



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

MCPB
Item # 8
November 2, 2006



MEMORANDUM

DATE: October 3, 2006

TO: Montgomery County Planning Board

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

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

REVIEW TYPE: Preliminary Plan of Subdivision, Resubdivision of Existing Lots 64 and 65

APPLYING FOR: Lot line adjustment for two one-family detached residential lots

PROJECT NAME: Carderock Springs

CASE #: 120070100

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

ZONE: R-90 and R-200

LOCATION: The Subject Property is located on the south side of Tomlinson Avenue, approximately 240 feet west of the intersection with Endicott Court

MASTER PLAN: Bethesda Chevy Chase

APPLICANT: Mr. and Mrs. Merrill Kramer

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

FILING DATE: August 22, 2006

HEARING DATE: November 2, 2006

STAFF RECOMMENDATION: Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to two (2) residential lots for two (2) one-family detached dwelling units.
- 2) Compliance with conditions of MCDPWT letter dated September 13, 2006, unless otherwise amended.
- 3) Other necessary easements.

SITE DESCRIPTION:

Lots 64 and 65 (“Subject Property”) are part of the Carderock Springs Subdivision, which was approved in 1958. The Subject Property is located on the south side of Tomlinson Avenue, approximately 240 feet west of the intersection with Endicott Court (Attachment A). Surrounded by one-family detached residential lots, the Subject Property contains 0.93 acres and is zoned R-90 and R-200. The property contains two (2) dwellings, which will remain. Access to the site is currently and will continue to be directly from Tomlinson Avenue. The property contains no environmentally sensitive features and is exempt from the forest conservation law.

PROJECT DESCRIPTION:

This application is submitted under the provisions of Chapter 50 of the Montgomery County Code, which requires any lot line adjustments which exceed five percent of the combined area of the lots affected by the adjustment to undergo preliminary plan review. The total area of the site is .93 acres (40,505 square feet). Five percent of the lot is approximately 2,025 square feet. The preliminary plan proposes to realign the lot lines for an exchange of property totaling 5,400 square feet. Approximately 2,700 square feet will be conveyed to the proposed Lot 84 and approximately 2,700 square feet will be conveyed to Lot 85. The property is served by public water and sewer.

ANALYSIS AND FINDINGS

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 single-family detached homes. The proposed resubdivision complies with the recommendations adopted in the master plan in that it does not change the existing one-family detached residential uses.

Transportation

Local Area Transportation Review

The proposal does not include new development. Therefore, no Local Area Transportation Review (LATR) is required. Vehicle and pedestrian access for the subdivision are safe and adequate.

Environment

The property is already developed and does not contain any environmentally sensitive features. Therefore, no environmental review is necessary.

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. The application meets all applicable sections including requirements for resubdivision as discussed below. Access and public facilities will be adequate to support the proposed lots and uses. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

The lots were reviewed for compliance with the dimensional requirements for the R-90 and R-200 zones 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 Attachment E. The application has been reviewed by other applicable county agencies, all of which have recommended approval of the plan.

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 lots 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. In this instance, the applicant has proposed an overall neighborhood of 31 lots for analysis purposes as shown in Attachment C. The overall neighborhood extends north to Tomlinson Lane, south to Tomlinson Avenue and east to Endicott Court. However, two (2) separate neighborhoods are being evaluated because each of the Subject Properties is located in different zones. Lot 84 is in the R-200 zone and Lot 85 is in the R-90 zone. The R-200 zoned neighborhood begins at the south side of Lot 84 and extends to the northern boundary of the overall neighborhood. The R-90 zoned neighborhood begins at the northern side of Lot 85 and extends south to the southern end of the overall neighborhood. 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.

