Proposed Development Plan
- Attachment 4 Tabular Summary

FALCONHURST (1-05011)



Map compiled on August 02, 2004 at 12:05 PM | Site located on base sheet no - 211NW09

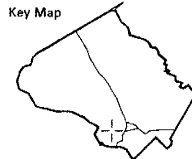
NOTICE

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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.

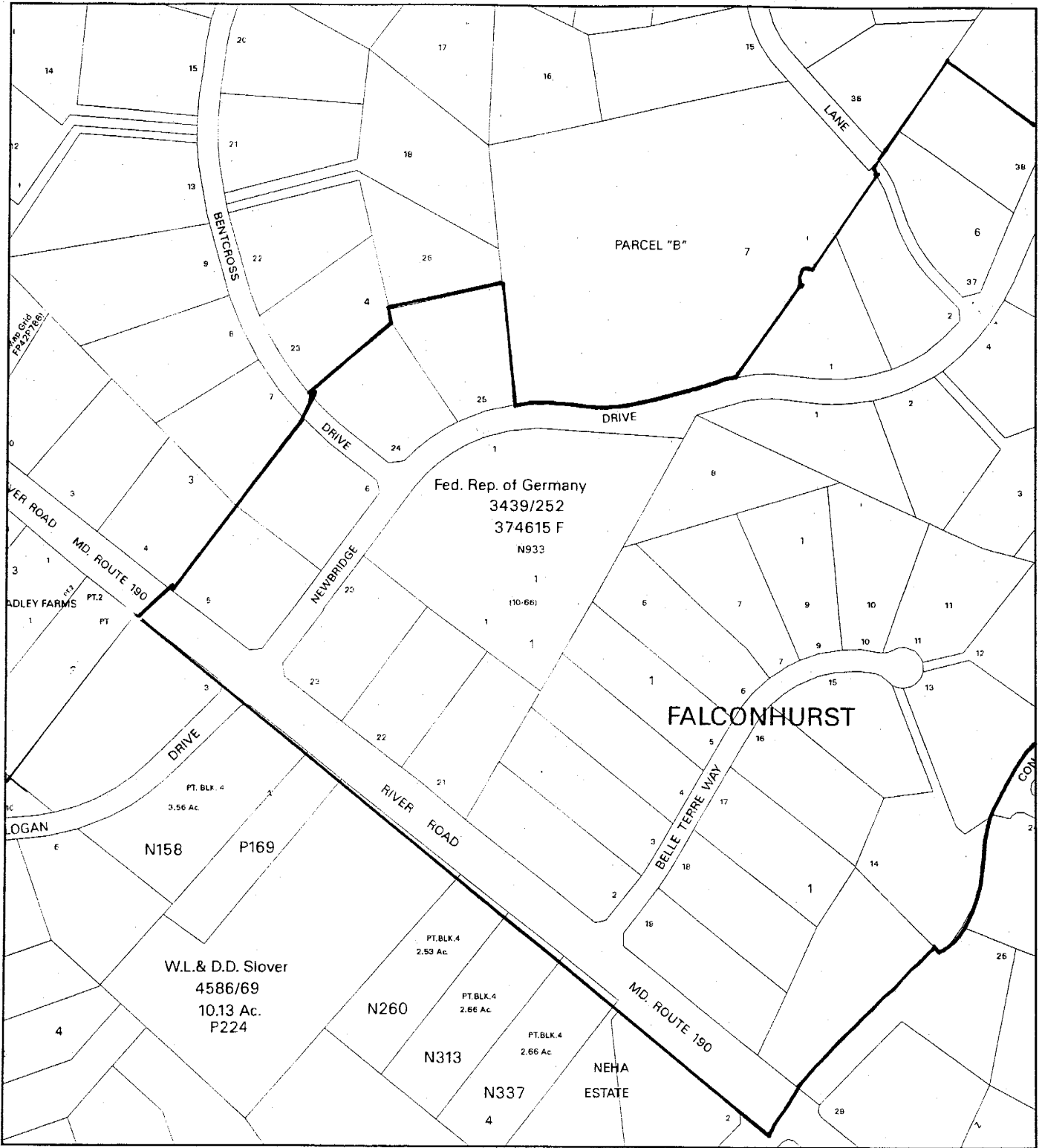
This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area 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

Key Map



1 inch = 400 feet
1 : 4800

FALCONHURST (1-05011)



Map compiled on August 02, 2004 at 12:08 PM | Site located on base sheet no - 211NW05

