



THE PRINCE GEORGE'S COUNTY GOVERNMENT

BOARD OF ZONING APPEALS

BOARD OF ADMINISTRATIVE APPEALS

WAYNE K. CURRY COUNTY ADMINISTRATION BUILDING, LARGO, MARYLAND 20774
TELEPHONE (301) 952-3220

NOTICE OF FINAL DECISION

OF BOARD OF APPEALS

RE: Case No. V-5-23 Charles D. Dixon, Jr. and Kadriene Dixon

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: February 22, 2023.

CERTIFICATE OF SERVICE

This is to certify that on May 1, 2023 , the above notice and attached Order of the Board were mailed, postage prepaid, to all persons of record.

A handwritten signature in black ink, appearing to read "Barbara J. Stone", is positioned above the printed name and title.

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

Petitioners: Charles D. Dixon Jr. Etal and Kadriene Dixon

Appeal No.: V-5-23

Subject Property: Lot 53, Pleasant Prospect-Resub of Lot 14, being 12307 Pleasant Prospect Road, Bowie,
Prince George's County, Maryland

Heard and Decided: February 22, 2023

Board Members Present and Voting: Bobbie S. Mack, Chairperson
Anastasia T. Johnson, Member
Carl Isler, Member
Teia Hill, Member
Renee Alston, Member

Board Member Absent:

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 variances 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 27-3613 of the Zoning Ordinance, Petitioners request that the Board approve variances from Section 27-442(i)(Table VIII) which prescribes that not more than 25% of the rear yard shall be covered by accessory buildings. Petitioners propose to obtain a building permit for the proposed pool house with masonry fireplace, patio, deck, and outdoor kitchen. A variance of 1% net yard lot coverage is requested.

Evidence Presented

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

1. The property was subdivided in 1992, contains 49,825 square feet, is Zoned AR (Agricultural-Residential) and is improved with a single-family dwelling, circular driveway and existing retaining walls. Exhibits (Exhs.) 2, 6, 10, 11 and 12 (A) thru (E).
2. The subject property (Lot 14) is extremely odd-shaped with the dwelling located towards the rear of the property and requiring an extended driveway that becomes circular. Exhs. 2, 6, 10, 11 and 12 (A) thru (E).¹
3. Petitioners propose to obtain a building permit for the proposed pool house with masonry fireplace, patio, deck, and outdoor kitchen. A variance of 1%-yard net lot coverage is requested. Exhs. 2, 6, 10, 11 and 12 (A) thru (E).
4. The Woodmore Homeowner Association stated that it reviewed and approved the Woodmore HOA Architectural Change Application for Petitioner's property requesting authorization to enhance and complement the backyard of the property by replacing the prior indoor pool and exterior structure with a deck and inground pool that minimizes distractions of patrons of the golf course and maximizes outdoor living space while adding curb appeal at property. Exh. 8.

¹ The subject property is not located within the City limits of Bowie. Exh. 10.

5. Kadriene Dixon specified that they would like to replace prior work to the exterior structure with a pool house, masonry fireplace, deck, outdoor kitchen, and an inground pool along with a 6-foot fence to comply with county requirements. Exhs. 2, 3 (a) thru (b), 4 (A) thru (B) and 5 (A) thru (E).

6. She explained that the proposed variance for yard lot coverage is needed because construction of the pool house will exceed the maximum allowable yard coverage by 1%.

7. She further testified that the HOA approval includes the approval of the property owner of Lot 15, which abuts the property.

