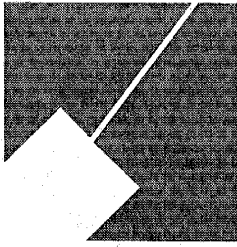


M-NCPPC



**MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING**

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760  
301-495-4500, www.mncppc.org

**MCPB**  
**ITEM # 9**  
**3/23/06**



**MEMORANDUM**

**DATE:** March 9, 2006

**TO:** Montgomery County Planning Board

**VIA:** Rose Krasnow, Chief *RK*  
Development Review Division

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

**REVIEW TYPE:** Preliminary Plan Review

**APPLYING FOR:** Preliminary plan of Subdivision for four (4) one-family detached residential dwellings

**PROJECT NAME:** South Glen Road

**CASE #:** 1-20060010 (formerly 1-06001)

**REVIEW BASIS:** Montgomery County Code Chapter 50, the Subdivision Regulations

**ZONE:** RE-2

**LOCATION:** Located on the east side of South Glen Road approximately 2,000 feet north of Deep Glen Drive.

**MASTER PLAN:** Potomac

**APPLICANT:** Jhong S. Lee

**ENGINEER:** Macris, Hendricks & Glascock, P.A.

**FILING DATE:** July 7, 2005

**HEARING DATE:** March 23, 2006

**STAFF RECOMMENDATION:** Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to four (4) one family residential lots.
- 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, as applicable.
- 3) The applicant shall remove the existing tennis court from the environmental buffer prior to the issuance of the first building permit, and plant 0.56 acres of currently unforested buffer area, as shown on the preliminary forest conservation plan.
- 4) The applicant shall dedicate right-of-way for South Glen Road as shown on the preliminary plan for a total of 80 feet of right of way from the opposite right of way line along the property frontage.
- 5) Record plat to reflect a Category I easement over all areas of forest conservation and stream valley buffer shown on the preliminary forest conservation plan dated 3/3/06.
- 6) Record plat to reflect a common ingress/egress and utility easement over shared driveway.
- 7) Compliance with the conditions of approval of the MCDPS stormwater management concept approval dated July 26, 2005.
- 8) Compliance with conditions of MCDPWT letter dated October 7, 2005, unless otherwise amended.
- 9) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s).
- 10) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.
- 11) Other necessary easements

**SITE DESCRIPTION:**

The subject property consists of a single 10.61 acre parcel in the RE-2 zone located on the east side of South Glen Road (Attachment 1). The site currently contains an existing one-family detached dwelling unit which will be retained. The existing dwelling has access from South Glen Road via an existing private driveway.

The property is located within the Watts Branch watershed which is designated as a Use Class I-P. An existing stream and its associated stream buffer are located along the eastern property boundary. A total of 8.2 acres of the property is currently forested.

**PROJECT DESCRIPTION:**

This application requests subdivision of the parcel into four one family residential lots (Attachment B). The existing driveway will be widened and each of the lots will share this access from South Glen Road. The majority of the stream valley buffer and all proposed forest conservation areas will be protected by Category I conservation easements that will be shown on the record plat. The lots will be served by public water via house connections from the existing water line in South Glen Road. Public sewer will be provided to the lots via extension of an

existing sewer line from property to the north, through an existing right-of-way which will be extended to the south side of the subject property.

## **ANALYSIS**

### **Master Plan Compliance**

The Potomac 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 subdivision 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.

### **Transportation**

The proposed lots do not generate 30 or more vehicle trips during the morning or evening peak-hours. Therefore, the application is not subject to Local Area Transportation Review. The proposed right-of-way dedication and private driveway access is acceptable.

### **Environment**

#### Environmental Guidelines

As previously mentioned, the site contains an existing stream and associated buffer along the eastern property boundary. The application proposes to protect most of the buffer within a Category I conservation easement on proposed Lot 4. This proposed lot currently contains the existing house and a tennis court which both encroach into the environmental buffer as delineated per the *Environmental Guidelines*. The application proposes to retain the existing house and maintain a small yard area. To facilitate this, the plan proposes permanent encroachment into the buffer of roughly 3,250 square feet. As compensation for this encroachment, the applicant proposes to remove the existing tennis court from the environmental buffer prior to the issuance of the first building permit, and plant 0.56 acres of currently unforested buffer area. This planting will be in excess of the forest conservation requirements for the site and is approximately 7.5 times the area of proposed encroachment.

In staff's opinion, the small area of buffer encroachment is acceptable. The proposed mitigation will result in a significant net increase in forest planting within the environmental buffer and removes some existing impervious surface within the buffer.

