



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-47-21 Thomas Liddle

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: July 28, 2021.

CERTIFICATE OF SERVICE

This is to certify that on October 27, 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

Petitioner: Thomas and Emily Liddle

Appeal No.: V-47-21

Subject Property: Lot 19, Block 19, Rhode-Island Avenue Add-Re-Subdivision, being 3715 37th Street,
Mount Rainier, Prince George's County, Maryland

Municipality: Mount Rainier

Heard: June 9, 2021; Decided: July 28, 2021

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

Albert C. Scott, Vice Chairman

Board Member Absent: 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 front yard at least 25 feet in depth. Petitioners propose to validate existing conditions (front yard depth and accessory building (shed) and obtain a building permit to rebuild the front porch. Variances of 14.6 feet front yard depth and 2 feet side lot line setback is requested.

Evidence Presented

1. The property was subdivided in 1905, contains 6,250 square feet, is zoned R-55 (One-Family Detached Residential) and is improved with a single-family dwelling, (shared) driveway, covered front porch, deck and shed. Exhibits (Exhs.) 3, 4, 7, 8 and 9 (A) thru (F).

2. The subject lot is rectangular, being narrow at only 50 feet in width. Exhs. 3 and 5.

3. Petitioners propose to validate existing conditions (front yard depth and accessory building (shed) and obtain a building permit to rebuild the front porch. Because the house was built in 1912, the front yard setback does not meet the current 25 feet setback requirement by 10.4 feet, necessitating the requested variance of 14.6 feet. Due to the preexisting shed being located on the left side property line, a variance of 2 feet side lot line is required. Exhs. 3, 4, 7, 8 and 9 (A) thru (F).

4. Petitioner Thomas Liddle testified that the dwelling was built in 1912 with a crawl space that was dug out at some point, but very poorly. He stated that they put in footers and constructed interior walls to hold the soil in place, but the walls have started to crumble, and the house is "twisting" and showing more lateral cracks. He stated that since their purchase of the subject property in 2010 they have discussed with many contractors about saving the aging house.

5. Petitioners are not adding or making any changes to the structure and footprint of the house.

6. The proposed work will only include replacing the failing foundation. The house will need to be lifted, the foundation demolished, a modern foundation poured and then the house lowered onto the new foundation. Exhs. 2, 3, 4 (a) thru (k).

5. The Town of Mount Rainier has approved the request for the variances. Exh. 17.

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

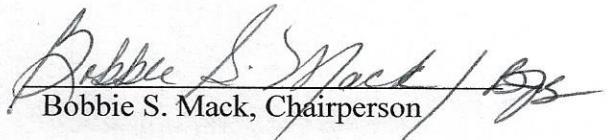
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variances comply with the applicable standards set forth in Section 27-230, more specifically:

Due to the house being over 100 years old, the foundation of the home is failing, the need to replace the foundation to save the home, the desire of the family to continue to live safely on the 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. Anastasia Johnson absent, that variances of 14.6 feet front yard depth and 2 feet side lot line setback in order to validate existing conditions (front yard depth and accessory building (shed) and obtain a building permit to rebuild the porch on the property located at 3715 37th Street, Mount Rainier, 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. 3, and approved elevation plans, Exhs. 4 (a) thru (k).

BOARD OF ZONING APPEALS

By:


Bobbie S. Mack, ChairpersonNOTICE

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.

MARYLAND

WASHINGTON, D.C.

VIRGINIA

ADDRESS: 3715 37TH STREET
MOUNT RANIER, MD 20712

LOT 6

LOT 7

LOT 8

LOT 9

LOT 21

LOT 20

LOT 19
6,250 S.F.

LOT 18

LEGEND

©IPS IRON PIN SET

37TH STREET

NOTES:

1. THIS PLAT WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT.
2. SUBJECT TO ALL EASMENTS ON RECORD.

DRAWN BY: AR

FILE: 3715-37THST[1]

I HEREBY CERTIFY THAT IMPROVEMENTS ARE LOCATED AS SHOWN HEREON AND TO THE BEST OF MY INFORMATION, PROFESSIONAL KNOWLEDGE AND BELIEF, THERE ARE NO ENCRONACHMENTS EXCEPT AS SHOWN.



