



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

Consent Item #
MCPB 5-10-07

MEMORANDUM

DATE: April 27, 2007
 TO: Montgomery County Planning Board
 VIA: Rose Krasnow, Chief *RAK*
 Development Review Division
 FROM: Robert A. Kronenberg, Acting *RAK*
 Supervisor
 Development Review Division
 (301) 495-2187



REVIEW TYPE: Site Plan Amendment
 CASE #: **82003022A**
 PROJECT NAME: **Wheaton Place**
 APPLYING FOR: Amendment to modify the fence detail and on-site landscaping

REVIEW BASIS: Div. 59-D-2.6 of Montgomery County Zoning Ordinance for Minor Plan Amendments

ZONE: RT-12.5 Zone
 LOCATION: Located at the northwest quadrant of the intersection with Horde Drive and Windham Lane in Wheaton, Maryland

MASTER PLAN: Sandy Spring-Ashton
 APPLICANT: Winchester Homes
 FILING DATE: February 5, 2007
 HEARING DATE: May 10, 2007

STAFF RECOMMENDATION: Approval of the proposed amendments to Site Plan 820030220 and approval of the attached draft Planning Board Resolution for the Site Plan 82003022A.

BACKGROUND

The Site Plan (820030220) for Wheaton Place, was presented to the Planning Board on May 22, 2002 (Planning Board Opinion dated June 25, 2003) for approval of 1 existing one-family

detached house and 9 townhouses in the RT-12.5 Zone. The Certified Site Plan was approved on May 28, 2004.

PROPOSED AMENDMENT

An amendment was filed on February 5, 2007, along with a public notice to adjacent and confronting property owners that outlines specific changes to the approved site plan. The Applicant submitted the amendment specifically to change exterior conditions of the Site Plan. The proposed amendment requests the following modifications:

1. Modification to the fence detail on the western boundary.
2. Modification of on-site landscaping.

PUBLIC NOTICE

A notice regarding the subject site plan amendment was sent to all parties of record by the Applicant on February 5, 2007. Staff has not received any correspondence with respect to the subject modification.

STAFF REVIEW AND RECOMMENDATION

The proposed amendment is consistent with the provisions of Section 59-D-2.6 of the Montgomery County Zoning Ordinance for Minor Plan Amendments. The amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board for the originally approved site plan.

The construction of the modified fence on the western boundary was implemented to address structural and aesthetic issues related to the location of a retaining wall and the impact of the wall running parallel to the fence. The changes to the landscaping were a result of the lack of responsibility availability of previously specified plant material and the growth habits of the approved plants in relation to the surrounding features. The revisions are in keeping with the findings previously accepted by the Planning Board and are safe, adequate and efficient. Staff indicated approval of the amended items specified in the Applicant's request.

Staff recommends **APPROVAL** of the Minor Site Plan Amendment for Wheaton Place (Site Plan No. 82003022A) for modifications to the approved site plan.

ATTACHMENT

- A. Vicinity Map
- B. Letter from Applicant
- C. Draft Planning Board Resolution

Attachment A

The subject property, which includes a 1 one-family detached house at the intersection of Horde Drive and Windham Lane and nine townhouses toward the north along Horde Drive, is located in the Glen Haven neighborhood within the Wheaton CBD Sector Plan area. The site is zoned RT-12.5 and is approximately ½ mile west of Georgia Avenue, 800 feet north of Viers Mill Road and within 1 mile of the Wheaton Metro Station. The Westfield Shopping Center is located approximately ¾ mile north on the west side of Viers Mill Road, near the intersection with Georgia Avenue. Zoning to the south and east is R-60 and the residential area to the west is zoned RT-12.5.

The nine townhouse units are constructed and the site amenities have been installed, including the landscaping, fence, wall and paved areas. Horde Drive is still under construction due to multi-family buildings currently under construction on the east side of the street.



Attachment B



February 5, 2007

Ms. Rose Krasnow
MNCPPC Development Review Division
8787 Georgia Ave.
Silver Spring, MD 20910

Re: Wheaton Place # 8-03022A – Revised Fence Detail

Dear Ms. Krasnow:

The purpose of this letter is to inform you of the modifications to the approved Wheaton Place Site Plan and Landscape Plan that necessitated a Minor Site Plan Amendment. The revisions are related to the construction of the board on board fence that borders the western edge of the property and to the landscape plantings.

1. Board-on-Board Fence: The fence along the western boundary of the property as constructed differed slightly from the detail shown on Sheet 2 of 2 on the Landscape Plan. The constructed fence was built approximately eight inches from the retaining wall instead of on top of the wall. A cap board is located along the top of the fence and the post rises approximately two inches above the cap board. The reasons for these variations are both structural and aesthetic.
2. Landscape Revisions: The vast majority of the revisions to the plant material were based on the availability of plants at the time of plantings. The substitutions made were for plants of similar habit, size, and shape. The pinus nigra along the western boundary of the property were replaced with cherries because the existing root structure of the surrounding trees and the overhanging branches would not be suitable for the planting of the pines.

With the exception of these minor changes, the revised plans match the approved Site Plan and Landscape Plan.

If you have any questions regarding this minor revision, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lauren Wirth".

Lauren Wirth



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

MCPB No. 07-37
Site Plan No. 82003022A
Project Name: Wheaton Place
Hearing Date: May 10, 2007

RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved site plans; and

WHEREAS, on February 5, 2007, Winchester Homes ("Applicant"), filed a site plan amendment application designated Site Plan No. 82003022A ("Amendment") for approval of the following modifications:

1. Modification to the fence detail on the western boundary.
2. Modification of on-site landscaping.


WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staffs of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated April 27, 2007 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on May 10, 2007, Staff presented the Amendment to the Planning Board as a consent item for its review and action (the "Hearing"); and

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 82003022A; and

BE IT FURTHER RESOLVED, that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this site plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and


Approved for legal sufficiency
M-NCPPC Office of General Counsel

BE IT FURTHER RESOLVED, that the date of this written resolution is _____ (which is the date that this opinion is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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