Applicable Code Section and Authority

The Board is authorized to grant the requested variances if it finds that the following provisions of Section 27-3613(d) of the Prince George's County Zoning Ordinance are satisfied:

General Variance Decision Standards

A variance may only be granted when the review board or official, as appropriate, finds that:

- (1) A specific parcel of land is physically unique and unusual in a manner different from the nature of surrounding properties with respect to exceptional narrowness, shallowness, shape, exceptional topographic conditions, or other extraordinary conditions peculiar to the specific parcel (such as historical significance or environmentally sensitive features);
- (2) The particular uniqueness and peculiarity of the specific property causes a zoning provision to impact disproportionately upon that property, such that strict application of the provision will result in peculiar and unusual practical difficulties to the owner of the property;
- (3) Such variance is the minimum reasonably necessary to overcome the exceptional physical conditions;
- (4) Such variance can be granted without substantial impairment to the intent, purpose and integrity of the General Plan or any Functional Master Plan, Area Master Plan, or Sector Plan affecting the subject property;
- (5) Such variance will not substantially impair the use and enjoyment of adjacent properties; and
- (6) A variance may not be granted if the practical difficulty is self-inflicted by the owner of the property.

Findings of the Board

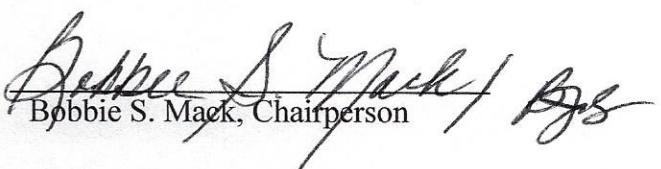
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variance complies with the applicable standards set forth in Section 27-3616(d), more specifically:

Due to the property being extremely odd-shaped with the dwelling located towards the rear of the property, the proposed development (pool house) creating overage in yard net lot coverage, the overage is only 1%, the desire to enhance and complement the existing property 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 owners of the property.

BE IT THEREFORE RESOLVED, by majority vote, Ms. Alston absent, that a variance of 1% net yard lot coverage in order to obtain a building permit for the proposed pool house with masonry fireplace, patio, deck, and outdoor kitchen on the property located at 12307 Pleasant Prospect Road, Bowie, Prince George's County, Maryland, be and are hereby APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exh. 2 and approved elevation plans, Exh. 3 (a) and (b) and 4 (A) thru (B).

BOARD OF ZONING APPEALS

By:


