

# **Town of Chevy Chase**

## **Land Use Committee**

### **Minutes**

October 30, 2007

The Land Use Committee met at 7:00 p.m. on October 30, 2007. The meeting was attended by Council Liaison, Mayor Linna Barnes, Committee Chair, Julia Miller, and Committee Members, Lees Hartman, Donna Kirk, Dedun Ingram, Steve McConnell, Joseph Rubin, and Sue Hill. Jon Hiatt was absent.

The Committee approved the minutes of its October 24<sup>th</sup> meeting.

Linna circulated copies of revised maps—one depicting lots by size and the other focusing on size of houses on the west side of town. She also reported that she had conferred with counsel and determined that the town cannot regulate garages apart from accessory structures. She said she would inquire about the possibility of grandfathering in/exempting square feet from attics of existing houses and also to clarify whether the town can distinguish between garages and accessory structures for purposes of awarding bonuses.

The Committee decided by majority vote to recommend the exclusion of accessory structures up to 240 square feet from FAR. The exclusion would be for one structure only. For purposes of the checklist, it also decided that to qualify for a credit for a detached garage/accessory structure, the structure could be no more than 240 square feet, roughly the size of a one-car garage. The Committee, however, decided that there should be no restriction on the size of a side-loading garage. It also decided not to recommend that the town limit the number of accessory structures per lot.

All agreed that dormers should be taken off the checklist on the basis that dormers did not appear to be a significant part of town character and therefore should not be specifically encouraged. Members also agreed that a credit should not be provided for not building a garage.

The Committee decided to recommend that lot coverage not be reduced from the county maximum of 35%. Members noted that a 30 % lot coverage may be too restrictive on small lots, and that the county may be revising its lot coverage requirements shortly.

The Committee also addressed certain definitions. It voted to support the consultant's proposed definition for an "addition" and "established building height," but with modifications relating to corner lots and nonconforming structures/variances. To qualify as an addition, the Committee decided that a project must: retain 70 % of the wall plane of an existing house; and, except for existing 1 and 1.5 story house, include 60 % of the roof surface. Established building height should be defined as:

- The average height of all buildings that:
  - Are within 300 feet to each side of the side lot line (excluding corner lots)
  - Are along the same side of the street
  - Are between intersecting streets or to the point where public thoroughfare is denied
  - Exist at the time the building application request is filed
  - Are lawfully constructed.

For corner lots, a property owner may decide which street to use as his or her reference point.

The Committee further decided to request clarification and/or revised language from the consultants regarding their proposed definition for “plate height.”

There being no further business, the meeting was adjourned on or about 9:15 p.m.