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COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

Legislative Session

1992

Resolution No. _____ CR-35-

1992

Proposed by Council Members Bell, Casula, Pemberton and Mills

Introduced by Council Members Bell, Casula, Pemberton

_____ and

Mills

Co-Sponsors

Date of Introduction _____ April 28,

1992

RESOLUTION

A RESOLUTION concerning

Private Rights-of-Way or Easements for Single Family Development

FOR the purpose of determining the adequacy of private rights-of-way or easements serving one hundred and five (105) single-family detached dwellings on two parcels of land owned by the HomeFed Federal Savings Bank.

WHEREAS, Section 24-128(b) (7) (D) of the Prince George's

County Code (1991 Edition) authorizes the County Council to approve by resolution the adequacy of private rights-of-way or easements for access to single-family detached dwelling units developed in the R-M (Residential - Medium Development) and M-X-T (Mixed Use - Transportation Oriented) Zones; and

WHEREAS, in adopting this Resolution, it is not the County Council's intention to usurp the authority or expertise of the Prince George's County Planning Board in its subdivision approval; and

WHEREAS, in adopting this Resolution, it is not the County Council's intention to preclude the Planning Board from making its own independent finding concerning the private access set forth in Section 24-128(b)(7)(D) of the Prince George's County Code; and

WHEREAS, the Planning Board may make whatever changes to the approved private rights-of-way or easements for the single-family detached lots it deems necessary for its subdivision approval of such lots; and

WHEREAS, the County Council's finding of adequacy of the private rights-of-way or easements is limited solely to the single-family detached dwelling units which such rights-of-way are intended to serve; and

WHEREAS, the preliminary plan of subdivision provides for the construction of one thousand and eight (1,008) residential dwelling units, of which one hundred and five (105) are single-family detached dwelling units, and therefore the preliminary

plan of subdivision provides for less than twenty percent (20%) single-family detached dwelling units; now therefore

BE IT RESOLVED by the County Council of Prince George's County, Maryland, that the private rights-of-way or easements serving thirty-eight (38) single-family detached dwellings on property known as Parcel 9, on Page 104, Grid D-3 of the current Tax Map, and further described in a deed recorded among the Land Records of Prince George's County, Maryland, in Liber 6082 at Folio 534, and property known as Parcel 38, on Page 104, Grid E-4 of the current Tax Map, and further described in a deed recorded among the Land Records of Prince George's County, Maryland, in Liber 6053 at Folio 804, said properties being zoned M-X-T; and the private rights-of-way or easements serving sixty-seven (67) single-family detached dwellings on property known as Parcel 38, on Page 104, Grid E-4 of the current Tax Map, and further described in a deed recorded among the Land Records of Prince George's County, Maryland, in Liber 6053 at Folio 804, said property being zoned R-M, are hereby approved as adequate to protect the health, safety, and welfare of the residents of the development provided that the following conditions are met:

1. The Department of Public Works and Transportation shall approve the rights-of-way with regard to public health and safety.

2. The Department of Public Works and Transportation shall approve the rights-of-way with regard to road specifications.

