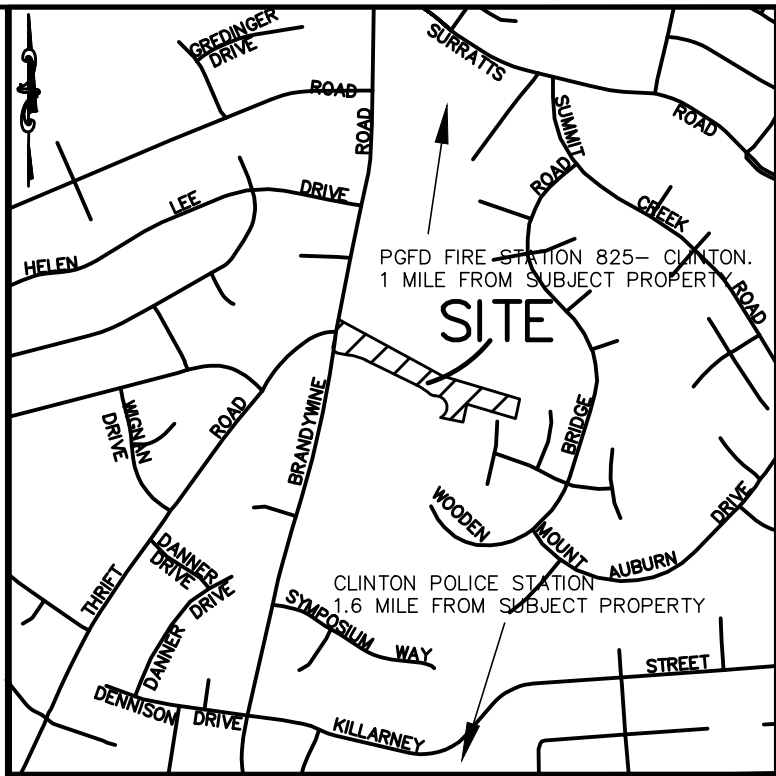




CAPITOL DEVELOPMENT DESIGN, INC.
ENGINEERS — PLANNERS — SURVEYOR'S

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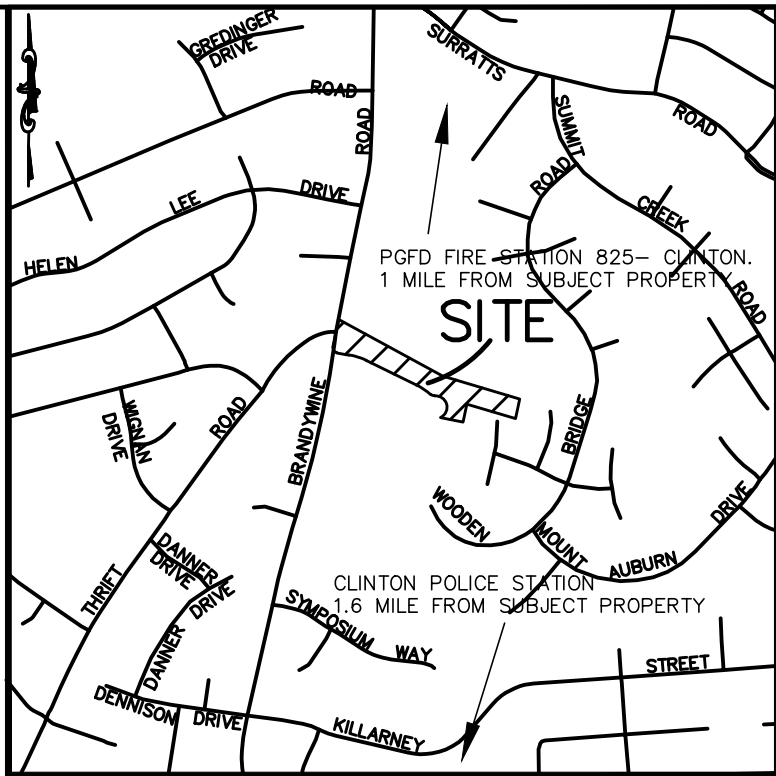


ADDITION TO
GLORIOUS SUBDIVISION
PARCEL 9, LOT 1,2&3, OUTLOT A&B
9TH ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MD

PRELIMINARY
PLAN
4-24018

REVISIONS

DATE: DEC., 2022	
DWN. RC	CHECKED MT
SCALE: 1" = 50'	
PROJECT/FILE NO. 22-118	
SHEET NO. 1 OF 1	



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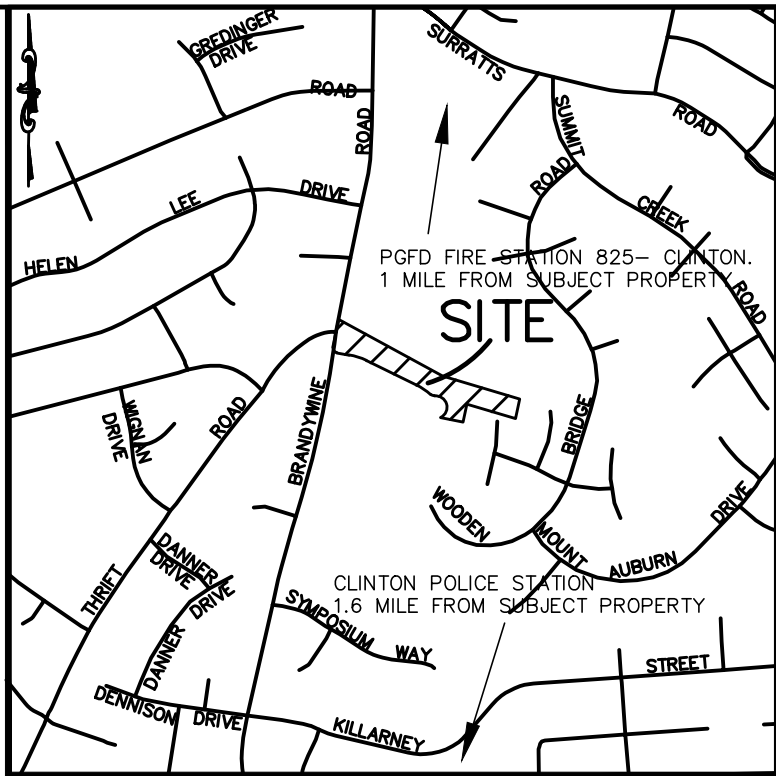


