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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
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14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

May 5, 2020

Werrlein Property, c/o Karl Granzow
4110 Melwood Road
Upper Marlboro, MD 20772



Re: Notification of Planning Board Action on
Zoning Section DDS-666
Hyatt Addition to Hyattsville, Lot 50

Dear Applicant:

This is to advise you that, on **April 30, 2020**, the above-referenced application was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-228.01 of the Zoning Ordinance, the Planning Board's decision will become final 30 calendar days after the date of the final notice **May 5, 2020** of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-291), the District Council decides, on its own motion, to review the action of the Planning Board.

Please direct any future communication or inquiries regarding this matter to Ms. Donna J. Brown, Acting Clerk of the County Council, at 301-952-3600.

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-636-2050.)

Sincerely,
James R. Hunt, Chief
Development Review Division

By: Thomas Sivers
Reviewer

Attachment: PGCPB Resolution No. **2020-61**

cc: Donna J. Brown, Acting Clerk of the County Council
Persons of Record



PGCPB No. 2020-61

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

File No. DDS-666

RESOLUTION

WHEREAS, Werrlein Property is the owner of a .21-acre parcel of land in the 16th Election District of Prince George's County, Maryland, and being zoned Chesapeake Bay Critical Area (CBCA) Intense Development Overlay (I D-O), One-Family Detached Residential (R-55) and Development District Overlay (D-D-O); and

WHEREAS, on March 2, 2020, Werrlein Property filed an application for approval of a Departure from Design Standards to allow for a reduced Section 4.7 bufferyard along the southeast property line abutting the Wheelock House historic site; and

WHEREAS, the application for approval of the aforesaid Departure from Design Standards, also known as Departure from Design Standards DDS-666 for Hyatt Addition to Hyattsville, Lot 50, was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on April 16, 2020, for its review and action in accordance with Zoning Ordinance, Subtitle 27, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on April 16, 2020, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27, Prince George's County Code, the Prince George's County Planning Board APPROVED Departure from Design Standards DDS-666 for Hyatt Addition to Hyattsville, Lot 50, to allow for a reduction of the Section 4.7 landscape bufferyard width, along the southeast property line to 12.5 feet.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

- 1. Request:** The proposal is for the construction of a single-family detached dwelling on a vacant lot within the Chesapeake Bay Critical Area (CBCA) Intense Development Overlay (I-D-O), One-Family Detached Residential (R-55) and Development District Overlay (D-D-O) Zones. This Departure from Design Standards, DDS-666, is the companion case of Conservation Plan CP-19001 (PGCPB Resolution No. 2020-60), which was approved on the same date by the Prince George's County Planning Board.

This Departure from Design Standards DDS-666 was requested for a reduction to the required Section 4.7 bufferyard, in accordance with the 2010 *Prince George's County Landscape Manual* (Landscape Manual), along the southeast property line abutting the Wheelock House historic site.

2. **Location:** The subject property is located on Tax Map 50 in Grid B1 and consists of one lot totaling 0.21 acre or 9,182 square feet, of which, 0.17 acre is located within the CBCA Conservation Overlay (I-D-O) Zone. The site is in Planning Area 68, Council District 2. More specifically, the subject property is located on the northeast side of Crittenden Street, approximately 100 feet south of its intersection with 40th Place. The property address is 4016 Crittenden Street, Hyattsville, Maryland 20781.

3. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	R-55/I-D-O	R-55/I-D-O
Use(s)	Vacant	Residential
Acreage	9,182 sq. ft.	9,182 sq. ft.

OTHER DEVELOPMENT DATA

	PERMITTED	APPROVED
Maximum Building Height	35 feet	27 feet
Maximum Lot Coverage (per R-55 Zone)	30%	17.1%
Minimum Lot/Width Frontage	35 feet	64.35 feet
Minimum Lot/Width Front Building Line	55 feet	60.09 feet
Minimum Front Yard Setback	25 feet	25.8 feet
Minimum Side Yard Setbacks (northwest property line)	8 feet/17 feet	13 feet/25.5 feet total
Minimum Width Section 4.7 Landscape Buffer (southeast property line)	50 feet	12.5 feet*

*Departure Requested

4. **Surrounding Uses:** The subject property is located within the R-55, D-D-O, and I-D-O Zones within the CBCA, and is surrounded by identically zoned, developed, single-family residential properties within the Hyatt's Addition to Hyattsville, Maryland Subdivision. Crittenden Street abuts the subject property to the south.
5. **Previous Approvals:** The subject property is known as Lot 50 in the Hyatt's Addition to Hyattsville, Maryland, recorded in Plat Book WWW 30, page 37, in the Prince George's County Land Records. The recorded plat shows that the subject lot was created in 1957. The subject site contained a single-family detached residence until 2015 when it was razed (Raze Permit #47171-2014-00).
6. **Design Features:** The conservation site plan reflects the lot bearings and distances, in accordance with the record plat, and meets the requirements of the Zoning Ordinance for development in the R-55 Zone regarding lot coverage, but not the minimum Section 4.7 landscape bufferyard width required along the southwest property line. The lot has a peculiar shape and size, as the front yard

has a large curved area along the frontage of Crittenden Street, and both side property lines converge towards each other as they progress towards the rear to a narrower rear property line as compared to the front.

A 50-foot-wide bufferyard, inclusive of a 50-foot building setback and 40-foot landscape buffer, is required along the southeastern property line, which abuts a historic site. Given the narrow width of the existing lot, this DDS-666 was filed, as discussed further in the findings below.

COMPLIANCE WITH EVALUATION CRITERIA

7. Environmental Review and Conformance with Subtitle 5B

Background

The following applications and associated plans were previously reviewed for the subject site:

Development Review Case #	Associated Tree Conservation Plan # or Natural Resources Inventory #	Authority	Status	Action Date	Resolution Number
N/A	NRI-042-2019	Staff	Approved	04/16/2019	N/A
N/A	S-052-2019	Staff	Approved	04/11/2019	N/A
CP-19001/ DDS-666	N/A	Planning Board	Pending	Pending	Pending

Site Description

This 0.21-acre property is located at 4016 Crittenden Street, Hyattsville and is in the R-55 Zone. Approximately 0.17 acre of the site is within the I-D-O Zone of the CBCA. The property is currently vacant with mowed grass. No primary buffer or secondary buffer is associated with the site. No County regulated 100-year floodplain is mapped on-site and the property is situated behind an existing levee that protects the site from flooding and interrupts the natural hydrological flow between the mean highwater line of the Lower Northeast Branch of the Anacostia River and the site. The predominant soil found to occur, according to the US Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, includes Russett-Christiana-Urban land complex (0-5 percent slopes). According to available information, Marlboro clay is not found to occur on this property; however, soils containing Christiana complexes are mapped across the site.

The site is not located within a Sensitive Species Protection Review Area. The site is located within the Hyattsville Historic District and shares its frontage with Crittenden Street, a designated Historic Road. Wheelock House (ID: 68-010-31), a designated historic site of environmental setting, shares a large portion of the subject site's southeastern boundary. According to the approved 2017 *Countywide Green Infrastructure Plan* of the *Approved Prince George's Resource Conservation Plan: A Countywide Functional Master Plan*, the property is not mapped within any regulated or evaluation areas. The site is located within the Established Communities

of the Growth Policy Map and Environmental Strategy Area 4 of the Regulated Environmental Protection Areas Map, as designated by the 2014 *Plan Prince George's 2035 Approved General Plan*. This site is also within the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*.

