

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Final Subdivision Plat 5-02018
Variance VF-02018
Lot 13, Houghs Park

OVERVIEW

The subject plat proposes two lots that are a consolidation of three contiguous lots (Lots 2, 3 and 4, Block 3) created by a subdivision plat, Houghs Park, recorded in 1946 (Plat Book 10, plat no. 50). The final plat application was submitted in accordance with Section 24-108(a)(3) of the Subdivision Regulations which permits the consolidation of lots that are the subject of a record plat. Proposed Lot 13 consists of 9,962 square feet. The lot meets current zoning requirements except for the lot width at the front building line. A variance of 8.55 feet is requested.

SETTING

The lots are located at the intersection of Muir Drive and Loch Court in Fort Washington. Both lots are currently owned by the applicant and are improved with single-family dwellings that were constructed in the early 1950s. The lots are zoned R-80 and met the zoning requirements when subdivided in 1949. The purpose for this plat is to adjust a common lot line to eliminate the encroachments of a porch and concrete slab that currently exist on the site.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. Variance Requests On March 17, 1998, the District Council adopted CB-11-1998. The purpose of this legislative amendment to the Zoning Ordinance is to authorize the Planning Board to grant variances in conjunction with certain applications. Specifically, the Ordinance established the following authority:

Section 27-239.03. District Council and Planning Board authority.

When the District Council or Planning Board makes a final decision in a zoning case, site plan, or other request, the District Council or Planning Board shall have the authority to grant variances from the strict application of this Subtitle in conjunction with its approval. The Council and Planning Board shall be governed by the provisions of Section 27-230 when it grants the variance.

The request to approve variances in conjunction with a final plat of subdivision involves a final decision by the Planning Board. The subject application has no associated preliminary plat. This variance is in conjunction with a final plat to adjust common lot lines. To eliminate existing encroachments on the site will require a variance on proposed Lot 13.

A variance of 8.55 feet is requested for the width at the front building line for Lot 13 and is contained in variance application VF-02018. Section 27-442(d) Table III requires 75-foot width at the front building line. Lot 13 has a width of 66.45 feet.

Section 27-230(a) of the Zoning Ordinance states that a variance may only be granted when the Planning Board finds that:

1. *A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations or conditions.* When these lots were created, they met the minimum standards. Because of the existing narrow shape of this lot and the fact that the house does not encroach into any required yards and no new ■building• development is proposed, it is an extraordinary situation.
2. *The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property.* The strict application of this Subtitle will result in practical difficulties for the owner of the property. If this consolidation is not permitted, the applicant will be unable to improve an existing situation while both properties are in their ownership. The approval of this plat and variance will eliminate the encroachments of existing structures.
3. *The variance will not substantially impair the intent, purpose or integrity of the General Plan or Master Plan.* The variance will not substantially impair the intent, purpose or integrity of the General Plan or Master Plan. The shifting of property lines is in accordance with Section 24-108(a)(3) to accommodate existing single-family dwelling units on each lot. The consolidation plat will allow the newly created property line to validate the physical boundary created by existing structures and would not alter the character or appearance of the neighborhood.

Staff supports the granting of the variance for Lot 13 for 8.55 feet.

RECOMMENDATION

STAFF RECOMMENDS APPROVAL OF THE FINAL PLAT OF SUBDIVISION 5-00201 AND VARIANCE VF-02018.