C. 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 and graphical documentation support this conclusion:

Frontage: In the overall neighborhood of 31 lots, and the R-200 zoned neighborhood, lot frontages range from 19.62 feet to 313.89 feet. In the R-90 zoned neighborhood, the frontages range from 50 feet to 207.26 feet. The proposed Lot 84 has a lot frontage of 225.16 feet and Lot 85 has frontage of 78.10 feet. **The proposed lots will be consistent in character with the other lots in their respective and overall neighborhoods.**

Area: In the overall neighborhood of 31 lots, and the R-200 zoned neighborhood, lot areas range from 896 square feet to 30,680 square feet square feet in area. In the R-90 zoned neighborhood, the lot areas range from 2,632 square feet to 10,083 square feet. The proposed Lot 84 has an area of 8,777 and Lot 85 has an area of 7,700 square feet. **The proposed lots will be consistent in character with the existing lots in their respective and overall neighborhoods as they pertain to area.**

Lot Size: The lot sizes in the overall delineated neighborhood range from 9,375 square feet to 46,408 square feet. The lot sizes in the R-200 zoned neighborhood range from 10,026 square feet to 46,408 square feet. In the R-90 zoned neighborhood, the lot sizes range from 9,375 square feet to 19,194 square feet. The proposed Lot 84 has a lot size of 23,308 square feet and Lot 85 has a lot size

of 17,192 square feet. **The lot sizes of the proposed lots will be of the same character as the existing lots in their respective and overall neighborhoods.**

Lot Width: The lot widths in the existing overall neighborhood range from 48 feet to 260 feet. In the R-200 zoned neighborhood, the lot widths range from 73 feet to 260 feet. In the R-90 zoned neighborhood, the lot widths range from 48 feet to 162 feet. The proposed Lot 84 will have a lot width of 182 feet and Lot 85 will have a lot width of 71 feet. **The proposed resubdivision will be of the same character as the other lots in their respective and overall neighborhoods.**

Shape: In the overall neighborhood, three (3) of the existing lots in the neighborhood are corner lots, five (5) are pipestem lots, thirteen are irregular lots and ten are rectangular lots. In the R-200 zoned neighborhood, there are two (2) corner lots, five (5) pipestem lots and eight (8) irregular lots. In the R-90 zoned neighborhood, there is one (1) corner lot, five (5) irregular lots and ten (1) rectangular lots. **The proposed lots are also irregular in shape, and are consistent in character with the pattern of the existing irregularly shaped lots in the neighborhood.**

Alignment: There are three (3) corner lots and three (3) radial lots in the overall neighborhood and the remainder are perpendicular lots. In the R-200 zoned neighborhood, there are two (2) corner lots, thirteen (13) perpendicular lots. In the R-90 zoned neighborhood, there is one (1) corner lot, three (3) radial lots and 12 perpendicular lots. **The proposed lots are also perpendicular lots and will be of the same character as the other existing perpendicular lots in the respective and overall neighborhood.**

Residential Use: The existing lots and the proposed lots are residential in use.

Citizen Correspondence and Issues

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 date. As of the date of this report, no citizen letters have been received.

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. As set forth above, the two proposed lots are of the same character as the existing lots in Staff's recommended neighborhood. Therefore, the proposed

resubdivision complies with Section 50-29(b)(2) of the Subdivision Regulations and Staff recommends approval of the preliminary plan.

Attachments

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

CARDEROCK SPRINGS (120070100)

ATTACHMENT A



Map compiled on August 30, 2006 at 2:21 PM | Site located on base sheet no - 209NW08

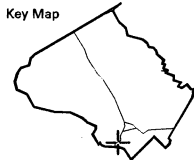
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Key Map