PLAT OF SURVEY
LOT 19 BLOCK 9
RHODE ISLAND AVENUE
ADDITION TO MOUNT RAINIER
PLAT BOOK A PLAT 6
PRINCE GEORGE'S COUNTY, MARYLAND
SCALE: 1" = 20'
DATE: 11/19/08

REAL ESTATE SURVEYORS & DEVELOPERS, LLC
Residential, Commercial, Industrial and Land
www.realestatesurveyors.net
CALVERTON TOWERS
11715 BELTSVILLE DRIVE, SUITE 750
BELTSVILLE, MARYLAND 20705
TEL: (301)572-9616 FAX: (301)572-9619

EXH. # 3
V-47-21

BOARD OF APPEALS

APPROVED JUL 28 2011



Administrator

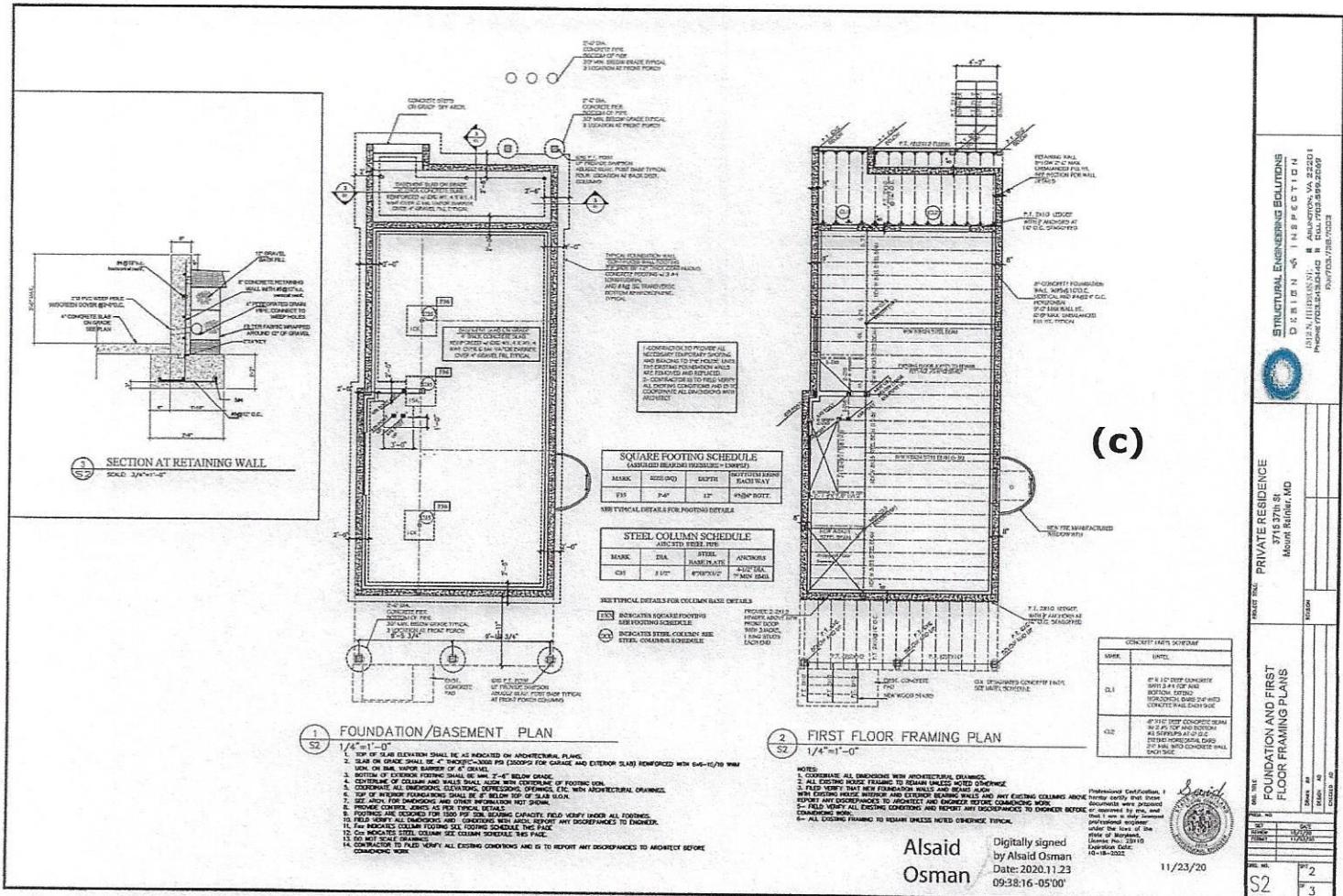
**BASEMENT REMODEL
3715 37TH STREET
MOUNT RANIER, MARYLAND 20712**

