

*NOTICE OF FINAL DECISION*

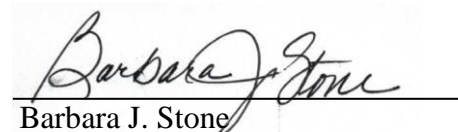
*OF BOARD OF APPEALS*

RE: Case No. V-132-17 Housing Initiative Partnership, Inc.

Enclosed herewith is a copy of the Board Order setting forth the action taken by the Board of Appeals in your case on the following date: October 25, 2017.

**CERTIFICATE OF SERVICE**

This is to certify that on November 1, 2017, the above notice and attached Order of the Board were mailed, postage prepaid, to all persons of record.

  
Barbara J. Stone  
Administrator

cc: Petitioner  
Adjoining Property Owners  
M-NCPPC, Permit Review Section  
DPIE/Building Code Official, Permitting

***BEFORE THE BOARD OF APPEALS FOR PRINCE GEORGE'S COUNTY, MARYLAND***  
***Sitting as the Board of Zoning Appeals***

Petitioner: Housing Initiative Partnership, Inc.

Appeal No.: V-132-17

Subject Property: Lot 15, Block 8A, Palmer Park Subdivision, being 7628 Allendale Circle, Landover,  
Prince George's County, Maryland

Counsel for Petitioner: Kayann Chamber, Esq. Myers, Rodbell & Rosenbaum, P.A.

Witness: Jocelyn Harris, Housing Initiative Partnership, Inc.

Heard and Decided: October 25, 2017

Board Members Present and Voting: Bobbie S. Mack, Chairperson  
Albert C. Scott, Vice Chairman  
Anastasia T. Johnson, Member

RESOLUTION

This appeal is brought before the Board of Appeals, sitting as the Board of Zoning Appeals for the Maryland-Washington Regional District in Prince George's County, Maryland (the "Board"), requesting a variance from the strict application of the provisions of Subtitle 27 of the Prince George's County Code (the "Zoning Ordinance").

In this appeal, a proceeding pursuant to Section 27-229 of the Zoning Ordinance, Petitioner requests that the Board approve a variance from Section 27-442(e)(Table IV) of the Zoning Ordinance, which prescribes that each lot shall have a front yard at least 25 feet in depth. Petitioner proposes to construct a covered front porch on a triple-attached dwelling. A variance of 8.3 feet front yard depth is requested.

Evidence Presented

1. The property was subdivided in 1959, contains 5,663 square feet, is zoned R-20 (One-Family Triple-Attached Residential) and is improved with a triple-attached single-family dwelling (end unit). Exhibits (Exhs.) 2, 4, 7 and 9 (A) thru (F).
2. The lot is oddly shaped as a narrow triangle. Exh. 2 and 4.
3. Petitioner would like to construct an 8' x 17.7' covered front porch, which would be located 16.7 feet from the front street line. A variance of 8.3 feet front yard depth was requested. Exhs. 2, 3, 5, 17, 18 and 19.
4. Attorney Kayann Chambers stated that the proposed construction is for a 17.7' x 8' "traditional" covered front porch. She described the porch as being a simple roof over stoop with two posts. She stated that a few houses on the street have similar porches and notices were given to neighbors regarding the proposal. Exhs. 2, 3, 5, 17 and 19.
5. Ms. Chambers offered that the unique configuration of the lot as a triple-attached dwelling created an inability to modernize the property in its current location. Exhs. 2, 3, 5, 17 and 19.
6. Ms. Jocelyn Harris testified that construction will be very similar to other community properties for which Housing Initiative Partnership (HIP) has done similar work, e.g., 7629 Barlowe Road. She stated that HIP believes that the front porches enhances community interaction and provides neighborhood security.
7. She stated that there will be siding put on the end of the house and then the addition of the covered front porch. Exh. 18.
8. She further testified that the 4' chain link fence in the front property line will be removed, but the chain link fence along the side will remain as a barrier from the sidewalk which leads to the next block. She

stated that midway of the side of the house at the chimney, a 6-foot fence vinyl fence will be erected around the back yard. Exhs. 2 and 19.

Applicable Code Section and Authority

Section 27-230 of the Zoning Ordinance authorizes the Board to grant variances when, by reason of exceptional narrowness, shallowness, shape, topography, or other extraordinary situation or condition of specific parcels of property, the strict application of the Zoning Ordinance would result in peculiar and unusual practical difficulties or an exceptional or undue hardship upon the owner of the property, provided such relief can be granted without substantial impairment of the intent, purpose and integrity of the General Plan or Master Plan.

Findings of the Board

After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variance complies with the applicable standards set forth in Section 27-230, more specifically:

Due to the shape of the lot being narrower in the front, the existing house location and configuration creating the inability to modernize otherwise, the potential enhancement of community interaction/security and the character of the neighborhood, granting the relief requested would not substantially impair the intent, purpose and integrity of the General Plan or Master Plan, and denying the request would result in a peculiar and unusual practical difficulty upon the owner of the property.

BE IT THEREFORE RESOLVED, unanimously, that a variance of 8.3 feet front yard depth to construct an 8' x 17.7' covered front porch on a triple-attached dwelling on the property located at Lot 15, Block 8A, Palmer Park Subdivision, being 7628 Allendale Circle, Landover, Prince George's County, Maryland, be and is hereby Approved. Approval of the variance is contingent upon development in compliance with the approved revised site plan, Exhibit 19 and approved elevation plan, Exhibit 3.

BOARD OF ZONING APPEALS

By: \_\_\_\_\_ (Original Signed)

Bobbie S. Mack, Chairperson

**NOTICE**

Within thirty (30) days from the date of this decision, any person, firm, corporation, or governmental agency who was a party to the Board's proceedings and is aggrieved by its decision may file an appeal to the Circuit Court of Prince George's County.

Further, Section 27-233(a) of the Prince George's County Code states:

A decision of the Board, permitting the erection of a building or structure, shall not be valid for more than two (2) years, unless a building permit for the erection is obtained within this period and the construction is started and proceeds to completion in accordance with the terms of the decision and the permit.