N

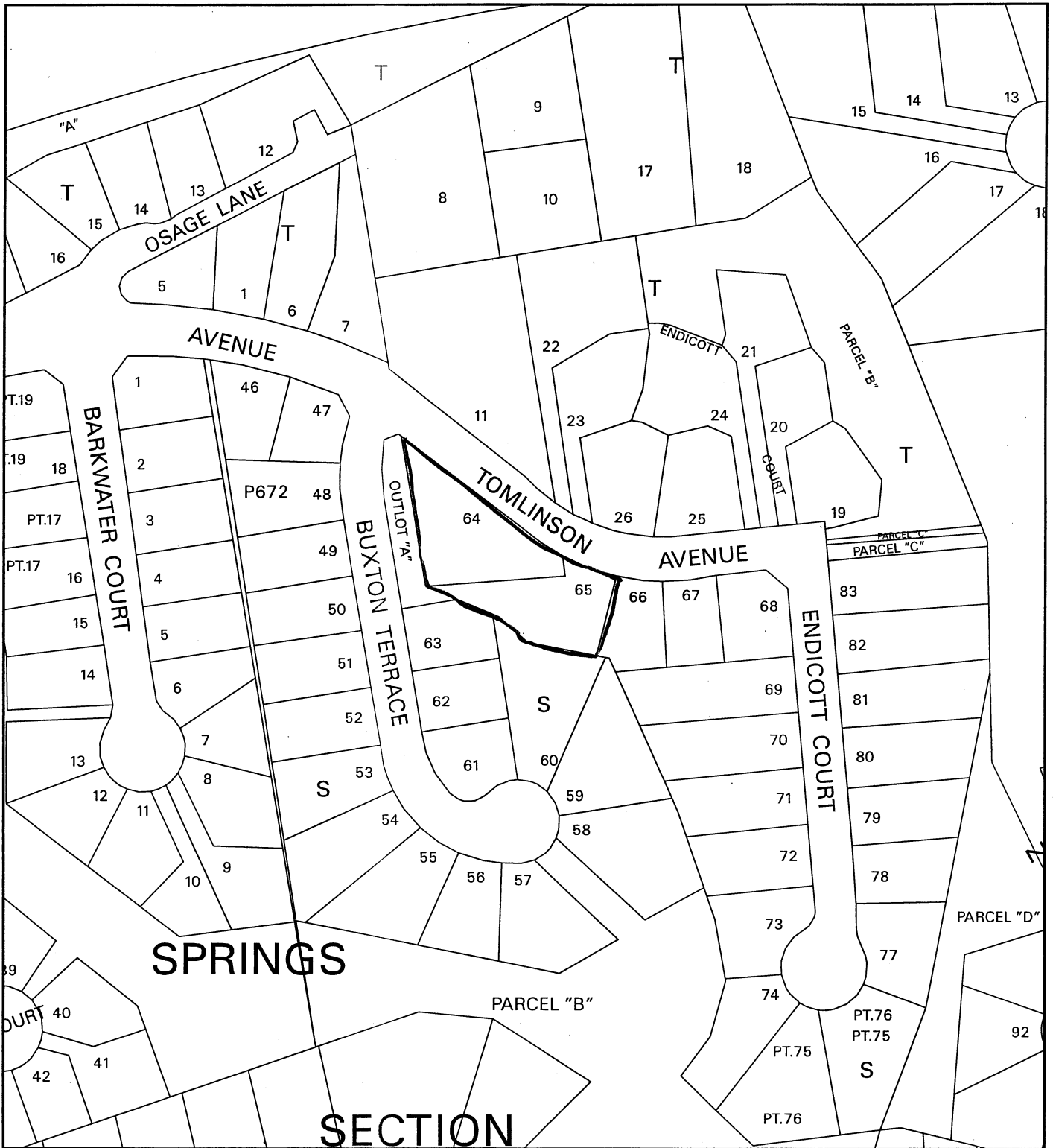


Research & Technology Center

0 200

1 inch = 200 feet
1 : 2400

CARDEROCK SPRINGS (120070100)



Map compiled on August 30, 2006 at 2:30 PM | Site located on base sheet no - 209NW08

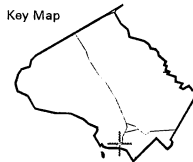
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Key Map



N

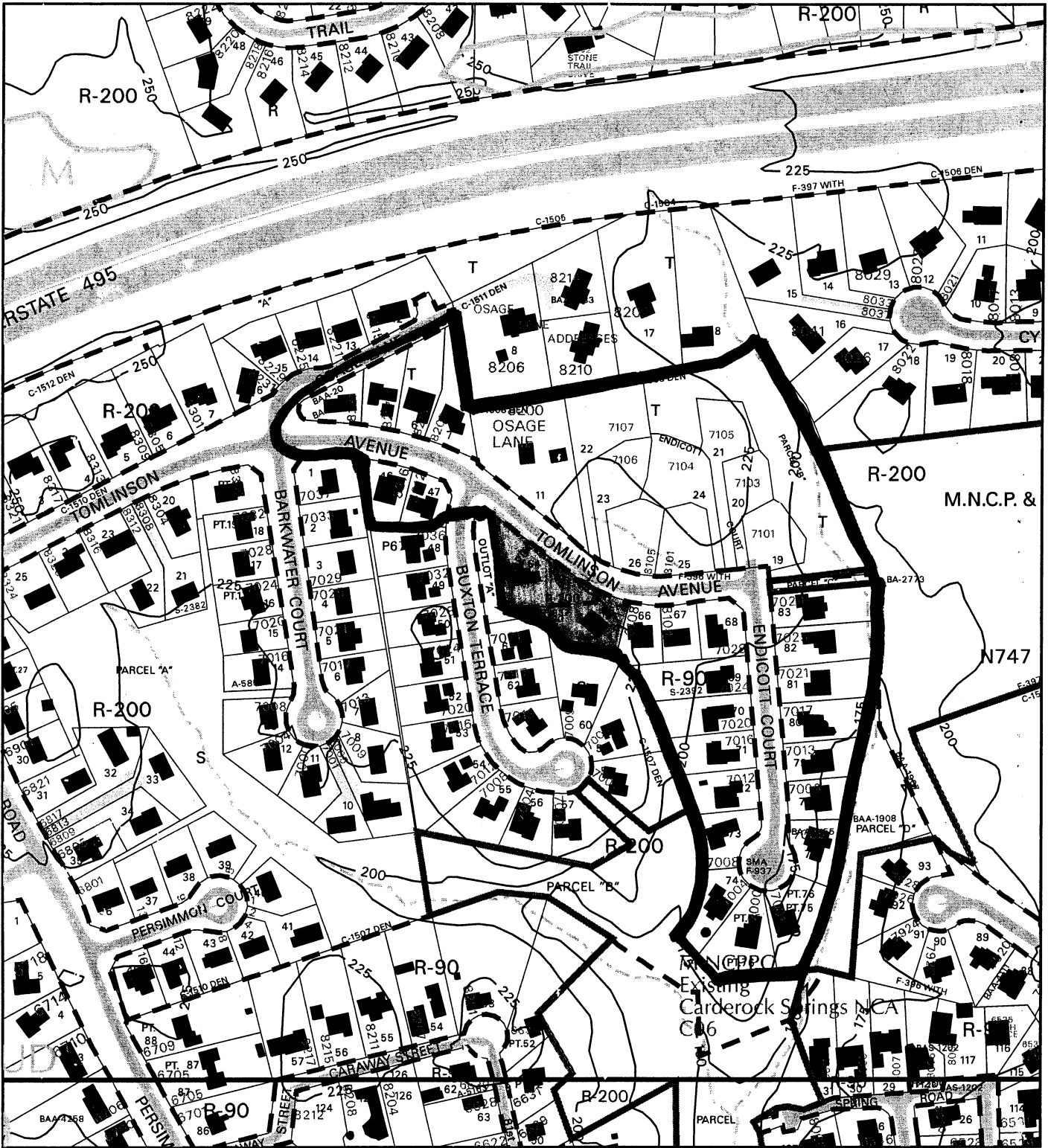


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1 inch = 200 feet
 1 : 2400

CARDEROCK SPRINGS (120070100)

ATTACHMENT C



Map compiled on October 16, 2006 at 11:30 AM | Site located on base sheet no - 209NW08

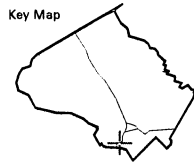
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Key Map



