



MEMORANDUM

DATE: June 3, 2005

TO: Montgomery County Planning Board

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

FROM: Dolores M. Kinney, Senior Planner *DMK*
Development Review Division

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Subdivision of Parcel 909

PROJECT NAME: Clover Ridge

CASE #: 1-04082

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: RDT

LOCATION: Located on the southeast side of Clarksburg Road, approximately 2,500 feet northeast of the intersection with Moxley Road

MASTER PLAN: Agriculture and Rural Open Space

APPLICANT: Chester Leishear

FILING DATE: April 27, 2004

HEARING DATE: June 9, 2005

STAFF RECOMMENDATION: Approval, pursuant to Section 50, Montgomery County Subdivision Regulations subject to the following conditions:

- 1) Approval under this preliminary plan is limited to three (3) lots and one (1) outlet.
- 2) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.
- 3) All stream valley buffers and onsite forest must be placed into a Category I Forest Conservation Easement.
- 4) A fence suitable to prevent pasturing animals from entering the forest conservation easement areas must be erected prior to release of building permits.
- 5) The applicant shall enter into a covenant for the future reconstruction of the Clarksburg Road's paved surface in accordance with DPWT.
- 6) The applicant shall 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.
- 7) Record plat to reflect common ingress/egress and utility easements.
- 8) Compliance with the conditions of the MCDPS stormwater management approval dated May 6, 2005.
- 9) Compliance with conditions of the MCDPS (Health Dept.) septic approval letter dated May 27, 2005.
- 10) Record plat shall indicate that acreage within Outlot "A" has been used in the density calculations for the overall property and that all available density has been taken from the parent parcel with the approval of the subject preliminary plan.
- 11) Other necessary easements.

SITE DESCRIPTION:

Parcel 909 ("Subject Property") is located on the southeast side of Clarksburg Road, approximately 2,500 feet northeast of the intersection with Moxley Road (Attachment A). A one-family detached dwelling currently exists on the Subject Property and will remain. The property contains a stream valley and associated buffer. It is zoned Rural Density Transfer (RDT) and contains 85.09 acres.

PROJECT DESCRIPTION:

This is a preliminary plan of subdivision to create three (3) lots and one (1) outlet. The lot sizes range from 5.8 acres to 48.2 (Attachment B). The plan proposes to maintain large lots, which will accommodate uses that are appropriate for the RDT zone. The Subject Property will be served by private wells and standard private septic. Access to the proposed lots will be directly from Clarksburg Road.

DISCUSSION OF ISSUES

Master Plan Compliance

The Agriculture and Rural Open Space Master Plan does not specifically identify the Subject Property for discussion but does give general guidance and recommendations regarding preservation of farmland and rural open space. The master plan recommends that this area maintain lower densities for the protection of agriculture, environmental features, extensive recreational facilities, and residential use of a rural character. The preliminary plan proposes a combination of a large lot and smaller lots that are 48.2 acres, 11.2 acres and 18.3 acres in size. The 48.3-acre lot currently contains a dwelling, which will remain. The intent of the plan with this particular lot is to retain as much land area as possible for continued farming purposes while protecting the stream valley. The 11.2-acre lot, which is of rural character, may also accommodate farming and equestrian activity. The 18.3-acre outlot will be conveyed to an adjacent property for pasture use. The plan also proposes a 5.8-acre lot, which may not be conducive to agriculture use, but is of rural residential character and appropriate for equestrian usage.

ANALYSIS

Staff's review of Preliminary Plan #1-04082, Clover Ridge, indicates that the plan conforms to the recommendations of the Agriculture and Rural Open Space Master Plan. The proposed preliminary plan is consistent with the master plan goal to maintain the area's low density, and agricultural character, and it protects the environmentally sensitive areas. Staff also finds that the proposed preliminary plan complies with Chapter 50 of the Montgomery County Code, Subdivision Regulations, in that private water and septic facilities will be adequate to support and service the area of the proposed subdivision. Staff further finds that the size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.

CONCLUSION:

Staff finds that Preliminary Plan #1-04082, Clover Ridge, conforms to the Agriculture and Rural Open Space Master Plan and meets all necessary requirements of the Subdivision Regulations. As such, Staff recommends approval of the preliminary plan.

Attachments

Attachment A Vicinity Development Map
Attachment B Proposed Development Plan