

LEGEND

- Existing 2' Contour
- Existing 10' Contour
- Ex Building
- Utility Easement
- Existing Treeline
- Ex Storm Drain
- Pr Storm Drain
- Property Boundary
- Ex Spot Elevation
- Soil boundary map

GENERAL NOTES

- Existing parcel/lot, deed description/Liber Folio, and Plat No.
- Tax Map Number & Grid:
- 200-Foot Map Reference:
- Purpose of Subdivision:
- Prior Approvals:
- Gross Tract Area:
- Net Developable Area Outside of PMA:
- Area of Regulated Environmental Features:
- Floodplain Area:
- Acreage of Road Dedication
- Existing Zone & Use:
- Proposed Use:
- Breakdown of proposed dwelling unit by type
- Density calculation
- Minimum Lot Size Required:
- Minimum Lot Size Proposed:
- Minimum Lot Width at Front Building/Front Street Required:
- Minimum Lot Width at Front Building/Front Street Proposed:
- Sustainable Growth Tier:
- Military Installation Overlay Zone:
- Existing Non-residential Gross Floor Area:
- Proposed Non-residential Gross Floor Area:
- Stormwater Management Concept Number / Date
- Water & Sewer Category Designation (Existing & Proposed):
- Method Of Sewage Disposal:
- This site is not within an Aviation Policy Area
- Mandatory Park dedication was previously satisfied by 4-08011 by payment of a fee-in-lieu.
- There are no cemeteries on or contiguous to the property.
- There are no Historic Sites on or within 1,000' of this site.
- Type One Tree Conservation Plan:
- The property is not within the Chesapeake Bay Critical Area.
- There are no nontidal wetlands on or adjacent to the property.
- There are no regulated streams on the property.
- Soil types are indicated on the NRL.
- The property is not in or adjacent to an easement held by the Maryland Environmental Trust, the Maryland Agricultural Land Preservation Foundation or any other land trust or organization.

OWNER/APPLICANT:

Alhaji Saccoh
Jamil-UI-Jail Islamic Organization, Inc.
10845 Lanham Severn Rd, Suite 12
Glenn Dale, MD, 20769
Phone: (301) 442-1058

PROFESSIONAL LAND SURVEYOR CERTIFICATION

A licensee was in responsible charge over the preparation of this drawing and surveying work reflected therein, which was done in accordance with the Maryland State Minimum Standards of Practice for Land Surveyors.
COMAR 09.13.06.12. License No. 21357 Expiration Date: 7/18/2025.



Michael W. Ulrich, L.S. Maryland Registration No. 21357

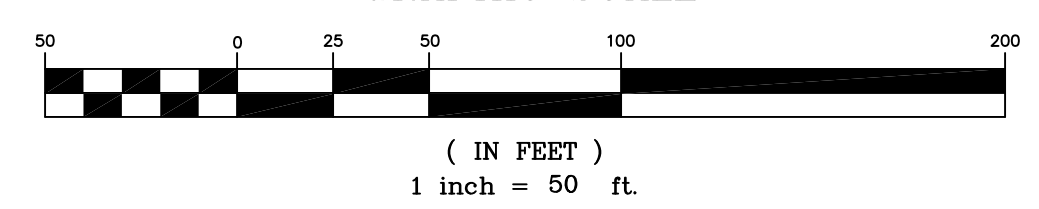
12/12/2025
Date

SOIL TYPES:

Map Unit	Description	K Factor	Hydro	Hydrologic group	Drainage Class
CcD	Christiana-Downer complex, 10 to 15 percent slopes	0.02 - 0.69	0	D	Well drained
RcD	Russell-Christiana complex, 2 to 5 percent slopes	0.02 - 0.69	0	C	Well drained
RuB	Russell-Christiana-Urban land complex, 0 to 5 percent slopes	0.02 - 0.69	0	C	Well drained

WARNING: UTILITIES SHOWN HEREON ARE APPROXIMATE ONLY AND WERE TAKEN FROM AVAILABLE SURFACE OBSERVATION, CONSTRUCTION DRAWINGS AND RECORDS. FOR MORE PRECISE LOCATION OF UNDERGROUND UTILITIES CALL "MISS UTILITY" AT 1-800-257-7777, 48 HOURS IN ADVANCE OF ANY WORK OR PRECISE DESIGN NEED IN THIS VICINITY. ADDITIONAL UTILITIES THAN THOSE SHOWN HEREON MAY EXIST. A PRIVATE UTILITY LOCATOR COMPANY MAY ALSO BE NEEDED AND ON PRIVATE PROPERTY.

GRAPHIC SCALE



"MISS UTILITY"
FOR LOCATION OF UTILITIES CALL
1-800-257-7777 48 HOURS IN ADVANCE
OF ANY WORK IN THIS VICINITY.

