

PGCPB No. 2025-030

File No. SDP-0317-H11

## R E S O L U T I O N

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, the subject property is within the Legacy Comprehensive Design Zone (LCD); and

WHEREAS, pursuant to Section 27-1704(g) of the Zoning Ordinance, property in the LCD Zone may proceed to develop in accordance with the standards and procedures of the prior Zoning Ordinance; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the Zoning Ordinance in existence prior to April 1, 2022; and

WHEREAS, an application was submitted by Edwin James for approval of a specific design plan; and

WHEREAS, in consideration of evidence presented at a public hearing on April 10, 2025, regarding Specific Design Plan SDP-0317-H11 for Cameron Grove - The Palisades at Oak Creek, Lot 61, Block A, the Planning Board finds:

1. **Request:** The subject homeowner's minor amendment to a specific design plan (SDP) is a request to construct an elevated 12-foot by 12-foot covered gazebo with a 20-foot by 20-foot connected deck and stairs, and an approximately 38.58-foot by 22.75-foot brick patio at the rear of an existing single-family detached dwelling, located in the Cameron Grove - The Palisades at Oak Creek development. The approved covered gazebo and connected deck on the southeast side of the subject house, extending to the rear property line, do not meet the minimum 20-foot rear yard setback and the minimum 15-foot rear yard deck setback, which were established by Condition 17 of Comprehensive Design Plan CDP-9705-03 (PGCPB Resolution No. 03-138), approved by the Prince George's County Planning Board on July 10, 2003.

2. **Development Data Summary:**

	EXISTING/EVALUATED
Zone	LCD (prior R-L)
Use	Residential
Lot size	12,850 sq. ft.
Gross Acreage	0.295
Lot	1
Number of Dwelling Units	1

3. **Location:** The subject property is in the Legacy Comprehensive Design (LCD) Zone, previously the Residential Low Development (R-L) Zone, in Planning Area 74A and Council District 6. The

property is located within the development known as Cameron Grove - The Palisades at Oak Creek, which is located in the southwest quadrant of the intersection of MD 214 (Central Avenue) and Church Road. More specifically, the subject property is located within a cul-de-sac, at 304 Hidden Gate Court, Upper Marlboro, Maryland 20774.

4. **Surrounding Uses:** The subject property fronts Hidden Gate Court and is bounded to the east by single-family detached homes within the LCD Zone; to the north by Hidden Gate Court; and to the south and west by undeveloped land owned by the Palisades Homeowner Association, in the LCD Zone. The property is within the development known as Cameron Grove – The Palisades at Oak Creek, which is bounded to the east by Church Road, to the north by the Evangel Cathedral property, and to the west and south by the Oak Creek Club development, in the LCD Zone.
5. **Previous Approvals:** The subject site, Lot 61, Block A, was developed as part of the Cameron Grove - Palisades at Oak Creek development, which has been the subject of several previous approvals.

On November 26, 1991, the Prince George's County District Council approved Zoning Map Amendment A-9839, and the accompanying basic plan, to rezone the approximately 305.3-acre property from the Residential-Agricultural Zone to the R-L Zone, as part of the February 1991 *Approved Master Plan and Adopted Sectional Map Amendment for Bowie-Collington-Mitchellville and Vicinity, Planning Areas 71A, 71B, 74A and 74B* (Prince George's County Council Resolution CR-120-1991: CDZ Amendment 2). The 2006 *Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity* made no alternations to the zoning change that was previously approved with A-9839 for the property.

On November 24, 1997, the District Council approved amended Basic Plan A-9839-C to revise previously approved A-9839, to allow a mixed retirement development on the westerly portion of the property (156± acres) (Zoning Ordinance No. 36-1997). The property remained unaffected in A-9839-C, except for setting the dwelling unit limitation of 166 single-family detached lots for the overall development of Cameron Grove – The Palisades at Oak Creek.

On February 19, 1998, the Planning Board approved CDP-9705 (PGCPB Resolution No. 98-35) for the westerly portion of the property, for a mixed retirement community. This CDP reaffirmed the single-family detached use for the subject property. In the following years, the CDP was revised several times in ways that did not impact the subject property. On July 10, 2003, the Planning Board approved CDP-9705-03 (PGCPB Resolution No. 03-138) for the development of 166 single-family detached lots in the R-L Zone, which set lot development standards for the subject property.

On July 10, 2003, the Planning Board approved Preliminary Plan of Subdivision (PPS) 4-03057 (including Type I Tree Conservation Plan TCPI-24-03-01) for Cameron Grove (PGCPB Resolution No. 03-203), for 166 single-family detached lots.

On June 24, 2004, the Planning Board approved SDP-0317 for the property (PGCPB Resolution No. 04-157), for 166 single-family detached lots, subject to 19 conditions, none of which are applicable to review of the subject SDP. Several amendments to this SDP were

subsequently approved, including multiple homeowner minor amendments that do not apply to the subject property.

On April 20, 2006, the Planning Board approved a request for reconsideration of the PPS, for the layout of the lots obtaining access from Panora Way. On September 7, 2006, the Planning Board approved the reconsideration and amended PGCPB Resolution No. 03-203 (A/1) for the revised lot arrangement.

