



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

Vacation Petition

V-08004

Application	General Data
Project Name & Record Plat Affected: Tuxedo, Section 2, Plat 8-19 Location: Located on the north end corner of 58 th Avenue and Beecher Street Petitioner: 59 th Avenue Associates, LLC 9928 Coach Road Vienna, VA 22181 Applicant/Address: RDA, Inc. 14603 Main Street, 2 nd Floor Upper Marlboro, MD 20772	Date Accepted: 9/08/08
	Planning Board Action Limit: N/A
	Plan Acreage: 3.29
	Zone: R-55
	Tax Map Grid: 058-F3
	Dwelling Units: N/A
	Square Footage: 5,172
	Planning Area: 69
	Council District: 05
	Municipality: N/A
200-Scale Base Map: 203NE05	

Purpose of Application	Notice Dates
To vacate part of 59 th Avenue adjacent to Lot 11, Block C and Lot 1, Block F.	Adjoining Property Owners: 2 (CB-15-1998)
	Previous Parties of Record: N/A (CB-13-1997)
	Sign(s) Posted on Site: 1
	Variance(s): Adjoining Property Owners: N/A

Staff Recommendation		Staff Reviewer: Cheryl Bressler	
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-08004, Tuxedo, Section 2, Plat 8-19**

Petition to vacate part of 59th Avenue adjacent to Lot 11, Block C and Lot 1, Block F, dedicated to public use by subdivision plat entitled Tuxedo, Section 2, recorded in Plat Book BB 8, Plat 19, all among the Land Records of Prince George's County, Maryland; being in the 2nd Election District.

OVERVIEW

The Petitioners, 59th Avenue Associates, LLC and Elwood A. Rollins, request the vacation of part of 59th Avenue adjacent to Lot 11, Block C and Lot 1, Block F, in the Tuxedo, Section 2 Subdivision. Total area of the property to revert to the ownership of 59th Avenue Associates, LLC is 3,412 square feet and the total area of the property to revert to the ownership of Elwood A. Rollins is 3,760 square feet. Petitioners are the owners of all adjacent properties abutting said street that is the subject of this Vacation Petition.

The subject property is located at the intersection of Beecher Street and 58th Avenue. The property is zoned R-55 and the portion reverting to 59th Avenue Associates, LLC will be incorporated into Parcel A through a new subdivision plat in accordance with approved Preliminary Plan 4-07041.

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 (DPW&T) consented to this petition as required by Section 24-112(e)(1) of the Subdivision Regulations subject to the applicant providing a 5-foot-wide right-of-way dedication on Beecher Street which is depicted on the proposed final plat and consistent with the dedication reflected on Preliminary Plan 4-07041.
3. The Washington Suburban Sanitary Commission (WSSC) has consented to this petition as required by Section 24-112(e)(1) of the Subdivision Regulations.
4. No referral agency or department recommended disapproval of the petition.
5. No objections were received from adjacent property owners.

6. Petitioners are the owners of all land abutting street area to be vacated.
7. The Mayor and Town Council of the Town of Cheverly do not consent to the vacation petition. The area to be vacated is not within the limits of the Town of Cheverly.

RECOMMENDATION: APPROVAL subject to the following condition:

1. The petitioners shall record a final plat of subdivision to incorporate the vacated area as designated on Exhibit D. The final plat will require the signature of both petitioners. Should Mr. Rollins signature not be provided in a timely manner, 59th Avenue Associates, LLC shall not be held responsible. They will be able to proceed with the final plat process in accordance with approved Preliminary Plan 4-07041 designating the area to be conveyed to Mr. Rollins as an outlet.