#### Forest Conservation

The applicant submitted a preliminary forest conservation plan as part of the preliminary plan of subdivision. The applicant proposes to meet the forest conservation requirements by retaining 3.88 acres of existing forest within a Category I conservation easement. This forest

retention exceeds the break-even point for the site and, therefore, no forest planting is required. However, as previously noted, the applicant will be doing some reforestation planting as compensation for buffer encroachment. Combined with the stream buffer easement area, a total of 4.44 acres of the site will to be protected in Category I conservation easement.

### **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. In staff's opinion, the application meets all applicable sections. In addition, staff has determined that access and public facilities will be adequate to support the four lots as requested. Staff has also reviewed the application for compliance with the dimensional requirements for RE-2 zoned land 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.

### **Citizen Correspondence**

One letter concerning the proposed application was received from Mr. Albert Girod, an adjacent property owner on the southern side of the property (Attachment C). Mr. Girod pointed out several errors made in the plan notes and vicinity map on the original preliminary plan submittal which have since been corrected. He also requested that the proposed sewer line be extended along the southern property boundary, and that fences be prohibited within the proposed conservation easements.

The standard Category I conservation easement that will apply to these lots prohibits fencing without written permission from Planning Board staff. If approved, fencing must be split-rail and may only be located along the perimeter of the lots. Specific requests from future homeowners will be reviewed on a case-by-case basis. With regard to sewer extension, this applicant is not required to carry the sewer right-of-way along the southern property boundary. Instead, the applicant will bring it perpendicularly to the property edge where most of the southern properties could access the line via sewer house connections. In order for existing Lot 7 to obtain a sewer house connection, the proposed 8" sewer would have to be extended to another manhole within a right-of-way extension to at least existing Lot 4. The subject property is not being required to make this extension since they do not require it to serve their proposed houses.

### **CONCLUSION:**

Staff finds the lots as proposed meet all requirements as established in the Subdivision Regulations and the Zoning Ordinance, and comply with the recommendations of the Potomac Master Plan. Staff also finds that access and public facilities will be adequate to serve the proposed lots. The lots have been reviewed by other applicable county agencies all of whom have recommended approval of the plan (Attachment D). Therefore, staff recommends approval of the application with the conditions cited above.

TABLE 1. Preliminary Plan Data Table and Checklist

<b>Plan Name: South Glen Road Property</b>				
<b>Plan Number: 120060010</b>				
<b>Zoning: RE-2</b>				
<b># of Lots: 4</b>				
<b># of Outlots: 0</b>				
<b>Dev. Type: One-family detached residential dwellings</b>				
<b>PLAN DATA</b>	<b>Zoning Ordinance Development Standard</b>	<b>Proposed for Approval on the Preliminary Plan</b>	<b>Verified</b>	<b>Date</b>
Minimum Lot Area	87,120s.f.	87,120s.f. is minimum proposed	CAC	3/6/06
Lot Width	150ft.	Must meet minimum	CAC	3/6/06
Lot Frontage	25ft.	Must meet minimum	CAC	3/6/06
Setbacks				
Front	50 ft. Min.	Must meet minimum	CAC	3/6/06
Side	17ft. Min./35ft. total	Must meet minimum	CAC	3/6/06
Rear	35ft. Min.	Must meet minimum	CAC	3/6/06
Height	50ft. Max.	May not exceed maximum	CAC	3/6/06
Max Resid'l d.u. or Comm'l s.f. per Zoning	5 dwelling units	4 dwelling units	CAC	3/6/06
MPDUs	N/A			
TDRs	N/A			
Site Plan Req'd?	No			3/6/06
<b>FINDINGS</b>				
<b>SUBDIVISION</b>				
Lot frontage on Public Street	Yes	Yes	CAC	3/6/06
Road dedication and frontage improvements	Dedication only required	Yes	Agency letter	10/7/05
Environmental Guidelines	Yes	Yes	Staff memo	3/3/06
Forest Conservation	Yes	Yes	Staff memo	3/3/06
Master Plan Compliance	Yes	Yes	CAC	3/6/06
Other				
<b>ADEQUATE PUBLIC FACILITIES</b>				
Stormwater Management	Yes	Yes	Agency letter	7/26/05
Water and Sewer (WSSC)	Yes	Yes	Agency letter	8/19/05
10-yr Water and Sewer Plan Compliance	Yes	Yes	Agency comments	8/1/05
Well and Septic	N/A			
Local Area Traffic Review	N/A			
Fire and Rescue	Yes	Yes	Agency letter	1/19/06

# SOUTH GLEN ROAD (1-06001)

ATTACHMENT A



Map compiled on July 20, 2005 at 10:28 AM | Site located on base sheet no - 214NW10

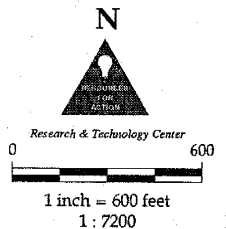
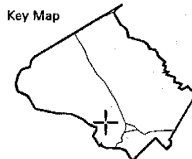
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This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This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



