

R E S O L U T I O N

WHEREAS, Joe J. and Dorothy M. Gaffney is the owner of a .94-acre parcel of land known as Wildercroft, p/o Lot 5-9, Block C, Tax Map 43, Grid D-2 said property being in the 20th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on August 15, 2001, Joseph Gaffney filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 2 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-01066 for Wildercroft was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on November 8, 2001, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on November 8, 2001, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Variance Application No. VP-01066/01 and further APPROVED Preliminary Plan of Subdivision 4-01066, Wildercroft for Lots 22 and 23 with the following conditions:

1. Prior to the issuance of a building permit, the applicant, his heirs, successors and/or assigns shall pay an Adequate Public Facilities fee of \$2,160.00 per dwelling unit for the schools, unless fully offset by a school facility surcharge payment. This adequate public facilities fee would be placed in an account to relieve overcrowding at Lamont Elementary School.
2. Prior to signature approval, the preliminary plan shall be revised:
 - a. To provide the stormwater management plan concept approval number and the date of approval.
 - b. To provide reference to the approved variance for Lot 22 and the variance for Lot 23.
3. Development of this subdivision shall be in accordance with the approved Stormwater Management Concept Plan.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The property is located between Auburn and Chestnut Avenues, north of Third Street in New Carrollton.
3. Environmental - This site is not subject to the provisions of the Woodland Conservation Ordinance. Although the site is larger than 40,000 square feet in size, it contains less than 10,000 square feet of woodlands and is not subject to a previously approved Tree Conservation Plan.

There are no streams, wetlands, or 100-year floodplain found to occur on this property. The eastern portion of this site is wooded and scattered trees are located throughout the site. The site is located in the Brier Ditch watershed, which is a tributary to the Anacostia River. The soils found to occur on this property, according to the Prince George's County Soil Survey, include the sunnyside-urban land complex series, which pose no special problems for development. There are no rare, threatened or endangered species located in the vicinity of this property based on information provided by the Maryland Department of Natural Resources-Natural Heritage Program. No off-site noise impacts have been identified which would limit development of this site for the proposed use. No historic or scenic roads are affected by this proposal. The sewer and water service categories are S-3 and W-3.

4. Community Planning - The subject property is located within the limits of the 1994 Master Plan for Bladensburg-New Carrollton and Vicinity in Planning Area 69. The master plan recommends residential development at low-suburban density. The proposed development is in accordance with the master plan recommendation. There are no master plan issues associated with this application.
5. Parks and Recreation - In accordance with Section 24-134(a) of the Subdivision Regulations, the Park Planning and Development Division recommends that Lot 22 is exempt from the mandatory dedication of parkland requirement because it is improved with an existing dwelling. However, a fee-in-lieu for dedication is required for proposed Lot 23 because the land available for dedication is unsuitable due to its size.
6. Trails - There are no master plan trail issues associated with this application.
7. Transportation - The application is a preliminary plan of subdivision for a residential development consisting of two (2) single-family dwelling units. Of the two lots, one (1) has an existing dwelling, hence the remaining lot could generate 1 AM and 1 PM peak hour vehicle trips as determined using *Guidelines for the Analysis of the Traffic Impact of Development Proposals* (April 1989). Because the proposed development is adding only

one trip and thus a diminimus impact, there is no single intersection on which the development would impact.

The Transportation and Public Facilities Planning Division concludes that adequate access roads will exist as required by Section 24-124 of the Prince George's County Code.

8. Schools - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Regulations to Analyze the Development Impact on Public School Facilities* (revised January 2001) (CR-4-1998) and concluded the following:

Finding

Projected Impact on Affected Public Schools

Affected School Name	D.U. by Type	Pupil Yield Factor	Development Pupil Yield	5- Year Enrollment	Adjusted Enrollment	Total Projected Enrollment	State-Rated Capacity	Projected % Capacity
Lamont Elementary School	1 sfd	0.24	0.24	730	0	730.24	604	120.90%
Charles Carroll Middle School	1 sfd	0.06	0.06	712	736	736.06	909	80.97%
Parkdale High School	1 sfd	0.12	0.12	2001	0	2001.12	2007	99.71%

Source: Prince George's County Planning Department, M-NCPPC, January 2001

Since the affected Lamont Elementary School projected percentage of capacity is greater than 105 percent, the Adequate Public Facilities fee is \$2,160.00 per dwelling unit. The amount of the Adequate Public Facilities fee for schools shall be offset by the School Facilities Surcharge.