Chesapeake Bay Critical Area (CBCA) Commission Review

Comments were received from the Critical Area Commission on September 5, 2019. The Commission indicated that the project does not propose impacts to any Habitat Protection Area or CBCA buffer, and does not propose clearing. The Commission provided the following comments regarding critical area requirements, as follows:

- 1) "Please complete and submit the Critical Area's 10% Rule spreadsheet (enclosed) to verify that the proposed rooftop disconnect and pervious concrete driveway will satisfy the requirement to reduce the annual phosphorus load by 10 percent as per Section 5B-113 of the Prince George's County Code. Assuming that the new lot coverage is entirely located in the I-D-O of the Critical Area, according to Critical Area's 10% Rule spreadsheet, 0.02 pounds of phosphorus must be reduced annually to satisfy the requirement (see enclosed spreadsheet previously referenced)."

A condition of approval is required with the conservation plan associated with this site to show the required CBCA 10 percent pollutant reduction table on the plan, prior to certification.

Environmental Review

The development proposal is to construct a two-story house and a walkway that will add impervious areas on-site. A pervious concrete driveway made with permeable concrete will also be added to the site. The overall lot coverage for the site will increase since no structures exist on the site at this time. There is no maximum for CBCA lot coverage within the I-D-O Zone. The allowable lot coverage for the underlying R-55 Zone is 30 percent. The lot coverage provided is 17.10 percent.

Department of Permitting, Inspections and Enforcement (DPIE) – Review

A copy of the approved Stormwater Management (SWM) Concept Plan and Letter (11969-2019-00), dated April 30, 2019, was submitted with the subject application. According to Condition #1 of the approved SWM Concept Letter, the project is exempt from SWM requirements, as less than 5,000 square feet is to be disturbed. A fee of \$750.00 in lieu of providing on-site attenuation/quality control measures is required. It was noted that the configuration of the house and driveway on the approved SWM concept plan differs slightly from what is shown on CP-19001. Specifically, the house footprint on the conservation plan is 450-square-feet larger than the house size shown on the SWM concept plan. According to correspondence from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), dated September 6, 2019, DPIE does not support the conservation plan at this time, and the SWM concept plan must be revised to match the proposed conservation plan.

Ten percent pollutant reduction calculations demonstrating that the post-development impervious area of the site will result in at least a 10 percent reduction in pollutant run-off from the site are required for projects in the I-D-O Zone. The calculations are not shown on the CBCA conservation plan; however, the CBCA Commission stated, in their comments dated September 5, 2019, that it appears that 0.02 pounds of phosphorus must be reduced annually to satisfy the requirement of reducing the annual pre-development pollutant levels by 10 percent (as per Section 5B-113 of the Prince George's County Code).

Natural Resources Inventory Plan

The subject site has an approved Natural Resources Inventory equivalency letter (NRI-042-2019), dated December 21, 2018, which was included with the application package. An existing conditions plan was also submitted with this application. Except for the existing tree line, the existing conditions of the site are correctly shown on the Conservation Plan and existing conditions plan. No additional information is required regarding the existing conditions of the site.

Chesapeake Bay Critical Area (CBCA) Conservation Plan

The plan labeled as a Conservation Plan contains required information, such as existing and proposed conditions, lot coverage calculations, and proposed landscape planting information.

The subject site shares approximately 130 linear feet of its southeastern property line with the abutting Wheelock House, a historic property at 4100 Crittenden Street. An alternative compliance was requested from the requirements of the Landscape Manual for Section 4.7(c)(7)(A), Buffering Incompatible Uses. A Type D bufferyard would normally be required for a new single-family house that is sited adjacent to a historic property. Such a bufferyard requires a 50-foot building setback and a 40-foot-wide landscape yard. However, given the constraints of the property having limited width along the frontage of Crittenden Street, much of the site being occupied by a 20-foot-wide stormdrain easement, and a variable width sewer easement, it was determined that an equally effective solution to the requirements of Section 4.7(c)(7)(A) could not be achieved on this property and the application for alternative compliance was recommended for disapproval on January 1, 2020 by the Planning Director. Subsequently, the applicant submitted this DDS to reduce the landscape yard width to 8–10 feet, the building setback to 12.5 feet in width, and the number of plant units from 208 units to 120 units, which is discussed further. These changes do not negatively impact the critical area requirements for the site.