# SOUTH GLEN ROAD (1-06001)



Map compiled on July 20, 2005 at 10:54 AM | Site located on base sheet no - 214NW10

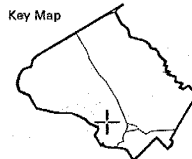
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Key Map



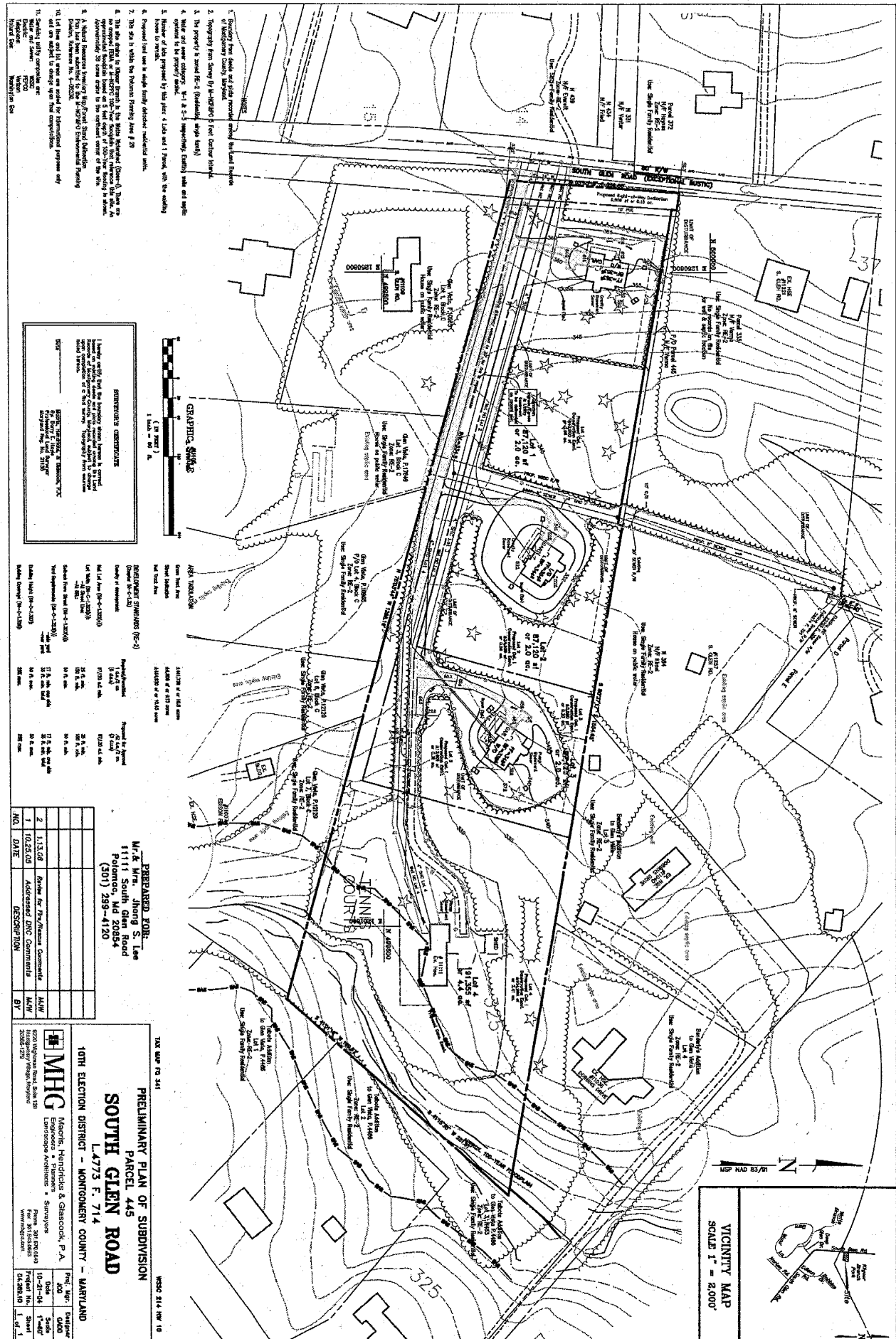
N



Research & Technology Center



1 inch = 600 feet  
1 : 7200



1. The proposed road shall be a public road, subject to the provisions of the Maryland State Highway Code.
2. The proposed road shall be a public road, subject to the provisions of the Maryland State Highway Code.
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9. The proposed road shall be a public road, subject to the provisions of the Maryland State Highway Code.
10. The proposed road shall be a public road, subject to the provisions of the Maryland State Highway Code.

**DEVELOPER'S CERTIFICATIONS**

I, the undersigned, being the duly authorized agent of the applicant, do hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief, and that the same conform to the requirements of the Maryland State Highway Code and the provisions of the Maryland State Highway Code.

