



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

CHESAPEAKE BAY CRITICAL AREA CONSERVATION PLAN CP-06001

Application	General Data
Project Name: Swan Creek Club Development Proposed Lots 8 and 9 Location: West side of Hatton Point Road, approximately 300 feet south of its intersection with Swan Creek Road Applicant/Address: Mary F. Smirnow 12309 Hatton Point Road Fort Washington, MD 20744	Date Accepted: 01/19/06
	Planning Board Action Limit: N/A
	Plan Acreage: 2.23
	Zone: R-E/L-D-O
	Lots 2
	Dwelling Units 2
	Planning Area: 80
	Council District: 8
	Municipality: N/A
	200-Scale Base Map: 216SW01

Purpose of Application	Notice Dates
Section 24-151 of the Subdivision Regulations requires the approval of a Chesapeake Bay Critical Area Plan prior to the approval of any Preliminary Plan of Subdivision. This conservation plan is a companion to Preliminary Plan 4-06095. No variances are needed.	Adjoining Property Owners: (CB-15-1998) N/A
	Previous Parties of Record: (CB-13-1997) N/A
	Sign(s) Posted on Site: 01/21/07
	Variance(s): Adjoining Property Owners: N/A

Staff Recommendation		Staff Reviewer: Jim Stasz	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Chesapeake Bay Critical Area
Conservation Plan CP-06001
Swan Creek Club Development, proposed Lots 8 and 9

Council District: 8 Planning Area: 68 Municipality: None

OVERVIEW: The proposal is for two lots in the R-E Zone on a property within the Chesapeake Bay Critical Area. Section 24-151 of the Subdivision Regulations requires the approval of a Chesapeake Bay Critical Area plan prior to the approval of any preliminary plan of subdivision. This conservation plan is a companion to Preliminary Plan 4-06095. No variances are needed. The Planning Board is the final approving authority for Chesapeake Bay Critical Area Conservation plans.

1. **Site Description**

The 2.23-acre property in the R-E/L-D-O Zones is located on the west side of Hatton Point Road approximately 300 feet south of its intersection with Swan Creek Road. The entire property is within the Chesapeake Bay Critical Area. There are no streams or wetlands on the property. There is a 100-year floodplain associated with the Potomac River. Extensive areas of steep slopes with highly erodible soils and areas of severe slopes occur along the Potomac River shoreline and within the 100-foot CBCA buffer. There are no nearby sources of traffic-generated noise. The proposed development is not a noise generator. According to the "Prince George's County Soil Survey," the principal soils on the site are in the Sassafras series. Marlboro clay is not found to occur in the vicinity of this property. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic or historic roads in the vicinity of the property. The site is in the Developing Tier according to the approved General Plan. The Countywide Green Infrastructure Plan indicates that the area of steep and severe slopes abutting the Potomac River is designated as a regulated area and the remainder of the property is a designated network gap.

2. **Background**

The Planning Board approved a Chesapeake Bay Critical Area Conservation Plan, CP-88017, on December 8, 1988. That plan was for the construction of an addition to an existing single-family detached residential structure and the construction of a garage. The Board of Appeals, by Zoning Appeal No. 9530 dated December 15, 1988, granted variances to allow construction within the 100-foot CBCA buffer, to allow construction within the side yard setback; to allow construction of an accessory structure within the front yard; and to allow construction of the accessory structure to exceed the height limit of 15 feet set by the Zoning Ordinance. On December 3, 1992, the Planning Board approved a major revision to permit the construction of a stone revetment along the shoreline, CP-87017/01. Because of the variances previously granted, all of the

existing development on the property is consistent with the Zoning Ordinance and the approved Chesapeake Bay Critical Area Plan, CP-87017/01.

A revised Chesapeake Bay Critical Area plan is required because of the significant change in the proposed development of the property. The current application is for two lots in the R-E Zone. Although this plan covers the entire acreage of CP-88017/01, upon approval the case number CP-87017/02 shall be assigned to the area of proposed Lot 8 and the case number CP-06001 shall be assigned to the area of proposed Lot 9.

This site is not subject to the provisions of the Woodland Conservation Ordinance because the entire site is within the Chesapeake Bay Critical Area.

The maximum amount of impervious surfaces permitted per Section 27-548.17, footnote 4 A(ii) of the Zoning Ordinance is 15 percent of the gross tract area; for proposed Lot 8 this is 7,992.3 square feet. The plan proposes total impervious surfaces of 4,811 square feet, or 9.01 percent on Lot 8. The maximum amount of impervious surfaces permitted per Section 27-548.17, footnote 4 A(ii) of the Zoning Ordinance is 15 percent of the gross tract area; for proposed Lot 9 this is 6,556.95 square feet. The plan proposes total impervious surfaces of 4,357 square feet, or 10.4 percent on Proposed Lot 9.

The minimum net lot area permitted by Section 27-442 Table I of the Zoning Ordinance is 40,000 square feet. Lot 8 is proposed to have a net lot area of 46,021 square feet and Lot 9 is proposed to have a net lot area of 40,713 square feet.

The maximum percentage of lot coverage permitted by Section 27-442 Table II of the Zoning Ordinance is 20 percent of the contiguous net tract area for proposed Lot 8, or 9,204.2 square feet. The proposed percentage of lot coverage for Lot 8 is 9,091 square feet, or 19.8 percent. The maximum percentage of lot coverage permitted by Section 27-442, Table II, of the Zoning Ordinance is 20 percent of the contiguous net tract area for proposed Lot 9, or 8,142.6 square feet. The proposed percentage of lot coverage for Lot 9 is 4,357 square feet, or 10.7 percent.

The minimum lot width at the street frontage permitted by Section 27-442, Table III, of the Zoning Ordinance is 50 feet. The lot width at the street frontage for proposed Lot 8 is 73.8 feet and the lot width at the street frontage for proposed Lot 9 is 142.0 feet.

The minimum lot width at the building line permitted by Section 27-442, Table III, footnote 19 of the Zoning Ordinance is 120 feet. The lot width at the building line for proposed Lot 8 is 142.0 feet and the lot width at the building line for proposed Lot 9 is 142.0 feet.

The minimum front yard setback by Section 27-442 Table III of the Zoning Ordinance is 25 feet. The front yard setback for proposed Lot 8 is 275 feet and the front yard setback for proposed Lot 9 is 100 feet.

The minimum side yards permitted by Section 27-442, Table IV of the Zoning Ordinance is a total of 35 feet with a minimum of 17 feet. The side yards on proposed Lot 8 are 50 and 11.35 feet; however, the Board of Appeals granted a variance to allow the 11.35-foot minimum. The side yards on Proposed Lot 9 are 51 and 19 feet

The maximum height permitted by Section 27-442, Table V of the Zoning Ordinance is 35 feet. The maximum height of all existing structures on proposed Lot 8 is 25 feet. The proposed structure on proposed Lot 9 will not be permitted to exceed 35 feet.

The footprint of the proposed house and driveway on proposed Lot 9 are conceptual. At time of building permit, a change to the Conservation Plan may be approved by staff if no variances to any provision of the Zoning Ordinance are required.

Some woodland will be removed to allow construction of proposed Lot 9. The "Chesapeake Bay Critical Area Manual" requires replacement on-site or the use of a fee-in-lieu. The plan proposes planting 22 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.

All other provisions of the Chesapeake Bay Critical Area regulations have been met on-site.

3. **Summary**

On February 10, 2006, the Subdivision Review Committee determined that the conservation plan was in general conformance with the requirements of the I-D-O Zone and the "Chesapeake Bay Critical Area Conservation Manual"; however, the plans required numerous technical revisions. Revised plans were accepted for processing on December 4, 2006. As noted in detail above, the revised plans meet the requirements of the Chesapeake Bay Critical Area Program and the Zoning Ordinance.

There are a few technical errors that should be corrected before the plans are signed. The line labeled "100' CBCA Limit" should be relabeled "100' CBCA Buffer." The stone revetment along the shoreline approved by CP-87017/01 should be clearly indicated. The note regarding the house footprint should be reworded for clarification of its intent.

RECOMMENDATION:

APPROVAL of CP-06001 subject to the following condition:

1. Prior to signature the conservation plan shall be revised to:
 - a. Correct the labeling of the 100-foot CBCA buffer.
 - b. Show the stone revetment along the shoreline approved by CP-87017/01.
 - c. Revise the note regarding the house footprint to read:

"The footprint of the proposed house and driveway on proposed Lot 9 is conceptual. At time of building permit, a change to the conservation plan may be approved by staff if no variances to any provision of the Zoning Ordinance are required."