The site also has a Stormwater Management (SWM) Concept Approval, 38346-2004-00, for Phase 6 of the Cameron Grove - The Palisades at Oak Creek development that is based on a valid overall SWM Concept Approval, 5298-2003-00.

6. **Design Features:** The subject SDP is for construction of a 12-foot by 12-foot covered gazebo, with a 20-foot by 20-foot connected deck and stairs, and a 38.58-foot by 22.75-foot patio at the rear of an existing single-family detached home. The covered gazebo and deck are elevated 9 feet above grade and have stairs leading to the brick patio. The materials and roofing of the approved covered gazebo will match and complement the architecture of the existing home and will be constructed of wood. The approved covered gazebo will encroach into the 20-foot rear setback line by 15.5 feet, and the approved deck will encroach into the 15-foot rear yard deck setback by 14.7–14.5 feet. The approved patio is located approximately 4.3 feet from the rear property line.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject SDP has been reviewed for compliance with the requirements of the R-L Zone of the prior Zoning Ordinance, as follows:
  - a. The project conforms with the requirements for purposes, uses, and regulations of the R-L Zone contained in Sections 27-514.08, 27-514.09, and 27-514.10 of the prior Zoning Ordinance.
  - b. Per Section 27-515 of the prior Zoning Ordinance, regarding uses permitted in the R-L Zone, the existing single-family detached dwelling is a permitted use in the zone.
  - c. As detailed in Findings 16 and 17 of this resolution, the project also conforms to the requirements of Section 27-528 of the prior Zoning Ordinance, regarding required findings for SDP applications, and Section 27-530 of the prior Zoning Ordinance, regarding amendments to approved SDP applications.
8. **Zoning Map Amendment (Basic Plan) A-9839-C:** The project is in conformance with the requirements of Basic Plan A-9839-C, as the approved covered gazebo, deck, and patio in the rear yard do not alter findings of conformance with the basic plan that were made at the time of approval of SDP-0317.
9. **Comprehensive Design Plan CDP-9705-03:** The project complies with the requirements of CDP-9705-03, except regarding the required rear yard setback and rear yard deck setback. The

CDP stipulates that the minimum rear yard setback is 20 feet and minimum rear yard deck setback is 15 feet for single-family detached houses, as outlined in Condition 17 of PGCPB Resolution No. 03-138 for CDP-9705-03, as follows:

**17. The following lot standards shall guide the development of single-family detached houses in Cameron Grove—The Palisades at Oak Creek:**

<b>Minimum Lot Size (Square Feet)</b>	<b>10,000</b>
<b>Minimum Cumulative Yard Area (Square Feet)</b>	<b>2,000</b>
<b>Maximum Lot Coverage (%)</b>	<b>40*</b>
<b>Maximum Height (Feet)</b>	<b>35</b>
<b>Minimum Lot Width at Front Building Line (Feet)</b>	<b>70</b>
<b>Minimum Lot Width at Street Line (Feet)</b>	<b>25</b>
<b>Deck Setbacks</b>	
<b>Side yard (Feet)</b>	<b>5</b>
<b>Rear Yard (Feet)</b>	<b>15</b>
<b>Yard Requirements</b>	
<b>Minimum Side Yard Setback (Feet)</b>	<b>8</b>
<b>Minimum Total Side Yard Setbacks (Feet)</b>	<b>17</b>
<b>Minimum Setback from Street Line (Feet)</b>	<b>20</b>
<b>Minimum Rear Yard Setback (Feet)</b>	<b>20</b>

**Note:** \*Excludes patios and decks.

The approved covered gazebo encroaches into the 20-foot rear yard setback by 15.5 feet, with the approved structure being approximately 4.5 feet from the rear property line. The approved deck encroaches into the 15-foot rear yard deck setback by 14.7-14.5 feet, with the approved deck being approximately 0.3–0.5 feet from the rear property line. The reduction in the setback would be applicable to the subject lot only, and the development standards would continue to apply in all other respects to the subject lot and all other lots in the Cameron Grove - The Palisades at Oak Creek development.

In accordance with Section 27-524(b) of the prior Zoning Ordinance, a minor amendment to a CDP for the purpose of making home improvements that are not in conformance with the approved plan may be requested by a homeowner (or authorized representative) and shall be approved by the Planning Board, in accordance with the procedures set forth in this section. In accordance with Section 27-530(e) of the prior Zoning Ordinance, in the event that a minor amendment to an approved SDP requires an amendment of both the approved CDP and SDP, the amendment shall be combined and processed in accordance with the provisions of Section 27-524. In this case, the subject SDP application is filed to amend both the approved CDP-9705-03 condition and SDP-0317 regarding the setbacks.

