

R E S O L U T I O N

WHEREAS, Marc L. Holloway is the owner of a 1.03-acre parcel of land in the 8th Election District of Prince George's County, Maryland, and being zoned R-E/L-D-O; and

WHEREAS, on August 1, 2005, Marc L. Holloway filed an application for approval of a Chesapeake Bay Critical Area Conservation Plan for the purpose of an addition to 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-99007/01 for River Estates, 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 September 15, 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 September 15, 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-99007/01, River Estates for 1 lot.

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 1.03-acre property is on the west side of Riverview Road south of Sero Estates Drive and is located within the Chesapeake Bay Critical Area. There are no streams, wetlands, 100-year floodplain, or Chesapeake Bay Critical Area buffer on the property. There are no steep slopes on the property. Current air photos indicate that the site is 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. A stormwater design plan has been approved by DER. The "Prince George's County Soils Survey" indicates that the principal soils on the site are in the Sassafras series. The site is in the Developing Tier according to the General Plan.

2. Background

On August 26, 2005, the Subdivision Review Committee determined that the conservation plan was in conformance with the requirements of the R-E Zone, the L-D-O Zone and the "Chesapeake Bay Critical Area 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 surfaces permitted for Lot 2 by CP-93012/01 is 6,712 square feet. The proposed amount of impervious surfaces is 3,800 square feet. The maximum amount of net lot coverage permitted by the Zoning Ordinance for Lot 2 is 20 percent of the net tract, or 8,950 square feet. The proposed net lot coverage is 5,600 square feet (12.5 percent). Afforestation required by the "Chesapeake Bay Critical Area Conservation Manual" has been provided on other lots in the subdivision in conformance with CP-93012/01. 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, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September 15, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of October 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:JS:rmk