

R E S O L U T I O N

WHEREAS, a .47-acre parcel of land in the 5th Election District of Prince George's County, Maryland, and being zoned R-R/L-D-O; and

WHEREAS, on July 19, 2007, Glen and Feonia Cook filed an application for approval of a Chesapeake Bay Critical Area Conservation Plan for the purpose of 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-07001 for Tantallon North, Lot 1 Block K, 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 July 19, 2007, 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 no conditions; and

WHEREAS, on July 19, 2007, 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 Section 27-548.11 of Subtitle 27, Prince George's County Code, the Prince George's County Planning Board APPROVED Conservation Plan CP-07001, 12102 Autumn Lane, Fort Washington, Lot 1 Block K, for 1 dwelling unit with no conditions.

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

Site Description

The 0.47-acre property in the R-R and L-D-O zones is located on the east side of Autumnwood Lane between Aten Street and Swan Creek Road in the Potomac River basin. There are no streams, wetlands, or 100-year floodplain on the property. No buffers designated by the *Chesapeake Bay Critical Area Conservation Manual* occur on the property. The property 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 general region. A stormwater design plan is required. The Prince George's County Soil Survey indicates that the principal soils on the site are in the Keyport soil series. Neither the subject property nor any adjacent properties contain any network elements of the Green Infrastructure Plan. Except for noting that the property is within the Chesapeake Bay Critical Area, there

are no specific recommendations pertaining to the environmental elements of the Henson Creek Master Plan that relate to the subject property.

RECOMMENDED FINDINGS

1. On February 9, 2007, 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, technical errors were found. Revised plans were accepted on June 6, 2007. This site is not subject to the provisions of the Woodland Conservation and Tree Preservation 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.
2. The minimum net lot area required by Section 27-442 Table I of the Zoning Ordinance is 20,000 square feet. The net lot area as indicated in the Land Records at WWW 87-50 is 20,652 square feet.
3. The maximum amount of impervious surfaces permitted per Section 27-548.17, footnote 4 A(ii) of the Zoning Ordinance is 25 percent of the gross tract area or 5,163 square feet. The plan proposes total impervious surfaces of 5,100 square feet or 24.7 percent.
4. The maximum percentage of lot coverage permitted by Section 27-442 Table II of the Zoning Ordinance is 25 percent of the contiguous net tract area or 5,163 square feet. The proposed percentage of lot coverage is 5,100 square feet or 24.7 percent.
5. The minimum lot width at the street frontage permitted by Section 27-442 Table III of the Zoning Ordinance is 70 feet. The lot width at the street frontage is 105.0 feet.
6. The minimum lot width at the building line permitted by Section 27-442 Table III of the Zoning Ordinance is 100 feet. The lot width at the proposed building line is 105.0 feet.
7. The minimum front yard setback permitted by Section 27-442 Table IV of the Zoning Ordinance is 25 feet. The proposed front yard setback is 50 feet.
8. The minimum side yards permitted by Section 27-442 Table IV of the Zoning Ordinance are a total of 17 feet with a minimum of 8 feet. The proposed side yards are 16 and 9 feet for a total of 25 feet.
9. The minimum rear yard required by Section 27-442 Table IV of the Zoning Ordinance is 20 feet. The proposed rear yard is 70 feet.
10. The maximum height permitted by Section 27-442 Table V of the Zoning Ordinance is 35 feet.

The proposed height is 30 feet.

11. Some woodland will be removed to allow construction. *The Chesapeake Bay Critical Area Conservation Manual* requires replacement on-site or the use of a fee-in-lieu. The plan proposes planting 42 trees on-site to meet the woodland conservation requirement. Regulations require that all planting be completed prior to the issuance of a use and occupancy permit.
12. Prince George's County will require a soils report in conformance with CB-94-2004 during the building permit process review.
13. Stormwater management will be accomplished by creating the bioretention area shown on the plan.
14. 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, Cavitt, Squire and Parker voting in favor of the motion at its regular meeting held on Thursday, July 19, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 13th day of September 2007.

R. Bruce Crawford
Executive Director

By Frances J. Guertin
Planning Board Administrator

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