Because a separate landscape plan was not submitted with this application, the conservation plan is also serving as a landscape plan. The plan must include all the associated required landscaping specifications per the Landscape Manual. It was noted that a cultivar of red maple (*Acer rubrum* 'Red Sunset') that typically matures to a size of 45–50 feet in height by 35–40 feet in width, and Pin Oak (*Quercus palustris*) that typically matures to a size of 60–70 feet in height by 25–40 feet width was specified on the plan. Three of these trees are proposed to be placed within 10 feet of the footprint of the proposed house. Major shade trees shall be relocated a minimum of 20 feet from the building footprint, to limit their mature canopy spread over the proposed house, or use

alternative species with a narrow columnar growth habit that would not impact the building footprint.

It was also noted that a shade tree is proposed on top of the edge of the proposed driveway and must be removed from it.

Chesapeake Bay Conservation and Planting Agreement

A Chesapeake Bay Conservation and Planting Agreement will be required to be executed and recorded, prior to certification approval of the conservation plan for development of the site.

Chesapeake Bay Conservation Easement

A Conservation Easement will not be required for this site. The site does not contain any woodland that is to remain.

Chesapeake Bay Critical Area (CBCA) Ordinance

The site is located within the I-D-O Zone; therefore, the site is subject to CBCA regulations. The purposes of the I-D-O Zone, as outlined in Section 27-548.13 of the Zoning Ordinance, are to accommodate existing residential, commercial, or industrial land uses within the CBCA; to promote new residential, commercial, and industrial land uses, in accordance with development intensity limits designated for the I-D-O Zone; to conserve and enhance fish, wildlife, and plant habitats; and improve the quality of runoff that enters the tributary streams of the Chesapeake Bay from developed areas. The regulations concerning the impervious surface ratio, density, slopes, and other provisions for new development in the I-D-O Zone are contained in Subtitle 5B of the County Code, as follows:

Section 5B-113. – Intensely Development Overlay (I-D-O) Zones.

- (e) **Development standards. The following development standards must be demonstrated within the I-D-O Zone:**
 - (1) **For redevelopment plans, opportunities to reduce impacts on water quality generated by existing development shall be analyzed;**

The subject property is not defined as a redevelopment plan.
 - (2) **Urban (BMPs) for stormwater treatment shall be considered and, where appropriate, implemented as part of all plans for development and redevelopment;**

Two urban best management practices were identified, including a rooftop disconnect downspout and a pervious concrete driveway, satisfying the requirements of this finding.
 - (3) **Stormwater shall be addressed in accordance with the following provisions:**

- (A) **Development or redevelopment projects shall use technologies as required by applicable ordinances in order to minimize adverse impacts to water quality caused by stormwater;**
- (B) **In the case of redevelopment, if these technologies do not reduce pollutant loadings measured by use of the keystone pollutant method by at least 10 percent below the level of pollution on the site prior to redevelopment, then offsets shall be provided. Guidance for compliance with this requirement is provided in the Critical Area 10% Rule Guidance Manual - Fall 2003 and as may be subsequently amended**
- (C) **In the case of new development, offsets shall be used if they reduce pollutant loadings by at least 10 percent of the pre-development levels. Guidance for compliance with this requirement is provided in the Maryland Chesapeake and Atlantic Coastal Bays Critical Area 10% Rule Guidance - Fall 2003 and as may be subsequently amended.**
- (D) **Offsets may be provided either on or off site, provided that water quality benefits are equivalent, that the benefits are obtained within the same watershed, and that the benefits can be determined through the use of modeling, monitoring or other computation of mitigation measures. Guidance regarding offsets is provided in the Maryland Chesapeake and Atlantic Coastal Bays Critical Area 10% Rule Guidance - Fall 2003**

As part of the SWM approval process, two best management practices were approved: rooftop disconnect downspout and pervious concrete driveway. However, the SWM concept approval does not specifically address the 10 percent pollutant reduction requirement. Conformance with the 10 percent pollutant reduction requirement must be demonstrated with the conservation plan by submitting written approval from DPIE to the Maryland-National Capital Park and Planning Commission.

- (4) **There is no Critical Area lot coverage maximum in the I-D-O, however, where practicable, permeable areas shall be established in vegetation, and whenever possible, redevelopment shall reduce existing levels of pollution**

The subject property includes 17.10 percent CBCA lot coverage. The site plan shows a driveway made of pervious concrete, which will allow the movement of stormwater through the surface.

- (5) **Areas of public access to the shoreline, such as foot paths, scenic drives and other public recreational facilities, should be maintained and, if possible, encouraged to be established within the I-D-O.**

The subject lot is not abutting a shoreline and therefore this standard does not apply.

8. **Prince George's County Zoning Ordinance:** The application conforms to the requirements of the R-55 Zone, including Section 27-441, Permitted Uses, of the Zoning Ordinance as follows:

- (a) The property was recorded in Plat Book WWW 30, Page 37, in 1957, as Lot 50 of the Hyatt's Addition to Hyattsville, Maryland Subdivision.

Pursuant to Section 24-107(c)(7)(a) of the Subdivision Regulations, the site is exempt from the requirements of filing a preliminary plan of subdivision because the use is for a single-family detached dwelling. The dwelling will meet all the current zoning requirements except for the required minimum bufferyard of 50 feet.

- (b) The minimum net lot area for the subject lot is 6,500 square feet. The provided net lot area is 9,182 square feet.
- (c) The maximum permitted zoning lot coverage is 30 percent. The lot coverage provided, 17.1 percent, meets this requirement.
- (d) The required front yard setback of 25 feet is provided.
- (e) The minimum lot width at the front building line permitted by Section 27-442(d), Table III, of the Zoning Ordinance is 55 feet for one-family detached lots platted prior to September 22, 1957. The site plan shows lot width at the front building line is 60.09 feet.
- (f) The required rear yard setback is 20 feet. The provided rear yard setback of 112.7 feet exceeds this requirement and is delineated on the plan.
- (g) The maximum building height permitted is 35 feet. The site plan indicates that the dwelling is 27 feet in height, which meets this requirement.
- (h) No accessory dwellings are indicated on the site plan.
- (i) The lot's side yard setbacks comply with the minimum requirement set forth within Section 27-442(e) of 8 feet from the property line to the building, and the total of both side yards requirement of a minimum of 17 feet. However, the side yard setback requirement along the southeast property line is superseded by the more restrictive setback requirement of the Landscape Manual, which is discussed further below.

- (j) The minimum lot width at the street frontage, permitted by Section 27-442(d), Table III, is 35 feet. The lot width provided at the street frontage is 64.35 feet, satisfying this requirement.
- (k) In accordance with Section 27-120.01(c) of the Zoning Ordinance, parking on the subject site must be located behind the front building line. A condition of approval has been recommended to provide the minimum parking requirements and to dimension the parking provided on the conservation plan. Site data must be updated for any additional impervious area created.

Based on this analysis of the Zoning Ordinance requirements, a departure to the minimum landscape bufferyard requirement is needed, as discussed further.

9. **2010 Prince George's County Landscape Manual:** The development proposal for a new single-family detached home is subject to the Landscape Manual because the application is for new construction. The Landscape Manual applies, as follows:

Section 4.1—Residential Requirements: The plan provides the schedule and plantings showing the requirements of Section 4.1 being met for lots less than 9,500 square feet, by planting 22 shade trees and 11 evergreen trees.

Section 4.6—Buffering Development from Streets: The subject property is located along Crittenden Street, a designated historic roadway. A 10-foot-wide buffer is required for the site along Crittenden Street, with one shade tree and 10 shrubs per 35 linear feet of frontage. The plans provide the required Section 4.6-2 landscape schedule; however, the required shrubs have not been provided. The plans will require revision to include the shrub plantings.

Section 4.9—Sustainable Landscaping Requirements: The correct schedule and notes have been provided on the plan showing conformance with the requirements of Section 4.9 for native species.

Section 4.7—Buffering Incompatible Uses: A Type D Bufferyard is required along the southeast property, abutting a historic site. A Type D bufferyard would normally be required for a new single-family house that is sited adjacent to a historic property. Such a bufferyard requires a 50-foot building setback and a 40-foot-wide landscape yard. However, given the constraints of the property having limited width along the frontage of Crittenden Street, much of the site being occupied by a 20-foot-wide stormdrain easement, and a variable width sewer easement, the required landscape bufferyard width and plantings cannot be provided. The applicant requested this DDS, to allow a reduction to the requirements of Section 4.7, which is detailed below.

An application for alternative compliance was recommended for disapproval on January 1, 2020 by the Planning Director, finding that an equally effective buffer could not be achieved on the subject property. Subsequently, the applicant submitted a DDS to reduce the landscape yard

width to 8–10 feet, the building setback to 12.5 feet in width, and the number of plant units from 208 units to 120 units.

Departure from Design Standards—The applicant filed a DDS for the minimum Section 4.7 landscape bufferyard requirement, along the southeast property line of the subject site, which is APPROVED based on the findings below.

Section 27-239.01(b)(7)(A) of the Zoning Ordinance sets forth the following required findings for approval of a departure from a standard contained in the Landscape Manual:

(7) Required Findings.

(A) In order for the Planning Board to grant the departure, it shall make the following findings:

(i) The purposes of this Subtitle will be equally well or better served by the applicant's proposal;

The Landscape Manual lists the following objectives related to Section 4.7 Buffering Incompatible Uses (Section 4.7(a)):

- (1) Establish a comprehensive, consistent, and flexible buffering system consisting of a specified area of land and vertical elements, such as plant materials, walls, fences, and berms, between adjacent incompatible land uses.**
- (2) Form a visual and physical separation between uses of a significantly different scale, character, and/or intensity of development to mitigate undesirable impacts, such as noise, smell, storage facilities, dust, fumes, vibration, litter, vehicle exhaust, and lighting.**
- (3) Create a transition between moderately incompatible uses.**

The bufferyard will incorporate additional plant materials adjacent to the existing wrought iron fencing and boulder wall, along the southeast property line, providing for a mixture of attractive visual elements between the two incompatible land uses. While the Landscape Manual considers the two uses significantly incompatible, the applicant worked carefully with Historic Preservation Staff to ensure the scale, and character of the single-family home is compatible with the adjacent historic site. A memorandum from the Historic Preservation Commission dated September 6, 2019 (Historic Preservation Commission to Simon) indicates that “The currently proposed architecture should be considered compatible with the adjacent Historic Site.” Furthermore, the single-family residence will produce the same impacts in terms of noise, smell, storage facilities, dust, fumes, vibration, litter, vehicle exhaust, and light, as the historic site, which is also in use as a single-family residence. While the applicant recognizes the Landscape Manual’s intent to protect the visual character of historic sites, in this instance

it seems most appropriate to consider the adjacent uses moderately incompatible, in which case a transition between the uses is recommended. The combination of plantings and building setback, in combination with the existing fencing and boulder wall, will provide an attractive, historically appropriate transition between the moderately incompatible uses.

The Landscape Manual lists the following design guidelines related to the buffering of historic sites (Section 4.7(b)):

- (3) **When buffering historic sites from incompatible uses, historically appropriate, noninvasive species should be used to preserve the context of the historic site.**

Historically appropriate, noninvasive species, including Red Sunset Maple, Pin Oak, and American Holly will preserve the context of the historic site.