1 inch = 300 feet
1 : 3600

CARDEROCK SPRINGS								
Lot	Frontage	Size	Area	Width	Shape	Alignment	Use	Zone
1	74.00	11,682	4,657	59.40	Irregular	Perpendicular	Residential	R-200
5	313.89	10,026	896	75.60	Corner	Corner	Residential	R-200
6	74.00	16,269	8,739	61.20	Irregular	Perpendicular	Residential	R-200
7	110.43	15,007	7,051	76.00	Irregular	Perpendicular	Residential	R-200
11	293.24	46,408	30,680	260.00	Irregular	Perpendicular	Residential	R-200
19	47.10	14,587	5,219	99.00	Irregular	Perpendicular	Residential	R-200
20	25.47	13,738	5,268	76.00	Pipestem	Perpendicular	Residential	R-200
21	22.85	18,661	6,704	80.00	Pipestem	Perpendicular	Residential	R-200
22	34.18	28,502	8,921	141.00	Pipestem	Perpendicular	Residential	R-200
23	19.62	17,794	7,360	80.00	Pipestem	Perpendicular	Residential	R-200
24	25.03	22,084	10,546	134.00	Pipestem	Perpendicular	Residential	R-200
25	102.40	15,153	5,762	90.00	Irregular	Perpendicular	Residential	R-200
26	87.22	15,458	7,004	73.00	Irregular	Perpendicular	Residential	R-200
46	109.12	10,669	4,158	78.00	Irregular	Perpendicular	Residential	R-200
47	165.32	10,079	4,312	100.00	Corner	Corner	Residential	R-200
PROPOSED LOT								
84	225.16	23,308	8,777	182	Irregular	Perpendicular	Residential	
66	68.26	10,276	2,632	48.00	Irregular	Perpendicular	Residential	R-90
67	75.00	9,375	2,600	76.00	Irregular	Perpendicular	Residential	R-90
68	207.36	11,888	4,744	162.00	Corner	Corner	Residential	R-90
69	80.00	19,194	10,083	80.00	Rectangular	Perpendicular	Residential	R-90
70	80.00	17,108	8,407	80.00	Rectangular	Perpendicular	Residential	R-90
71	80.00	15,049	7,520	80.00	Rectangular	Perpendicular	Residential	R-90
72	83.04	13,750	6,707	83.04	Rectangular	Perpendicular	Residential	R-90
73	144.88	14,225	7,000	118.00	Irregular	Radial	Residential	R-90
74	50.00	15,260	7,402	56.00	Irregular	Radial	Residential	R-90
77	119.53	13,364	6,503	111.00	Irregular	Radial	Residential	R-90
78	52.32	11,514	5,706	71.00	Rectangular	Perpendicular	Residential	R-90
79	79.40	12,050	5,247	58.00	Rectangular	Perpendicular	Residential	R-90
80	79.40	13,821	6,414	57.00	Rectangular	Perpendicular	Residential	R-90
81	79.40	15,591	7,635	55.00	Rectangular	Perpendicular	Residential	R-90
82	79.40	16,717	7,950	56.00	Rectangular	Perpendicular	Residential	R-90
83	79.40	17,031	8,495	60.00	Rectangular	Perpendicular	Residential	R-90
PROPOSED LOT								
85	78.10	17,192	7,700	71	Irregular	Perpendicular	Residential	

Preliminary Plan Data Table and Checklist

Plan Name: Carderock Springs				
Plan Number: 120070100				
Zoning: R-90 and 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	(R-90) 9,000 and (R-200) 20,000 sq.ft.	17,196 sq.ft. is minimum proposed	<i>Dmu</i>	October 3, 2006
Lot Width	75 ft. R-90 100 ft. R-200	Must meet minimum	<i>Dmu</i>	October 3, 2006
Lot Frontage	25 ft.	Must meet minimum	<i>Dmu</i>	October 3, 2006
Setbacks				
Front	30 ft. Min. R-90 40 ft. Min. R-200	Must meet minimum	<i>Dmu</i>	October 3, 2006
Side	8 ft. Min./25 ft. total R-90 12 ft. Min./25 ft. total R-200	Must meet minimum	<i>Dmu</i>	October 3, 2006
Rear	25 ft. Min. R-90 30 ft. Min. total R-200	Must meet minimum	<i>Dmu</i>	October 3, 2006
Height	35 ft. Max. (R-90) 50 ft. Max. (R-200)	May not exceed maximum	<i>Dmu</i>	October 3, 2006
Max Resid'l d.u. per Zoning	2 dwelling units	2 dwelling units	<i>Dmu</i>	October 3, 2006
Site Plan Req'd?	No	No	<i>Dmu</i>	
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street	No		<i>Dmu</i>	October 3, 2006
Road dedication and frontage improvements	Yes		DPWT	Sept. 13, 2006
Environmental Guidelines	No		Environmental Planning Memo	Sept. 5, 2006
Forest Conservation	Exempt		Environmental Planning Memo	Sept. 5, 2006
Master Plan Compliance	Yes		<i>Dmu</i>	October 3, 2006
ADEQUATE PUBLIC FACILITIES				
Stormwater Management	Exempt		DPS Memo	Sept. 8, 2006
Water and Sewer (WSSC)	Yes		WSSC	Sept. 11, 2006
Local Area Traffic Review	N/A			
Fire and Rescue	Yes		MCFRS	Sept. 11, 2006