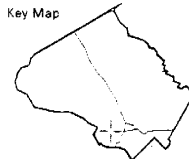
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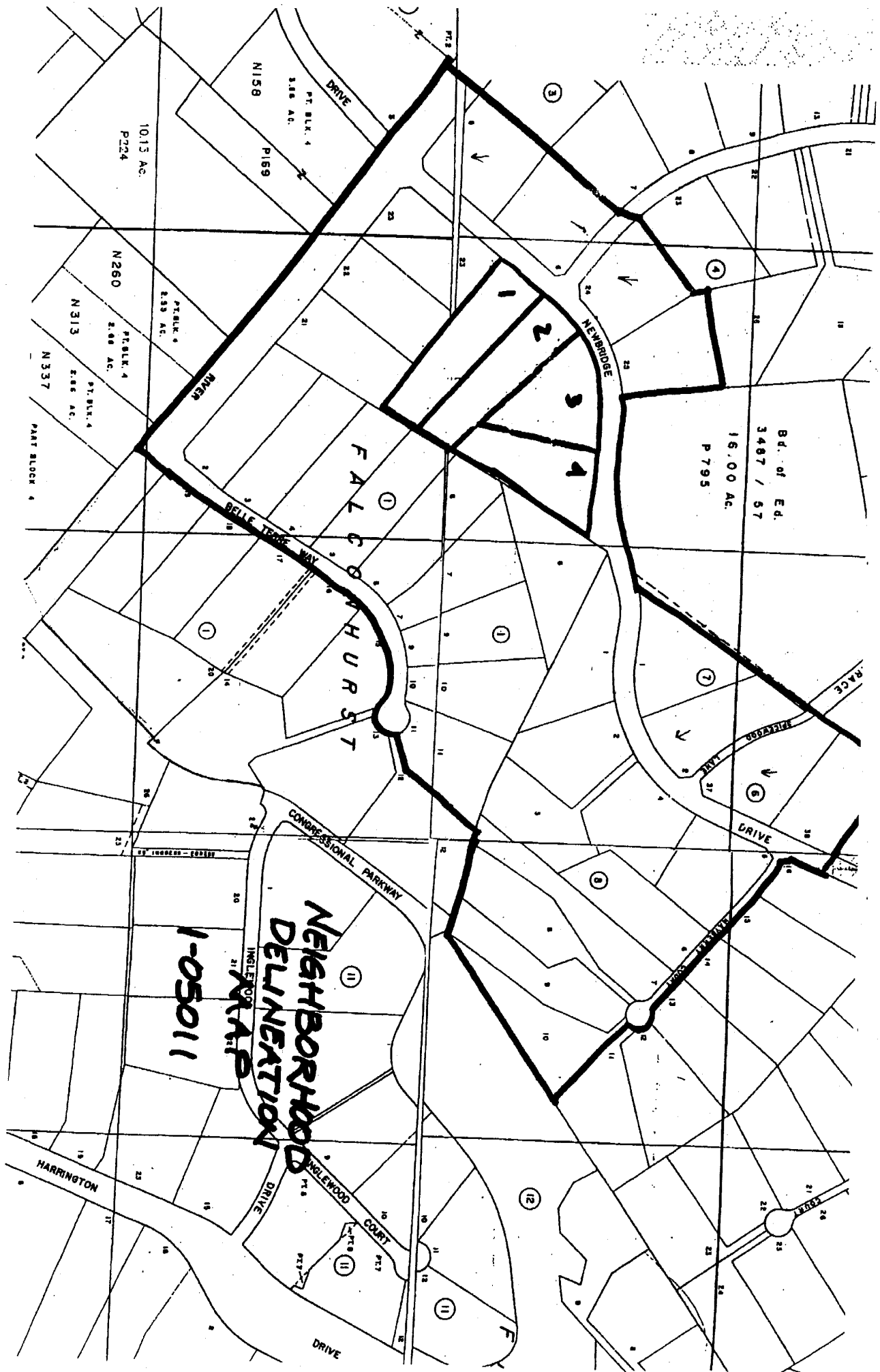
This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area 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

Key Map



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1 inch = 400 feet
1 : 4800



10.13 AC.
P224

N260
PT. BLK. 4
2.53 AC.

N313
PT. BLK. 4
2.08 AC.

N337
PT. BLK. 4
2.06 AC.

PART BLOCK 4

DRIVE
PT. BLK. 4
3.08 AC.
N158
P159

FALCONHURST

BELLE TERRE WY.