Bobbie S. Mack, Chairperson

NOTICE

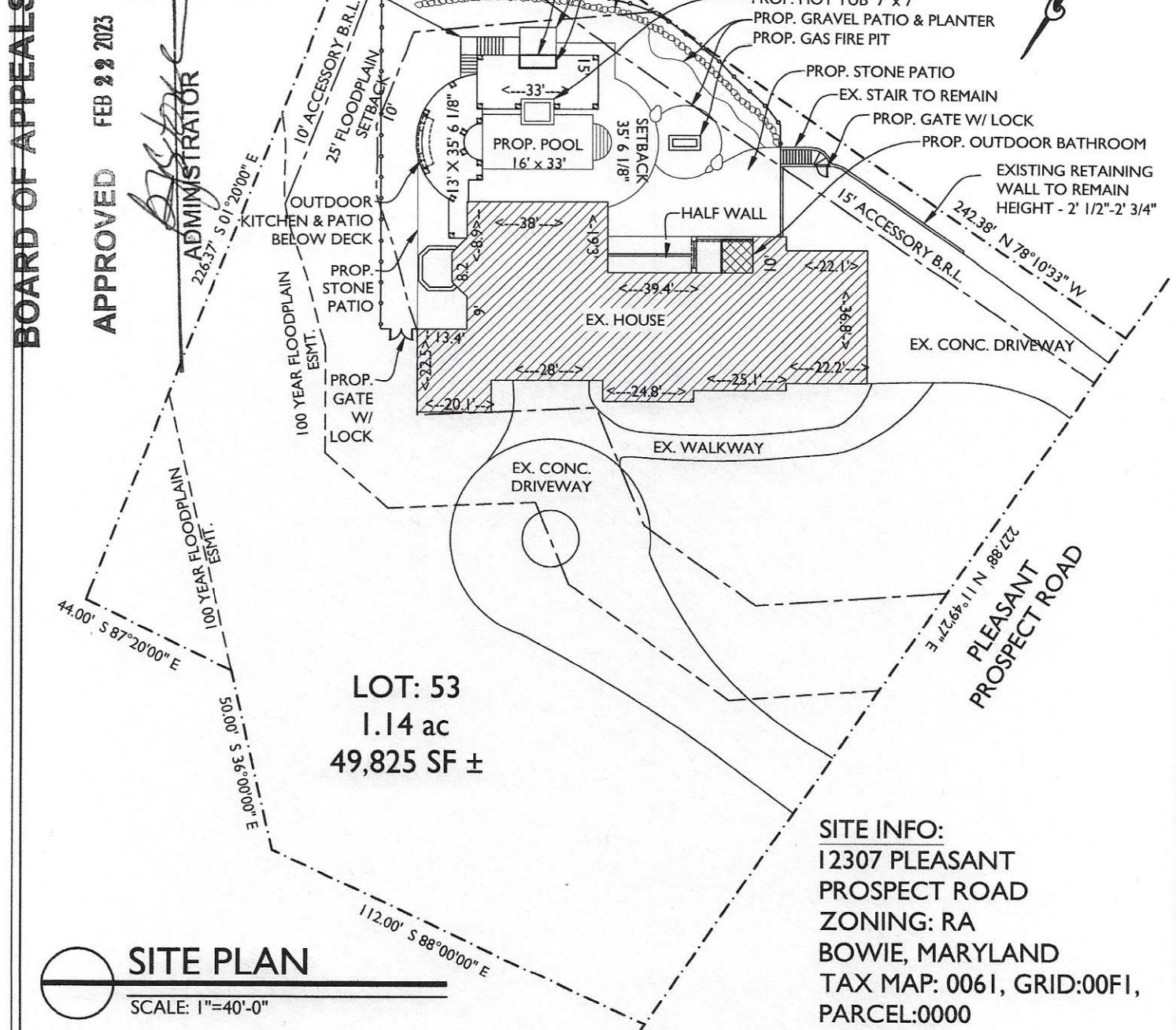
Within thirty (30) days from the date of this decision, any person, firm, corporation, or governmental agency who was a party to the Board's proceedings and is aggrieved by its decision may file an appeal to the Circuit Court of Prince George's County.

Further, Section 27-3613(c)(10)(B) 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.

APPROVED FEB 22 2023

ADMINISTRATOR



SITE PLAN

SCALE: 1"=40'-0"

EXH. # 2
V-5-23



13953 Brighton Dam Rd
Clarksville, MD 21029
301-776-2666

info@TransformingArchitecture.com
www.TransformingArchitecture.com
I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NUMBER 13662, EXPIRATION 10-22-2023.

