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## DETAILED SITE PLAN VARIANCE

**DSP-90003/11**  
**VD-90003/11**

Application	General Data
<b>Project Name:</b> Simmons Acres, Lot 104, Block N  <b>Location:</b> Southeast of the intersection of MD 410 and Merino Drive  <b>Applicant/Address:</b> Christopher Parks 18208 Merino Drive Accokeek, MD 20607	Date Accepted: 6/20/2003
	Planning Board Action Limit: 9/25/2003
	Plan Acreage: 0.23
	Zone: R-R
	Dwelling Units: 1
	Square Footage: N/A
	Planning Area: 83
	Council District: 9
	Municipality: NA
	200-Scale Base Map: 171 B-2

Purpose of Application	Notice Dates
Grant variance for and revise site plan to correct lot coverage.	Adjoining Property Owners: (CB-15-1998) 6/20/2003
	Previous Parties of Record: (CB-13-1997) N/A
	Sign(s) Posted on Site: 7/11/03
	Variance(s): Adjoining Property Owners: N/A

Staff Recommendation		Staff Reviewer: Ruth Grover	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

July 30, 2009

**MEMORANDUM**

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor

FROM: Ruth Grover, Senior Planner

SUBJECT: Detailed Site Plan DSP-90003/11 and Variance VD-90003/11

The Urban Design staff has reviewed the Detailed Site Plan and the Variance application. Based on that review and the findings in this report, the Development Review Division recommends APPROVAL with conditions as stated in the recommendation section of this report.

**REQUEST**

The current request is to grant a variance to allow the lot coverage to be 30.6 percent instead of the 30 percent maximum established for cluster subdivisions in the R-R Zone. In addition, the applicants are requesting that the detailed site plan be revised to include the correct lot coverage for the property.

**EVALUATION**

This Detailed Site Plan and Variance were reviewed and evaluated for conformance with the following criteria:

- a. The Prince George's County Zoning Ordinance.
- b. The *Landscape Manual*.
- c. PGCPB No. 90-92, File No. SP-90003.
- d. Appeal Number V-58-03.
- e. The Woodland Conservation Ordinance.
- f. Referrals.

## FINDINGS

Based on evaluation and analysis of the subject application, the Urban Design staff recommends the following findings:

1. The subject property is located at 18208 Merino Drive, southeast of its intersection with MD 410.
2. Development Data Summary

	EXISTING	PROPOSED
Zone(s)	R-R	R-R
Use(s)	Single-family Residential	Single-family Residential
Acreage	.23	.23
Lots	Lot 104, Block D	Lot 104, Block D
Dwelling Units	1	1

3. The subject property received a variance of 10 feet to the required rear yard setback from the Board of Zoning Appeals to allow construction of a deck (Permit #13000080-2003). A condition of the approval of the variance requires that the detailed site plan be corrected to show accurate lot coverage information.
4. Lot coverage (30.6 percent) exceeds the maximum permitted in the RR zone for cluster subdivisions (30 percent) in the Prince George's County Zoning Ordinance. Hence, the companion variance case has been submitted to permit a lot coverage on the site greater than the suggested maximum. The application, however, is in accordance with the Zoning Ordinance in all other respects.
5. The increased lot coverage on the subject site arose from:
  - a. Choice of one of the larger models available for a relatively small (.23 acre) lot.
  - b. Topography of the site requiring placement of the house to the rear of the site in order to maintain an acceptable slope on the driveway.
  - c. Construction of the deck.
6. The *Landscape Manual*—The proposed project is in conformance with the requirements of the *Landscape Manual*.
7. PGCPB No. 90-92, File No. SP-90003, required by condition that the general notes of the subject detailed site plan include percentage of lot coverage calculating the largest house on the smallest lot or a table showing the coverage of each lot.
8. Appeal Number V-58-03 granted by the Board of Zoning Appeals on May 14, 2003, approved a variance of ten feet to the rear yard setback for the construction of a deck conditioning that the property owner's house location survey, which incorrectly identified the distance on the north property line, be corrected and that the property owner apply for a revision to the approved Detailed Site Plan SP-90003 if the lot coverage on the property is found to exceed 30 percent.

9. The Woodland Conservation Ordinance—The requirements of the Woodland Conservation Ordinance have been met through the original approval of Simmons Acres.
10. Referrals: No referrals were requested for this application. Comments from the Permit Review Section, generated May 28, 2003, included:
  - a. That the site plan must be revised to show the correct distance of the north (rear) property line to match Record Plat 156-6.
  - b. That the detailed site plan must be revised to correctly reflect the 30.6 percent lot coverage.

## **VARIANCE REQUEST**

11. The applicant is requesting a variance in accordance with Section 27-239.04 from Section 442(c) of the Prince George's County Zoning Ordinance. Section 27-230 sets forth the following criteria for approval of the variances:
  - a. **A specific parcel of land has exceptional narrowness, shallowness or shape, exceptional topographic conditions, or other extraordinary situations or conditions.**

The lot is small, measuring only .23 acre or 10,018.8 square feet and accommodates a 2,580-square-foot house and has a relatively severe grade near the street requiring additional impervious surface on the driveway to maintain a 12 percent slope.
  - b. **The strict application of the Subtitle will result in peculiar and unusual practical difficulties to or exceptional or undue hardship upon the owner of the property.**

The house, deck and driveway are already built on the lot. Requiring removal of any of these items would cause an undue hardship upon the owner of the property.
  - c. **The variance will not substantially impair the intent, purpose or integrity of the general plan or Master Plan.**

The Community Planning Section has verbally informed us that allowing the lot coverage to be increased a mere 0.6 percent will not substantially impair the intent, purpose or integrity of the General Plan or master plan.
12. The applicant has met the criteria for approval of the proposed variance.
13. The plan will, if revised in accordance with the condition of approval, represent a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

## **RECOMMENDATION**

Based upon the foregoing analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE DSP-90003/11 and VD-90003/11, subject to the following condition:

1. The site plan shall be revised to show the correct distance of the north (rear) property line to match Record Plat 156-6.