CONGRESSIONAL PARKWAY

INGLEWOOD COURT
NEIGHBORHOOD
DELINEATION
1-05011

HARRINGTON

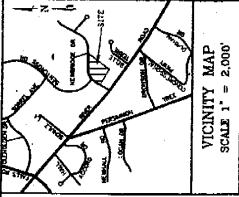
INGLEWOOD COURT
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PT. BLK. 4

NEWBRIDGE

Bd. of Ed.
3487 / 57
16.00 AC.
P 795

DRIVE
P 795

DRIVE



VICINITY MAP
SCALE 1" = 2,000'

AREA TABULATION
 1. 100' x 100' Grid
 2. 50' x 50' Grid
 3. 25' x 25' Grid
 4. 12.5' x 12.5' Grid

DEVELOPMENT STANDARDS (RC-2)
 (Montgomery County, MD)

Quantity of development	Maximum/Minimum	Minimum/Maximum
Lot Area (Square Feet)	6,750 sq. ft. min.	9,750 sq. ft. max.
Lot Width (Feet)	30 ft. min.	40 ft. max.
Lot Depth (Feet)	30 ft. min.	40 ft. max.
Front Setback (Feet)	10 ft. min.	15 ft. max.
Side Setback (Feet)	5 ft. min.	10 ft. max.
Rear Setback (Feet)	5 ft. min.	10 ft. max.
Maximum Building Coverage (Percentage)	30%	40%
Maximum Building Height (Feet)	35 ft. max.	40 ft. max.
Maximum Number of Units	2	3

- NOTES:
1. Property lines shown by survey with 3' contour intervals.
 2. Boundary lines shown by recorded deed and title.
 3. Easements shown by recorded deed and title.
 4. The project is subject to the provisions of the Subdivision Map Act, Article 28, of the Maryland Code, and the provisions of the Subdivision Map Act, Article 28, of the Maryland Code, and the provisions of the Subdivision Map Act, Article 28, of the Maryland Code.
 5. All easements shown by recorded deed and title.
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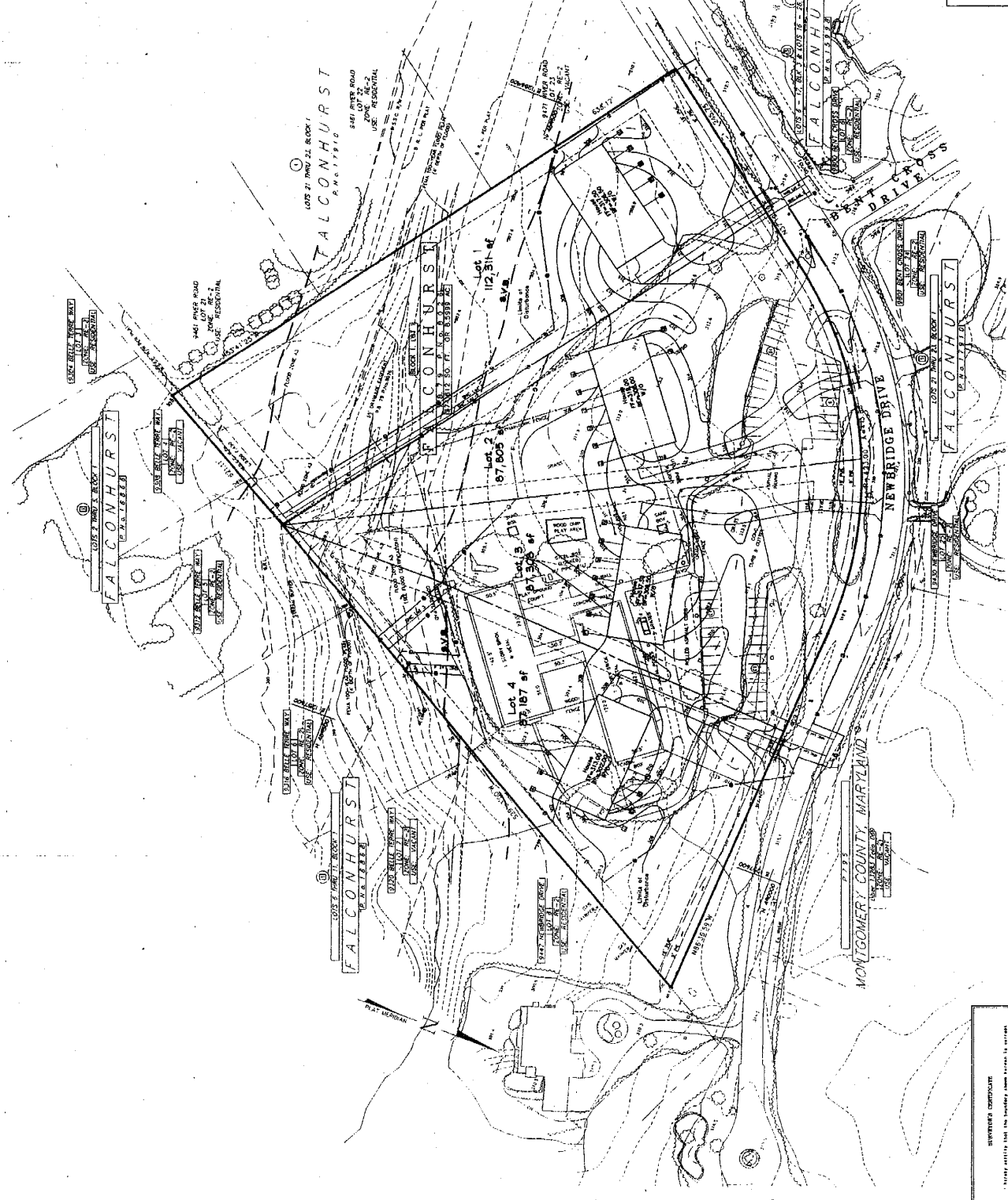
100' x 100' Grid
 50' x 50' Grid
 25' x 25' Grid
 12.5' x 12.5' Grid

