

R E S O L U T I O N

WHEREAS, Emerge Homes, Inc. is the owner of a 0.41-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 September 28, 2005, Emerge Homes, Inc. filed an application for approval of a Chesapeake Bay Critical Area Conservation Plan for the purpose of constructing 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-05013 for Tantallon on the Potomac 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 December 22, 2005, for its review and action in accordance with Zoning Ordinance, Subtitle 27, 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 December 22, 2005, 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-05013, Tantallon on the Potomac for Lot 23.

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 0.41 acre property in the R-E/L-D-O zones is on the south side of Tantallon Drive and is located within the Chesapeake Bay Critical Area. There are no streams, wetlands or 100-year floodplain on the property. 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 wooded. 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. A Stormwater Design Plan has been approved by the Prince George's County Department of Environmental Resources. 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. Background

The proposal is for the construction of a single-family detached dwelling on a property in the R-R/L-D-O Zones recorded before December 1, 1985. A Chesapeake Bay Critical Area Conservation Plan is required prior to the issuance of any permit by the Prince George's County Department of Environmental Resources. The Planning Board is the final approving authority for Chesapeake Bay Critical Area Conservation Plans.

3. **Findings**

On October 21, 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 Conservation Manual. 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 25% of the gross tract area or 4,495.0 square feet. The plan proposes total impervious surface areas of 4,475 square feet or 24.8%. The maximum amount of net lot coverage permitted by the Zoning Ordinance for Lot 23 is 25% of the net tract or 4,495 square feet. The proposed net lot coverage is 4,475 square feet (24.8%). A Stormwater Design Plan has been approved by the Prince George's County Department of Environmental Resources. 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 Eley, seconded by Commissioner Vaughns, with Commissioners Eley, Vaughns, Hewlett voting in favor of the motion, and with Commissioner Squire absent at its regular meeting held on Thursday, December 22, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 26th day of January 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:JS:rmk