



*Note: Staff reports can be accessed at [www.mncppc.org/pgco/planning/plan.htm](http://www.mncppc.org/pgco/planning/plan.htm).*

## Vacation Petition

## V-09003

Application	General Data	
<b>Project Name &amp; Record Plat Affected:</b> Oakcrest Plat Book A-108(A)  <b>Location:</b> Clarke Avenue, east of Baltimore Avenue (US 1), south of Willow Street and north of Pinehill Street (formerly Pine Street)  <b>Petitioners:</b> Linda L. and John H. Warner, Jr. et al. (Lot 1, Lot 13, Lot 2 and Lot 14)  <b>Applicant/Address:</b> Gary J. Krupka Gozman, Bernstein and Markuski 9101 Cherry Lane Laurel, MD 20708	Date Accepted:	05/28/09
	Planning Board Action Limit:	N/A
	Plan Acreage:	0.34
	Zone:	R-55
	Tax Map Grid:	010 C-1
	Dwelling Units:	N/A
	Square Footage:	15,000 sq.ft.
	Planning Area:	62
	Council District:	01
	Municipality:	None
	Tier:	Developing
200-Scale Base Map:	218NE08	

Purpose of Application	Notice Dates	
To vacate part of Clarke Avenue, east of Baltimore Avenue (US 1), south of Willow Street and North of Pinehill Street, recorded in Plat Book A-108(A)	Adjoining Property Owners: (CB-15-1998)	0
	Previous Parties of Record: (CB-13-1997)	N/A
	Sign(s) Posted on Site:	2
	Variance(s): Adjoining Property Owners:	N/A

Staff Recommendation		Staff Reviewer: Becky Nordan	
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-09003**  
**Oakcrest (Plat Book A-108(A))**

Petition to vacate part of Clarke Avenue as shown on a subdivision plat known as "Oakcrest," Plat Book A-108(A), recorded among the Land Records of Prince George's County, Election District No. 10.

OVERVIEW

The Petitioners, seek to vacate the portion of Clarke Avenue located on the east side of Baltimore Avenue (US 1), south of Willow Street and north of Pinehill Street (formerly Pine Street). Vacated area totals 15,000 square feet or 0.344 acres, to be divided equally among the four adjacent property owners, as shown on the Plat of Computation. This street, dedicated by the Oakcrest plat in 1890 has never been improved or otherwise used by the public.

The property is in the R-55 zoning classification. The majority of the surrounding area is characterized by residential single-family homes.

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) 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 subject to the applicants granting stormwater management easements for the vacated area. The required stormwater management easements shall be established on the final plat of subdivision.
3. The Washington Suburban Sanitary Commission (WSSC) consented to this petition as required by Section 24-112(e)(1) of the Subdivision Regulations subject to the petitioners granting easements to protect existing facilities located in this portion of Clarke Avenue. The required easements shall be established on the final plat of subdivision.
4. Baltimore Gas and Electric (BG&E) consented to this petition subject to the right-of-way (ROW) easements granted by Liber 1792, folio 412 shall survive this vacation to allow existing BG&E overhead and underground utilities. Should any subsequent relocation of BG&E facilities be necessary in order to utilize the vacated area, the relocation costs will be the sole responsibility of the petitioners.

5. No referral agency or department recommended disapproval of the petition.
6. Petitioners are the owners of all land abutting the street area to be vacated.
7. Total area being vacated is 15,000 square feet or 0.344 acres.

RECOMMENDATION

APPROVAL with the following conditions:

1. Easement to the benefit of Baltimore Gas and Electric (BG&E) recorded in Liber 1792, folio 412 shall survive this vacation petition and be in full force and effect. Should any subsequent relocation of BG&E facilities be necessary in order to utilize the vacated area, the relocation costs will be the sole responsibility of the petitioners.
2. The Washington Suburban Sanitary Commission (WSSC) consented to this petition as required by Section 24-112(e)(1) of the Subdivision Regulations subject to the petitioners granting easements to protect existing facilities located in this portion of Clarke Avenue.
3. The Department of Public Works and Transportation (DPW&T) consented to this vacation petition subject to the applicants granting stormwater management easements over the vacated street area.
4. Total area vacated is 15,000 square feet or 0.344 acres to revert to adjacent owners:
  - a. Lot 1 (3,750 sq. ft) to Linda L. and John H. Warner, Jr.
  - b. Lot 2 (3,750 sq. ft.) to Raymond C. Abshire and Jane E. Scaggs
  - c. Lot 13 (3,750 sq. ft.) to Wayne R. and Diane J. Van Hassel
  - d. Lot 14(3,750 sq. ft.) to Cecil E. and Barbara J. Honeycutt
5. The petitioners shall record a minor final plat of subdivision pursuant to Section 24-108(a)(3) of the Subdivision Regulations, to incorporate the vacated area into adjacent lots and to establish easements to the Department of Public Works and Transportation (DPW&T) and the Washington Suburban Sanitary Commission (WSSC).