



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

Vacation Petition

V-09002

Application	General Data	
Project Name & Record Plat Affected: Sandy Spring Estates, Section 7 Location: Northeast quadrant of Old Sandy Spring Road and Misty Pine Road Petitioner: Sandy Spring Estates, LLC P.O. Box 310 Ashton, MD 20861 Applicant/Address: Rifkin, Livingston, Levitan & Silver, LLC 6305 Ivy Lane, Suite 500 Greenbelt, MD 20770	Date Accepted:	03/06/2009
	Planning Board Action Limit:	N/A
	Plan Acreage:	0.36
	Zone:	R-R
	Tax Map Grid:	5/D2
	Dwelling Units:	N/A
	Square Footage:	15,736
	Planning Area:	60
	Council District:	01
	Municipality:	None
	200-Scale Base Map:	220NE06

Purpose of Application	Notice Dates	
To vacate part of Old Sandy Spring Road adjacent to Lots 16–18 of Sandy Spring Estates, Section 7, recorded in Plat Book REP 206, plat 62.	Adjoining Property Owners: (CB-15-1998)	0
	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: 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-09002
Sandy Spring Estates, Section 7

Petition to Vacate part of Old Sandy Spring Road adjacent to Lots 16, 17 and 18 dedicated to public use by subdivision plat entitled Sandy Spring Estates, Section 7, recorded in Plat Book REP 206, plat 62, among the Land Records of Prince George's County, 10th Election District.

OVERVIEW

The petitioners are the owners of all lots abutting Old Sandy Spring Road to be vacated. It is the applicant's intention to incorporate the vacated area into lots through a minor subdivision plat.

The property is the subject of Detailed Site Plan DSP-03083 which was approved by the Planning Board on June 24, 2004, and PGCPB Resolution No. 04-153 was adopted July 15, 2004. On July 11, 2005, the District Council voted to remand the case to the Planning Board in accordance with Section 27-290 of the Zoning Ordinance because the District Council believed that the noise study provided by the applicant did not accurately predict the noise-receiving experience of future residents and required the applicant to perform an additional study especially on the peak-hour noise that impacts the four lots included in this detailed site plan. Subsequently, the Planning Board approved the detailed site plan on July 26, 2007 and adopted the amended resolution on September 20, 2007. The District Council did not elect to hear the case after the Planning Board's action. The subject vacation petition is in accordance with the Planning Board's approval.

The surrounding properties are zoned Rural Residential (R-R) with the exception of the West Laurel Community Park to the north which is zoned Reserved Open Space (R-O-S).

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)(1) 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.

3. The Washington Suburban Sanitary Commission (WSSC) consented to this vacation petition as required by Section 24-112(e)(1).
4. No referral agency or department recommended disapproval of the petition.
5. Petitioner is the owner of all land abutting street area to be vacated.

RECOMMENDATION: APPROVAL subject to the following condition:

1. Prior to the issuance of any building permits, the applicant shall record a new subdivision plat in accordance with Section 24-108(a)(3) to consolidate lots and incorporate vacated area. This subdivision plat shall be in accordance with DSP-03083.