Case No. SP-08046

Applicant: Kevin M. Sills

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ORDER AFFIRMING PLANNING BOARD DECISION, WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 09-167, to approve with conditions a detailed site plan for lot layout for 14 single-family dwellings, for a project referred to as Temple Hills, Phase II, on property described as approximately 14.9973 acres of land in the R-80 Zone, in the western end of Joel Lane, 500 feet south of its intersection with Temple Boulevard, Temple Hills, is:

AFFIRMED, for the reasons stated by the Planning Board, whose decision is hereby adopted as the findings of fact and conclusions of law of the District Council in this case.

Affirmance of the Planning Board's decision is subject to the following conditions:

1. Prior to certification, the detailed site plan and landscape plan shall be revised as follows:

    (a) Provide standard sidewalks along both sides of Joel Lane, unless modified by DPW&T.

    (b) Add dimension lines to demonstrate that required setbacks, driveway dimensions, and yards have been provided on all lots.

    (c) Revise the lot coverage table to demonstrate the percentage of lot coverage proposed on each lot.

    (d) Provide a Type B bufferyard along the northern property line adjacent to the Brinkley Towers development.

    (e) Add one additional shade tree and one evergreen or ornamental tree to the proposed plantings in Lot 1, Lot 4, Lot 5, and Lot 14.

    (f) Update the landscape schedule for Section 4.1 to account for the additional plantings required for lots above 20,000 square feet in size.

(g) Move the proposed structure on Lot 1 further back from the street in order to achieve a 20-foot setback from the side yard closest to the wetland buffer.

(h) Move the proposed structure on Lot 2 away from the wetland buffer in order to achieve a 20-foot setback from the side yard closest to the wetland buffer.

(i) Move the proposed structure on Lot 3 away from the wetland buffer in order to achieve a 20-foot setback from the side yard closest to the wetland buffer.

(j) Provide additional clearing at the rear of Lot 6 in order to achieve a 40-foot deep activity area.

2. Prior to certification of the DSP, the TCP II shall be revised to:

(a) Remove all notes and details from sheet 5 of 6 referencing on-site planting.

(b) Revise the Type II Tree Conservation Plan Notes 2 and 5 on sheet 5 of 6 to refer to the "county inspector" instead of DER.

(c) Relocate the structures as required by condition 1.

(d) Provide additional clearing at the rear of Lot 6 in order to achieve a 40-foot deep activity area.

(e) Revise the worksheet as needed.

(f) Have the revised plan signed and dated by the qualified professional who prepared the plan.

3. Prior to certification of the DSP, the applicant shall demonstrate that an easement has been created on existing Lot 24 to allow the planting and preservation of the six proposed trees associated with the proposed Lot 1. The easement shall run to the benefit of the owner of Lot 1 and shall provide for the perpetual maintenance and replacement (if necessary) of the trees.

Ordered this 26th day of April, 2010, by the following vote:

In Favor: Council Members Dernoga, Bland, Campos, Dean, Exum, Harrison, Knotts and Turner

Opposed:

Abstained:

Absent: Council Member Olson

Vote: 8-0

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND, SITTING AS THE DISTRICT COUNCIL FOR THAT PART OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT IN PRINCE GEORGE'S COUNTY, MARYLAND

By: _____
Thomas E. Dernoga, Chairman

ATTEST:

_____
Redis C. Floyd
Clerk of the Council