PRELIMINARY SUBDIVISION PLAN
FALCONHURST
 Resubdivision of Lot 1, Falconhurst, Plat 8026

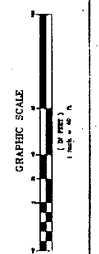
MONTGOMERY COUNTY, MARYLAND
 MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS
 Planning and Zoning Administration

100' x 100' Grid
 50' x 50' Grid
 25' x 25' Grid
 12.5' x 12.5' Grid

DATE: MAY 17, 2011
 SCALE: 1" = 2,000'



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REVISIONS

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DATE: MAY 17, 2011
 SCALE: 1" = 2,000'

RE-SUBDIVISION CHART

JOB NAME: Falconhurst

MHG JOB NUMBER: 2000.089.30

DATE: 7.15.04

Revised: 8.31.04

SUBDIVISION	Lot/Block	FRONTAGE	SIZE	BUILDABLE AREA	WIDTH @ BRL	SHAPE	ALIGNMENT
Falconhurst	5/3	300	89,689	50,076	300	Rectangular	Perpendicular
	6/3	302	90,580	50,673	302	Rectangular	Perpendicular
	24/2	192	87,120	45,231	233	Trapezoidal	Radial
	25/4	170	87,756	53,390	193	Trapezoidal	Radial
	1/7	449	88,062	48,333	386	Triangular	Radial
	2/7	243	92,594	47,678	250	Irregular	Radial
	37/6	245	87,120	44,692	277	Irregular	Angular
	38/6	237	87,120	57,013	237	Rectangular	Perpendicular
	1/8	492	87,120	48,907	436	Irregular	Angular
	2/8	196	87,120	57,347	216	Trapezoidal	Angular
	3/8	25	87,122	55,762	150	Panhandle	Angular
	4/8	267	87,120	53,962	282	Irregular	Angular
	5/8	261	87,120	47,632	295	Trapezoidal	Perpendicular
	6/8	182	87,120	57,326	182	Trapezoidal	Perpendicular
	7/8	164	90,962	54,034	165	Irregular	Perpendicular
	8/8	25	87,120	55,143	150	Panhandle	Perpendicular
	9/8	38	87,120	50,303	150	Irregular	Angular
	10/8	25	87,120	45,938	150	Panhandle	Angular
	2/1	162	92,347	49,558	187	Trapezoidal	Perpendicular
	3/1	175	88,426	59,250	175	Trapezoidal	Perpendicular
	4/1	175	88,862	59,565	175	Trapezoidal	Perpendicular
	5/1	179	89,298	61,591	179	Trapezoidal	Perpendicular
	6/1	152	98,010	67,642	164	Irregular	Radial
	7/1	96	87,991	48,386	150	Irregular	Radial
	9/1	127	88,426	57,819	150	Trapezoidal	Radial
	10/1	117	87,120	56,471	150	Trapezoidal	Radial
	8/1	82	87,120	59,702	150	Triangular	Angular
	11/1	139	87,120	57,582	181	Irregular	Angular
	21/1	235	87,120	57,453	230	Rectangular	Perpendicular
	22/1	214	87,120	57,647	214	Rectangular	Perpendicular
	23/1	238	94,253	53,315	237	Rectangular	Perpendicular
Proposed Lot	1	183	98,113	26,402	173	Rectangular	Perpendicular
Proposed Lot	2	194	98,124	47,571	195	Triangular	Radial
Proposed Lot	3	438	89,224	56,166	384	Triangular	Radial
Proposed Lot	4	255	89,152	57,768	243	Triangular	Perpendicular

