



*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-04009

Application	General Data
<b>Project Name &amp; Record Plat Affected:</b>  Cedar Haven Subdivision, Plats 3-59  <b>Location:</b> Located on the south side of Phyllis Wheatley Avenue, east of Aquasco Road and west of the Patuxent River.  <b>Applicant/Address:</b> Wendell & Latrell Watson 9806 Williamsburg Drive Upper Marlboro, MD 20772 and Thomas and Mary Proctor	Date Accepted: 06/29/04
	Planning Board Action Limit: N/A
	Plan Acreage: 0.25
	Zone: R-R
	Tax Map Grid: 183-C1
	Dwelling Units: N/A
	Square Footage: 11,054
	Planning Area: 87B
	Council District: 09
	Municipality: N/A
200-Scale Base Map: 229SE16	

Purpose of Application	Notice Dates
Vacate part of Paul Dunbar Boulevard between Lots 1-10, Block 15, and Lots 32-40, Block 16, in the subdivision of Cedar Haven.	Adjoining Property Owners: (CB-15-1998) 2
	Previous Parties of Record: (CB-13-1997) N/A
	Sign(s) Posted on Site: 1
	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-04009, CEDAR HAVEN**  
Vacation of part of Paul Dunbar Avenue (11,054 square feet) situated between Lots 1–10, Block 15, and Lots 32–40, Block 16, in the subdivision of Cedar Haven, recorded in Plat Book SDH 3, plat no. 59, on the south side of Phyllis Wheatley Avenue, east of Aquasco Road and west of the Patuxent River in Aquasco, Election District No. 8.

OVERVIEW

The subject petition proposes to vacate part of Paul Dunbar Avenue, an unimproved street lying between Blocks 15 and 16 in the Cedar Haven Subdivision. Cedar Haven is a subdivision situated on the Patuxent River, north of Eagle Harbor, and is within the Chesapeake Bay Critical Area. Along the river to the north and east of the subdivision are parcels owned by The Maryland-National Capital Park and Planning Commission, known as the Patuxent River Park.

The area to be vacated by this petition would revert to the ownership of the petitioners and eliminate the need for setbacks and buffers from a public street, once the area is considered to be private property and not public street area. The applicants eventually want to build their residences at these locations and Paul Dunbar Avenue is not necessary for access to these properties. There is no paving on Paul Dunbar Avenue between Blocks 15 and 16, and there is paving approximately ten feet wide between Blocks 13 and 14, to the south, which is blocked off at the Thompson property by a red cone, lawn area used by the Thompsons, and “no trespassing” and “keep out” signs posted on a small tree and a pole. It appears that Paul Dunbar Avenue from the south property line of the Thompson property to Phyllis Wheatley Boulevard to the north has not been used as access by the public or the adjacent property owners, the Thompsons, Proctors (petitioner) or Watsons (petitioner).

The petitioners have been cited with violation notices from the Property Standards Division to clean up debris on this site and the petitioners wish to get the property into their private ownership so they can better monitor and control the use of the property.

The property is zoned R-R and the vicinity is mostly treed with some residential dwellings and streets built within the subdivision.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. No referral agency or department recommended disapproval of the petition.
2. An objection letter was received from Mr. and Mrs. George Thompson, owners adjacent to the unimproved part of Paul Dunbar Avenue and the lots owned by the petitioner, Mr. Proctor. The Thompsons have lived at 22803 Benjamin Banneker Boulevard for 33 years but have not utilized Paul Dunbar Avenue as access to their home. This letter also contains signatures from six other owners that want the access to remain open for Paul Dunbar Avenue.

3. Petitioners are the owners of land abutting the streets to be vacated.
4. The Department of Parks and Recreation consented to this petition by letter dated March 4, 2004.
5. The Washington Suburban Sanitary Commission consented to this petition as required by Section 24-112(e) of the Subdivision Regulations.
6. The Department of Public Works and Transportation consented to this petition as required by Section 24-112(e) of the Subdivision Regulations.
7. 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.
8. The property being vacated shall revert to the ownership of Wendell K. Watson (5,473 square feet) and Thomas and Mary Proctor (5,581 square feet), as shown on the Plat of Computation.

#### RECOMMENDATION

#### APPROVAL