



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

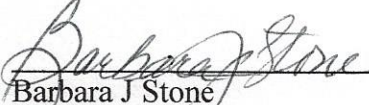
OF BOARD OF APPEALS

RE: Case No. V-17-21 Adriana Medel and Vicente Guzman

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: May 26, 2021.

CERTIFICATE OF SERVICE

This is to certify that on July 29, 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

Petitioners: Adriana Medel and Vicente Guzman

Appeal No.: V-17-21

Subject Property: Lot 13, Block D, Dresden Green Subdivision, being 7903 Dawnwood Court, Lanham
Prince George's County, Maryland

Heard: April 28, 2021; Decided: May 26, 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 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 27-229 of the Zoning Ordinance, Petitioners request that the Board approve variances from Section 27-442(c)(Table II) which prescribes that not more than 30% of the net lot area shall be covered by buildings and off-street parking. Petitioners propose to obtain a building permit for the proposed detached garage. A variance of 28.7% net lot coverage is requested.¹

Evidence Presented

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

1. The property was subdivided in 1968, contains 9,063 square feet, is zoned R-55 (One-Family Detached Residential) and is improved with a single-family dwelling, driveway and shed. Exhibits (Exhs.) 2, 4, 8, 9 and 10 (A) thru (F)
2. The lot is located on a cul-de-sac and is pie shaped. Exhs. 2 and 4.
3. Petitioners propose to obtain a building permit for the proposed detached garage. The percentage of the lot coverage for the existing development is already beyond the maximum allowable percentage of 30%. The proposed garage will increase the net lot coverage to 58.7%. As such, a variance of 28.7% is necessary. Exhs. 2, 4, 8, 9 and 10 (A) thru (F)
4. Petitioner Adriana Medel testified that they are proposing to build a 24' X 28' garage for their vehicles and storage.

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

¹ A front yard setback variance is not required as the front yard setback is currently 30 feet or 5 feet over the required minimum. Exh. 2.

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

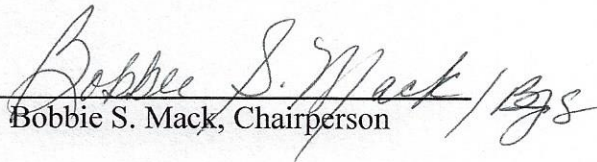
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variances does not comply with the applicable standards set forth in Section 27-230, more specifically:

1. The Board finds that the subject property has no exceptional narrowness, shallowness, or topography. The Board further finds that although the lot is pie shaped there is no evidence of any extraordinary situation or condition of the property. Exh. 2
2. Because the conditions of the property are ordinary, the Board does not deem it necessary to consider the other requirements of Section 27-230.
3. The Board also notes that the proposed garage is not in character with the neighborhood.

BE IT THEREFORE RESOLVED, unanimously, that variance of 28.7% net lot coverage to obtain a building permit for the proposed detached garage on the property located at 7903 Dawnwood Court, Lanham, Prince George's County, Maryland, be and are hereby DENIED.

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 27-234 of the Prince George's County Code states:

If the Board denies an appeal involving a variance, no further appeal covering the same specific subject on the same property shall be filed within the following twelve (12) month period. If the second appeal is also denied, no other subsequent appeals covering the same specific subject on the same property shall be filed within each eighteen (18) month period following the respective denial.