



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

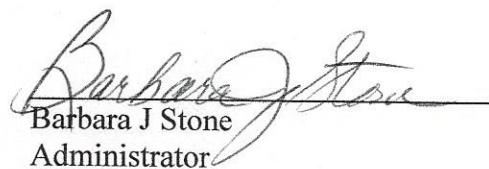
OF BOARD OF APPEALS

RE: Case No. V-42-21 Kimberly and Ross Jeffries, Sr.

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 9/16/2021, 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".

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: Kimberly and Ross Jeffries, Sr.

Appeal No.: V-42-21

Subject Property: Lot 11, Block K, Melwood Springs Subdivision, being 7300 Perrywood Road, Upper Marlboro, Prince George's County, Maryland

Witness: Chase Gallagher, 7th State Builders

Heard and Decided: June 23, 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, 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 rear yard at least 20 feet in depth/width. Section 27-442(c)(Table II) prescribes that not more than 30% of the net lot area shall be covered by buildings and off-street parking. Petitioners are requesting to validate existing conditions (rear yard depth/width and net lot coverage) and obtain a building permit for the construction of one-story addition/sunroom. Variances of 4.8 feet rear yard depth/width¹ and 8.4% net lot coverage are requested.

Evidence Presented

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

1. The property was subdivided in 1987, contains 11,508 square feet, is zoned R-R (Rural Residential) and is improved with a single-family dwelling and driveway. Exhibit (Exhs.) 2, 4, 8, 9 and 10 (A) thru (F).
2. The subject lot is a corner lot with the front of the dwelling facing the intersection of Perrywood Road and Springbeauty Court. The property lies within an approved cluster development.² Exhs. 2, 4, 8, 9 and 10 (A) thru (F).
3. Petitioners are requesting to construct a one-story enclosed addition (sunroom) on the rear of the home. With the addition of the sunroom, the maximum allowable net lot coverage of 30% is exceeded for which a variance of 8.4% is requested. Exhs. 2, 4, 8, 9 and 10 (A) thru (F).
4. Petitioner Ross Jefferies testified that they are proposing to construct an addition onto the rear of their home. The addition will serve as a sunroom. On the side of the addition, there will be a stairway

¹ It has been determined, during the hearing, that a side yard setback of 4.8 feet is not necessary. Exh. 2.

² Plat NLP 135@19, Note 2. identifies the property as a Cluster Development; Pursuant to Section (27)-229 Powers and Duties, the Board of Appeals does not have the authority to grant a variance to any requirements applicable to cluster developments, except for Home Improvements as defined in Section 27-107.01(a)(117.1).

leading to a patio. This side of the house provides natural sunlight, and they would enjoy being able to sit in an enclosed area to enjoy the sunlight.

5. The sunroom will also be used as an emergency rear exit from the home. Currently, Petitioners are unable to utilize the exit as it is too high above grade to be able to walk out. Exhs. 2, 3, and 5 (A) thru (D).

5. Chase Gallagher testified that the addition will be built approximately 48 inches above grade and will be level with the existing 1st floor of the house. He explained that from the sunroom, there will be a door to a landing and then a set of steps to the ground. Exhs. 2, 3, and 5 (A) thru (D).

6. Summit Management Services (Architectural Review Committee) reviewed and approved the 16' x 16' sunroom. Exh. 6.

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

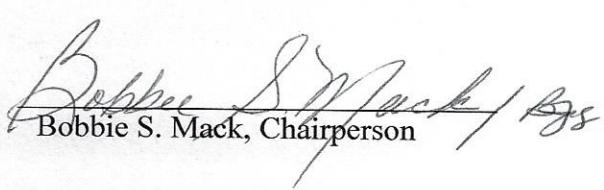
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variance complies with the applicable standards set forth in Section 27-230, more specifically:

Due to the property being a corner lot in a cluster development, the preexisting configuration of the dwelling on the lot, the approval of the construction by Summit Management Services, the inability to utilize the current exit as an emergency 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, unanimously, that a variance of 8.4% net lot coverage in order to validate existing condition (net lot coverage) and obtain a building permit for the construction of one-story addition/sunroom on the property located at 300 Perrywood Road, Upper Marlboro, Prince George's County, Maryland, be and is hereby APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plan, Exhibit 3.