PPS-2022-036

Preliminary Plan of Subdivision

JAMIL UI JAIL ISLAMIC CENTER
PROPOSED LOTS 17, 18, 19 AND PARCEL B AND C
LANHAM (20th) ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND

REVISIONS
12/12/25 - MINOR PRE-APPROVAL COMMENTS

JOB NO.	W-705-A
SCALE:	1" = 60'
DRAWN BY:	JBB
CHECKED BY:	MGLF
DATE:	November, 2024

Site Design Inc
LAND PLANNING & LAND SURVEYING & ENGINEERING
5407 WATER ST. UNIT 206 - UPPER MARLBORO, MARYLAND 20772
UPPER MARLBORO
(301) 627-3100
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(301) 535-8600

**STATEMENT OF JUSTIFICATION IN SUPPORT
OF A VARIANCE FROM § 25-121(C) MINIMUM
WOODLAND CONSERVATION THRESHOLD**

The Applicant hereby requests a variance from Subtitle 25 of the Prince George's County Code (Woodland Conservation Ordinance) to allow woodland conservation thresholds to be satisfied off-site. The Subject Property consists of approximately 6.53 acres in the RSF-95 Zone on the north side of Annapolis Road approximately 500 feet east of the intersection of Annapolis Road and Forbes Boulevard, shown as Lots 1-16 and Parcel A of the Glenn View Subdivision recorded in Plat Book 233 at Plat 11 among the Land Records of Prince George's County ("Subject Property"). The Subject Property is the subject of Preliminary Plan of Subdivision No.: 2022-036 ("PPS") which proposes to resubdivide and consolidate the existing lots and parcels into Proposed Lots 17-19 and Proposed Parcels B and C. If the subject application is approved, Lots 17-19 would be improved with single-family detached homes, while Parcel B (~3.67 acres) would be improved with a place of worship, parking and stormwater management facilities.

Background:

The Subject Property was subdivided previously through Preliminary Plan of Subdivision No.: 4-08011 ("Previous PPS") to create sixteen (16) lots, one (1) parcel, two (2) outparcels and associated roadways. A final plat was recorded in Plat Book 233 at Plat 11 ("Record Plat") among the Land Records of Prince George's County. The sixteen (16) lots were to be improved with single-family detached homes that would front onto either Kendra Drive or Kings Whisper Lane, both of which terminated in cul-de-sacs that were only accessible via Diablo Avenue. If approved, the PPS will supersede the existing subdivision except that three (3) residential lots are proposed to remain on the west side of Kendra Drive.

Through the Previous PPS, the Subject Property is subject to TCP1-16-08 ("Previous TCP1"), which had a woodland conservation threshold of 20% or 1.31 acres. The threshold requirement was satisfied with 0.20 acres of on-site preservation, 0.10 acres of on-site reforestation, and 3.20 acres of off-site mitigation.

Request:

In accordance with the Woodland Conservation Ordinance, a "New TCP1" has been submitted in conjunction with the PPS to replace the Previous TCP1. The "New TCP1" also requires satisfying the minimum woodland conservation threshold of 20% or 1.31 acres pursuant to § 25-121. Unlike the Previous TCP1, the New TCP1 mandates that woodland conservation be satisfied on-site unless a variance in accordance with § 25-119(d) is approved. The Applicant proposes to meet this requirement through on-site conservation of .84 acres, .16 acres of landscaping and if this variance application is approved to provide the remaining 0.31 acres through off-site credits. Before addressing this application's conformance with the requirements of § 25-119(d), the Applicant would like to expound upon a recent Maryland Court case involving variances from Subtitle 25.

Subtitle 25 Variances:

In *Bhargava v. Prince George's County Planning Board*, 265 Md. App. 172 (2025), the Maryland Appellate Court was asked to review variances granted under Subtitle 25 of the Prince George's County Code. In the majority opinion Judge Kehoe begins with: "Despite the Appellants' efforts to frame this appeal as a zoning case, **it is manifestly not a zoning case.**" *Bhargava*, at 176 (emphasis supplied). This is important to consider because it is a reminder that "variances from the tree conservation ordinance are not considered zoning variances." *Bhargava*, at 180 (citing § 25-119(d)(6)).¹ Consequently, a woodland variance focuses on how the special features of the site affect the proposed use of the land, not its uniqueness like if it were a zoning variance. See *Bhargava*, at 197. The notice requirement under § 25-119(d) also elucidate the interested parties for a Subtitle 25 variance: the property owner and DNR. See *Bhargava* at 198.

Compliance with Section 25-119(d):

Variances may be granted where, owing to special features of the site or other circumstances, satisfying the conservation threshold requirement would result in unwarranted hardship to an Applicant. To approve the variance, the approving authority must make findings in accordance with the following criteria:

(A) Special conditions peculiar to the property have caused the unwarranted hardship;

Numerous special conditions exist to justify the requested variance: (1) this site was previously improved with residential uses that fell into disrepair; (2) is located in a well-developed area of the County with significant frontage on a state highway; (3) received development approval previously under significantly less woodland conservation requirements; (4) an additional 0.81 acres of woodland will be retained that does not count towards the threshold requirements. According to aerial imagery, by 1965 the site was previously developed with one or two single-family detached homes. The area around these homes filled in with trees and other vegetation so that by 1984 one home was gone, while the other appeared to hang on as a vacant and derelict structure until the 2010's when it was demolished. This return to nature is unique for property along Annapolis Road (MD 450)—especially with nearly 400 feet of frontage—where most sites were either developed or never improved with development.

