

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: **Final Plat of Subdivision 5-04339**
Variance VF-04339 for 5,492 square feet Section 27-442(b)
Lot 19 Stonegate Estates (Resubdivision of Lot 1, Block B, Stonegate Estates, Plat Book 197, plat 21)

OVERVIEW

The subject final plat consists of two lots in the R-R Zone, located in the northwest quadrant of the intersection of Stoneridge Court and Captain Wendell Pruitt Way, formerly a section of Henson Valley Way, in Temple Hills. Proposed Lots 19 and 20 (formerly Lots 1 and 2) and all adjacent parcels and record lots are owned by the applicant, PDC Henson Valley I, L.L.C.

The Planning Board approved preliminary plan 4-03019 and detailed site plan DSP-04011 entitled Henson Valley Cluster for the property to the west of the subject site, which requires the relocation of this section of Henson Valley Way, which will now be known as Captain Wendell Pruitt Way. This will be the primary street used for access to the cluster subdivision. The relocation of Captain Wendell Pruitt Way has resulted in the reduction in lot size due to the additional road dedication needed for the realignment of the access road into the subdivision. The realignment will avoid invasions into the environmentally sensitive area that would have resulted with the previous design of the roadway. Prior to the approval of the above-referenced preliminary plan and detailed site plan, both of these lots were considered to be building sites.

Although Lot 19 does not meet the standard R-R zoning requirements for net lot area of 20,000 square feet, it is consistent with the adjacent Henson Valley Cluster subdivision, which contains lots that range in size from 10,000 to 20,000 square feet.

The applicant is requesting a Variance for Lot 19 of 5,492 square feet to the minimum net lot area of 20,000 square feet in the R-R Zone, Section 27-442(b).

Approval by the Planning Board of the requested variance will allow the applicant to record subdivision plat 5-04339 that acknowledges variance VF-04339.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. **Section 27-239.03. District Council and Planning Board authority.**

When the District Council or Planning Board makes a final decision in a zoning case, site plan, or other request, the District Council or Planning Board shall have the authority to grant variances from the strict application of this Subtitle in conjunction with its approval. The Council and Planning Board shall be governed by the provisions of Section 27-230 when it grants the variance. The request to approve variances in conjunction with a final plat of subdivision involves a final decision by the Planning Board. The subject application has no associated preliminary plan.

A variance for 5,492 square feet (Section 27-442(d) Table I) has been requested for Lot 19 and is contained in Variance Application VF-04339. The minimum net lot area required is 20,000 square feet in the R-R Zone.

Section 27-230(a) of the Zoning Ordinance states that a variance may only be granted when the Planning Board finds that:

- a. **A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations or circumstances.** Lot 19 is an extraordinary situation in that it will not contain enough lot area to comply with the minimum R-R Zone when the widening and relocation of Captain Wendell Pruitt Way occurs. Adjacent lots to the west are cluster lots in the R-R Zone, ranging in size from 10,000–20,000 square feet, and the lots to the east are standard R-R lots being 20,000+ square feet. Subsequent plan approvals require the additional street dedication and relocation of Captain Wendell Pruitt Way in order to avoid environmentally sensitive areas. No additional land can be added to Lot 19 from the adjacent properties, because Lot 20 has a total lot area of 20,029 square feet, and Outlot C is encumbered with a Pepco right-of-way.
 - b. **The strict application of the Zoning Ordinance will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon the owner of the property.** The need to avoid encroachment into the stream buffer and forested areas has caused the applicant to redesign Captain Wendell Pruitt Way as it passes Lot 19 (old Lot 1). The development of the subdivision to the northwest is dependant upon the relocation of this access road and has caused the size reduction of 5,492 square feet of Lot 19, which places an undue hardship on the property, making this an unbuildable lot if the variance is not granted.
 - c. **The variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan.** The proposed resubdivision is implementing street dedication required by preliminary plan 4-03091 and detailed site plan DSP-04011 due to the relocation of the road to avoid environmentally sensitive areas. No additional lots are being created and there will be no change in density to either subdivision.
2. The new subdivision plat entitled Lots 19 and 20, Stonegate Estates, notes that Variance VF-04339 was approved by the Prince George's County Planning Board, which will make the approval a matter of public record upon recordation of final plat 5-04339.

RECOMMENDATION:

APPROVAL