

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Specific Design Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on June 5, 2003, regarding Specific Design Plan SDP-9802/05 for Cameron Grove, Lot 127, the Planning Board finds:

1. This specific design plan amendment request is for the purpose of validating an encroachment into the building restriction line on both the roundabout and New Acadia Lane for Condominium Building #4, which is currently under construction on Lot 127, Block A, to extend beyond the building restriction lines, 5.2 and 5.8 feet, respectively. The condominium building was under construction when it was discovered that part of the building intruded into the required 15-foot setback. The applicant has submitted this request to amend the original specific design plan in order to allow the condominium building to remain where constructed and to eliminate possible legal complications for future homeowners.
2. According to the approved Comprehensive Design Plan CDP-9705 and narrative for Cameron Grove, the required minimum front yard setback for the subject condominium building is 15 feet.

3. **Development Data Summary**

	Existing	Proposed
Zone(s)	R-L	R-L
Use(s)	Mixed-Use Development	Mixed-Use Development
Acreage	Approximately 1.07	Approximately 1.07
Lots	1	1
Square footage/GFA	NA	NA
Dwelling Units:	30	30

4. The proposed intrusion into the required front yard setback is minimal and does not impact the finding made by the Planning Board on previous approvals that the subject subdivision is in conformance with the CDP. Its impact on urban design considerations for the subdivision is minor at the outset and the applicant has offered to mitigate the increased proximity to the road with additional landscaping. Furthermore, the road is internal to the site and the development and, therefore, the mistake impacts only residents of the subject development. The building was mislocated as a result of an incorrect reading of a drawing and is already built. To require moving of the building to meet the required setback would require unreasonable costs. The proffered landscaping will serve to mitigate somewhat the minor effects of the mistake.

5. This revision to the specific design plan will have no impact on the previously approved tree conservation plan.
6. The revision will have no effect on the previous finding regarding adequate drainage of surface water.
7. Further, this revision to the specific design plan will have no impact on the previous finding of conformance to the *Landscape Manual*.
8. Lastly, this revision to the specific design plan will have no impact on previous findings by the Planning Board that 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.
9. Therefore, granting the proposed revision to the specific design plan will not alter previous findings made pursuant to Sec. 27-528 of Part 8 of the Zoning Ordinance required for Planning Board action on a specific design plan.

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 SDP-9802/05, subject to the following conditions:

1. The front yard setback for the Condominium IV building of Cameron Grove, located on Lot 127, Block A, shall be no less than 9.8 and 9.2 feet as shown on the March 2003 survey labeled as Exhibit A and submitted with the subject application.
2. Applicant shall provide the additional landscaping proffered by the applicant and indicated on Exhibit A and submitted with the subject application.

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 Scott, seconded by Commissioner Eley, with Commissioners Scott, Eley, Vaughns and Hewlett voting in favor of the motion, and with Commissioner Lowe absent at its regular meeting held on Thursday, June 5, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 3rd day of July 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:RG:rmk