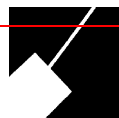


Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530



Comment [COMMENT1]: WHEN INSERTING
 INFORMATION AT THE @ SIGN
 REMEMBER TO USE INDENT FOR SECOND
 LINE - NOT TAB. ALSO, IT WILL LOOK
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DETAILED SITE PLAN VARIANCE APPLICATION

DSP-93041/04
 VD-93041/01

Application	General Data
Project Name Countryside, Lot 1 Location On the east side of Old Branch Avenue, approximately 200 feet south of Springbrook Lane. Applicant Joy Construction 7801 Old Branch Avenue #402 Clinton, Maryland 20735	Date Accepted 7/20/01
	Planning Board Action Limit 11/9/01
	Tax Map & Grid 116 C-1
	Plan Acreage 0.3138 Acres
	Zone R-80
	Dwelling Units 1
	Square Footage 2,126 Square feet
	Planning Area 81A
	Council District 08
	Municipality N/A
	200-Scale Base Map 211SE6

Purpose of Application	Notice Dates
Variance of 1 . ' of the 8' sideyard setback required by Section 27-442(e) Table IV-Yards of the <i>Zoning Ordinance</i>	Adjoining Property Owners (CB-15-1998) 7/11/01
	Previous Parties of Record (CB-13-1997) N/A
	Sign(s) Posted on Site 9/21/01
	Variance(s): Adjoining Property Owners 10/1/01
Staff Recommendation	Staff Reviewer ZHANG
APPROVAL	APPROVAL WITH CONDITIONS
DISAPPROVAL	DISCUSSION
X	

October 2, 2001

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor

FROM: Henry Zhang, Urban Design Section, Development Review Division

SUBJECT: Detailed Site Plan, DSP-93041/04, Countryside Lot 1
Variance Application, VD-93041/01

The Urban Design staff has reviewed the Detailed Site Plan for the subject property and presents the following findings leading to a recommendation of APPROVAL with conditions as described in the ■Recommendation■ section of this report.

EVALUATION

This Detailed Site Plan was reviewed and evaluated for compliance with the following criteria:

- a. The requirements of the *Zoning Ordinance*.
- b. The requirements of Preliminary Plat of Subdivision 4-90076
- c. The requirements of Detailed Site Plan DSP-93041
- d. The requirements of the *Landscape Manual*.
- e. The requirements of the *Prince George's County Woodland Conservation Ordinance*
- f. Referral comments

FINDINGS

Based upon the evaluation and analysis of the subject Detailed Site Plan, the Urban Design Review staff recommends the following findings:

1. Request: The subject application is a revision to a previously approved Detailed Site Plan

for a variance from side yard setback requirements for a single-family detached house in the R-80 Zone. The house is under construction.

2. Location: The site is located in Planning Area 81A, Council District 8. More specifically, it is situated on the east side of Old Branch Avenue, approximately 200 feet south of Springbrook Lane.
3. Surroundings and Use: The subject property is Countryside, Lot 1. To its north is a 30-foot landscape buffer; to its south is Lot 2; to its east are Lots 10 and 11 and to its west is Old Branch Avenue.
4. Previous Approvals: Countryside, Lot 1, is one of the lots included in a previously approved Preliminary Plat of Subdivision 4-90075, Detailed Site Plan SP-93041 and its three revisions, TCP II-107-933 and Stormwater Management Concept Plan, #908003300.
5. Site Development Data

Site Data

Zone	R-80
Number of Lots	79
Total Site Area	48.25 acres

Lot 1 Data

Lot Size	13,668 square feet
Dimensions of Building Envelope	Irregular 55' x 38' x 73' x 86'
Building Envelope Area (BEA)	3,693 square feet
Percentage of BEA of Lot Size	27 percent
Proposed Finished Building GFA	2,126 square feet
Percentage of GFA of BEA	58 percent
Building Floor Area in the Required Setback	15.5 square feet

6. Architecture: The proposed single-family detached house is a two-story building with two-car garage and cross-gable roof segments facing the front. The entrance gable is extended slightly forward for emphasis as a pavilion. The facade immediately beneath the entrance gable is a room extension at the second floor. At the first floor level is an entrance porch enclosed with columns and rails. The facade is rich in decorative details such as six-panel colonial door with transom, shuttered windows with crowns, planting box, dentils on fascia board and so on. The proposed architecture is one of the previously approved models, type C in Detailed Site Plan, DSP-93041/03.

COMPLIANCE WITH EVALUATION CRITERIA:

7. Zoning Ordinance: The subject application has been reviewed for compliance with the requirements in the R-80 Zone and the site plan design guidelines of the *Zoning Ordinance*.

The Detailed Site Plan is in compliance with the requirements of the *Zoning Ordinance* for development in the R-80 Zone, with the following exception for which the applicant has filed a variance application:

- a. Side Yard Setback: Section 27-442 (e), Table IV-Yards, of the *Zoning Ordinance*, side yard setback requirements for single-family detached dwellings in general in the R-80 Zone, requires a minimum eight-foot building setback from the adjoining property line.

The building in question in Countryside, Lot 1, has a 6.5-foot setback. A triangular portion of the garage (approximately 15.5 square feet) encroaches into the 8-foot-wide building restriction area. The applicant is requesting a 1.5-foot variance from the 8-foot side yard setback requirement.