Rank By Size

SUBDIVISION	Lot/Block	FRONTAGE	SIZE	BUILDABLE AREA	WIDTH @ BRL	SHAPE	ALIGNMENT
	24/2	192	87,120	45,231	233	Trapezoidal	Radial
	37/6	245	87,120	44,692	277	Irregular	Angular
	38/6	237	87,120	57,013	237	Rectangular	Perpendicular
	1/8	492	87,120	48,907	436	Irregular	Angular
	2/8	196	87,120	57,347	216	Trapezoidal	Angular
	4/8	267	87,120	53,962	282	Irregular	Angular
	5/8	261	87,120	47,632	295	Trapezoidal	Perpendicular
	6/8	182	87,120	57,326	182	Trapezoidal	Perpendicular
	8/8	25	87,120	55,143	150	Panhandle	Perpendicular
	9/8	38	87,120	50,303	150	Irregular	Angular
	10/8	25	87,120	45,938	150	Panhandle	Angular
	10/1	117	87,120	56,471	150	Trapezoidal	Radial
	8/1	82	87,120	59,702	150	Triangular	Angular
	11/1	139	87,120	57,582	181	Irregular	Angular
	21/1	235	87,120	57,453	230	Rectangular	Perpendicular
	22/1	214	87,120	57,647	214	Rectangular	Perpendicular
	3/8	25	87,122	55,762	150	Panhandle	Angular
	25/4	170	87,756	53,390	193	Trapezoidal	Radial
	7/1	96	87,991	48,386	150	Irregular	Radial
	1/7	449	88,062	48,333	386	Triangular	Radial
	3/1	175	88,426	59,250	175	Trapezoidal	Perpendicular
	9/1	127	88,426	57,819	150	Trapezoidal	Radial
	4/1	175	88,862	59,565	175	Trapezoidal	Perpendicular
Proposed Lot	4	255	89,152	57,768	243	Triangular	Perpendicular
Proposed Lot	3	438	89,224	56,166	384	Triangular	Radial
	5/1	179	89,298	61,591	179	Trapezoidal	Perpendicular
	5/3	300	89,689	50,076	300	Rectangular	Perpendicular
	6/3	302	90,580	50,673	302	Rectangular	Perpendicular
	7/8	164	90,962	54,034	165	Irregular	Perpendicular
	2/1	162	92,347	49,558	187	Trapezoidal	Perpendicular
	2/7	243	92,594	47,678	250	Irregular	Radial
	23/1	238	94,253	53,315	237	Rectangular	Perpendicular
	6/1	152	98,010	67,642	164	Irregular	Radial
Proposed Lot	1	183	98,113	26,402	173	Rectangular	Perpendicular
Proposed Lot	2	194	98,124	47,571	195	Triangular	Radial