DIXON RESIDENCE

12307 PLEASANT PROSPECT ROAD
BOWIE, MD 20721

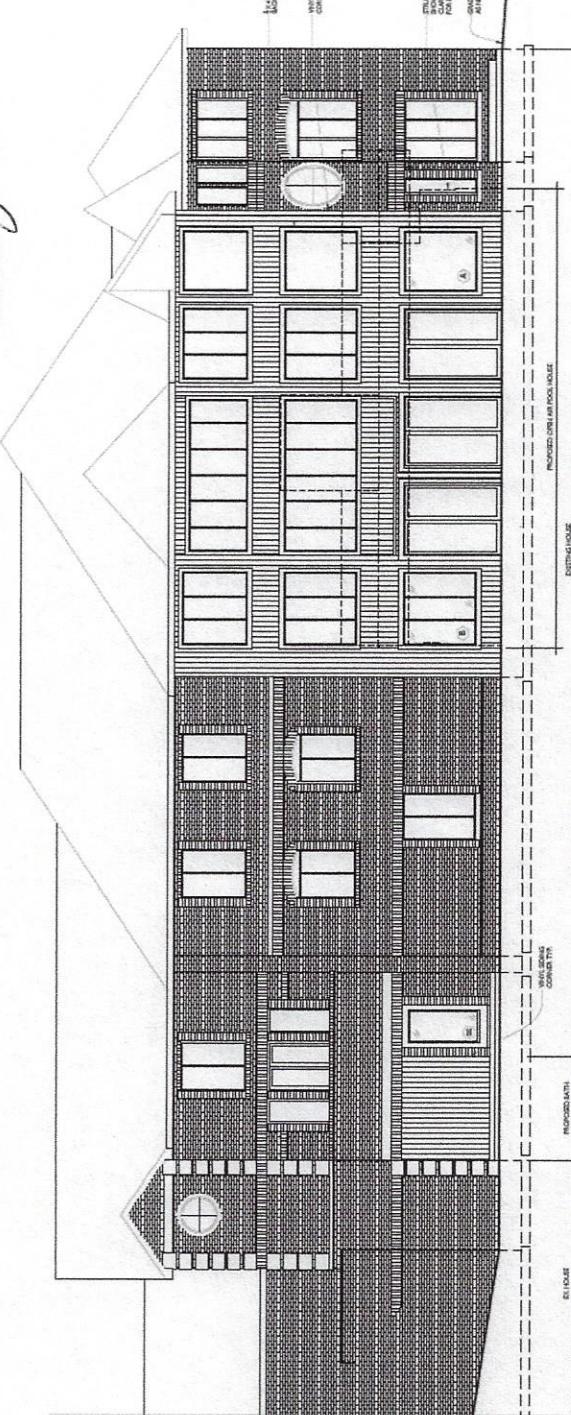
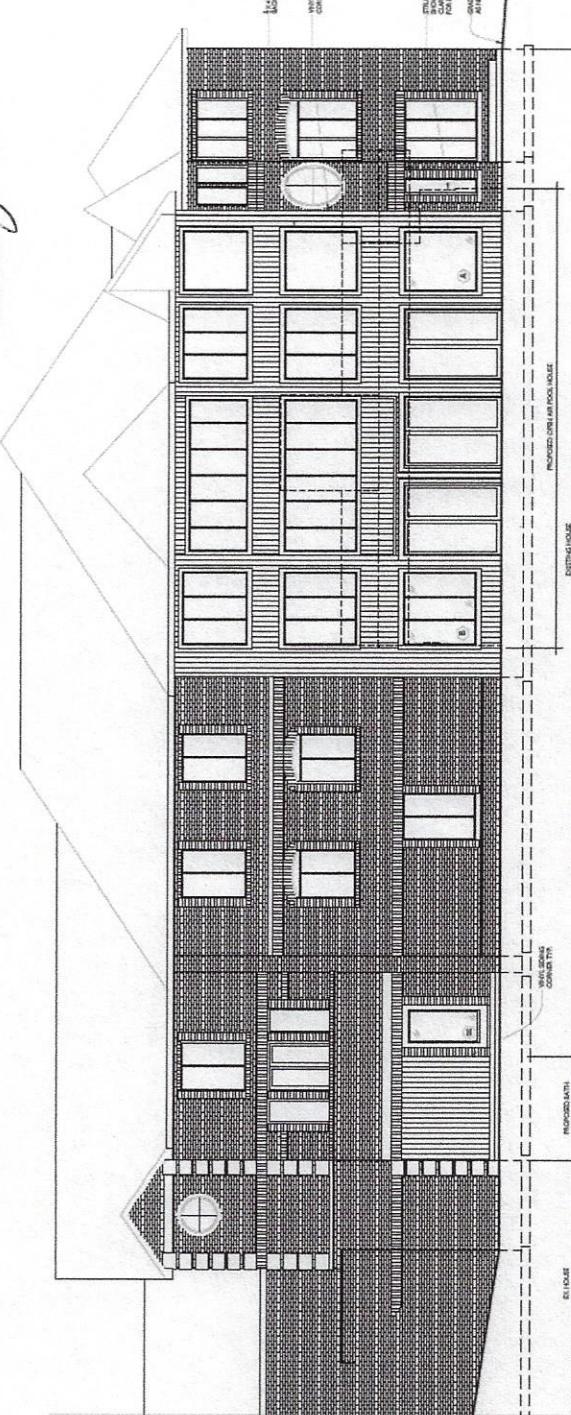
