

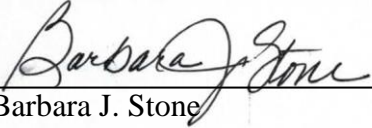
NOTICE OF FINAL DECISION
OF BOARD OF APPEALS

RE: Case No. V-148-17 Oladipupo and Oyinwola Layeni

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: January 10, 2018 .

CERTIFICATE OF SERVICE

This is to certify that on February 14, 2018 , the above notice and attached Order of the Board were mailed, postage prepaid, to all persons of record.



Barbara J. Stone
Administrator

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

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

Petitioners: Oladipupo and Oyinwola Layeni

Appeal No.: V-148-17

Subject Property: Lot 13, Candy Hill Subdivision, being 13120 Croom Road, Upper Marlboro,
Prince George's County, Maryland

Witnesses: Alexander Esfahani, Caldwell Banker Real Estate Agent
Diane Hampton, Neighbor

Heard: December 13, 2017; Decided: January 10, 2018

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, Petitioners request that the Board approve a variance from Section 27-120.01(c) of the Zoning Ordinance, which prescribes that no parking space, parking area, or parking structure other than a driveway no wider than its associated garage, carport, or other parking structure may be built in the front yard of a dwelling in the area between the front street line and the sides of the dwelling. Petitioners propose to validate and obtain a building permit for a new driveway extension, and circular driveway, in the front yard. A waiver of the parking area location requirement is requested.

Evidence Presented

The following testimony and record evidence were considered by the Board:

1. The property was subdivided in 1994, contains 262,797 square feet (6.003 acres), is zoned O-S (Open Space) and is improved with a single-family dwelling, driveway, detached garage and two solar arrays. Exhibits (Exhs.) 2, 4, 6, 10, 11 and 12 (A) thru (F).
2. Petitioners would like to obtain a building permit for a new driveway extension, and circular driveway, in the front yard. Exh. 2, 5 (A) thru (C) and 14.
3. Section 27-120.01(c) states that construction of driveways not leading to a carport or garage is not permitted in the front yard between the front street line and the sides of the dwelling. Since Petitioners' driveway is in this area of the front yard, a waiver of the parking area location requirement was requested. Exh. 2.
4. The Department of Permitting, Inspections and Enforcement, Inspections Division, issued Building Violation Notice No. 29851-2017-0, dated June 8, 2017 requiring Petitioners to "Obtain the required permit(s) for work done ... or remove the same. Work includes but not limited to extension of driveway in the front and rear with asphalt." Exh. 7.

