



THE PRINCE GEORGE'S COUNTY GOVERNMENT

BOARD OF ZONING APPEALS

BOARD OF ADMINISTRATIVE APPEALS

COUNTY ADMINISTRATION BUILDING, UPPER MARLBORO, MARYLAND 20772
TELEPHONE (301) 952-3220

NOTICE OF FINAL DECISION

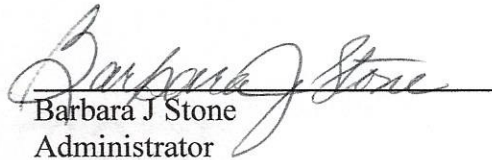
OF BOARD OF APPEALS

RE: Case No. V-10-21 Deborah Allen

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: April 28, 2021

CERTIFICATE OF SERVICE

This is to certify that on June 30, 2021, 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: Deborah Allen

Appeal No.: V-10-21

Subject Property: Lot 33, Block C, Summerwood Subdivision, being 17203 Summerwood Lane, Accokeek,
Prince George's County, Maryland

Witness: Kevin LaSalle, Spouse

Heard and Decided: April 28, 2021

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 variances from Ordinance Section 27-442(e)(Table IV) prescribes that each lot shall have a rear yard at least 20 feet in depth/width. Section 27-442(c) (Table II) prescribes that not more than 25% of the net lot area shall be covered by buildings and off-street parking. Petitioner proposes to obtain a permit for the construction of a deck with steps. Variances of 11 feet rear yard depth/width and 5.9% net lot coverage are requested.

Evidence Presented

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

1. The property was subdivided in 2003, contains 10,105 square feet, is zoned R-R (Rural-Residential) and is improved with a single-family dwelling and driveway. Exhibits (Exhs.) 2, 5, 9, 10 and 11(A) thru (F).
2. The lot is odd-shaped as the front street line is curved at 77 feet in length and the rear of the property is at 62.66 feet. The rear yard line slants at an angle, gradually decreasing the rear yard depth. Exhs. 2 and 5.
3. Petitioner proposes to obtain a permit for the construction of a deck (21' x16') in the rear of the property where the rear yard line slants and gradually decreasing the rear yard depth. Exhs. 2 and 5.
4. The variances are requested because the rear yard area does not meet the minimally required depth of 20 feet. A variance of 11 feet is required. In addition, the net lot coverage exceeds the allowable maximum lot coverage of 25% by 5.9%. Exhs. 2, 5, 9, 10 and 11(A) thru (F).
5. Petitioner Kevin LaSalle testified that the proposed size of the deck is consistent with sizes of other decks in the neighborhood. The rear door from the house (that would lead to the deck) is approximately 3 feet off the ground and cannot be utilized (safely) as an exit. The deck will allow a safe emergency exit. He added that stairs on the right side of the deck will lead to the rear yard. Exhs. 2, 3 (a) thru (d), 6 (A) thru (J).
6. Summerwood Community HOA has approved the addition of the deck. Exh. 7.

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

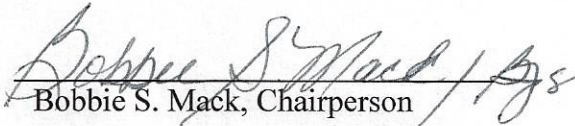
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variance complies with the applicable standards set forth in Section 27-230, more specifically:

Due to the rear yard line slanting at an angle and gradually decreasing the rear yard depth, the deck will be located in the shorter yard area to meet the existing elevated 3-foot rear house door, the need to use the existing rear door as an emergency exit, the proposed deck will be consistent with neighboring decks 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 variances of 11 feet rear yard depth/width and 5.9% net lot coverage in order to obtain a permit for the construction of a deck on the property located at 17203 Summerwood Lane, Accokeek, Prince George's County, Maryland, be and is hereby APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exh. 2 and approved elevation plans, Exhs. 3 (a) thru (d).

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 27-233(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.

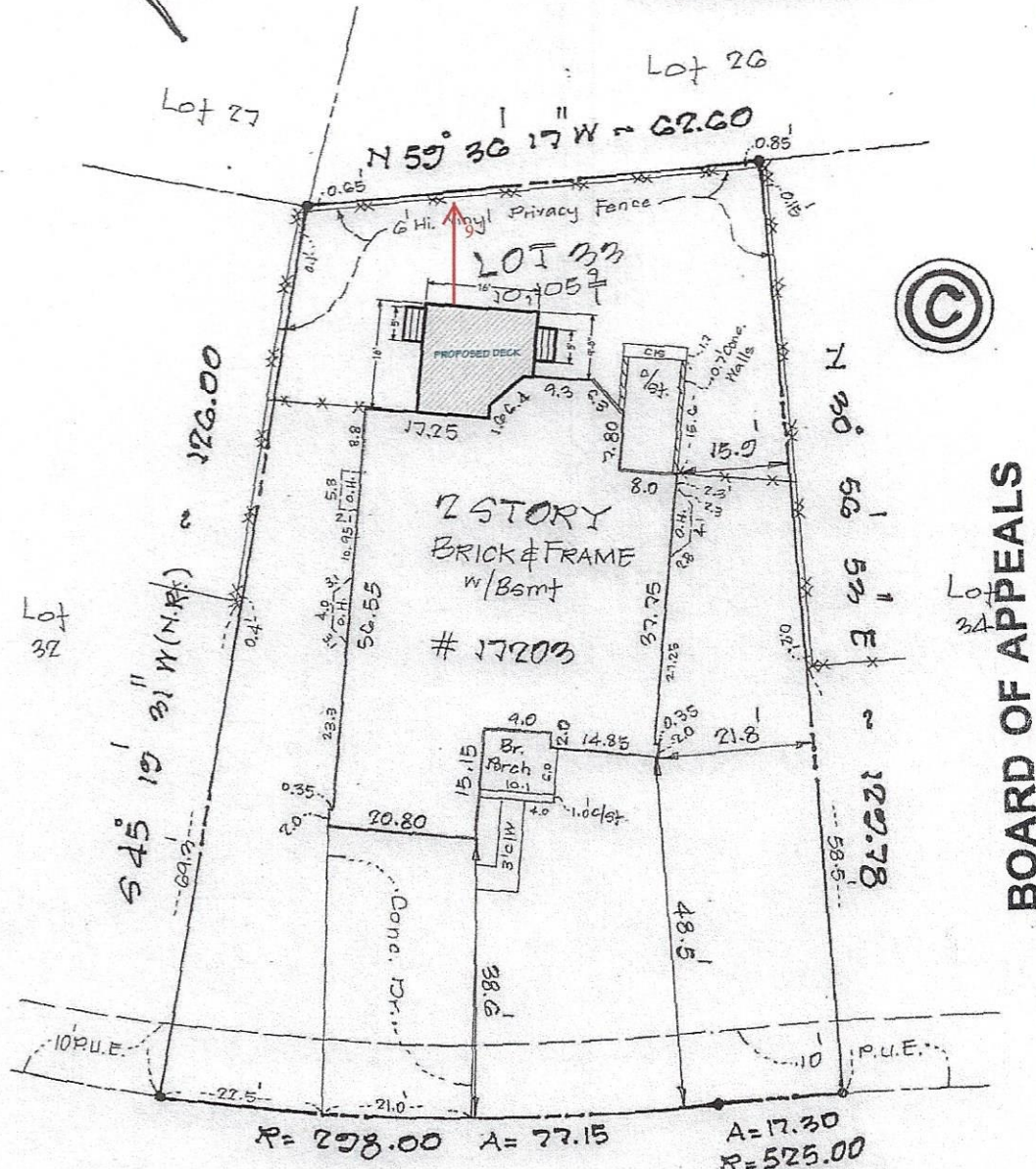
SCALE: 1"=20'

LOCATION DRAWING

LOT 33, BLOCK "C", PLAT TWO

SUMMERWOOD

PLAT BOOK REP 198 @ PLAT NO. 72
5TH ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MD.



BOARD OF APPEALS

APPROVED APR 28 2021

ADMINISTRATOR

SURVEYOR'S CERTIFICATES:

I hereby certify that the position of the existing improvements on the above described property has been established by a field survey and that unless otherwise shown, there are no visible encroachments, if any.

This location drawing is not to be relied for establishing boundary lines.

DATE: 18th November 2020 *W.L. Meekins*

I hereby certify that I have carefully surveyed the property as shown by this plat and Permanent Survey Markers are in place as shown.

DATE:

NOTE: Location drawing does NOT include setting Permanent Survey Markers at property corners.
NO TITLE REPORT FURNISHED

PLAT SUBJECT TO RESTRICTIONS & EASEMENTS OF RECORD OR OTHERWISE.



EXH. # 2
V-10-21

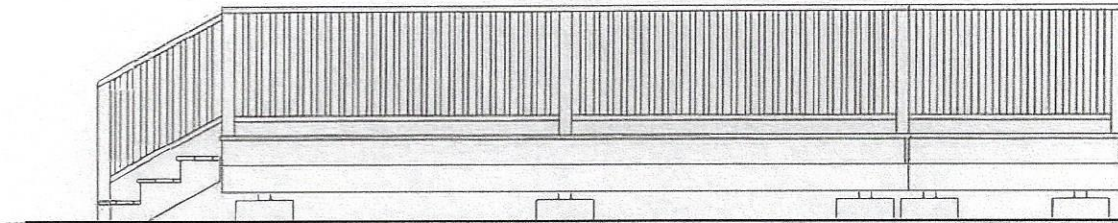
W. L. MEEKINS, INC.

3101 RITCHIE ROAD
FORESTVILLE, MD 20747
TEL: 301-736-7115
email: info@meekins.net
web: www.meekins.net

REGISTRATIONS

MD # 10833
DCLS # 900860

DECK PLANS FOR:
 1703 SUMMERWOOD LN
 ACCOKEEK MD 20607



(a)

LAYOUT PAGE TABLE	
LABEL	TITLE
A-2	DECK LAYOUT
A-3	DECK FOOTING DETAILS
A-4	DECK FRAMING
A-5	DECK STAIR DETAILS
A-6	STAIR RISER DETAILS

DESIGN CRITERIA:
 LIVE LOAD 40PSF

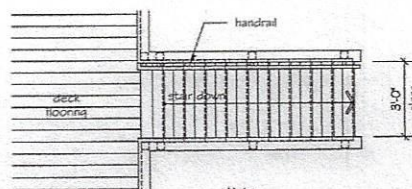
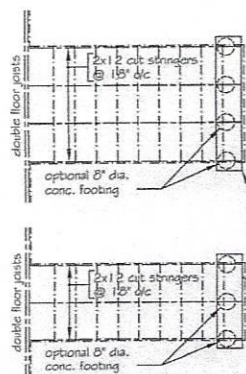
DATE	1/23/2021
SCALE	
SHEET	A-1
sumnerwood deck	

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APPROVED APR 28 2021

[Signature]
 ADMINISTRATOR

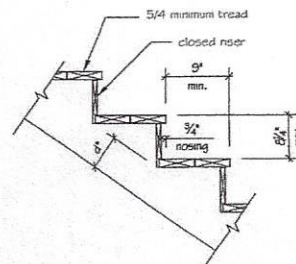
EXH. # 3 (a-d)
V-10-21



FLOOR PLAN
SCALE: 1/4"=1'-0"

Notes

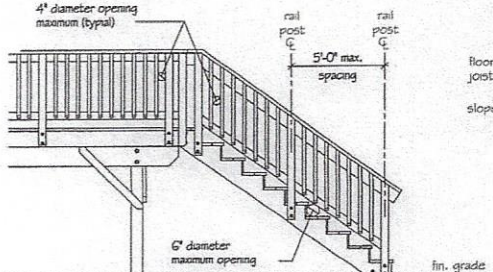
- 1.) all lumber shall be ground contact treated UC4A or higher.
- 2.) all connectors, anchors and fasteners shall be either Znmax or post batch hot-dip galvanized steel.



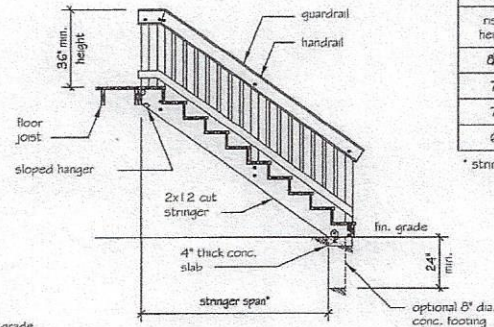
TREADS & RISERS DETAIL
SCALE: 3/4"=1'-0"

FRAMING & FOUNDATION PLANS

SCALE: 1/4"=1'-0"



SIDE ELEVATION
SCALE: 1/4"=1'-0"