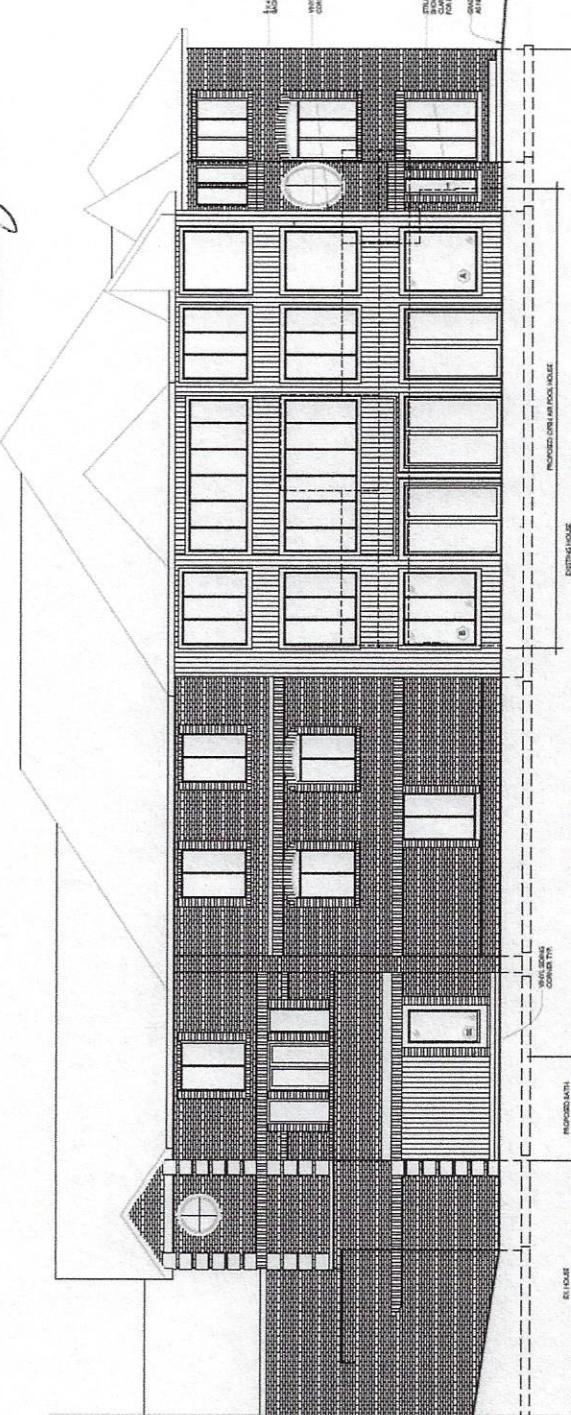
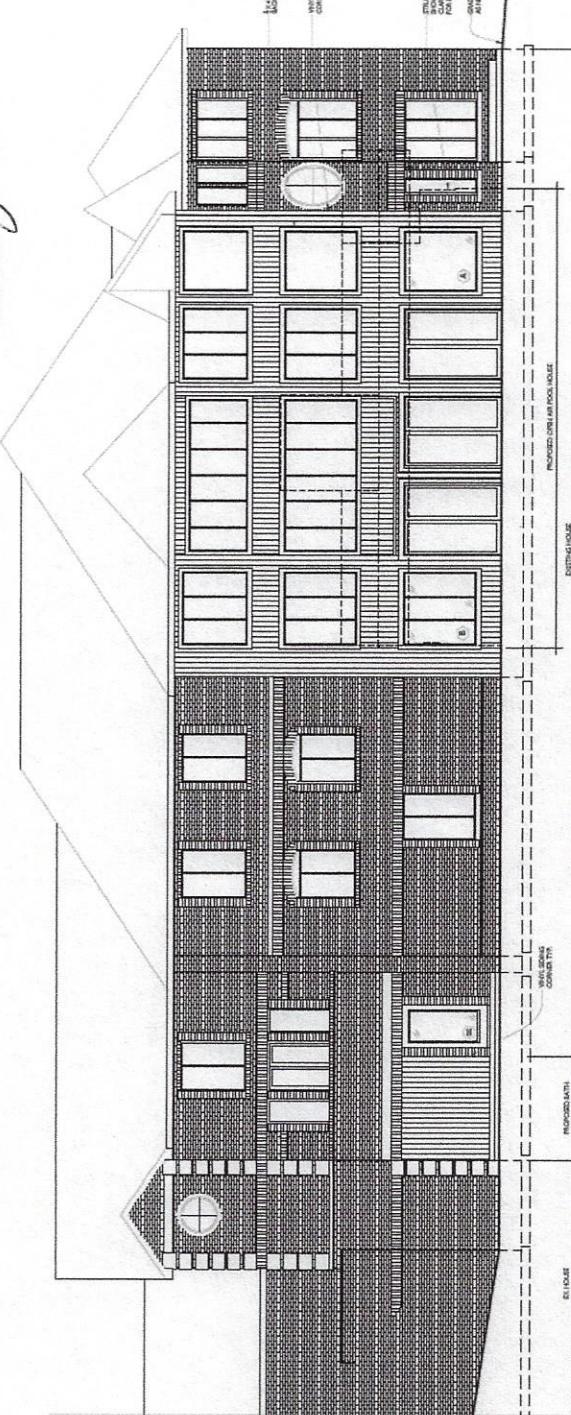
SITE PLAN