- (4) **Consideration should be given to topography, the extent of the environmental setting, and the preservation of vistas whenever possible. When designing bufferyards, equal consideration should be given to preserving and enhancing the views of and the views from the historic sites.**

The applicant discussed the option of installing a 6-foot-high, sight-tight fence along the property line with the owner of the historic site. This would reduce the required planting units by 50 percent to a total of 104. The historic site owner, Mr. Currie, was in opposition to this, as it would have a detrimental look adjacent to his existing black wrought iron fence, as well as an awkward positioning adjacent to his rear boulder wall, detracting from the view to and from the historic site. Based on the foregoing analysis, the applicant contends that the purposes of this Subtitle will be equally well or better served under this proposal.

- (ii) **The departure is the minimum necessary, given the specific circumstances of the request;**

Given the narrow, deep nature of the site, as well as its tapered shape, the maximum width of bufferyard possible has been provided. The applicant proposes to replace the previously razed single-family home with a new building of comparable size, minimizing the building footprint and maximizing the building setback to the extent possible. With a lot width varying from only 37 to 65 feet, the provision of a wider bufferyard was not feasible without rendering the property undevelopable.

- (iii) **The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949;**

The subject proposal consists of infill development within a well-established community that was originally developed in the early 1900s. The neighborhood is characterized by narrow, deep lots in a regularized grid blocking pattern.

(iv) **The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.**

As discussed above, the architecture of the single-family house has been revised in consultation with Historic Preservation Commission, who has deemed it compatible with the historic site. As such, approval of the departure to allow a smaller bufferyard will not impair the visual or functional integrity of the site. Upon approval of the requested departure and construction of the house, an additional 18 Red Sunset Maples, 4 Pin Oaks, and 11 American Hollies will be planted on the site, enhancing the environmental integrity of the site and surrounding neighborhood.

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO):** The project is not subject to the WCO because the site is within the CBCA.
11. **Prince George's County Tree Canopy Coverage Ordinance:** The subject property is located within the CBCA and is exempt from the requirements of the Tree Canopy Coverage Ordinance, in accordance with Section 25-127(b)(1)(E).
12. **Further Planning Board Findings and Comments from Other Entities:** The following referrals were received and are incorporated herein by reference.
 - a. Environmental Planning Section, dated April 1, 2020 (Juba to Sievers)
 - b. Permit Review Section, dated March 16, 2020 (Glascoe to Sievers)
 - c. Critical Area Commission, dated September 5, 2019 (Harris to Simon)
 - d. Prince George's County Department of Permitting, Inspections and Enforcement, dated March 9, 2020 (Branch to Sievers)
 - e. Historic Preservation Commission, dated December 18, 2019 (Historic Preservation Commission to Simon)
 - f. Community Planning, dated March 17, 2020 (Mierow to Sievers)
13. **City of Hyattsville:** At the Planning Board meeting on April 16, 2020, the City of Hyattsville provided a letter dated April 8, 2020, which recommended disapproval of the DDS request due to the substantial reduction proposed from the normal requirements of the Landscape Manual. However, the Planning Board found that the departure was supported by the required findings and would have no negative impact on the surrounding development.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the adoption of this Resolution.

* * * * *

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 Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner and Hewlett voting in favor of the motion at its regular meeting held on Thursday, April 16, 2020, in Upper Marlboro, Maryland.

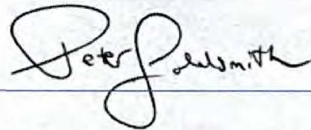
Adopted by the Prince George's County Planning Board this 30th day of April 2020.

Elizabeth M. Hewlett
Chairman


By Jessica Jones
Planning Board Administrator

EMH:JJ:TS:nz

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department
Date: April 27, 2020