CROSS SECTION
SCALE: 1/4"=1'-0"

ALLOWABLE STRINGER SPANS			
riser height	tread width	depth d'	maximum span*
8 1/4"	9"	5 1/8"	6'-6"
7"	11"	5 3/8"	7'-0"
7"	10"	5 1/2"	7'-0"
6"	12"	5 7/8"	7'-6"

* stringer span is determined by depth (d)

(b)

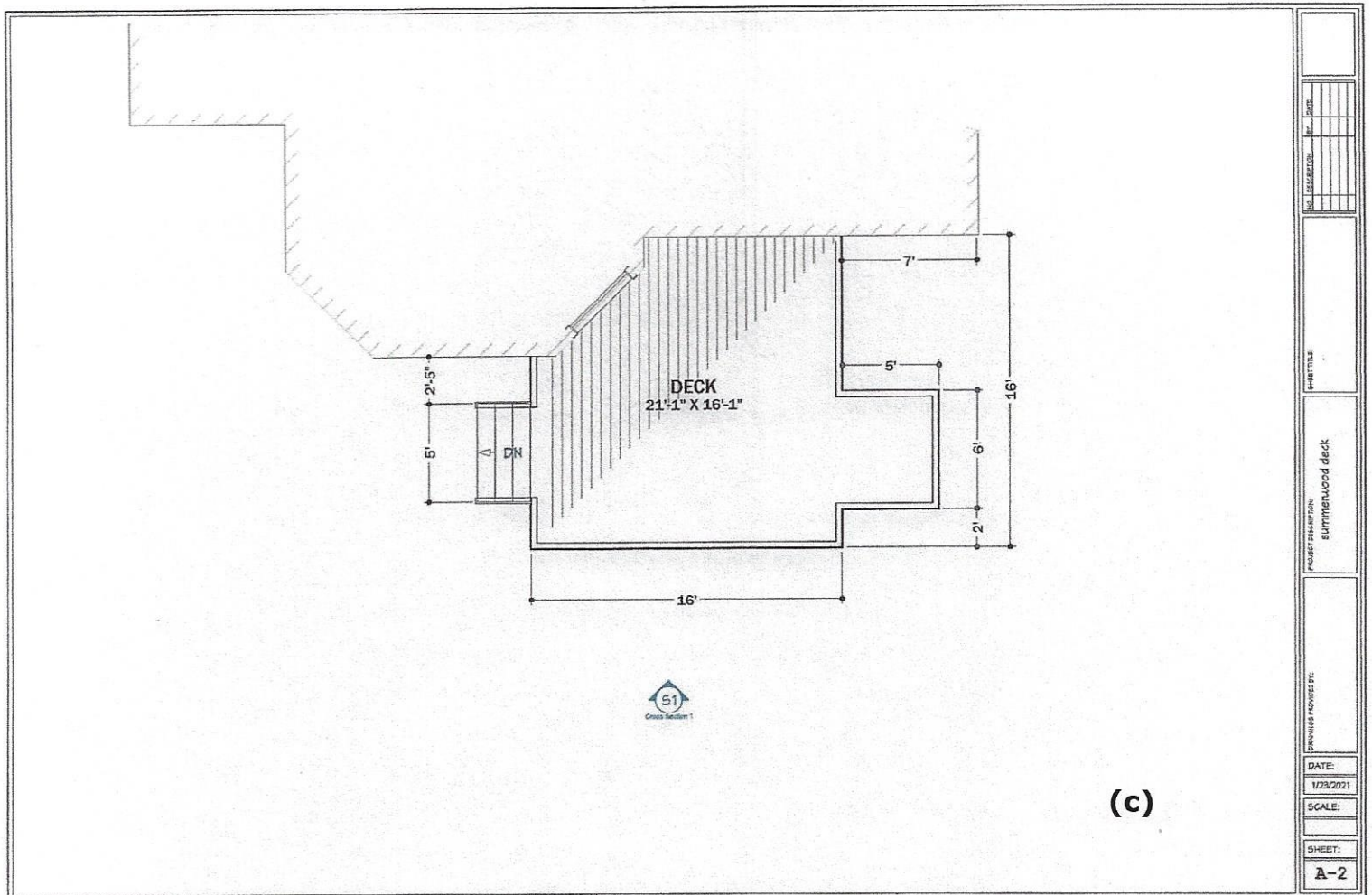
BOARD OF APPEALS

APPROVED APR 28 2021

[Signature]
ADMINISTRATOR

DATE:	1/23/2021
SCALE:	
SHEET:	A-6

summitwood deck

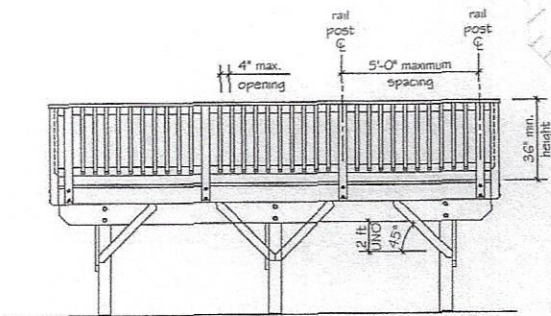


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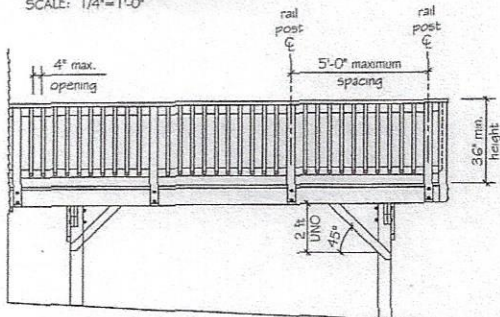
By Stone
ADMINISTRATOR

Free-Standing and Totally Isolated Decks:
decks designed and constructed as totally isolated and completely freestanding structures (i.e. not attached to the house) must be diagonally braced in two perpendicular directions at every posts.

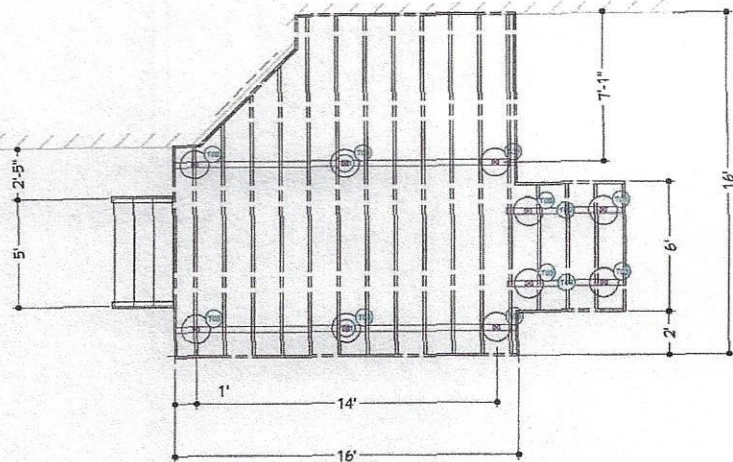


FRONT ELEVATION

SCALE: 1/4"=1'-0"



LEFT SIDE ELEVATION



(d)

General Notes:

1. All lumber shall be ground contact preservative treated wood UC4A or higher.
2. All connectors, anchors and fasteners shall be either Zmax or post batch hot-dip galvanized steel.
3. Provide double joists at center of the post or where 1 side of joist flush with face of post below to facilitate diagonal bracing connection.
4. Where the 1500 psf soil bearing pressure capacity of the footing is not obtained; usually near the house basement wall, extend the footing down until reach the bearing capacity.
5. A 3x3 wood placed under beam or double joists may be used in lieu of 2x4 diagonal bracing shown.
6. Beam splice at interior posts only.

FRAMING SCHEDULE						
NUMBER	NAME	QTY	NOMINAL	LENGTH	MATERIAL	TYPE
T01	DECK BEAM	2	4X6	192"	CA-B PRESSURE TREATED LUMBER	LUMBER
T02	DECK BEAM	2	4X6	66"	CA-B PRESSURE TREATED LUMBER	LUMBER
T03	DECK POST	10	4X4	23/8"	CA-B PRESSURE TREATED LUMBER	LUMBER

DATE:	1/23/2021
SCALE:	
SHEET:	A-4
PROJECT INFORMATION	
summitwood deck	
PROJECT TITLE	
DATE	
BY	
CHECKED	
APPROVED	

BOARD OF APPEALS

APPROVED

APR 28 2021

[Signature]
ADMINISTRATOR