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:

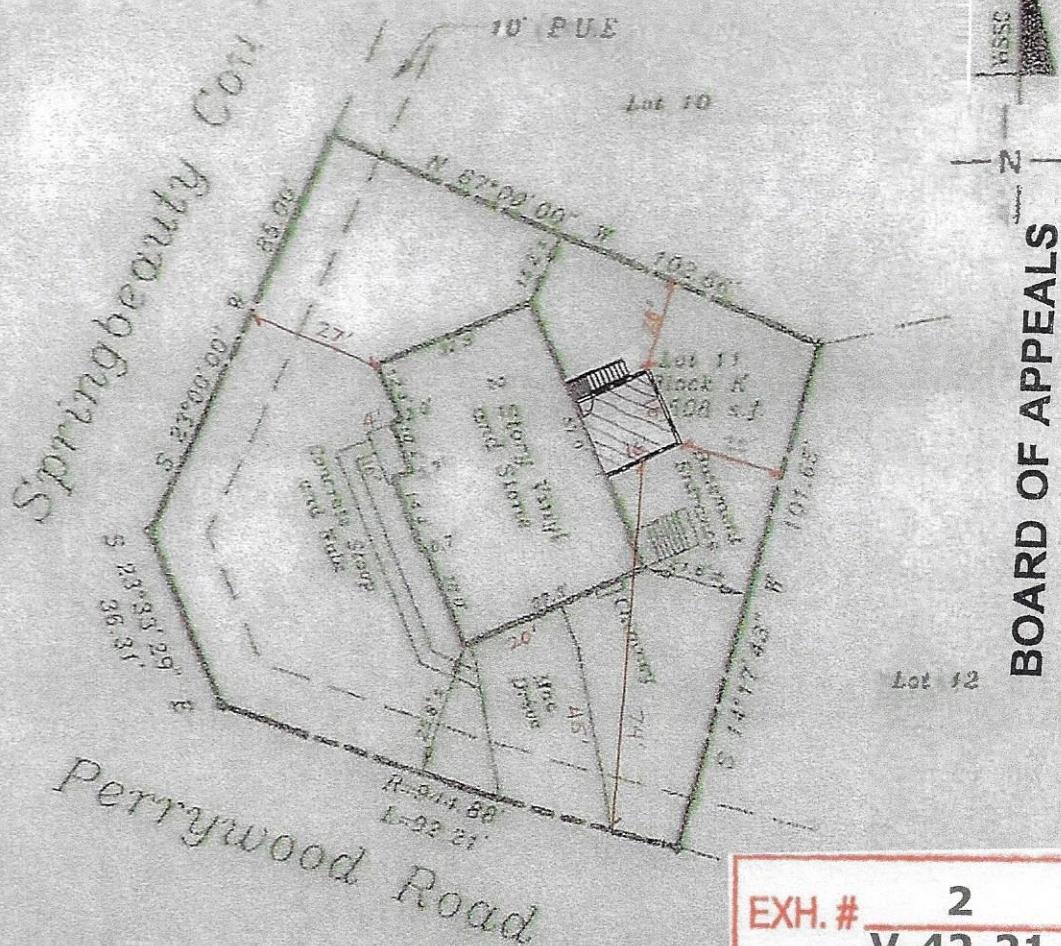
A decision of the Board, permitting the erection of a building or structure, shall not be valid for more than two (2) years, unless a building permit for the erection is obtained within this period and the construction is started and proceeds to completion in accordance with the terms of the decision and the permit.

Notes:

This is a copy of the House Location
Surveyor's copy and is not to be used
for advertising or marketing purposes.
This is the copy used by the
Surveyor for recording the survey
and is not to be used for
advertising or marketing purposes.
This is the copy used by the Surveyor
for recording the survey
and is not to be used for
advertising or marketing purposes.
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for recording the survey
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for recording the survey
and is not to be used for
advertising or marketing purposes.

House Location Survey
23001 Perrywood Road
Melwood Springs

Lot 11 Block K
Plat Book M.P. 185, Plat No. 32
1 acre 1/2561 R.R. Non-Dated
Prince George's County, Maryland
Scale P=96' 1/18/02



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT TO THE BEST OF MY
PROFESSIONAL KNOWLEDGE, JUDGEMENT AND
BELIEF THE LOCATION OF IMPROVEMENTS SHOWN
HEREON WERE ESTABLISHED BY A PHYSICAL
SURVEY USING ACCEPTED FIELD AND OFFICE
PROCEDURES AND THAT UNLESS OTHERWISE
SHOWN, THERE ARE NO VEHICLE ENCROACHMENTS.

Foundation Wall Check 9/19/02

Final House location 12/19/02

o = main pin set

PUE = public utility easement



GREENMAN - PEDERSEN, INC.

