

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on March 29, 2007, regarding Detailed Site Plan DSP-02029 for Westin, the Planning Board finds:

1. **Request:** The subject application is a request to exempt Lots 1 and 32 of the Westin Subdivision from Condition 1 (m) of Planning Board Resolution PGCPB No. 02-202 because the houses on the two lots in question have been constructed without conforming to the requirements of Condition 1 (m).
2. **Location:** The Westin Subdivision site is located on the west side of Largo Road (MD 202), approximately 2,500 feet south of its intersection with MD 193. The ingress/egress for the subject site is located directly across from Waterfowl Way on the east side of MD 202, an entrance into the Perrywood development. Specifically, Lot 1 is located at 14101 Waterfowl Way and Lot 32 is located at 14104 Waterfowl Way, Upper Marlboro.
3. **Background:** The Westin Subdivision is a 26.54-acre residential development of 50 single-family detached houses in the R-R (Rural Residential) Zone. The Planning Board approved Preliminary Plan of Subdivision 4-01103 for this site on March 28, 2002 and Detailed Site Plan DSP-02029 on October 3, 2002. Condition 1 (m) in the Planning Board Resolution PGCPB No. 02-202 for approval of DSP-02029 has the following specific requirements for the end walls of the houses to be built on four lots:

- m. **Lots 1, 31, 32, and 50 shall be identified as specialty lots with a large asterisk. The endwalls on these units most visible from the street shall be brick with at least three endwall features.**

The applicant, Patriot Homes, in a letter dated July 28, 2006 (Allen to Adams) explained that the three-end-wall feature note was missed at time of construction and that both lots had received final inspections by the County. The house constructed on Lot 1 has the required brick end wall but with only two windows, which is one feature less than the required three end wall features. The house constructed on Lot 32 has a stone veneer and only one window, which is two features less than the required three end wall features. The stone veneer is usually considered as equivalent to and a satisfactory substitute for the brick requirement. Pursuant to this condition, Lots 1 and 32 fail to meet the three-end-wall feature requirement. Lots 31 and 50 have been constructed in accordance with this requirement.

4. **Conformance with PGCPB No. 02-202:** The houses on Lots 1 and 32 have been constructed without the required end wall features and occupied by the respective owners. The applicant has prepared a supplemental landscaping plan in front of the two end walls to screen them from the adjacent streets. The supplemental tree plantings proposed for Lot 1 includes one Foster American Holly and one Pink Flowering Dogwood and shrub plantings include six Sargent Junipers, four Compact Japanese Hollies, six Little Princess Spireas and 10 Black Eyed Susan perennials. The supplemental tree plantings proposed for Lot 32 includes one Dark American Arborvitae and shrub plantings include six Compact Pfitzer Junipers, six Spirea Janonicas "Little Princess", three Doublefile Viburnums and 15 Daylilies.

The Urban Design Section believes that the requirement for a certain number of features on the end walls that are visible from the street is intended to achieve a high quality design and development. The provision of additional landscape planting to screen the end walls in question from the public street is a constructive suggestion but does not address the fundamental intent of the Planning Board resolution.

5. The detailed site plan request to modify the applicability of Condition 1 (m), does not represent a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code, as required by Section 27-285. The Planning Board's previously approved Condition 1(m) requiring upgraded architectural treatment of the end walls facing public streets can be achieved without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use, and will contribute to the unified, harmonious use of materials and styles called for by site design guideline 27-274 (a)(10)(A).

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and DISAPPROVED the Detailed Site Plan DSP-02029/02.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board=s action must be filed with the District Council of Prince George=s County within thirty (30) days following the final notice of the Planning Board=s decision.

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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 Clark, seconded by Commissioner Vaughns, with Commissioners Clark and Vaughns voting in favor of the motion, with Commissioner Eley opposing the motion, and with Commissioners Squire and Parker absent at its regular meeting held on Thursday, March 29, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 19th day of April 2007.

R. Bruce Crawford
Executive Director

By Frances J. Guertin
Planning Board Administrator

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