

ITEM #2

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

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MCPB

Item # _____

February 2, 2006



MEMORANDUM

DATE: January 18, 2006

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief
Catherine Conlon, Supervisor *CK*
Development Review Division

FROM: Dolores M. Kinney, Senior Planner (301) 495-1321 *DK*
Development Review Division

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Resubdivision of Existing Lot 3 and Part of Lot 2

PROJECT NAME: Kenilworth

CASE #: 120051110 (Formerly 1-05111)

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

ZONE: R-90

LOCATION: Located on the west side of Kensington Parkway, approximately 200 feet south of the intersection with Inverness Drive

MASTER PLAN: Bethesda Chevy Chase

APPLICANT: Miller & Smith

ENGINEER: Gutschick, Little & Weber, P. A.

HEARING DATE: February 2, 2006

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

- 1) Approval under this preliminary plan is limited to one (1) one-family dwelling unit.
- 2) Compliance with all recommendations of Tree Save Plan dated April 2005, as revised December 20, 2005, including compliance with field inspections requirements per Section 110 of the Forest Conservation Regulations, prior to any clearing, grading, or demolition on the property.
- 3) Compliance with conditions of MCDPWT letter dated, October 4, 2005 unless otherwise amended.
- 4) Compliance with the conditions of approval of the MCDPS stormwater management approval letter dated, June 28, 2005.
- 5) Other necessary easements.

SITE DESCRIPTION:

Parcel 2 and 3 referred to as the "Subject Property" are part of the Kenilworth Subdivision, which was recorded in part beginning in the 1800s through 1992. The Subject Property is located on the west side of Kensington Parkway, approximately 200 feet south of the intersection with Inverness Drive (Attachment A). The property contains 0.73 acres and is zoned R-90. A one-family dwelling currently exists on the property, which will be removed.

PROJECT DESCRIPTION:

This is a preliminary plan of subdivision application to create one (1) residential lot for the construction of one (1) one-family detached dwelling unit (Attachment B). The Subject Property will be the largest in the neighborhood. Access to the site will be directly from Kensington Parkway.

DISCUSSION:

Master Plan Compliance

The Bethesda Chevy Chase 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 one-family detached homes. The proposed resubdivision complies with the recommendations adopted in the master plan in that it is a request for residential development.

Environmental

The proposed site is exempted from forest conservation, but is subject to a tree save plan. All trees within the Kensington Parkway right-of-way and on the adjoining

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lots will be protected by this plan. One specimen 50" Pine Oak, which is in poor condition, will be removed from the backyard of the existing residence.

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 the proposed lot 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 the Resubdivision section, the Planning Board must determine the appropriate "neighborhood" for evaluating the application.

The applicant has proposed a neighborhood of 32 lots for analysis purposes. The neighborhood extends one block north of Husted Driveway, south to Jones Bridge Road, one block east of Kensington Parkway and west to the intersection of Inverness Drive and Kenilworth Driveway (Attachment C).

Staff is of the opinion that the applicant's neighborhood delineation is appropriate because it provides an adequate sample that exemplifies the lot and development pattern of the area. The applicant has provided a tabular summary of the area based on the resubdivision criteria, which is included in the staff report.

ANALYSIS

Comparison of the Character of Proposed Lots to Existing

In performing the analysis, Staff applied the resubdivision criteria to the delineated neighborhood. Based on the analysis, Staff finds that the proposed resubdivision will be of the same character as the existing lots in the neighborhood. As set forth below, the attached tabular summary (Attachment D) and graphical documentation support this conclusion:

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Frontage: In a neighborhood of 32 lots, lot frontages range from 61 feet to 125 feet. The proposed Lot 1 has a frontage of 140 feet which will have the greatest frontage of all of the lots in the neighborhood. This is an existing condition for the two parcels being combined, and the resubdivision does not change it. **Staff finds that the proposed lot will remain in character with other lots in the neighborhood with respect to frontage.**

Area: Lot areas range from 1,740 square feet to 12,366 square feet. **The proposed lot will have an area of 19,488 square feet and although the greatest in area, will be in character with the existing lots in the neighborhood with respect to area.**

Lot Size: The lot sizes in the delineated neighborhood range from 8,219 square feet to 21,873 square feet. The proposed lot will have a lot size of 31,934 square feet. **The largest in size, Staff finds that the lot size of the proposed lot to be of the same character as the existing lots in the neighborhood.**

Lot Width: The lot widths in the existing neighborhood range from 60 feet to 200 feet. **The proposed lot will have a width of 115 feet and will be of the same character as the other existing lots in the neighborhood as it pertains to lot width.**

Shape: There are six (6) corner lots, 19 irregular lots, and eight (8) rectangular lots. The proposed resubdivision will create one (1) irregular lot. **As such, Staff finds that proposed lot will be of the same character as the existing lot in the neighborhood.**

Alignment: There are five (5) corner lots, and the remaining lots are perpendicular. The proposed resubdivision will create one (1) perpendicular lot. **Staff finds that the proposed subdivision will be of the same character as the existing lots in the neighborhood as it pertains to alignment.**

Residential Use: The proposed lots are 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. The proposed resubdivision will create the largest lot, but Staff believes the resulting lot is in character with all of the lots in the existing neighborhood based on the resubdivision criteria. Therefore, Staff finds that the proposed subdivision complies with Section 50-29(b)(2) of the Subdivision Regulations recommends approval of the preliminary plan, subject to the above conditions.

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Staff also finds that the proposed preliminary plan complies with Chapter 50 of the Montgomery County Code, Subdivision Regulations, in that public facilities will be adequate to support and service the area of the proposed subdivision and Chapter 59, the Zoning Ordinance, as summarized in the attached data table (Attachment E). As such, Staff recommends approval of the preliminary plan.

Attachments

- Attachment A Vicinity Development Map
- Attachment B Proposed Development Plan
- Attachment C Neighborhood Delineation Map
- Attachment D Tabular Summary
- Attachment E Data Table
- Attachment F Agency Correspondence