10. **Preliminary Plan of Subdivision 4-03057:** The project is in compliance with the requirements of PPS 4-03057, as the approved covered gazebo, deck, and patio do not alter findings of conformance with the PPS.
11. **Specific Design Plan SDP-0317:** SDP-0317 was approved by the Planning Board on June 24, 2004 (PGCPB Resolution No. 04-157), with 19 conditions, none of which are applicable to the review of the subject SDP. Several amendments to this SDP were subsequently approved, including multiple homeowner minor amendments that do not apply to the subject property. The subject SDP is in compliance with the requirements of SDP-0317, except for the rear yard setback and rear yard deck setback. The details of the encroachment have been discussed in Finding 9.
12. **2010 Prince George's County Landscape Manual:** The approved covered gazebo, deck, and patio are exempt from the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) because the requirements were satisfied at the time of SDP-0317 approval. The approved covered gazebo, deck, and patio do not impact previously approved landscaping located on the lot or adjoining properties.
13. **Prince George's County Tree Canopy Coverage Ordinance:** The subject application is exempt from Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, because the SDP includes less than 5,000 square feet of gross floor area or disturbance.
14. **Prince George's County Woodland Conservation and Tree Preservation Ordinance:** The approved covered gazebo, deck, and patio would not alter the previous findings of conformance with the Prince George's County Woodland Conservation and Tree Preservation Ordinance that were made at the time of approval of the CDP and SDP.
15. **Community Feedback**—The Prince George's County Planning Department did not receive any written correspondence from the community for the subject SDP.
16. Section 27-528 requires that the Planning Board make the following findings before approving an SDP, unless an application is being processed as a limited minor amendment. Each required finding is listed in **BOLD** text below, followed by the Planning Board comments.

**(a) Prior to approving a Specific Design Plan, the Planning Board shall find that:**

- (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);**

The subject SDP conforms to the requirements of CDP-9705-03, except regarding the required rear yard setback and rear yard deck setback as outlined in Finding 9, and the applicable standards of the Landscape Manual, as outlined in Finding 12. The subject SDP does not involve townhouse construction, nor is it located in the prior Local Activity Center Zone. The second portion of this required finding does not apply to the subject SDP.

- (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 property is not within 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 approved covered gazebo, deck, and patio.

- (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;**

The site is consistent with the approved SWM concept plan, and construction of the covered gazebo, deck, and patio will not impact that approval. The approved covered gazebo and deck will be constructed above grade, and adequate provision will be made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties, in accordance with this required finding.

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

The approved construction of a covered gazebo, deck, and patio to an existing single-family detached dwelling and setback modification does not impact the previously approved Type 2 tree conservation plan (TCP2).

- (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).**

No regulated environmental features exist on the subject lot. Therefore, this finding is not applicable to the subject SDP.

17. Section 27-530(c)(3) of the prior 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.**

CDP-9705-03 (PGCPB Resolution No.03-138) established the rear yard setback at a minimum of 20 feet, and the rear yard deck setback at 15 feet. The approved covered gazebo encroaches into the 20-foot rear yard setback by 15.5 feet, with the approved structure being approximately 4.5 feet from the rear property line. The approved deck encroaches into the 15-foot rear yard deck setback by 14.7-14.5 feet, with the approved deck being approximately 0.3–0.5 feet from the rear property line. The subject SDP does not meet Criterion (A). Therefore, the subject SDP is to be heard by the Planning Board, as stated in Section 27-530(d)(3)(A) of the prior Zoning Ordinance.

Regarding Criterion (B) above, the approved covered gazebo, deck, and patio are consistent with the architectural and site design characteristics of the approved SDP, except regarding the rear yard setback and rear yard deck setback. The approved covered gazebo will be constructed of wood with a screened enclosure, and with wood posts and beams. The approved covered gazebo and roof will be in keeping with the existing architectural characteristics of the SDP, in materials and design.

Regarding Criterion (C), the Planning Board believes that construction of the covered gazebo, deck, and patio will not substantially impair the intent, purpose, or integrity of the approved CDP. Modification of the setbacks for the approved covered gazebo, deck, and patio will not be detrimental to the community, nor will it negatively impact the visual characteristics of the neighborhood. The addition is at the rear of the home, limiting visibility from the nearest public right-of-way. The approved covered gazebo, deck, and patio also face a wooded area, which separates the existing home from the adjacent community, affording privacy to the occupants of both the subject property and homeowners of the neighboring community.

18. **Referral Comments:** The subject SDP was referred to the concerned agencies and divisions. The Planning Board has reviewed and adopts referral comments that are incorporated herein and summarized, as follows:

- a. **Environmental Planning**—In a memorandum dated March 13, 2025 (Rea to Sun), it was noted that the subject SDP is in conformance with TCP2-236-90-01. No additional information is required.

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 Specific Design Plan SDP-0317-H11 for the above-described land.

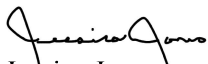
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

\* \* \* \* \*

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 Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Geraldo, and Shapiro voting in favor of the motion at its regular meeting held on Thursday, April 10, 2025, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 24th day of April 2025.

Peter A. Shapiro  
Chairman

By   
Jessica Jones  
Planning Board Administrator

PAS:JJ:MS:tr

APPROVED AS TO LEGAL SUFFICIENCY

David S. Warner  
M-NCPPC Legal Department  
Date: April 18, 2025