

R E S O L U T I O N

WHEREAS, Son Thanh Tran is the owner of a .65-acre parcel of land in the 8th Election District of Prince George's County, Maryland, and being zoned R-R/L-D-O; and

WHEREAS, on June 21, 2005, Son Thanh Tran filed an application for approval of a Chesapeake Bay Critical Area Conservation Plan for the purpose of the construction of a single-family residence in the Chesapeake Bay Critical Area; and

WHEREAS, the application for approval of the aforesaid Chesapeake Bay Critical Area Conservation Plan, also known as Conservation Plan CP-05005 for Tantallon on the Potomac, Lot 8, 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 May 18, 2006, for its review and action in accordance with Zoning Ordinance, Subtitle 27, Section 27.548.11 (c), Prince George's County Code; and

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

WHEREAS, on May 18, 2006, 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 27, Prince George's County Code, the Prince George's County Planning Board APPROVED Conservation Plan CP-05005, Tantallon on the Potomac, Lot 8.

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

1. Site Description

The 0.65-acre property in the R-E/L-D-O Zones is at the terminus of Braemer Circle and is located within the Chesapeake Bay Critical Area. There are no streams or wetlands on the property. A portion of the property is 100-year floodplain. There are no steep slopes on the property. The Chesapeake Bay Critical Area Buffer does not occur on the property. Current air photos indicate that the site is mostly unwooded. No historic or scenic roads are affected by this proposal. There are no significant nearby noise sources and the proposed use is not expected to be a noise generator. No species listed by the State of Maryland as rare, threatened or endangered are known to occur in the in the general region. The Prince George's County Department of Environmental Resources has approved a stormwater design plan. The "Prince George's County Soils Survey" indicates that the principal soils on the site are in the Keyport series. The site is in the Developing Tier according to the General Plan.

2. Findings

On May 6, 2005, the Subdivision Review Committee determined that the conservation plan was in general conformance with the requirements of the R-R Zone, the L-D-O Zone, and the Chesapeake Bay Critical Area Conservation Manual; however, there were technical errors. The Environmental Planning Section received revised plans on April 11, 2006. The lot was platted on January 8, 1963, and is shown on Record Plat 46-16. The gross tract area is 28,620 square feet, there are 10,424 square feet within the 100-year floodplain, and the net tract area is 18,166 square feet. Section 27-442(b) Table 1, footnote 3 indicates that the minimum permitted net lot area is 10,000 square feet. This site is not subject to the provisions of the Woodland Conservation Ordinance because the entire site is within the Chesapeake Bay Critical Area. Based upon information provided by the State of Maryland, the plan correctly indicates there are no threatened or endangered species, no colonial waterbird nesting sites, no forests with interior dwelling bird species, no Natural Heritage Areas, no waterfowl staging areas, no anadromous fish spawning streams, no wetlands, and no tributary streams on the site. The maximum amount of impervious surface permitted per Section 27-548.17, footnote 4(A)(ii) of the Zoning Ordinance is 15 percent of the gross tract area, or 4,293 square feet. The plan proposes total impervious surface areas of 3,055 square feet, or 10.7 percent. The maximum amount of net lot coverage permitted by the Zoning Ordinance for Lot 8 is 25 percent of the net tract, or 4,454.5 square feet. The proposed net lot coverage is 4,421 square feet (24.3 percent). The permitted maximum height of the structure is 35 feet and the proposed height of the structure is 30 feet. The Prince George's County Department of Environmental Resources has approved a stormwater design plan. The plan proposes to meet the woodland requirements of the Chesapeake Bay Critical Area by providing on-site planting. No variances are needed for this proposed development.

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.

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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 Vaughns, seconded by Commissioner Clark, with Commissioners Vaughns, Clark, Eley, Squire and Parker voting in favor of the motion at its regular meeting held on Thursday, May 18, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 8th day of June 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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