



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

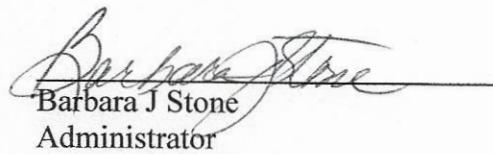
OF BOARD OF APPEALS

RE: Case No. V-37-21 Ravinder and Arvin Anand

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: June 23, 2021.

CERTIFICATE OF SERVICE

This is to certify that on September 30, 2021, 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 written over a horizontal line. Below the signature, the name "Barbara J. Stone" is printed in a standard black font, followed by the title "Administrator" in a smaller font.

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: Ravinder and Arvin Anand

Appeal No.: V-37-21

Subject Property: Lot 20, Block C, Heritage Glen Subdivision, being 10009 Gold Coast Court, Upper Marlboro, Prince George's County, Maryland

Witnesses: Manjyot Anand, Daughter

Bill Cusick, Remodel USA, Inc.

Dabell Rose, Remodel USA, Inc.

Heard: June 9, 2021; Decided: June 23, 2021

Board Members Present and Voting: Bobbie S. Mack, Chairperson - Present

Albert C. Scott, Vice Chairman - Present

Anastasia T. Johnson, 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 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 27-442(e)(Table IV) of the Zoning Ordinance, which prescribes that each lot shall have a front yard at least 25 feet in depth. Petitioners propose to validate existing conditions (front yard depth and rear yard depth/width) and obtain a building permit for the construction of a partially covered deck with landing and steps. Variances of 1.5 feet front yard depth and 10.5 feet rear yard depth/width are requested.

Evidence Presented

1. The property was subdivided in 2002, contains 14,537 square feet, is zoned R-80 (One-Family Detached Residential) and is improved with a single-family dwelling and driveway. Exhibits (Exhs.) 2, 4, 7, 8 and 9 (A) thru (F).

2. The subject property is irregular in shape as it is located within a cul-de-sac. The property is pie shaped with a very wide but narrow rear yard. The property slopes from the front of the property to the rear. Exhibits (Exhs.) 2, 4, 7, 8 and 9 (A) thru (F).

3. Petitioners propose to validate existing conditions (front yard depth and rear yard depth/width) and obtain a building permit for the construction of a partially covered (sunroom) deck with landing and steps. Because the covered front porch is encroaching the minimum front yard setback of 25 feet, a variance of 1.5 feet is required. The minimum allowable rear yard setback of 20 is being encroached by 9.5 feet and a variance of 10.5 feet rear yard setback is also required. Exhibits (Exhs.) 2, 4, 7, 8 and 9 (A) thru (F).

4. Petitioner Ravinder Anand stated that the subject property was purchased in 2006. Exh 8.

5. Mr. Bill Cusick testified that the Petitioners would now like to build a 24' x 14' deck with landing and stairs, while enclosing a portion of the deck for a 10' x 10' sunroom. He explained that the deck will be approximately 8 feet above grade and the rear of the property backs up to adjoining lots. Exhs. 2, 3(a) thru (b) and 5 (A) thru (G).

6. Manjyot Anand stated that the deck will be for family enjoyment on the outside.

7. He further stated that the proposed deck has been discussed with the HOA and neighbors, with no objections. Exhs. 2, 3(a) thru (b) and 5 (A) thru (G).

8. There is currently only a sliding glass door on the rear of the home with railing for safety. Exhs. 2, 3(a) thru (b) and 5 (A) thru (G).

9. Summit Management Services has provided the approval for installation of a deck and sunroom from the Board of Directors for the Heritage Glen Homeowners Association. Exh. 15

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

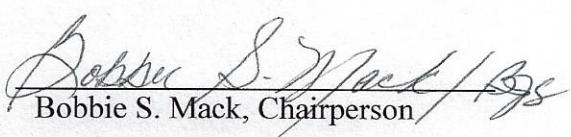
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variance complies with the applicable standards set forth in Section 27-230, more specifically:

Due to the irregular shape of the property in a cul-de-sac, the compactness of the rear yard, the preexistence of the covered front porch in the front of the house, the declining slope of the rear yard where the deck/sunroom will be located, the desire to enjoy the rear yard, the need to utilize a rear door which is 8 feet above grade as an emergency rear exit 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. Anastasia Johnson absent, that variances of 1.5 feet front yard depth and 10.5 feet rear yard depth/width in order to validate existing conditions (front yard depth and rear yard depth/width) and obtain a building permit for the construction of a partially covered deck with landing and steps on the property located at 10009 Gold Coast Court, Upper Marlboro, 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, Exhibit 2 and approved elevation plans, Exhibits 3 (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 27-233(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.

