



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

DATE:

TO: Fern V. Piret, Planning Director

FROM: Cynthia Fenton, Planner Coordinator

PROJECT NAME: Loveless Estates

PROJECT NUMBER: AC-07016

COMPANION CASE: Permits 5873-5874; 5878- 5879-2007-SGU

ALTERNATIVE COMPLIANCE COMMITTEE REVIEW

Recommendation: ☒ Approval ☐ Denial

Justification: SEE ATTACHED

Reviewer's Signature

PLANNING DIRECTOR'S REVIEW

☒ Final Decision ☒ Approval ☐ Denial

☐ Recommendation ☐ Approval ☐ Denial

☐ To Planning Board

☐ To District Council

☐ To Zoning Hearing Examiner

Planning Director's Signature _____

APPEAL OF PLANNING DIRECTOR'S DECISION

Appeal Filed:

Planning Board Hearing Date:

Planning Board Decision: ☐ Approval ☐ Denial

Resolution Number:

Alternative Compliance: AC-07016
 Name of Project: Loveless Estates
 Underlying Case: Permit 5873-5874; 5878-5879-2007-SGU.
 Date: July 16, 2007

BACKGROUND

The subject property, Loveless Estates, is located in Brandywine, east of Branch Avenue and north of Moores Road. The site is zoned R-R (Rural Residential). The subject property is currently being developed with single-family detached dwellings. This request for alternative compliance is in conjunction with four building permits for new construction of single-family dwelling units. The property is surrounded on all sides by R-R zoned properties. A portion of the subject property, at its southeastern boundary, abuts Southern Maryland Electric Cooperative (SMECO) transmission lines, a Medium Impact use. The subject site is considered a Low Impact use. Therefore, alternative compliance is requested from Section 4.7 for a **Type “C”** bufferyard for all four lots.

LOT 6

4.7 Buffering Incompatible Uses:	REQUIRED	PROVIDED
Length of bufferyard:	262 feet	262 feet
Building setback:	40 feet	37.5 feet
Landscape yard:	30 feet	30
Fence or wall:	No	No
Existing Woodland:	Yes	194 feet or 74%
Plant units required	82	93

LOT 7

4.7 Buffering Incompatible Uses:	REQUIRED	PROVIDED
Length of bufferyard	319 feet	319 feet
Building setback	40 feet	32.5 feet
Landscape yard	30 feet	25-30 feet
Fence or wall	No	No
Existing Woodland	Yes	122 feet or 38%
Plant units required	238	272

LOT 11

4.7 Buffering Incompatible Uses: Identify property line and adjoining use	REQUIRED	PROVIDED
Length of bufferyard	119 feet	119 feet
Building setback	40 feet	36 feet
Landscape yard	30 feet	30 feet
Fence or wall	N/A	N/A
Existing Woodland	Yes	68 feet or 57%
Plant units (per 100 l.f.)	62	79

LOT 12

4.7 Buffering Incompatible Uses: Identify property line and adjoining use	REQUIRED	PROVIDED
Length of bufferyard	330 feet	330 feet
Building setback	40 feet	35.2 feet
Landscape yard	30 feet	25-30 feet
Fence or wall	N/A	N/A
Existing Woodland	Yes	248 feet or 75%
Plant units	99	118

JUSTIFICATION OF RECOMMENDATION:

The boundary requiring buffering is located along the property lines of the single-family lots abutting the SMECO transmission lines. Four out of a total of 26 lots are unable to meet *Prince George's County Landscape Manual* requirements due to the configuration of the lots. In all four cases, the applicant is unable to meet the building setback requirements, although in three cases, only a very small portion of the dwelling unit encroaches into the required setback. Two lots are able to accommodate the entire required landscape yard; the other two lots provide the majority of the landscape yard, with only a portion of it reduced to accommodate plantings in proximity to the dwelling unit. For Lot 7, 80 feet out of 319 feet have a reduced landscape yard of 25 feet. For Lot 12, 40 feet of 330 feet have a reduced landscape yard of 25 feet. The applicant is proposing plantings in excess of the requirements of Section 4.7 of the *Landscape Manual* on all four lots. The Alternative Compliance Committee is of the opinion that the proposed alternative is equal to or better than the normal compliance with the requirements of the *Landscape Manual*.

RECOMMENDATION

The Alternative Compliance Committee recommends approval of alternative compliance pursuant to section 4.7 of the *Prince George's County Landscape Manual* along the property lines of Lots 6, 7, 11, and 12, Block B where the residentially zoned properties abut the existing SMECO transmission lines.