9. Fire and Rescue - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of fire and rescue facilities and concluded the following.:
 - a. The existing fire engine service at Riverdale Heights Fire Station, Company 13, located at 6101 Roanoke Avenue has a service response time of 4.84 minutes, which is within the 5.25-minute response time guideline.
 - b. The existing ambulance service at Riverdale Heights Fire Station, Company 13, located at 6101 Roanoke Avenue has a service response time of 4.84 minutes, which is within the 6.25-minute response time guideline.
 - c. The existing paramedic service at College Park Fire Station, Company 12,

located at 8115 Baltimore Avenue has a service response time of 6.39 minutes, which is within the 7.25-minute response time guideline.

- d. The proposed subdivision will be within the adequate coverage area of the nearest existing fire/rescue facilities for fire engine, ambulance and paramedic service.

The above findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*.

10. Police Facilities - The proposed development is within the service area for District I-Hyattsville Police Station. In accordance with Section 24-122.01(c) of the Subdivision Regulations, the existing county's police facilities will be adequate to serve the proposed Wildercroft development. This police facility will adequately serve the population generated by the proposed subdivision.
11. Health Department - The Health Department has no comment.
12. Stormwater Management - The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is not required. A Stormwater Management Concept Plan has not been approved to ensure that development of this site does not result in on-site or downstream flooding. Approval should occur prior to signature approval of the preliminary plan of subdivision. Once approved, development must be in accordance with this approved plan.
13. Variance - Section 27-442(d) of the Zoning Ordinance requires that a lot served by public water and sewer have a minimum width at the front building line of 80 feet. Since Lot 23 is proposed with a lot width of 74 feet, a six-foot variance is required. The proposed subdivision of the existing property is not resulting in the lot width provided. The width of the property is existing. The applicant is only proposing to divide the existing exceptionally elongated lot into two lots, dividing it in half for the construction of one additional dwelling fronting Chestnut Avenue. An existing dwelling is located opposite the proposed dwelling facing Auburn Avenue. A variance was previously approved for the lot width at the front building line for the construction of that dwelling on proposed Lot 22.

Section 27-230(a) sets forth the required findings for variance approval. A variance may only be approved if the Planning Board finds:

- A. **A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic condition, or other extraordinary situation of condition;** The subject property is exceptional narrow and elongated. The existing property is 579 feet long and an average of 74 feet wide, a configuration not shared by adjoining properties.

- B. The strict application of the Zoning Ordinance will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property;** Because of the unusual configuration of the property, the options for development in strict conformance with the Zoning Ordinance are very limited. The existing dwelling located on Lot 22 would have a rear yard of 410 feet deep and 74 feet wide if the variance were denied. By allowing the applicant to subdivide the property and construct an additional dwelling, this property will have a reasonable lot yield. The Board of Appeals, in their action on V-46-00, approved a reduction in the lot width at the front building line for Lot 22. The width of the property at no point meets the minimum of 80 feet for the R-R Zone.
- C. The variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan.**

Staff has reviewed the subject application and associated variances for compliance with the current Master Plan and General Plan and has found that the applications are in conformance with the recommendations for land use. Approval of the variance(s) would not alter the character of the subject property or the surrounding properties. Staff believes this application will not impair the intent, purpose, or integrity of the General Plan or Master Plan as proposed.

The applicant is proposing a land use in keeping with the recommendations of the Master Plan.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the adoption of this Resolution.

PGCPB No. 01-231

File No. 4-01066

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Brown, seconded by Commissioner Scott, with Commissioners Brown, Scott, Eley and Lowe voting in favor of the motion, and with Chairman Hewlett absent at its regular meeting held on Thursday, November 8, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 29th day of November 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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