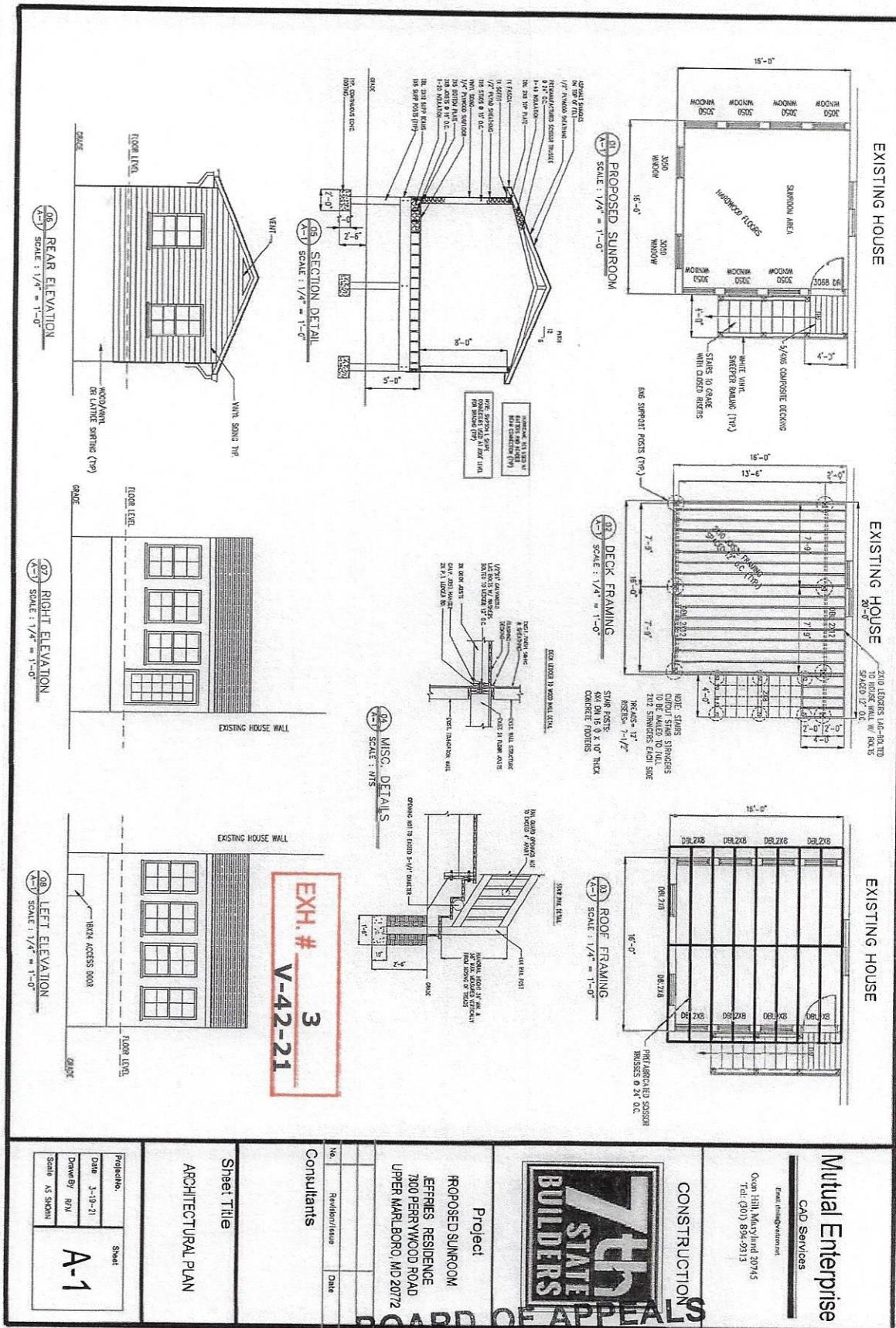
10620 GUILFORD ROAD, SUITE 100, JESSUP, MD 20731

ENGINEERS, SURVEYORS, PLANNERS, CONSTRUCTION ENGINEERS + INSPECTORS
(301) 470-2772, (410) 880-3055, FAX (301) 470-2640

GPI

BOARD OF APPEALS
APPROVED JUN 23 2001

ADMINISTRATOR



Mutual Enterprise

CAD Services

East Hill, Maryland 20745
Tel: (301) 892-9313

CONSTRUCTION



Project
PROPOSED SUNROOM
JEFFRIES RESIDENCE
300 PERRYWOOD ROAD
UPPER MARLBORO, MD 20772

BOARD OF APPEALS

APPROVED JUN 23 2021

B. Stone
ADMINISTRATOR

Project	Sheet
Date	3-19-21
Drawn By	RJM
Same As Shown	

Project	Sheet
Date	3-19-21
Drawn By	RJM
Same As Shown	

Project	Sheet
Date	3-19-21
Drawn By	RJM
Same As Shown	