SCALE: AS NOTED DATE: 07-05-22 PROJECT: 20-543

BOARD OF APPEALS

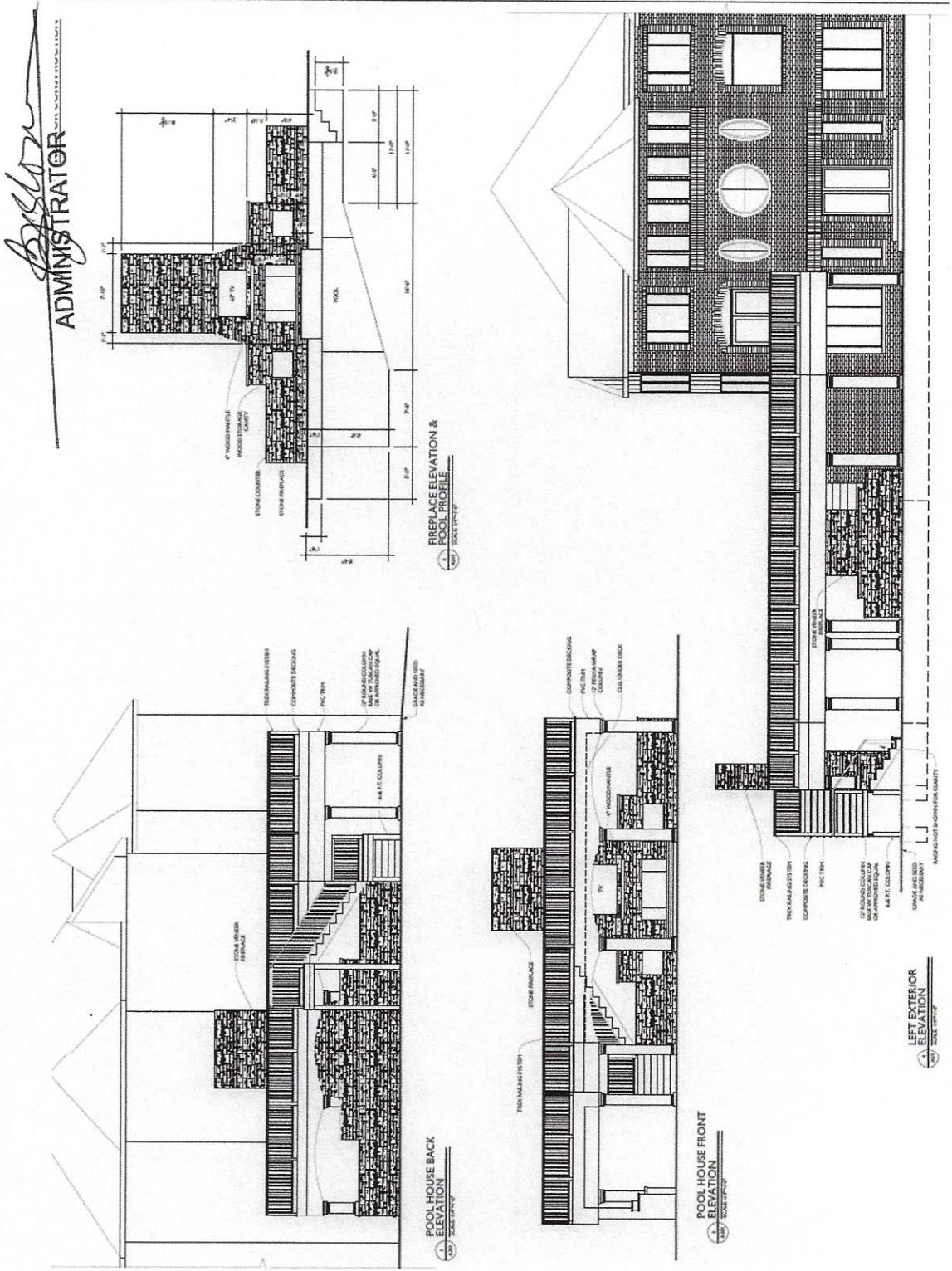
12307 - Dixon - Building Elevation Plans (Outdoor Kitchen and Bathroom)

APPROVED FEB 22 2023

 <p>109 Brighton Drive Road Clarksville, MD 21029 info@transformingarchitecture.com www.TransformingArchitecture.com</p>	
<p><i>B. H. Dixon</i> ADMINISTRATOR</p>	
<p>12307 Pleasant Prospect Road Bowie, MD 20721</p>	
<p>THE DIXON RESIDENCE</p>	
<p>Project Name: 100% CD</p>	
<p>Project File #:</p>	
<p>12307 Pleasant Prospect Road Bowie, MD 20721</p>	
<p>REVISIONS</p>	
REVISIONS	DATE
<p>STANDARD ELEVATION</p>	
 <p>Architect: Not Certified by the Maryland Board of Architecture Drawing Title: EXTERIOR + INTERIOR ELEVATIONS Sheet # of Set: 1 of 1</p>	
<p>STANDARD ELEVATION</p>	
 <p>Architect: Not Certified by the Maryland Board of Architecture Drawing Title: EXTERIOR + INTERIOR ELEVATIONS Sheet # of Set: 1 of 1</p>	
<p>BATHROOM ELEVATIONS</p>	
 <p>Architect: Not Certified by the Maryland Board of Architecture Drawing Title: BATHROOM ELEVATIONS Sheet # of Set: 1 of 1</p>	
<p>OUTDOOR KITCHEN ELEVATION</p>	
 <p>Architect: Not Certified by the Maryland Board of Architecture Drawing Title: OUTDOOR KITCHEN ELEVATION Sheet # of Set: 1 of 1</p>	
<p>EXH. # 3(a-b) V-5-23</p>	

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12307- Dixon – Building Elevation Plan (Pool House Back/Front, Fireplace, and Left exterior) APPROVED FEB 22 2021



3(b)

A-201