Rank By Frontage

SUBDIVISION	Lot/Block	FRONTAGE	SIZE	BUILDABLE	WIDTH	SHAPE	ALIGNMENT
			AREA	@ BRL			
	3/8	25	87,122	55,762	150	Panhandle	Angular
	8/8	25	87,120	55,143	150	Panhandle	Perpendicular
	10/8	25	87,120	45,938	150	Panhandle	Angular
	9/8	38	87,120	50,303	150	Irregular	Angular
	8/1	82	87,120	59,702	150	Triangular	Angular
	7/1	96	87,991	48,386	150	Irregular	Radial
	10/1	117	87,120	56,471	150	Trapezoidal	Radial
	9/1	127	88,426	57,819	150	Trapezoidal	Radial
	11/1	139	87,120	57,582	181	Irregular	Angular
	6/1	152	98,010	67,642	164	Irregular	Radial
	2/1	162	92,347	49,558	187	Trapezoidal	Perpendicular
	7/8	164	90,962	54,034	165	Irregular	Perpendicular
	25/4	170	87,756	53,390	193	Trapezoidal	Radial
	3/1	175	88,426	59,250	175	Trapezoidal	Perpendicular
	4/1	175	88,862	59,565	175	Trapezoidal	Perpendicular
	5/1	179	89,298	61,591	179	Trapezoidal	Perpendicular
	6/8	182	87,120	57,326	182	Trapezoidal	Perpendicular
Proposed Lot	1	183	98,113	26,402	173	Rectangular	Perpendicular
	24/2	192	87,120	45,231	233	Trapezoidal	Radial
Proposed Lot	2	194	98,124	47,571	195	Triangular	Radial
	2/8	196	87,120	57,347	216	Trapezoidal	Angular
	22/1	214	87,120	57,647	214	Rectangular	Perpendicular
	21/1	235	87,120	57,453	230	Rectangular	Perpendicular
	38/6	237	87,120	57,013	237	Rectangular	Perpendicular
	23/1	238	94,253	53,315	237	Rectangular	Perpendicular
	2/7	243	92,594	47,678	250	Irregular	Radial
	37/6	245	87,120	44,692	277	Irregular	Angular
Proposed Lot	4	255	89,152	57,768	243	Triangular	Perpendicular
	5/8	261	87,120	47,632	295	Trapezoidal	Perpendicular
	4/8	267	87,120	53,962	282	Irregular	Angular
	5/3	300	89,689	50,076	300	Rectangular	Perpendicular
	6/3	302	90,580	50,673	302	Rectangular	Perpendicular
Proposed Lot	3	438	89,224	56,166	384	Triangular	Radial
	1/7	449	88,062	48,333	386	Triangular	Radial
	1/8	492	87,120	48,907	436	Irregular	Angular

Rank By Buildable Area

SUBDIVISION	Lot/Block	FRONTAGE	SIZE	BUILDABLE AREA	WIDTH @ BRL	SHAPE	ALIGNMENT	
Proposed Lot 1	1	183	98,113	26,402	173	Rectangular	Perpendicular	
	37/6	245	87,120	44,692	277	Irregular	Angular	
	24/2	192	87,120	45,231	233	Trapezoidal	Radial	
	10/8	25	87,120	45,938	150	Panhandle	Angular	
Proposed Lot 2	2	194	98,124	47,571	195	Triangular	Radial	
	5/8	261	87,120	47,632	295	Trapezoidal	Perpendicular	
	2/7	243	92,594	47,678	250	Irregular	Radial	
	1/7	449	88,062	48,333	386	Triangular	Radial	
	7/1	96	87,991	48,386	150	Irregular	Radial	
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	2/1	162	92,347	49,558	187	Trapezoidal	Perpendicular	
	5/3	300	89,689	50,076	300	Rectangular	Perpendicular	
	9/8	38	87,120	50,303	150	Irregular	Angular	
	6/3	302	90,580	50,673	302	Rectangular	Perpendicular	
	23/1	238	94,253	53,315	237	Rectangular	Perpendicular	
	25/4	170	87,756	53,390	193	Trapezoidal	Radial	
	4/8	267	87,120	53,962	282	Irregular	Angular	
	7/8	164	90,962	54,034	165	Irregular	Perpendicular	
	8/8	25	87,120	55,143	150	Panhandle	Perpendicular	
	3/8	25	87,122	55,762	150	Panhandle	Angular	
	Proposed Lot 3	3	438	89,224	56,166	384	Triangular	Radial
10/1		117	87,120	56,471	150	Trapezoidal	Radial	
38/6		237	87,120	57,013	237	Rectangular	Perpendicular	
6/8		182	87,120	57,326	182	Trapezoidal	Perpendicular	
2/8		196	87,120	57,347	216	Trapezoidal	Angular	
21/1		235	87,120	57,453	230	Rectangular	Perpendicular	
11/1		139	87,120	57,582	181	Irregular	Angular	
22/1		214	87,120	57,647	214	Rectangular	Perpendicular	
Proposed Lot 4		4	255	89,152	57,768	243	Triangular	Perpendicular
		9/1	127	88,426	57,819	150	Trapezoidal	Radial
	3/1	175	88,426	59,250	175	Trapezoidal	Perpendicular	
	4/1	175	88,862	59,565	175	Trapezoidal	Perpendicular	
	8/1	82	87,120	59,702	150	Triangular	Angular	
	5/1	179	89,298	61,591	179	Trapezoidal	Perpendicular	
	6/1	152	98,010	67,642	164	Irregular	Radial	