- b. Per Section 27-230 of the *Zoning Ordinance*, 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;•**

Comment: The staff believes that the subject site has an extraordinary design situation or condition. The subject lot is located at the north end of the Countryside Subdivision. To its north is a medium impact commercial use. According to Section 4.7, Buffering Incompatible Uses, of the *Landscape Manual*, a type ■C• bufferyard with a minimum 40-foot building setback and 30-foot landscape strip is required. An Alternative Compliance application from the type ■C• requirements was filed at the time of the Detailed Site Plan, SP-93041, and approved to reduce the minimum building setback to 30 feet. To its west, the subject lot fronts onto Old Branch Avenue, a residential collector with an ultimate right-of-way of 80 feet, which provides the only vehicular access to the site. At the time of approval of Preliminary Plat of Subdivision 4-90076, a finding that required a 50-foot front yard building restriction line for those lots fronting onto this residential collector was proposed. The approval of Detailed Site Plan, SP-93041, finalized this 50-foot front yard setback. The *Zoning Ordinance* also requires a 20-foot backyard setback and an 8-foot southern side yard setback.

With all the mentioned restrictions and setbacks in effect, Lot 1 has an irregular and buildable envelope of approximately 3,693 square feet out of the 13,668 square feet of its lot size. The maximum frontage along Old Branch Avenue is approximately 55 feet. The irregularity of the lot shape further limits the useable frontage along the Old Branch Avenue and leads the subject site into a unique 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; and•**

Comment: The strict application of this Subtitle, i.e., eight-foot setback from its southern property line, would make it possible only to construct a one-car garage instead of the initially designed two-car garage. Since the house is currently under construction, the strict application of this setback requirement would require major construction revisions such as rebuilding the corner of the house that would result in unusual practical difficulties and undue hardship upon the owner of the property.

■(3) The variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan.●

Comment: The subject Lot 1 is situated south of a 30-foot buffer and 50 feet east of Old Branch Avenue. To its south is lot 2 of the Countryside Subdivision. Because of their proximity to Old Branch Avenue and their possible negative traffic impact on this residential collector, driveway access to Old Branch Avenue has been minimized by the use of shared curb cuts between these two lots. The encroachment in question is 1.5 feet into the 8-foot-wide restriction area in the southern part of the property where the driveway is located. The inward, not outward, placement will preserve the cohesiveness of the streetscape of this development. The 1.5-foot variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan. As a cluster development, Countryside Subdivision will not be negatively affected in its design intent to continue to provide open space and green area by approval of this variance.

The subject lot has a set of extraordinary design circumstances that justify approval of the aforementioned variance. Due to the property being located far away from both Old Branch Avenue and the adjacent property line and left in a small and irregular building envelope with a limited useable frontage, granting the relief requested would not substantially impair the intent, purpose and integrity of the General Plan or Master Plan, while denying the variance request would result in a peculiar or unusual practical difficulty upon the owner of the property. The staff therefore recommends approval of the variance of side yard setback as discussed above.

8. Preliminary Plat of Subdivision: Preliminary Plat of Subdivision 4- 90076 is a preliminary plat for 81 lots and one outlot. Lot 1 is located in Block A of this Preliminary Plat. It was approved by the Prince Georges County Planning Board on May 18, 1990. Condition 6 attached to the approval mandated a limited Detailed Site Plan review that included the subject lot, which states:

■Prior to the submission of the Final Plat of Subdivision, a limited Detailed Site Plan (DSP) shall be approved by the Planning Board for Lots 1-5, 9, 34-43 and 48, Block A, and Lots 1, 10-12, 20-22 and 26-33, Block B. The DSP shall address, but not be limited to, the following: house types and locations, grading, landscaping and screening, and driveway configurations that prevent vehicles from backing onto Old Branch Avenue.●

9. Detailed Site Plan: Detailed Site Plan, SP-93041, is the Detailed Site Plan required by Condition 6 of Preliminary Plat 4-90076. During this DSP review, the major restrictions for this site such as a 30-foot buffer, a 50-foot front yard setback, and shared curb-cuts were approved by Prince George's County Planning Board on November 18, 1993. Since its first approval, three revisions to the Detailed Site Plan were filed to add different architectural models. The model on Lot 1, which is currently under construction, is one of the models approved in the third revision to SP-93041.
10. The subject revision to the Detailed Site Plan, SP-93041, is in conformance with the *Landscape Manual* and the *Prince George's County Woodland Conservation Ordinance* because the revision proposes to validate the new building restriction line that is 6.5 feet away from the abutting property line. The proposed new building restriction line will be a 1.5-foot variance from the required 8-foot side yard setback.
11. Referral Comments: The subject application was referred to all concerned agencies and divisions. Major referral comments are summarized as follows:
 - a. The Permit Review Section, in a memorandum dated September 19, 2001, identified that the side yard setback requirements of *Zoning Ordinance* for R-80 Zone will apply. This side yard setback requirement is eight feet.
 - b. The application was also referred to the Zoning Section. No comments were generated.
12. The subject Detailed Site Plan, DSP-93041/04, Countryside, Lot 1, is for a variance of side yard setback only and plans no new development beyond what was approved in SP-93041. In 1998, a third revision to SDP-93041 was submitted and approved. Physical development has been carried out on the site since the approval. Per Section 27-287 of the *Zoning Ordinance*, all findings and conditions of SP-93041 as stated in PGCPB No. 93-303 are still in full force and effect. The Detailed Site Plan will 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 from its intended uses.

RECOMMENDATION

Based upon the foregoing analysis and findings of this report, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-93041/04, Countryside, Lot 1 and Variance Application, VD-93041/01.