



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

## Preliminary Plan 4-05030

Application	General Data
<b>Project Name:</b> <b>RHELING STREET SUBDIVISION</b>  <b>Location:</b> Located at the terminus of Rheling Street, southeast of its intersection with Fisher Road.  <b>Applicant/Address:</b> Sherin, Eileen 3810 Concorde Parkway, Suite 1000 Chantilly, VA. 20151	Date Accepted: 11/2/05
	Planning Board Action Limit: 04/06/06
	Plan Acreage: 2.3
	Zone: R-80
	Lots: 4
	Parcels: 1
	Planning Area: 76B
	Tier: Developing
	Council District: 08
	Municipality: N/A
200-Scale Base Map: 208SE03	

Purpose of Application	Notice Dates		
RESIDENTIAL SUBDIVISION	Adjoining Property Owners Previous Parties of Record Registered Associations: 09/30/05 (CB-58-2003)		
	Sign(s) Posted on Site and Notice of Hearing Mailed: <b>NOT POSTED</b>		
<b>Staff Recommendation</b>	<b>Staff Reviewer: Whitney Chellis</b>		
<b>APPROVAL</b>	<b>APPROVAL WITH CONDITIONS</b>	<b>DISAPPROVAL</b>	<b>DISCUSSION</b>
		<b>X</b>	

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE’S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-05030  
Rheling Street, Lots 1-4 and Parcel A

OVERVIEW

The subject property is located on Tax Map 97, in Grid B-3 and is known as Parcel A (WWW 80@88). The property is approximately 2.33 acres and zoned R-80. The applicant is proposing to subdivide the property into four lots and one parcel for the construction of single-family dwelling units. The size of Parcel A is not indicated on the preliminary plan. Parcel A is located along the southern property line and contains significant environmental features. Impacts are proposed to the expanded buffer to implement this subdivision. The applicant has not submitted requested information for review as discussed further in Finding 3 of this report. A variation required pursuant to Section 24-130 of the subdivision was also not submitted, and is required.

As discussed in Finding 2 of this report, the applicant did not post this property to give adequate notice to the community of the public hearing. Notice required pursuant to Section 2.b. of Administrative Practice for the Prince George’s County Planning Board requires that it shall be the responsibility of the applicant to post sign(s) on the property for a minimum of 30 days for the purpose of public notice.

SETTING

The property is located at the terminus of Rheling Street, southeast of its intersection with Fisher Road. Rheling Street was dedicated to public use and developed with a small R-80 zoned 13-lot subdivision that currently is developed, and utilizes Rheling Street for access. This development is at the end of Rheling Street and is proposed as an extension of that existing community.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	R-80	R-80
Use(s)	Vacant	Single-family dwelling
Acreage	2.33	2.33
Lots	0	4
Parcels	1	1
Dwelling Units:		
Detached	0	4
Public Safety Mitigation Fee		Yes

2. **Adequate Public Notice**—Section 2.b. of the Administrative Practice for the Prince George’s County Planning Board requires that it shall be the responsibility of the applicant to post sign(s) on the property for a minimum of 30 days for the purpose of public notice.

The subject application was accepted on November 2, 2005, and the Subdivision Review Committee (SRC) meeting was held on November 18, 2005. At that time, the case was scheduled for public hearing on January 26, 2006. At the Subdivision Review Committee (SRC) meeting, staff advised the applicant of several outstanding items necessary for the review of the preliminary plan of subdivision and that failure to provide that information could result in an unfavorable recommendation to the Planning Board. The applicant was also clearly advised that the responsibility for posting the property was that of the applicant. The applicant would contact staff not less than 30 days prior to the hearing and staff would prepare the signs for the applicant to post the property.

On January 12, 2006, by letter, the applicant waived the first 70-day mandatory action time frame for the preliminary plan and advised staff that the additional information requested at the November 18, 2005, SRC meeting was forthcoming. The case was then rescheduled for March 30, 2006, the next to the last available Planning Board hearing date within the 140-day mandatory action time frame.

The end of the 140-day mandatory action time frame is April 6, 2006. To satisfy the 30-day posting requirement for the March 30, 2006 hearing, the applicant was required to post a public notice sign no later than February 28, 2006. The subject property was not posted for public notice.

3. **Outstanding Issues** –The additional information requested at the SRC meeting was never submitted. In fact, the last contact with the applicant was via the 70-day waiver letter submitted (Harbit to Chellis, dated January 12, 2005) which indicated additional information was forthcoming. The following was requested of the applicant at the November 18, 2005, SRC meeting and never submitted:

- a. Revised Preliminary Plan;
- b. Variation Request (24-130);
- c. Stormwater Management Approval letter and plan;
- d. Revised Tree Conservation Plan.

## **RECOMMENDATION**

**DISAPPROVAL** based on lack of adequate public notice and unresolved issues.