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STATEMENT OF JUSTIFICATION IN SUPPORT OF ELECTION
TO USE PRIOR SUBDIVISION AND ZONING ORDINANCES
REQUIRED PURSUANT TO SECTION 24-1904
ADDITION TO GLORIOUS SUBDIVISION
4-24018

Preliminary Plan of Subdivision 4-24018 is filed on behalf of Gabriel Akem, (the "Applicant"). This justification is submitted as required by Section 24-1904 to allow the application to be filed pursuant to the provisions of the prior Subdivision and Zoning Ordinances.

The property which is the subject of this application contains 2.95 acres of land and consists of part of Parcels 7 and all of Parcel 9 as depicted on Tax Map 125. The portion of Parcel 7 included in this application was previously included a prior preliminary plan of subdivision known as Glorious Subdivision, which was the subject of Preliminary Plan of Subdivision 4-23006, which was approved on November 9, 2023. Glorious Subdivision was approved for a total of 21 lots. After the approval of that subdivision, the Applicant acquired an abutting 2-acre property. Parcel 9 is accessed from Brandywine Road by a 10' driveway easement which extended through the Glorious Subdivision. In addition, the entrance road to the subdivision, Glorious Court, extends along the south side of Parcel 9. Since the Applicant did not own Parcel 9 at the time the prior subdivision was processed, one outlot was created to preserve the access easement which

extends along the northern property lines of Lots 1 and 2 in the Glorious Subdivision. In addition, another outlot was created to fill the gap between the dedicated public right of way for Glorious Court and the 2-acre parcel. Condition 13 of the Glorious Subdivision stated that "prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall either convey Outlots A and B to the owner of abutting Parcel 9, as identified on the approved preliminary plan of subdivision, or to the homeowners association.

After the approval of the Glorious Subdivision, the Applicant was able to acquire Parcel 9. The deed conveying Parcel 9 to the Applicant is recorded among the Land Records of Prince George's County at Book 49434, Page 14. The purpose of this subdivision is to add Parcel 9 to the Glorious Subdivision. Doing so will allow for the elimination of Outlots A and B. To seamlessly integrate Parcel 9 into the subdivision, three lots in the prior subdivision are included in this application (Lots 1, 2 and 3) in addition to Outlots A and B, bringing the total area included in the application is 2.95 acres. The Addition to Glorious Subdivision proposes a total of 9 lots for the construction of single family detached dwelling units in the RSF-95 (formerly R-80) zone.

Currently, the property contains a house and shed which was constructed in or about 1932. The house is in poor condition and will be razed. The subject property is bounded to the north by a

park and ride lot owned by Prince George's County and open land owned by the Summit Creek Homeowners Association. To the west, the property fronts Brandywine Road. To the south, the property abuts the future Glorious Court to be dedicated as part of the Glorious Subdivision and single family homes in the Summit Creek subdivision. To the west are addition homes in the Summit Creek Subdivision. These abutting properties are zoned RSF-95 (One-Family Detached Residential) and LCD (Legacy Comprehensive Design). The Applicant is proposing to build 9 single family dwellings. Three of the proposed lots are already approved as part of the Glorious Subdivision, but will be reconfigured as part of this subdivision and renumbered. One parcel is also proposed which will be conveyed to the homeowner's association. The Subject Property is zoned RSF-95 (formerly R-80). The proposed access to the Subject Property will be via the new street intersecting with Brandywine Road at the existing traffic signal serving the intersection of Thrift Road and Brandywine Road.

The Applicant has elected to utilize the provisions of the prior subdivision and zoning ordinance as expressly permitted by Section 24-1900 et. seq. and by Section 27-1900 et. seq. Pursuant to Section 24-4102 of the Subdivision Regulations, "All lots in a subdivision shall be in conformance with all of the lot standards and requirements of Subtitle 27: Zoning Ordinance, applicable to the land subject to the subdivision. (See PART 27-4: Zones and Zone Regulations, of Subtitle 27: Zoning Ordinance)." For the

reasons set forth below, the proposed development cannot conform to the requirements of Subtitle 27 set forth in the Zoning Ordinance but can conform to the requirements of the prior Zoning Ordinance.

As noted above, a portion of the property included in this subdivision was included in the prior Glorious Subdivision. The Glorious Subdivision was approved pursuant to the provisions of the prior zoning ordinance. To seamlessly integrate parcel 9 into the Glorious Subdivision and to reconfigure three already approved lots, this application is filed utilizing the same zoning and subdivision ordinance provisions as were used for the approval of the prior subdivision. Mixing the provisions of the two ordinances at this point would not be practical. Due to these unique circumstances, the Applicant has elected to utilize the prior Zoning Ordinance.



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