

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on February 19, 2009, regarding Detailed Site Plan DSP-020115 for The Hope of Fairwood, the Planning Board finds:

1. **Request:** This detailed site plan is for Lot 69, Block L located at 13207 Landsdales Hope Way, in the Fairwood residential development. The application is for a single-family detached residence that encroaches into the front building restriction line by 1.3 feet. The applicant requests that the Planning Board approve a modified front building restriction line (BRL) for the garage on Lot 69, Block L of 18.7 feet instead of 20 feet to allow the constructed house and garage to remain in their current location.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	M-X-C	M-X-C
Use(s)	Residential	Residential
Acreage	8.4 Acres (Total Site)	7,976 S.F
Building Square Footage/GFA	2,664.74	2,664.74

3. **Location:** The subject site is located in Planning Area 71A, Council District 6. The larger Fairwood development is located on the south side of Annapolis Road (MD 450), approximately 1,400 feet east of Enterprise Road (MD 193). Lot 69, Block L is located on the south side of Landsdales Hope Way, between its intersection with Gerrards Hope Drive to the west and Spriggs Hope Court to the east.
4. **Surroundings and Use:** The subject property at 13207 Landsdales Hope Way is surrounded by single-family detached homes in the Fairwood development to the north, south, east and west.
5. **Previous Approvals:** Previous approvals include Comprehensive Sketch Plan CP-9504 approved by the District Council on February 24, 1997; Preliminary Plan of Subdivision 4-00057 approved by the Planning Board in January 2001; Final Development Plan FDP-0001, approved by the Planning Board in January 2001 and Detailed Site Plan for Infrastructure DSP-02015, originally approved by the Planning Board on September 11, 2002, and revised numerous times to allow specific builders site their units on particular lots. The BRL from which this applicant seeks relief is shown on Detailed Site Plan DSP-02015 and is consistent with Final Development Plan FDP-0001.

6. **Planning Board Analysis:** The subject site, Lot 69, Block L, is an irregularly shaped lot that consists of 7,976 square feet and is part of a larger subdivision of 8.4 acres called The Hope at Firewood. The only access to the subject lot is from Gerrards Hope Drive. The property is the first dwelling on the south side of Landsdales Hope Way, which leads to two culs-de-sac called Spriggds Hope Court and Landsdales Hope Way.

The residence is a two-story dwelling with a two-car garage that has standard vinyl siding and a brick front façade. The name of the model is the “Williamsburg, James River,” which has a gross floor area of 2,664.74 square feet. The entrance is located on the right side of the dwelling across from Parcel D, which has been conveyed to the HOA. The pathway around the residence and driveway is concrete and foundation landscaping is planted at the entrance.

The front setbacks for lots of this size in this development established by previous approvals are a minimum of 15 feet for the house and a minimum of 20 feet for the garage. The house itself is set back well in excess of 15 feet. However, due to a stake-out error, the garage attached to the residence protrudes over the minimum 20-foot BRL by 1.3 feet.

This house’s noncompliance with the BRL for the garage is not readily apparent from the street and has no negative impact on the streetscape or the visual harmony of the neighborhood. The total area of the corner of the garage that encroaches beyond the BRL is only 10.64 square feet.

The encroachment has minimal adverse effect on the immediate neighbors or the surrounding community.

7. **Comprehensive Sketch Plan:** The modification of the front BRL for Lot 69, Block L will have no impact on previous findings of conformance with the comprehensive sketch plan for Fairwood, CP-9504.
8. **Preliminary Plan of Subdivision:** The modification of the front BRL for Lot 69, Block L, will have no impact on previous findings of conformance with Preliminary Plan of Subdivision 4-00057.
9. **Final Development Plan:** The modification of the front BRL for Lot 69, Block L will have no impact on previous findings of conformance with Final Development Plan FDP-0001.
10. The modification of the front BRL for Lot 69, Block L will have no impact on previous findings of conformance with the Woodland Conservation and Tree Preservation Ordinance.
11. As required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan as modified with a 1.3 foot revision to the building restriction line represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended uses.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Detailed Site Plan DSP-02015, subject to the following condition:

For Lot 69, Block L only, the front building restriction line for the house shall be 15 feet, and the front building restriction line for the garage shall be 18.7 feet.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Vaughns, seconded by Commissioner Clark, with Commissioners Vaughns, Clark, Squire and Parker voting in favor of the motion, and with Commissioner Cavitt absent at its regular meeting held on Thursday, February 19, 2009, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 19th day of March 2009.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator