



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 16-87

File No. SDP-0705-H1

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with approval of Specific Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on July 28, 2016, regarding Specific Design Plan SDP-0705-H1 for Chaddsford, Section 7, Lot 22 (Anderson Deck), the Planning Board finds:

1. **Request:** The subject homeowner's minor amendment to a specific design plan (SDP) is a request to construct a 12-foot by 14-foot deck to be attached to the rear of an existing single-family detached dwelling.

2. **Development Data Summary**

	<b>EXISTING</b>
Zone	R-M
Use	Residential
Lot size	5,080 square feet
Lot	1
Number of Dwelling Unit	1

	<b>REQUIRED</b>	<b>APPROVED</b>
Total parking spaces	2	4

3. **Location:** The subject property is located on the west side of Eve Way, approximately 440 feet north of its intersection with Lafayette Boulevard, within the The Glen at Chaddsford Homeowners Subdivision. The property is also located in Planning Area 85A and Council District 9.

4. **Surrounding Uses:** The subject property is bounded to the north and south by single-family detached units, to the east by the public right-of-way of Eve Way with single-family detached units beyond, and to the west by homeowners association property, in the Residential Medium Development (R-M) Zone.

5. **Previous Approvals:** The application has a previously approved Zoning Map Amendment (Basic Plan) A-9878-C, as incorporated into District Council Resolution CR-60-1993, Comprehensive Design Plan CDP-0102-01, as approved by the District Council, Preliminary Plan of Subdivision 4-04174 (PGCPB Resolution No. 05-15), Specific Design Plan SDP-0705 (PGCPB Resolution

No. 08-53), and Final Plat 5-09018, recorded in the Prince George's County Land Records in Plat Book PM 230 @ 31.

6. **Design Features:** The subject application includes a proposal for the addition of a 12-foot by 14-foot wood and vinyl deck to the rear of an existing single-family detached dwelling, which was constructed in 2015. The subject property, known as Lot 22, Block E, Section 7 of Chaddsford, is an interior lot with an existing dwelling, which fronts on Eve Way to the east. The proposed deck, which will be attached to the western elevation of the dwelling, will be located within six feet of the rear property line and will encroach into the rear yard setback by nine feet.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The project is in compliance with Section 27-515 of the Zoning Ordinance, regarding uses permitted in the R-M Zone. A single-family detached dwelling is a permitted use in the R-M Zone. The project is also in compliance with the requirements of Section 27-509, which includes regulations applicable to the R-M Zone. The project also conforms to the requirements of Section 27-528 regarding required findings for SDP applications and Section 27-530 regarding amendments to approved SDP applications. See Findings 16 and 17 below for a more detailed discussion of this conformance.
8. **Zoning Map Amendment (Basic Plan) A-9878-C:** The project is in compliance with the requirements of Basic Plan A-9878-C, as incorporated into District Council Resolution CR-60-1993. The proposed deck in the rear yard setback does not alter the previously made findings of approval of the basic plan that were made at the time of approval of the CDP.
9. **Comprehensive Design Plan CDP-0102 and its revisions:** The project is in compliance with the requirements of Comprehensive Design Plan CDP-0102 and its two revisions, except pertaining to the required rear yard setback. Whereas, the CDP stipulates a 15-foot minimum rear yard setback, the proposed deck would leave approximately six feet between the proposed deck and the property line.
10. **Chaddsford, Plat One, recorded as Plat Book PM 230 @ 31:** The subject project is in compliance with the requirements contained in the plat notes of Chaddsford, Plat One, recorded at Plat Book PM 230@31.
11. **Specific Design Plan SDP-0705 and its revision:** The subject project is in compliance with the requirements of Specific Design Plan SDP-0705, except for the rear yard setback. The proposed deck would extend approximately nine feet into the required rear yard. The Homeowner's Minor Amendment to a Comprehensive Design Plan, CDP-0102-H1, allows the encroachment into the rear yard setback.
12. **2010 Prince George's County Landscape Manual:** The nature of the project exempts it from the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual).

13. **Prince George's County Tree Canopy Coverage Ordinance (TCC):** The subject application is exempt from the Tree Canopy Coverage Ordinance because the applicant proposes less than 5,000 square feet of gross floor area (GFA) or disturbance.
14. **Prince George's County Woodland Conservation and Tree Preservation Ordinance:** The subject lot does not contain any woodland conservation. The addition of the proposed deck would not alter the previous findings regarding conformance with the Woodland Conservation and Tree Preservation Ordinance that were made at the time of approval of the CDP preliminary plan, and SDP.
15. **Further Planning Board Findings and Comments from Other Entities:** The application was referred to the concerned agencies and divisions. Referral comments are summarized as follows:
  - a. **The Glen at Chaddsford Homeowners Association**—In a letter dated June 6, 2016, The Glen at Chaddsford Homeowners Association indicated that the request for a rear deck installation associated with this application had been approved and is in-line with the covenant guidelines.
16. As required by Section 27-528(a) of the Zoning Ordinance, the Planning Board must make the required findings for approval of a SDP, as follows:
  - (1) **The plan conforms to the approved Comprehensive Design Plan, the applicable standards of the Landscape Manual, and except as provided in Section 27-528(a)(1.1), for Specific Design Plans for which an application is filed after December 30, 1996, with the exception of the V-L and V-M Zones, the applicable design guidelines for townhouses set forth in Section 27-274(a)(1)(B) and (a)(11), and the applicable regulations for townhouses set forth in Section 27-433(d) and, as it applies to property in the L-A-C Zone, if any portion lies within one-half (1/2) mile of an existing or Washington Metropolitan Area Transit Authority Metrorail station, the regulations set forth in Section 27-480(d) and (e);**
    - (1.1) **For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies all requirements for the use in Section 27-508 of the Zoning Ordinance;**

The subject homeowner's amendment to an SDP conforms to the approved Comprehensive Design Plan, CDP-0102, as amended, and is not subject to the standards of the Landscape Manual. The proposed development is not in a regional urban community.

2. **The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program, provided as part of the private development or, where**

**authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, participation by the developer in a road club;**

This finding was made with the approval of the original SDP and will not be affected by the proposed deck.

- 3. Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties;**

This finding was made with the approval of the original SDP and will not be affected by the proposed deck.

- 4. The plan is in conformance with an approved Type 2 Tree Conservation Plan; and**

The addition of the proposed deck does not alter the previously made findings of conformance with an approved Type 2 tree conservation plan which were made at the time of approval of the original SDP.

- 5. The plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

The subject lot does not contain any regulated environmental features that are required to be preserved and/or restored.

17. Section 27-530(c)(3) of the Zoning Ordinance sets forth the criteria for granting minor amendments to approved SDPs for the purpose of making home improvements requested by a homeowner (or authorized representative) and approved by the Planning Director (or designee) in accordance with specified procedures including meeting the following criteria:

- (A) Are located within the approved Comprehensive Design Plan building lines and setbacks or any approved amendments to the Comprehensive Design Plan;**
- (B) Are in keeping with the architectural and site design characteristics of the approved Specific Design Plan; and**
- (C) Will not substantially impair the intent, purpose, or integrity of the approved Comprehensive Design Plan.**

The CDP for the subject project established the rear yard setback at a minimum of 15 feet total. However, the deck is proposed approximately six feet from the property line. The subject application does not meet criterion (A) and, therefore, the associated Homeowner's Minor Amendment to a Comprehensive Design Plan, CDP-0102-H1, requesting the same setback modification was filed concurrently with this SDP and was approved by the Planning Board.

In regards to criterion (B) above, the Planning Board found that the proposed deck is consistent with the architectural and site design characteristics of the approved SDP, except with respect to the rear yard setback. The proposed deck is to be made of wood and vinyl material, which is typical for residential decks.

In regards to criterion (C), the Planning Board found that the requested deck will not substantially impair the intent, purpose, or integrity of the approved CDP. The modification of the rear building restriction line to six feet for the proposed deck will not be detrimental to the community, nor will it negatively impact the visual characteristics of the neighborhood because the deck will face a homeowners association open-space parcel and will meet the side yard setbacks, affording privacy to the occupants of both the subject property and the adjacent homes to the north and south.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Specific Design Plan for the above-described land.

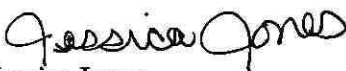
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

\* \* \* \* \*


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 Bailey, seconded by Commissioner Geraldo, with Commissioners Bailey, Geraldo and Hewlett voting in favor of the motion, and with Commissioner Washington temporarily absent and with Commissioner Shoaff absent at its regular meeting held on Thursday, July 28, 2016, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 28th day of July 2016.

Patricia Colihan Barney  
Executive Director

By   
Jessica Jones  
Planning Board Administrator

PCB:JJ:JK:gdr

APPROVED AS TO LEGAL SUFFICIENCY,  
  
M-NCPPC Legal Department  
Date 8/1/16