

**Town of Chevy Chase**  
**Land Use Committee Minutes**

November 19, 2007

The Land Use Committee met at 7:00 p.m. on November 19, 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, and Joseph Rubin. Sue Hill was absent.

The Committee approved the minutes of its October 30<sup>th</sup> meeting.

Julia reported that the consultants are working with the town attorney in drafting legislation to present to the Council and planned to present their final draft and report on December 14. She explained that the legislation, assuming all is well, could be presented to the Council at its January 9 meeting. The Committee discussed the need for a town information meeting, a public hearing, and a Council worksession before a final vote by the Council is taken.

Linna reported that she wasn't able to confer with the town attorney concerning the proposed legislation before the LUC's meeting.

The Committee then focused on the following items:

**1. Consistency between accessory structure height limits under proposed legislation and setback laws.**

The Committee decided at a prior meeting to recommend the adoption of maximum heights for accessory structures to be 16 feet to the ridge or 12 feet (for a flat roof). Consistent with that decision, the Committee decided to recommend that the Town's setback laws pertaining to accessory structures be amended to provide a 12 foot (flat roof) and 16 foot (pitched roof) threshold for requiring increased setbacks. The current law uses a 12 foot/15 foot threshold.

**2. Checklist.**

The Committee discussed the following items on the recommended checklist.

1. Front yard surface treatment 10%. The Committee decided to seek clarification from the consultants. Because driveways/parking pads could easily take up 10 percent or more of a front yard, the Committee wondered whether they should be excluded from the definition. It also was noted that the Committee had voted to recommend to the town that it require that all driveways be permeable. It further observed that if driveways are excluded from the list, then the size of the exclusion should be limited.

2. Development of landscape plan conditions. The Committee decided to provide two separate items checking relating to trees.

1. All healthy, non-invasive shade trees on the property are preserved.
2. All healthy, non-invasive shade trees on the property are preserved and at least one new, non-invasive shade tree is added, provided that the tree has a minimum caliper of \_\_\_\_.

Dedun agreed to provide research on an appropriate minimum caliper.

It also discussed the potential of someone building an addition and receiving two credits and then coming back and building another addition and getting two more credits.

3. Reduced Building Coverage - max 25%. The Committee decided to add “reducing building coverage to 20 %” to the list, with the understanding that one could earn two credits by limiting FAR to 20 percent.

4. Low impervious surface coverage - max 30%. The Committee decided that it needed clarification from the consultants on what it intended to include in the definition of low impervious surface coverage.

5. Maximum front wall plane length without a 3'x5' offset. The Committee decided to seek further clarification from the consultants because of concerns with the idea of a notch. It decided that the 3' by 5' offset should be qualified by the word “minimum” to something more than a notch is preferred. The Committee decided that a 2-foot offset, either inwards or outwards, would be sufficient to achieve the wall plane break objective and it discussed the possibility of omitting the 5' dimension to provide more design flexibility.

6. Maximum side wall plane length without a 3'x5' offset. The Committee decided to seek further clarification from the consultants. It reiterated the same points as in no. 5 above, but thought that an 18 inch offset would be sufficient.

7. 2-story, rather than 2.5-story house. The Committee decided to include this item on the checklist.

8. One-story element(s) of minimum size, at front and side. The Committee decided to seek further clarification from the consultants on the type of elements that would be included in this item and whether minimum dimensions should be specified.

9. Wraparound porch. The Committee decided to seek further clarification from the consultants on minimum requirements for the wrap around the corner and minimum depth requirements.

10. Roof gable orientation to match typical on same side of same block. The Committee thought the word “typical,” was too vague and decided to seek feedback from the consultants on the following definition, which would clarify that there must be an established/predominant roof orientation on a given block.

Roof gable orientation to match typical on same side of same block, provided that there is a predominant roof orientation (established, uniform pattern) on the block on which the house resides.

It also decided to explore whether it made sense to restrict by block rather than 300 feet. If for example, a house were on a corner, the roof orientation should relate to those houses on the same block on the same side of the street rather than, perhaps, houses across the street in a different block, even though they were on the same side of the street.

11. Entry feature. The Committee decided that it needed further clarification on the definition of an entry feature as compared with a “one story element.”

12. No projections into side-yard setback, except chimney. The Committee decided to seek comments from the consultants on whether window wells should be added since they improve the liveability of a cellar/basement.

13. Shared driveway. The Committee considered but did not resolve whether the definition should include the following qualification:

. . . provided that there are no other driveways or parking pads on the property.

14. Side-entry attached garage. The Committee considered how to address corner lots which have two front yards. It decided that the definition should be worded to clarify that for corner lots, the side entry could not be on a front (ie. on a side facing the street).

15. Detached garage. The Committee decided that the detached garage should be limited to single car garages/accessory structures of a size up to 240 square feet.

16. Height of front entry level near ground plane. The Committee agreed to seek clarification from the consultants as to whether this item was taken off the check list.

17. Conservation easement. The Committee decided that it needed to research the town’s conservation easement program further before it could recommend a definition.

The Committee decided to postpone consideration of “historic landmarks” and suggestions for other items at its next meeting.

There being no further business, the meeting was adjourned at 9:30.