As mentioned previously, through the Previous PPS, the Subject Property was approved for sixteen (16) single-family detached homes. Tree conservation requirements were approved through the Previous TCP1, which had the same woodland conservation threshold of 20% or 1.31 acres. In the previous development, the threshold requirement was satisfied with 0.20 acres of on-site preservation, 0.10 acres of on-site reforestation, and 3.20 acres of off-site mitigation.

¹ The updated section has been provided. The section cited by the Appellate Court of Maryland was revised via CB-20-2024.

Utilizing the same or similar conservation requirements as previously approved for the Subject Property, the Applicant would otherwise be able to retain seven (7) of the previous sixteen (16) single-family record lots along the west side of Kendra Drive.² However, to satisfy the more stringent requirements of woodland conservation promulgated by CB-20-2024, the Applicant must sacrifice five (5) of the remaining record lots. In lieu of eliminating the future use for all but two of the remaining residential (2), lots, this variance would allow the Applicant to develop one (1) additional lot for a total of three (3).

By only converting four (4) lots into woodland preservation area, the Applicant is still able to provide 0.84 acres of woodland. Using the various compliance methods under § 25-122(b), the Applicant can provide another 0.16 acres of landscape credit for a total of 1.00 acre of woodland conservation. But that is only the amount of woodland that is credited towards retention. In total an additional 0.81 acres of woodland will be retained even though it is not credited or must be “assumed cleared.” In other words, the Applicant proposes a total 1.81 acres of woodland conservation on the site even though only 1.0 acre is credited. The proposed on-site woodland—credited or not—is substantially increased even with the variance compared to the woodland being conserved under the Prior PPS and Prior TCPI. The Previous PPS was approved with only .30 acres of on-site preservation. The subject application increases credited on-site conservation by 300%, and provides an overall increase of 600% increase in credited and noncredited woodlands. Furthermore, the area denoted for woodland conservation allows for the retention of specimen trees in close proximity to each other. No additional specimen trees would be retained by eliminating residential lots or limiting residential development. Thus, there are no secondary or tertiary benefits to retain the woodland above and beyond retaining the woodland.

Maryland Courts have determined that unwarranted hardship means a denial of a use of the property that is both significant and reasonable. See Assateague Coastal Trust Inc., v. Schwalbach, 448 MD. 112, 139 (2016). Here it is uncontroverted that a denial of this variance will be an unwarranted hardship because the Applicant must already sacrifice 57% of the residential record lots to meet woodland conservation thresholds. Denial of this Variance would increase the percentage to 71%. Without the variance, the Applicant is denied the use of these lots for any economic use, which is both significant and reasonable, especially since the Applicant is providing conservation above what has been approved previously.

² The other nine (9) record lots on the east of Kendra Drive are being consolidated into a single lot for the future religious institution.

- (B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas;

Enforcement of these rules prohibits the development of the Subject Property with residential lots previously approved for the Subject Property. The Subject Property is located in a neighborhood characterized by the single-family development that is zoned RSF-95. Strict enforcement of these rules would deprive the Applicant of the right to develop recorded lots with residential uses. Through this resubdivision, the Applicant is required to eliminate and/or relinquish development rights to a minimum of four (4) record lots in the RSF-95 Zone that others have been able to develop. The Applicant is requesting a variance to prevent extinguishing development rights for five (5) or more recorded lots. Moreover, § 25-122(b)(1)(L) eliminated crediting woodlands on residential property provided the lot is less than one (1) acre that would otherwise count towards credited woodland conservation.

- (C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants;

No special privilege will be conferred on the Applicant. The Applicant has made reasonable efforts to satisfy the woodland conservation threshold requirements based on the existing facts and conditions of the Subject Property. As a compromise, and to substantially conform to the strict requirements of Subtitle 25, the Applicant is willing to relinquish property rights in more than 50% of the developable lots to meet woodland conservation thresholds.

- (D) The request is not based on conditions or circumstances which are the result of actions by the applicant;

This request is based solely upon the existing condition of the Subject Property. The Applicant proposes to resubdivide the Subject Property in accordance with Subtitle 24 of the Prince George's County to effectuate the development of a religious institution and three (3) single-family detached lots—uses that are both permitted in the RSF-95 Zone. The Applicant is making substantial efforts to comply with the strict requirements for woodland conservation.

- (E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; and

This request does not arise from any condition relating to the land or buildings upon neighboring properties.

- (F) Granting the variance will not adversely affect water quality.

This variance will not adversely affect water quality.

For all of the above-stated reasons, the Applicant respectfully requests approval of this Variance to provide off-site woodland conservation.

Respectfully submitted,

By:

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7850 Walker Drive, Suite 310
Greenbelt, MD 20770

Attorney for the Applicant

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