



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

MCPB No. 16-108
Site Plan No. 82016001A
Sandy Spring Townhomes
Hearing Date: September 29, 2016

OCT - 3 2016

RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on March 30, 2016, the Planning Board, by Resolution MCPB No. 16-013, approved Site Plan No. 820160010 for 19 one-family detached dwellings on 2.31 acres of CRN 0.75, C-0.25, R-0.75, H-45 zoned-land, located on the south side of Olney-Sandy Spring Road, approximately 250 feet west of the intersection with Meeting House Road ("Subject Property"), in the Rural East Policy Area and the Sandy Spring Rural Village Plan ("Master Plan") area; and

WHEREAS, on August 9, 2016, Tyler Nichols ("Applicant"), filed an application for approval of an amendment to the previously approved site plan for approval of the following modifications:

1. Revise the CRN data table to show the correct minimum lot size of 1,926 square feet; and
2. Change the paving material used in the emergency vehicle turn-around from laid pavers to stamped concrete.

WHEREAS, Applicant's application to amend the site plan was designated Site Plan No. 82016001A, Sandy Spring Townhomes ("Site Plan," "Amendment," or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated September 16, 2016, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

Approved as to

Legal Sufficiency:

8787 Georgia Avenue, Silver Spring, Maryland 20910

MNCPPC Legal Department

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WHEREAS, on September 29, 2016, Staff presented the Amendment to the Planning Board as a consent item for its review and action, at which time the Planning Board voted to approve the Amendment subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED THAT the Planning Board adopts the Staff's recommendation and analysis as set forth in the Staff Report and hereby approves Site Plan No. 82016001A.

BE IT FURTHER RESOLVED that all site plan conditions of approval for this project remain valid, unchanged and in full force and effect; and

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Sandy Spring Townhomes, No. 82016001A, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required; and

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

1. *Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan, and all findings not specifically addressed remain in effect;*
2. *The development satisfies applicable use standards, development standards, and general requirements under the Zoning Ordinance.*

Section 4.5 Zoning Data Table: CRN 0.75 C-0.25 R-0.75 H-45		
Standard	Required	Approved
Site		
Common Open Space, Site >10,000 sq. ft.	10%, 8,416 sq. ft.	25%, 22,140 sq. ft.
Lot and Density		
Lot Area	800 sq. ft.	1,926 sq. ft. ¹
Lot width at front building line	12'	24'
CRN Density Max (mapped)	C-0.25, R-0.75	C- 0.00, R-0.63

¹ The 1,926 sq. ft. value represents the current smallest lot size on the submitted plans. The Applicant requested flexibility at the time of record plat should final survey or review of the plat necessitate minor lot line adjustments. The Applicant may plat a lot as small as 1,800 sq. ft., so long as the decrease is the result of survey data and does not adjust the site layout, impact any of the minimum setbacks in the data table, or alter any height or setback compatibility findings.

Section 4.5 Zoning Data Table: CRN 0.75 C-0.25 R-0.75 H-45		
Standard	Required	Approved
Placement		
Front Setback	5'	18'
Side Street Setback	5'	N/A
Side Setback, abutting AG, RR, Residential Detached or Residential Town Zones	4'	22'
Side Setback, abutting other Zones	N/A	31'
Side Setback, end unit	2'	4'
Side Setback, between lot and site boundary	4'	10'
Rear setback, abutting AG, RR, Residential Detached or Residential Town Zones	10'	19'
Rear setback, Abutting other Zones	10'	N/A
Rear Setback, alley	4'	N/A
Rear Setback between lot and site boundary	5'	15'
Front Setback (BTA)	15'	19'*
Building in BTA	70%	0%*
Side Street Setback	N/A	N/A
Height		
Principal Building	45'	Lots 1, 8-20, 45' Lots 2-7, 38'
Form		
Units permitted per row	12	6
Entrance facing street or open space	required	provided
Blank Wall, front, max	35'	35' or less
Blank wall, side/rear, max	35'	35' or less
Section 6.2 Parking		
Vehicle Spaces (2 per DU)	38	45

This Amendment also changes the material used in the emergency vehicle turnaround/public plaza shown on the site plan from inlaid pavers to a colored and stamped patterned concrete. The pattern chosen continues to provide visual interest to the emergency vehicle turnaround, and the material used has greater durability and fewer long term maintenance concerns than the pavers. The Amendment still meets the landscaping requirements and standards and continues to adequately activate the Community Green.

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 § 59-7.3.4.H; and

BE IT FURTHER RESOLVED, that the date of this written resolution is OCT - 3 2016 (which is the date that this resolution 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).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Vice Chair Wells-Harley, seconded Commissioner Fani-González, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Fani-González and Cichy voting in favor, and Commissioner Dreyfuss absent at its regular meeting held on Thursday, September 29, 2016, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board