

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 January 17, 2008, regarding Specific Design Plan SDP-8912/H8 for Jenkins/Heim, Covington, Lot 27C, the Planning Board finds:

1. **Request:** The subject application is for approval of an 8-foot reduction in the rear building restriction line for Lot 27, Block C to allow for the construction of a 16 foot x 14 foot deck.

Development Data Summary

	EXISTING	PROPOSED
Zone	R-S	R-S
Use(s)	Single-Family Dwelling	Single-Family Dwelling
Lots	1	1
Detached Dwelling Units	1	1

Architectural Data

Square Footage	Garage
2,512	2-car

2. **Location:** The site is in Planning Area 71B, Council District 4, and in the Developing Tier. More specifically, the subject site is located approximately 1,200 feet southwest of the intersection of US 301 and Excaliber Road within the Covington Subdivision. Lot 27, Block C is located on the northern side of Edgepark Court.
3. **Surroundings and Use:** The site is one single-family detached lot within the Covington development, which is bounded to the north by Collington Road (MD 197), to the east by Crain Highway (US 301), to the south by single-family detached homes in the R-R (Rural Residential) Zone, and to the east by Mitchellville Road and single-family attached units in the R-R Zone.

Lot 27, Block C is located in the central eastern portion of the development. The subject lot fronts on Edgepark Court and is surrounded on three sides by single-family detached lots.

4. **Previous Approvals:** A basic plan for the Jenkins and Heim tracts was approved by the District Council on October 28, 1975 (CR 108-1975). An amendment to this basic plan was filed

concurrently with Comprehensive Design Plan CDP-8704, which was approved by the Planning Board on December 3, 1987 (PGCPB Resolution No. 87-524). On June 9, 1988, the Planning Board approved Preliminary Plan 4-88086 (PGCPB Resolution No. 88-282) for 388 lots and 9 parcels. On September 21, 1989, the Prince George's County Planning Board approved Specific Design Plan SDP-8912 for 110 single-family detached homes (PGCPB Resolution No. 89-483). Sixteen revisions to this specific design plan were subsequently approved, including seven homeowner's minor amendments for the construction of six decks and one second-story addition.

5. **Design Features:** The subject lot is 7,334 square feet in size and is improved with a 2,512-square-foot single-family detached residence. The unit on the lot is set back approximately 26 feet from the rear property line. Because of the small size and shallowness of the lot, there is limited rear yard for the installation of a deck without relief from the strict application of the required setbacks.

COMPLIANCE WITH EVALUATION CRITERIA

6. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-S Zone (residential suburban development) and the site plan design guidelines of the Zoning Ordinance.
 - a The subject application is in conformance with the requirements of Section 27-512, which governs permitted uses in residential suburban development. The single-family dwellings are a permitted use in the R-S Zone.
7. **Basic Plan A-7591:** The proposed specific design plan is in general conformance with amended Basic Plan A-7591, which shows the subject site designated for the R-S Zone.
8. **Comprehensive Design Plan (CDP-8704):** On December 3, 1987, the Planning Board approved Comprehensive Design Plan CDP-8704 (PGCPB Resolution No. 87-524) for the Jenkins Heim/Covington development. The Comprehensive Design Plan CDP-8704 was approved subject to 37 conditions, none of which is applicable to the subject SDP.

The plan established a requirement for a 20-foot rear building restriction line. The subject lot is 7,334 square feet. Due to the small size of the lot and the construction of the unit in accordance with the requirement for a 20-foot front setback, there is only about six feet of rear yard for the installation of a deck without relief from the strict application of the required setback. Therefore, the applicant has requested the reduction of the rear building restriction line to 12 feet for this one lot. The deck will only be elevated about two feet off the ground because the house has an in-ground as opposed to a walk-out basement. Modification of the rear building restriction line to 12 feet will not be detrimental to the immediate neighbors, nor will it negatively impact the visual characteristics of the larger neighborhood.

9. **Preliminary Plan (4-88086):** On June 9, 1988, the Planning Board approved Preliminary Plan 4-88086 (PGCPB Resolution No. 88-282) subject to 25 conditions, none of which is applicable to the review of the subject SDP.

10. **Specific Design Plan (SDP-8912 and subsequent revisions thereto):** On September 21, 1989, the Prince George's County Planning Board approved Specific Design Plan SDP-8912 (PGCPB Resolution No. 89-489) subject to 16 conditions, none of which is applicable to the review of the subject SDP. Sixteen revisions to this specific design plan were subsequently approved, six of which were homeowner's minor amendments (HMA) for the construction of decks on individual lots. Three HMAs approved reductions to the rear building restriction lines equal to or in excess of the subject request: SDP-8912/H1 approved a 9-foot rear building restriction line; SDP-8912/H3 approved a 12-foot rear building restriction line; and SDP-8912/H5 approved a 10-foot rear building restriction line. The applicant has requested a 12-foot building restriction line for Lot 27, Block C.

11. **Required Findings for approval of a specific design plan (Section 27-528 Planning Board action):**

- (1) **The plan conforms to the approved Comprehensive Design Plan, the applicable standards of the Landscape Manual, and 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);**

Comment: The subject revision will have no appreciable effect on the original specific design plan, SDP-8912. Therefore, the plan would continue to conform to the approved comprehensive design plan and the applicable standards of the *Landscape Manual*.

- (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 or provided as part of the private development;**

Comment: Findings for adequate public facilities were made in conjunction with the preliminary plan and the original specific design plan for the development. The subject revision to the specific design plan will not alter the findings made for the original specific design plan, SDP-8912, that the development will be adequately served within a reasonable period of time with existing or programmed facilities.

- (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;**

Comment: The subject SDP will not alter the findings made for the original specific design plan, SDP-8912, that adequate provision has been made for the drainage of surface water; the eight-foot reduction of the rear building restriction line will not adversely effect either the subject property or adjacent properties.

(4) The plan is in conformance with an approved Tree Conservation Plan.

Comment: The subject SDP is exempt from the requirements of the Woodland Conservation Ordinance because CDP-8704 and SDP-8912 were approved prior to November 1989.

12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. **City of Bowie:** In a memorandum dated December 3, 2007, the City of Bowie indicated that it has no objection to the subject application and therefore recommends approval of the request for a 12-foot rear building restriction line for Lot 27, Block C.

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 Squire, seconded by Commissioner Cavitt, with Commissioners Squire, Cavitt, Vaughns and Parker voting in favor of the motion, and with Commissioner Clark absent at its regular meeting held on Thursday, January 17, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of February 2008.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator