

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



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DETAILED SITE PLAN

DSP-93041/05

VARIANCE APPLICATION

VD-93041/05

Application	General Data	
Project Name Countryside, Lot 31	Date Accepted	10/18/01
	Planning Board Action Limit	1/11/02
Location On the east side of Old Branch Avenue, approximately 200 feet south of Springbrook Lane.	Tax Map & Grid	116 C-1
	Plan Acreage	0.184
	Zone	R-80
	Dwelling Units	1
Applicant Joy Construction 7801 Old Branch Avenue #402 Clinton, Maryland 20735	Square Footage	2,126
	Planning Area	81A
	Council District	08
	Municipality	N/A
	200-Scale Base Map	211SE6

Purpose of Application		Notice Dates	
Variance of 3' from the 20' rear yard setback required by Section 27-442(e) Table IV-Yards of the <i>Zoning Ordinance</i>		Adjoining Property Owners (CB-15-1998)	10/31/01
		Previous Parties of Record (CB-13-1997)	N/A
		Sign(s) Posted on Site	10/26/01
		Variance(s): Adjoining Property Owners	10/31/01
Staff Recommendation		Staff Reviewer	
APPROVAL		ZHANG	
APPROVAL WITH CONDITIONS			
DISAPPROVAL			
DISCUSSION			
X			

November 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-93041/05, Countryside Lot 31
Variance Application, VD-93041/05

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 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 Detailed Site Plan, DSP-93041
- c. The requirements of the *Landscape Manual*.
- d. The requirements of the *Prince George's County Woodland Conservation Ordinance*
- e. 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 rear 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 31. To its northwest is Glen Robbins Court; to its northeast is Lot 30; to its southwest is Lot 32 and to its southeast is Pea Hill Branch and its associated wetlands.
4. Previous Approvals: Countryside, Lot 31, is one of the lots included in a previously approved Preliminary Plan of Subdivision 4-90076, Detailed Site Plan DSP-93041, TCP II-107-933, and Stormwater Management Concept Plan, #908003300.

5. Site Development Data

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

Lot 31 Data

Lot Size	8,012 square feet
Dimensions of Building Envelope	Irregular 36' x 60' x 62' x 86'
Building Envelope Area (BEA)	4,916 square feet
Percentage of BEA in Lot Size	61 percent
Proposed Finished Building GFA	2,126 square feet
Percentage of GFA in BEA	43 percent
Building Floor Area in the Required Setback	9 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 house is approximately 33 feet in height. 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. Rear Yard Setback: Section 27-442 (e), Table IV-Yards, of the *Zoning Ordinance*, rear yard setback requirements for single-family detached dwellings in general in the R-80 Zone, requires a minimum 20-foot rear yard building setback from the adjoining property line.

The building in question in Countryside, Lot 31, has a 17-foot rear yard setback. A triangular portion of the garage (approximately nine square feet) encroaches into the 20-foot-wide building setback area. The applicant is requesting a three-foot variance from the 20-foot rear 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 one of the end lots around Glen Robbins Court. It is flanked on both sides by Lots 32 and 30, and bounded in front by the road and at the rear by wetlands. The *Zoning Ordinance* requires a 25-foot front yard setback, 20-foot rear yard setback and an 8-foot side yard setback.

With all the setbacks in effect, Lot 31 has an irregular envelope of approximately 4,916 square feet out of the 8,012 square feet of its total lot size. But the shallowness of the lot depth and the existing layout of the driveway make the useable footprint size even less than 2,000 square feet. The irregularity of the lot shape and the shallowness of the lot depth create a unique situation on the subject lot that generates significant constraints on the location of the house.

- (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. 20-foot rear yard setback from its southeast property line, would make it impossible to construct the initially designed two-car garage. Since the house is currently under construction by the builder, the strict application of this setback requirement would require major construction revisions such as rebuilding the corner of the house and 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 31 is situated southeast of the wetland that will be dedicated to

the Homeowners Association. The encroachment in question is three feet into the 20-foot rear yard building setback in the southeast part of the property where the wetland is located. The placement of the house will maintain the 25-foot front yard setback and preserve the cohesiveness of the streetscape around Glen Robbins Court. The three-foot variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan nor generate adverse impact on the adjacent Pea Hill Branch and its associated wetlands. As a cluster development, Countryside Subdivision will not be negatively affected by approval of this variance in its design intent to provide open space and green area.

The subject Lot 31 has a set of design circumstances that justify approval of the aforementioned variance. Due to the property being located far away from both Glen Robbins Court and the adjacent wetland and burdened with an irregular building envelope with a limited useable building footprint size, granting the relief requested would not substantially impair the intent, purpose or 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 rear yard setback as discussed above.

8. Detailed Site Plan: Detailed Site Plan, SP-93041 is the Detailed Site Plan required by Condition 6 of Preliminary Plan of Subdivision, 4-90076. Since its first approval, four revisions to the Detailed Site Plan were filed to add different architectural models and to ask for a variance from the side yard setback for Lot 1. The architectural model on Lot 31, type C, which is currently under construction is one of the models approved in the third revision to SP-93041.
9. 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 backyard building restriction line that is 17 feet away from the abutting property line. The proposed new building restriction line will be a 3-foot variance from the required 20-foot rear yard setback.
10. Referral Comments: The subject application was referred to concerned agencies and divisions. Major referral comments are summarized as follows:
 - a. The Permit Review Section in a memorandum dated November 1, 2001 indicated that:

■The original building permit #50534-1999-RGU was approved with no encroachment into the required building setbacks. No revisions to the building permit have been filed.●

The staff also asked two other technical questions regarding lot coverage and variance application of Lot 31.
 - b. The application was also referred to the Zoning Section. No comments were generated.
11. The subject Detailed Site Plan, DSP-93041/05, Countryside, Lot 31, is for a variance of rear yard setback only and plans no new development beyond what was approved in DSP-93041.

In 2001, a fourth revision to DSP-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 DSP-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-93041/05, Countryside, Lot 31 and Variance Application, VD-93041/05.