



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

MCPB
Item # _____
November 9, 2006



MEMORANDUM

DATE: September 27, 2006

TO: Montgomery County Planning Board

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

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

REVIEW TYPE: Preliminary Plan of Subdivision, Parcel A

APPLYING FOR: Two one-family detached residential lots

PROJECT NAME: Kwan Property

CASE #: 120060770 (Previously 1-06077)

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: R-200

LOCATION: Located on the west side of Duffie Mill Road, approximately 250 north of the intersection with Flint Grove Lane

MASTER PLAN: Potomac

APPLICANT: Jung-Chang & H. T. Kwan

ENGINEER: Apex Engineering

FILING DATE: January 25, 2006

HEARING DATE: November 9, 2006

STAFF RECOMMENDATION: Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to two (2) residential lots for the construction of two (2) one-family detached dwelling units.
- 2) Compliance with the tree save plan received by Environmental Planning on September 21, 2006.
- 3) Compliance with conditions of MCDPWT letter dated, April 20, 2006, unless otherwise amended.
- 4) Compliance with the conditions of the MCDPS stormwater management approval dated June 2, 2006.
- 5) Other necessary easements.

SITE DESCRIPTION:

Part of Parcel A ("Subject Property") is located in the Muddy Branch Watershed on the west side of Duffief Mill Road, approximately 250 feet north of the intersection with Flint Grove Lane (Attachment A). Surrounded by one-family residential dwellings, the Subject Property contains 1.10 acres and is zoned R-200. There is a dwelling which currently exists on the Subject Property. There are no forests or streams identified on the site.

PROJECT DESCRIPTION:

This is a preliminary plan of subdivision to create two (2) lots for the construction of two (2) one-family detached dwelling units, one of which already exists (Attachment B). Access to the site will be directly from Duffief Mill Road via private driveways. The proposed lots will be served by public water and public sewer.

ANALYSIS AND FINDINGS

Master Plan Compliance

The Potomac Master Plan did not specifically address the Subject Property but highlighted parcels recommended for changes in use and/or density. The master plan supports the retention and reconfirmation of existing zoning for all developed, underdeveloped, and undeveloped land in the subregion, except for those sites recommended for change. The Subject Property is located in North Potomac of the Potomac Master Plan Area and is not identified for change in use or density. The proposed preliminary plan is consistent with the master plan because it retains the one-family detached zoning.

Transportation

Local Area Transportation Review

The proposed development will generate less than 30 peak hour trips. Therefore, no Local Area Transportation Review (LATR) is required. Proposed vehicle and

pedestrian access for the subdivision will be safe and adequate with the proposed public improvements.

Environment

Environmental Guidelines

The Subject Property is in the Muddy Branch watershed, but contains no streams or environmentally sensitive areas and is not subject to the Planning Board's Environmental Guidelines.

Forest Conservation

The subject site qualifies for an exemption from submitting a forest conservation plan under section 22A-5(s) of the Montgomery County code, because it is less than 1.5 acres in size with no existing forest. An exemption to submit a forest conservation plan was granted on July 27, 2005 with the requirement that the applicant prepare a tree save plan.

The tree save plan proposes removal of eight large trees, only one of which is in good condition. The one good-condition tree is in the location of the proposed dwelling. Other trees to be removed are in poor to fair condition and are located either within the Dufief Mill Road right-of-way, in the public utility easement, or in the line of the proposed driveway. The tree save plan includes the retention of eight other large trees located around the existing house, along the property line to the north, and to the front of the proposed house. The Applicant proposes extraordinary measures to limit damage to the critical root zones of retained trees, such as, aeration and root protection matting under the driveway. The proposed tree save plan has been determined to be acceptable.

Stormwater Management

The MCDPS Stormwater Management Section approved the stormwater management concept for the project on June 2, 2006, which includes drywells, appropriate grading, vegetation stabilization and drainage.

Compliance with the Subdivision Regulations and Zoning Ordinance

Staff's review of Preliminary Plan #120060770, Kwan Property, indicates that the plan complies with Chapter 50 of the Montgomery County Code, Subdivision Regulations, in that public facilities will be adequate to support and service the proposed lot as demonstrated on the Data Table shown in Attachment C. Staff further finds that the size, width, shape, and orientation of the proposed and future lots are appropriate for the location of the subdivision. Staff has also reviewed the preliminary plan for compliance with the requirements of the R-200 zone and finds that it meets regulations as specified in the Zoning Ordinance. Building height is limited to 50 feet and will be

verified by the Montgomery County Department of Permitting Services upon review of the building permit application.

Community Outreach

This plan submittal pre-dated new requirements for a pre-submission meeting with neighboring residents, however, written notice was given by the applicant and staff of the plan submittal and the public hearing. As of the date of this report, no citizen correspondence has been received.

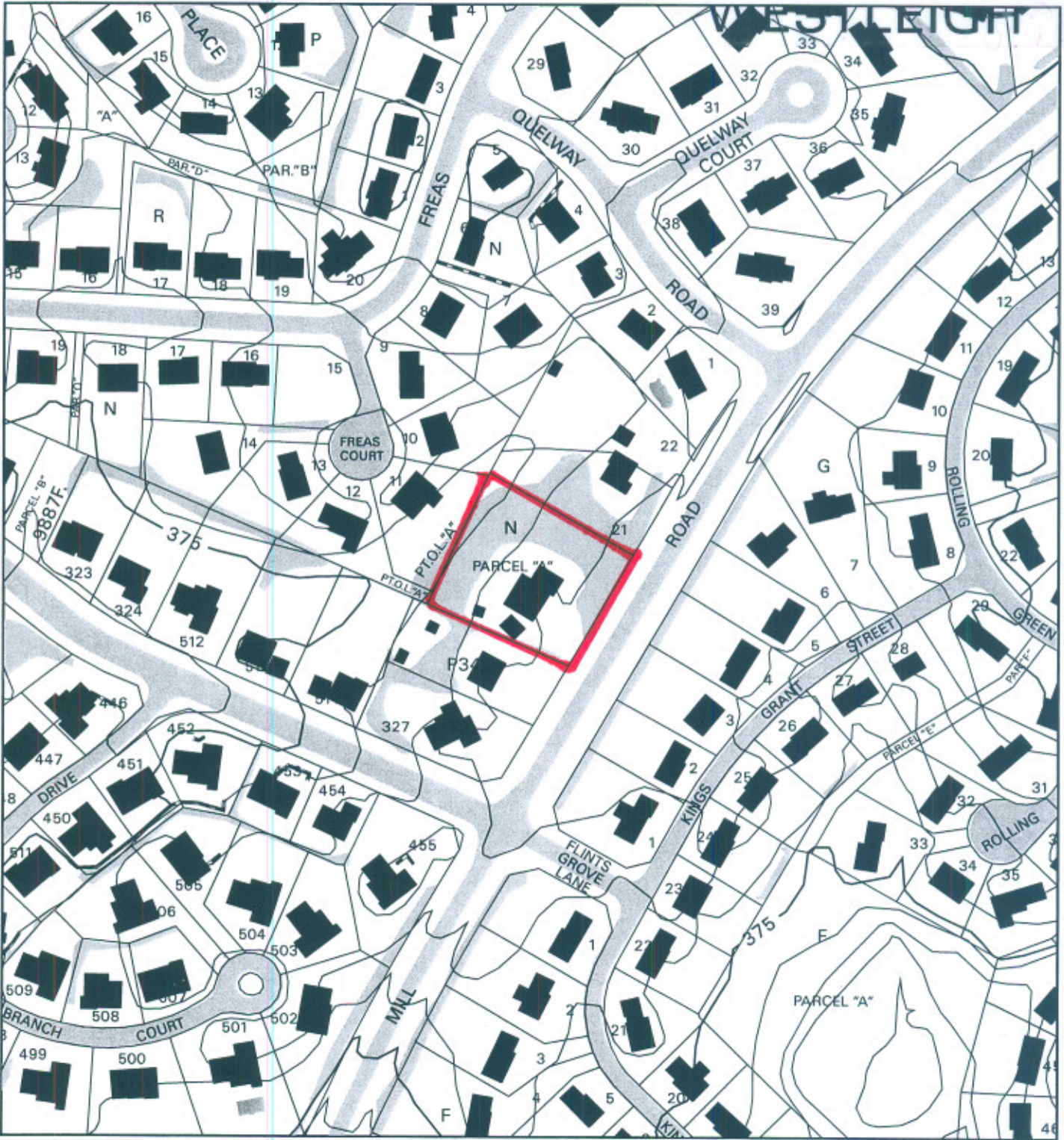
CONCLUSION:

The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance, and comply with the recommendations of the R-200 zone

Attachments

- Attachment A Vicinity Development Map
- Attachment B Proposed Development Plan
- Attachment C Preliminary Plan Data Table
- Attachment D Agency Correspondence

KWAN PROPERTY (120060770)



Map compiled on February 14, 2006 at 11:14 AM | Site located on base sheet no - 219NW11

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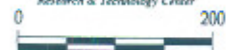
Key Map



