



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

Vacation Petition

V-03004

Application	General Data
Project Name & Record Plat Affected: Eagle Harbor, Plat 003-022 Location: Located between Lot 1, Block 22, and Lot 29, Block 21. Applicant/Address: Gerard E. Phillips Karl F. Phillips 1408 Spring Road, NW 822 E 219 th St. Washington, D.C. 20210 Bronx, N.Y. 10467	Date Accepted: 07/08/03
	Planning Board Action Limit: N/A
	Plan Acreage: 0.067
	Zone: R-R
	Tax Map Grid: 183-C3
	Dwelling Units: N/A
	Square Footage: 2,900
	Planning Area: 87B
	Council District: 09
	Municipality: Eagle Harbor
	200-Scale Base Map: 203NE09

Purpose of Application	Notice Dates
To vacate 2,900 feet of Juniper Trail on the east side of Patuxent Blvd in the town of Eagle Harbor.	Adjoining Property Owners: (CB-15-1998) N/A
	Previous Parties of Record: (CB-13-1997) N/A
	Sign(s) Posted on Site: 1
	Variance(s): Adjoining Property Owners:

Staff Recommendation		Staff Reviewer: Becky Nordan	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
X			

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Vacation Petition V-03004
Vacation of part of Juniper Trail (2,900 square feet) situated between Lot 1, Block 22, and Lot 29, Block 21, Eagle Harbor, recorded in Plat Book SDH 3, Plat No. 22 on the east side of Patuxent Boulevard, in the town of Eagle Harbor, Election District No. 8.

OVERVIEW

The subject petition proposes to vacate part of Juniper Trail, an unimproved street lying between Blocks 21 and 22 as shown on subdivision plat SDH 3, Plat 22. The area vacated by this petition will revert to the petitioners.

SETTING

The subdivision is located on the Patuxent River in the Town of Eagle Harbor. The lots in the surrounding area are improved with single-family residences, with the Eagle Harbor Town Hall situated to the north of the petitioner's lots. This portion of Juniper Trail has never been improved as a street or path, but provides a pedestrian access point to the river for the citizens of Eagle Harbor.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. No referral agency or department recommended disapproval of the petition.
2. Letters of opposition were received from some Eagle Harbor residents because they feel that vacating this area will eliminate one of their access points to the river.
3. The waterfront is comprised of single-family lots, the Town Hall, a few pedestrian access points, and one vehicular access point on Trueman Point Road. The access point that is the subject of this vacation petition is a grassy area that appears to be the yard area of the applicant. The applicant's dwelling visually appears to be situated approximately three to six feet from the subject paper street. This area is level adjacent to the applicant's dwelling, but slopes down to the river. Access to the river at this point would be pedestrian and not vehicular due to the slope of the land.
4. The property being vacated would revert to the adjacent property owners, precluding public access at this point. However, the adjacent Town Hall property provides pedestrian access to the river approximately 25 feet to the north, which slopes slightly more than the Juniper Trail access point.
5. The Town of Eagle Harbor (owner of Lots 22-27, Block 21) consented to this petition by letter dated May 15, 2003. Lots 22-27, Block 21, are improved with the Eagle Harbor Town Hall.

6. As reflected in the minutes of the town meeting of March 1, 2003, the town voted to proceed with the negotiations with Mr. Gerard Phillips (the petitioner) to swap the land adjacent to the community center (Town Hall).
7. The newly elected officials (August 2003) for the Town of Eagle Harbor provided a signed endorsement to support this Vacation Petition.
8. The Tax Assessor shall either incorporate the vacated area into the adjacent lots so that the owners own to the centerline of the vacated right-of-way or shall assign a tax account number and parcel designation for the area of the vacated right-of-way and place it in the ownership of Karl and Gerard Phillips. Said parcel cannot be a separate building site and cannot be combined through the minor plat process since it is located in the Chesapeake Bay Critical Area. Therefore, no additional building sites are created by this petition.

RECOMMENDATION

APPROVAL