

R E S O L U T I O N

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 25, 2007, regarding Specific Design Plan SDP-9612/H1 for Bellehaven Estates, Section One, Lot 39, Block A, the Planning Board finds:

1. **Request:** The Homeowner's Minor Amendment, SDP-9612/H1, is a request to add a 12-foot deep by 20-foot wide, two-story addition and second-floor deck to the rear of an existing townhouse unit.
2. **Location:** The subject lot is an end unit, located at 2612 Berrywood Lane, Springdale, MD.
3. **Surroundings and Uses:** The site fronts on an interior private street that is lined with existing townhouses. Across the street is a centrally located play area within the community. The unit backs up to a narrow strip of homeowner's association land, beyond which is vacant Parcel J. The basic plan and the comprehensive design plan indicate that the 2.6 acres of land known as Parcel J is the site of a future fire station. Lot 39, Block A, is an end unit, which is located 20 feet from the adjacent face of building on the next stick of townhouse units.
4. **Design:** The existing unit is a three-story townhouse built on slab. The proposed addition extends across the entire width of the first floor of the unit. The second floor of the addition will include a partial addition and an open-air deck/patio above the first floor addition. The existing unit is built approximate 20 feet from the rear property line, so the addition will ultimately be located approximately eight feet from the rear property line. The proposed addition will not be visible from the adjacent streets.
5. The comprehensive design plan established development standards for the entire Bellehaven Subdivision as follows for single-family attached units:
 - **The following lot and architectural standards shall apply to the single-family attached development:**

Single-Family Attached Lot Standards

Minimum Lot Size	1,700 square feet
Maximum Lot Coverage	50 percent
Minimum Building Separation	26 feet
Maximum Height	3 stories
Maximum Lot Width	20 feet
Minimum Front Yard	20 feet

**Minimum Side Yard
Minimum Rear Yard**

**0 feet
20 feet**

Staff comment: The plans appear to conform to the requirements above, with the exception of the rear building restriction line.

6. The specific design plan for this case set forth the following condition of approval:

26. No deck shall be constructed on the single-family attached units which extend more than 15 feet from the rear wall of the unit. Decks are not subject to the 20-foot building restriction line; however, an addition to the main structure is.

Staff comment: The addition to the main building is proposed to be approximately eight feet from the rear property line. The applicant has asked for this modification because the rear face of the existing building is near the 20-foot building restriction line. In the R-T Zone, the requirements for setbacks and lot coverage are based on the amount of yard area, per Section 27-442. That section states that the minimum yard area is 800 square feet. Using the same analysis for the subject property, the applicant proposes approximately 863 square feet of yard area.

7. Section 27-524(b)(3)(C) and 27-530(c)(3), Amendments, of the Zoning Ordinance establishes the following criteria for granting amendments:

Section 27-524(b)(3)(C) (Amendment of the comprehensive design plan)

A minor amendment to a CDP may only be granted if the request:

(C) The Planning Board may grant a minor amendment if it finds that the requested modification will not substantially impair the intent, purpose, or integrity of the approved Comprehensive Design Plan.

The proposed amendment will not substantially impact the design or character of the overall project. The addition to the units is proposed to provide the same exterior finish as the main building, which is compatible with the rest of the project.

Section 27-530(c)(3) (Amendment of the specific design plan)

A minor amendment may only be granted if the requested modifications:

(A) Are located within the approved Comprehensive Design Plan building lines and setbacks or any approved amendments to the Comprehensive Design Plan;

The proposed setback of the addition is in keeping with a minimum 8 foot rear yard setback for this

lot only. The Planning Board found that the amendment was acceptable to the governing Homeowners' Association.

(B) Are in keeping with the architectural and site design characteristics of the approved Specific Design Plan; and

The proposed architectural design of the building is in keeping with the existing building and will appear to be a natural extension of the structure. The exterior finish is siding of the same color and placement of the windows to align with those on the main building.

(C) Will not substantially impair the intent, purpose, or integrity of the approved Comprehensive Design Plan.

The proposed addition will have minimal visual impact on the adjacent properties and, therefore, will not substantially impair the intent, purpose, or integrity of the approved comprehensive design plan or specific design plan. The proposal will also be consistent with the intent of the approved specific design plan and will not alter the findings made for approval of SDP-9612.

8. The applicant has produced a letter from the Homeowners Association that indicates that the plans for the construction of the addition to the dwelling were approved on September 18, 2006, with a condition that the materials and colors must match the main dwelling.

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.

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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 Clark, seconded by Commissioner Eley, with Commissioners Clark, Eley, Vaughns and Parker voting in favor of the motion, and with Commissioner Squire absent at its regular meeting held on Thursday, February 1, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 8th day of March 2007.

R. Bruce Crawford
Executive Director

By Frances J. Guertin
Planning Board Administrator

RBC:FJG:SL:bjs