

Council hears infill testimony

■ Planning Board rejects proposal after council hearing

BY BRADFORD PEARSON
STAFF WRITER

The County Council was expected to hear from residents and builders at a public hearing Tuesday night on possible changes to legislation that sets new standards for homebuilding.

But that hearing, in which more than 20 people were signed up to testify, may have become less contentious after an announcement Tuesday afternoon in which a task force charged with determining those new standards came to an agreement.

The task force agreed that the effective date for when the legislation would go into effect if the County Council was to approve legislation should be extended from 20 days to 120 days. The group also agreed any existing homes should be grandfathered in

to the new legislation.

"I think what this demonstrates is that the representatives of the building industry now conclude that this is not objectionable," said County Councilman Roger Berliner (D-Dist. 1) of Potomac, who introduced the legislation in April.

Testimony Tuesday was expected to take place after The Gazette deadline. The legislation reflects recommendations from an "infill development" task force of builders, architects, residents and county planning staff that Berliner convened last year in response to residential teardowns and rebuilds in Montgomery County.

The legislation is set to go before the council's Planning, Housing and Economic Development Committee July 21.

In a vote Thursday, the Montgomery County Planning Board did not support the zoning text amendment. The board voted 2-2, and without a majority to support the amendment, it was opposed.

The board's comments and recommendations were forwarded to the County Council.

Commissioners Allison Bryant and Jean B. Cryor voted against the legislation. Planning Board Chairman Royce Hanson and Commissioner John Robinson voted for the measure.

The zoning text amendment that Berliner introduced in April, limits house size and height based on lot size instead of based on the zone in which it is built. The ordinance also uses increments of square footage to set guidelines for how much of a lot can be covered by a house, reduces the height limit in most single-family residential lots of 20,000 or more square feet and changes the way house setback limits are established. It also excludes certain architectural elements, such as porches and bay windows from lot coverage measurements.

The proposal requires a clear, codified method of calculating sloping lots. It mandates neighborhood notification of home demolition and rebuild projects, and requires builders to review neighborhood construction guidelines.

Bryant and Cryor said the changes would place an unfair burden on current homeowners. Cryor said something should be done to ease homeowners into compliance.

The agreement reached on Monday clarifies the grandfathering language, stating that if someone's house burns down, they would be able to build it back up to the original size, as opposed to the size determined by the new regulations.

At Thursday's hearing, two members of the infill taskforce testified, answering questions from the Planning Board.

"I think this is a good start," said Richard Mandell, a taskforce member. "But it really needs to go forward and get some more input."