



*Note: Staff reports can be accessed at [www.mncppc.org/pgco/planning/plan.htm](http://www.mncppc.org/pgco/planning/plan.htm).*

## Vacation Petition

**V-04008**

Application	General Data
<b>Project Name &amp; Record Plat Affected:</b>  Marlton Woods Subdivision, Plats 159-68 & 159-69 Part of Berwick Road, various lots and 1 parcel  <b>Location:</b> Located on the north side of Old Colony Drive at the north ends of Margate Road, Wexford Road and Berwick Road, east of Trumps Hill Rd.  <b>Petitioner:</b> W.F.C. Flagship, L.L.C. & P.I. M.B., Inc. <b>Applicant/Address:</b> Capitol Development Design, Inc. 5010 Sunnyside Avenue, Suite 200 Beltsville, Maryland 20705	Date Accepted: 06/15/04
	Planning Board Action Limit: N/A
	Plan Acreage: 33.35
	Zone: R-E
	Tax Map Grid: 119-A1
	Dwelling Units: N/A
	Square Footage: 1,452,778
	Planning Area: 82A
	Council District: 09
	Municipality: N/A
	200-Scale Base Map: 211SE11

Purpose of Application	Notice Dates
Vacate 33.3511 acres north of Old Colony Drive at the north ends of Margate Road, Wexford Road and Berwick Rd, east of Trumps Hill Rd.	Adjoining Property Owners: 5 (CB-15-1998)
	Previous Parties of Record: N/A (CB-13-1997)
	Sign(s) Posted on Site: 2
	Variance(s): Adjoining Property Owners: N/A

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-04008**

Vacation of Lots 1 through 11, Parcel B and part of Berwick Road, as shown on the subdivision plat known as **Marlton Woods, Plat Book VJ 159 at Plat 68**; and Lots 13, 14, 16-20, 23 and 24 as shown on the subdivision plat known as **Marlton Woods, Plat Book VJ 159 at Plat 69**, all recorded among the Land Records of Prince George's County, Election District No. 9.

**OVERVIEW**

The Petitioners, WFC Flagship, LLC and P.I.M.B., Inc., request the vacation of part of Plat VJ 159, Plat 68 and VJ 159, Plat 69, totaling 1,452,778 square feet or 33.3511 acres, located on the north side of Old Colony Drive at the north ends of Margate Road, Wexford Road and Berwick Road, east of Trumps Hill Road, in Upper Marlboro. Said street was originally dedicated to public use in 1991 to serve residential lots, part of which will be vacated by this petition. Subject street has never been improved or otherwise used by the general public.

**SETTING**

The property is in the R-E zoning classification. The majority of the surrounding area is characterized by residential single-family homes in the Marlton Subdivision. The subject area is heavily treed and will be used for tree conservation purposes.

**FINDINGS AND REASONS FOR STAFF RECOMMENDATION**

1. The public utilities and Prince George's County have been notified of this petition as required by Section 24-112(e) of the Subdivision Regulations.
2. The Department of Public Works and Transportation has consented to this petition as required by Section 24-112(1)(e) of the Subdivision Regulations.
3. The Washington Suburban Sanitary Commission (WSSC) has consented to this petition acknowledging that there is an existing 27-inch sewer line that needs to be protected by an easement. The Petitioners must grant a 45-foot-wide easement to WSSC to protect the existing facility.
4. No referral agency or department recommended disapproval of the petition.
5. The Petitioners intend to use the vacated area as an off-site woodland conservation mitigation bank and will pursue this effort with the M-NCPPC Environmental Planning Section.
6. No objections were received from adjacent property owners.
7. Petitioners are the owners of all land abutting street areas proposed to be vacated.

**RECOMMENDATION: APPROVAL with the following Condition:**

1. Existing 45-foot-wide easement to WSSC for the existing 27-inch sewer line within the property recorded in Liber 4233 folio 352 survives this petition.