N

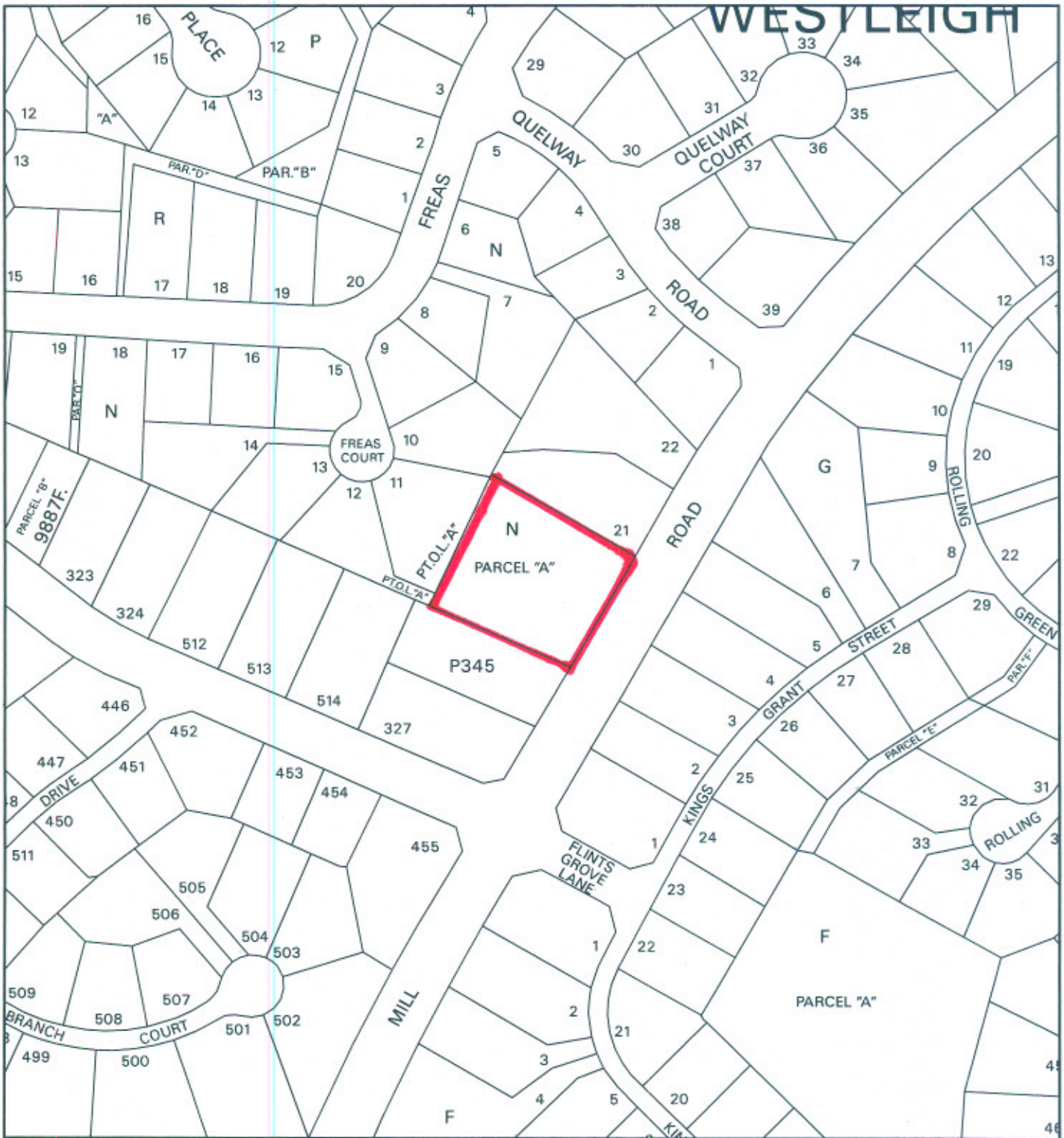


Research & Technology Center



1 inch = 200 feet
1 : 2400

KWAN PROPERTY (120060770)



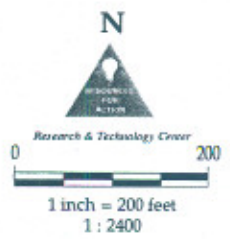
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2000, CLARKSON DRIVE, SUITE 100
 ROCKVILLE, MD 20850
 TEL: 301.584.1200 FAX: 301.584.1204

DATE	APR 2005
DESIGNED	CDB
CHECKED	CDB
SCALE	1"=50'

PROJECT LOCATION: PRELIMINARY PLAN

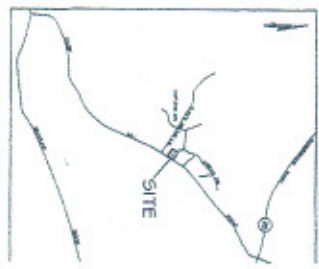


PRELIMINARY PLAN

PRELIMINARY PLAN

PRELIMINARY PLAN
 KWAN PROPERTY
 PARCEL A BLOCK N

OWNER
 JING-CHANG & H.T. KWAN
 14530 DUFFIE HILL ROAD
 GAITHERSBURG, MD 20878



VICINITY MAP
 SCALE: 1"=500'
 PROJECT NO. 2005010

GENERAL NOTES:

1. THE SUBJECT PROPERTY IS SHOWN AS PARCEL A ON THE MAP OF THE LOCAL SITE AREA IS 100 AC.
2. EXISTING ZONING IS R-1,000.
3. EXISTING SUBDIVISION IS RIVER FIELD SUBDIVISION BY ANNE KENNEDY/DAVIDSON 2003.
4. PROPOSED IMPROVEMENTS TO PARCEL A FIELD SUBDIVISION BY ANNE KENNEDY/DAVIDSON AS A SUBDIVISION REVISION.
5. THESE ARE THE PARTS OF THE FIELD SUBDIVISION ON PELLAS ON THIS SITE.
6. THERE IS NO LOT LINE INFORMATION ON THIS SITE.
7. EXISTING UTILITIES WITH A COVER OF 3" AND DEEPER HAVE BEEN FIELD SURVEYED.
8. THE LAYOUT HAS DETERMINED APRIL 8, 2005 (4-0205).
9. ACCORDING TO THE LOCALIZATION, A HOLE OR IS TO BE LOCATED ON THE NORTH CORNER HERE OF THE PROPERTY.
10. THE SITE IS ADJACENT TO THE HIGHWAY NUMBERED MICHIGAN 19-A AND CLARKS VIEW.
11. EXISTING UTILITIES: 4" WATER, 12" WATER, 12" SEWER AND 2" SMALL PIPES WITH PROPOSED 2' EXISTING RESPECTED TO BE MAINTAINED.
12. DEVELOPER'S INTENTION:
13. NUMBER OF LOTS: 2
14. AREA OF LOTS: 20000 SQ FT
15. AT FRONT DEVELOP LINE: 100'
16. AT REAR DEVELOP LINE: 100'
17. SIDE OF LOTS: 50'
18. DEPT. VARIOUS: 50'
19. EXISTING UTILITIES AND STREET CONTIGUOUS TO PARCEL A-1.
20. THIS PROJECT SHALL BE DEVELOPED IN ONE PHASE.
21. DEVELOPER/OWNER/ARCHITECT AND DESIGN AND THE PUBLIC UTILITY COMPANIES THAT WILL PROVIDE SERVICE TO THIS SITE.

OWNER / ARCHITECT CONTRACTOR

1. HAVING REVIEWED THAT THE CONTRACTOR IS FROM A CDDP STATE OR AVAILABLE THROUGH THE STATE CONTRACTORS LISTING OR BY NETWORK, VALUET SERVICE IN FEBRUARY 2005, I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE PROFESSIONAL STANDARDS AND ETHICS OF THE PROFESSION OF ARCHITECTURE, ENGINEERING AND SURVEYING, MARYLAND, UNTIL

DATE: 04/15/05

Preliminary Plan Data Table and Checklist

Plan Name: Kwan Property				
Plan Number: 120060770				
Zoning: R-200				
# of Lots: 2				
# of Outlots: 0				
Dev. Type: 2 one-family detached dwelling units				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval on the Preliminary Plan	Verified	Date
Minimum Lot Area	20,000 sq. ft.	21,564 sq. ft. is minimum proposed	<i>Dmcl</i>	August 21, 2006
Lot Width	100 ft.	Must meet minimum	<i>Dmcl</i>	August 21, 2006
Lot Frontage	25 ft.	Must meet minimum	<i>Dmcl</i>	August 21, 2006
Setbacks				
Front	40 ft. Min.	Must meet minimum	<i>Dmcl</i>	August 21, 2006
Side	12 ft. Min./ 25 ft. total	Must meet minimum	<i>Dmcl</i>	August 21, 2006
Rear	30 ft. Min.	Must meet minimum	<i>Dmcl</i>	August 21, 2006
Height	50 ft. Max.	May not exceed maximum	<i>Dmcl</i>	August 21, 2006
Max Resid'l d.u. or Comm'l s.f. per Zoning	2 dwelling units	2 dwelling units	<i>Dmcl</i>	August 21, 2006
Site Plan Req'd?	No	No	<i>Dmcl</i>	August 21, 2006
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street	Yes		<i>Dmcl</i>	August 21, 2006
Road dedication and frontage improvements	Yes		DPWT Memo	April 20, 2006
Environmental Guidelines	Yes		Environmental Planning memo	August 31, 2006
Forest Conservation	Yes		Environmental Planning memo	August 31, 2006
Master Plan Compliance	Yes		<i>Dmcl</i>	August 21, 2006
ADEQUATE PUBLIC FACILITIES				
Stormwater Management	Yes		DPS memo	June 2, 2006
Water and Sewer (WSSC)	Yes		WSSC	February 27, 2006
Local Area Traffic Review	N/A		<i>Dmcl</i>	
Fire and Rescue	Yes		MCDFRS	Feb. 27, 2006