Brand

BOARD OF APPEALS

APPROVED *[Signature]* **JUN 23 2021**

ADMINISTRATOR *[Signature]*

EX: Lot Coverage
 House = 2152 ft²
 DLW = 570 ft²
 $2722 \text{ ft}^2 = 18.7\%$

Proposed Sunroom 100 ft²
 $2822 \text{ ft}^2 = 19.4\%$

Proposed left coverage 2822 ft²

EXH. # 2
V-37-21

PLEASE NOTE:

- 1) DIMENSIONS SHOWN WITHIN " " ARE COMPUTED TO AN ACCURACY OF PLUS OR MINUS ONE FOOT.
- 2) NO TITLE REPORT WAS FURNISHED. THIS PROPERTY IS SUBJECT TO ALL APPLICABLE EASEMENTS, RIGHTS-OF-WAY, COVENANTS AND THOSE DOCUMENTS WHICH THE UNDERSIGNED HAS NOT BEEN PROVIDED.
- 3) THIS PLAT IS A BENEFIT TO A CONSUMER ONLY INSOFAK AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENTS IN CONNECTION WITH CONTEMPLATED TRANSFER, FINANCING OR REFINANCING.
- 4) THIS PLAT IS NOT TO BE RELIED UPON FOR THE CONSTRUCTION OF FENCES, GARAGES, BUILDINGS OR FUTURE IMPROVEMENTS.
- 5) THIS PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF THAT THIS PLAT OF THE PROPERTY SHOWN ABOVE, DESCRIBED AS: **LOT 20 BLOCK C** AS SHOWN ON A PLAT OF SUBDIVISION TITLED: **PLAT ONE HERITAGE GLEN** AS RECORDED IN PLAT BOOK **116** AS PLAT NO. **59** AMONG THE LAND RECORDS OF **PRINCE GEORGES** COUNTY, MARYLAND, WAS PREPARED UNDER MY SUPERVISION AND THAT THE EXISTING VISIBLE IMPROVEMENTS AS SHOWN HEREON WERE LOCATED BY RECOGNIZED SURVEYING PRACTICES AND UNLESS OTHERWISE INDICATED, NO OTHER VISIBLE EVIDENCE WAS OBSERVED OF APPARENT ENCROACHMENTS ACROSS THE PROPERTY LINES.

SIGNATURE: *John W. Kostic* DATE: *3-23-06*

PRINTED NAME: **JOHN W. KOSTIC** TITLE: **PROPERTY LINE SURVEYOR** MD. REG. NO.: **872**

JOB NO.: 0415-01-01
SCALE: 1" = 40'
WALL CHECK DRAWING
DATE: 3-13-06
DRAWN: MGONZALES
CHECKED: PSHELTON
FINAL LOCATION DRAWING
DATE: 3-14-06
DRAWN: MGONZALES
CHECKED: PSHELTON
PROJECT DIRECTORY

LANHAM OFFICE
4266 Forbes Boulevard Lanham, MD 20706 **t.301.794.7555** **f.301.794.7636**
Engineering Planning Surveying Environmental Sciences **www.LSAssociates.net**

SCALE: 1" = 40'
 HABD 1-14 DATED

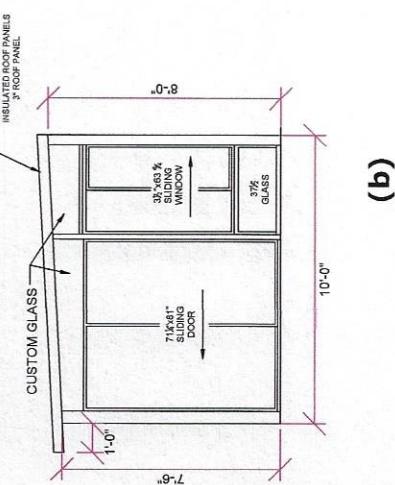
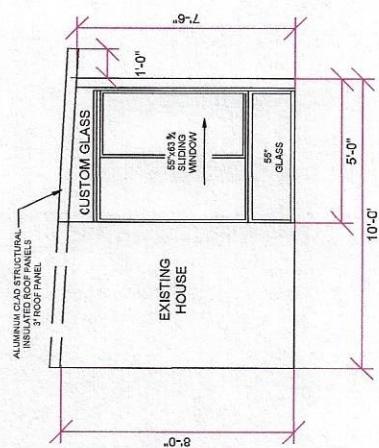
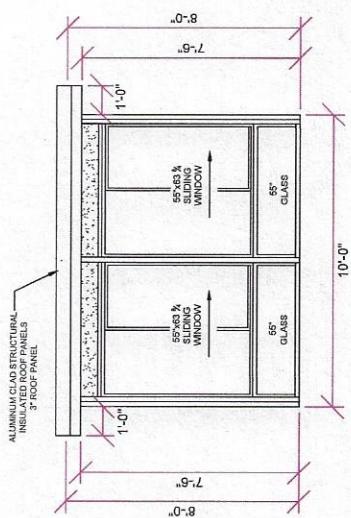
BOARD OF APPEALS

ELEVATIONS

APPROVED JUN 23 2021

[Signature]
ADMINISTRATOR

NOTE:
ALL SLIDING WINDOWS AND
DOORS ARE TEMPERED
SAFETY GLASS, ETCHED
WATER MARK ON GLASS.



(b)

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CAPITOL HEIGHTS MD 20743

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10009 GOLD COAST CT.
UPPER MARLBORO, MD. 20774

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