Signature: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_

**REQUIREMENT SCHEDULES (R-3)**

Setback	Requirement	Minimum	Maximum
Front	Setback from street	10 ft.	10 ft.
Side	Setback from street	5 ft.	5 ft.
Back	Setback from street	5 ft.	5 ft.
Side	Setback from street	5 ft.	5 ft.
Back	Setback from street	5 ft.	5 ft.

**PREPARED FOR:**

**Mr. & Mrs. Jhong S. Lee**  
 11111 South Glen Road  
 Palmdale, Md 20654  
 (301) 299-4120

NO.	DATE	DESCRIPTION	BY
1	10/25/06	Amended DDC Comments	MLW
2	1/13/07	Amended DDC Comments	MLW

**10TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND**

**PRELIMINARY PLAN OF SUBDIVISION**  
**SOUTH GLEN ROAD**  
**L4773 F. 714**

**MHG** Montic, Hardscra & Chascock, P.A.  
 Engineers & Planners  
 Landscaping Architects & Surveyors  
 2028 Highways Road, Suite 100  
 Rockville, MD 20851  
 Phone: 301.978.0400  
 Fax: 301.978.0401  
 www.mhg.com

Reg. No. 0000000000  
 No. 0000000000  
 Date: 04/28/10  
 1 of 1



*Albert E Girod*  
11105 South Glen Road  
Potomac, MD 20854  
301 299-2446

ATTACHMENT C

July 8, 2005

Development Review Division  
Maryland-National Capital Park and  
Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910

Re: Preliminary Plan of Subdivision #1-06001  
South Glen Road Parcel 445

Gentlemen:

Attached is a copy of a letter received from Macris, Hendricks and Glascock, PA dated July 5, 2005 concerning the above referenced preliminary plan of subdivision. My property is adjacent to the parcel being subdivided and is known as Glen Vista, Lot 3, Block C recorded on Plat 17649 dated December 7, 1989.

Generally speaking, I am in favor of the subdivision. The plan seems to strike a reasonable balance between land development and maintaining woodlands. However, I do have the following comments which I believe should be incorporated:

1. WSSC Right of Way and the Proposed Sewer Line. It is not clear from the drawing just how far the WSSC right of way and sewer line extends through the parcel. The WSSC right of way and proposed sewer line should extend all the way from the northern edge of the parcel to the southern most edge and then along the southern edge of the parcel up to South Glen Road and back as far as proposed lot #4. As you know, almost all of the properties in this area have septic systems and the extension of the WSSC Right of Way and Sewer Line will provide adjacent homeowners an environmentally sound alternative if/when their existing septic fields fail.
2. Geographical Location: East side of South Glen Rd. North of Pitt Ford Dr. This description appears on the cover letter from Macris, Hendricks and Glascock, PA. What and where is Pitt Ford Dr? It certainly does not exist anywhere along South Glen Road.

3. Vicinity Map on the Preliminary Plan.

- a. Pitt Ford Dr, as indicated above, does not now nor has it ever existed.
- b. Glen Rd is mislabeled. It should be South Glen Road. Glen Rd is an entirely different location.
- c. Mulberry Point Rd does not exist. There is a private driveway serving four homes about where this road is drawn on the map but those homes all have a South Glen Road addresses. There is no Mulberry Point Road nor does any road/driveway exist that looks anything like what is depicted.
- d. The Byrnes School and Camp does not exist. The Fourth Presbyterian School acquired that property about six years ago.
- e. Norton Rd does not extend through South Glen Road.

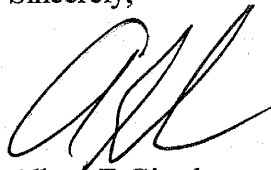
4. Plat #10965 is referenced for Glen Vista, Lot 3, Block C on the Plan. In fact, Plat #10965 includes Glen Vista, Block C, Lots 1-2, 4-5 and specifically does not include Lot 3. Glen Vista, Lot 3 Block C is described in Plat 17649 dated 12/7/1989...not Plat 10965.

5. Plat #12120 is referenced for Gen Vista, Lot 4, Block C on the Plan. Glen Vista, Lots 6 & 7 Block C are described in Plat 12120...not Lot 4. In fact, Plat #10965 includes Glen Vista, Block C, Lots 1-2, 4-5.

6. Conservation Easement. I assume the easement is or will be recorded by deed and both its description and its terms and conditions are or will be recorded in the county's land records. Fencing should be specifically prohibited.

I hope you find these comments to be helpful and useful.

Sincerely,



Albert E Girod

cc: Mr and Mrs Jhong S Lee, 11111 South Glen Road, Potomac, MD  
David A Crowe, MHG, 9220 Wightman Road, Suite 120, Montgomery Village, MD