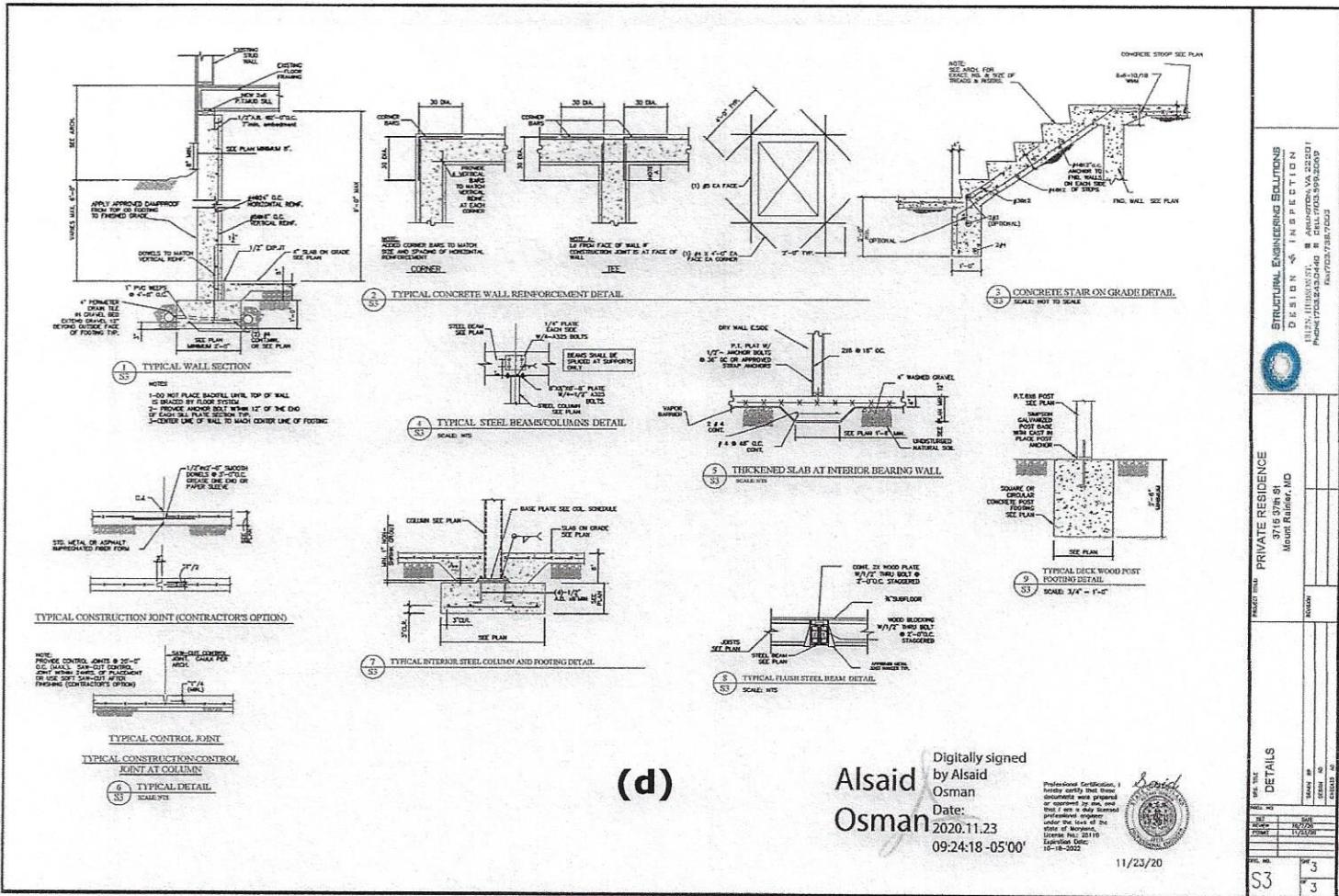
(a)

BOARD OF APPEALS

APPROVED JUL 28 2021

EXH. # 4(a-k)
V-47-21





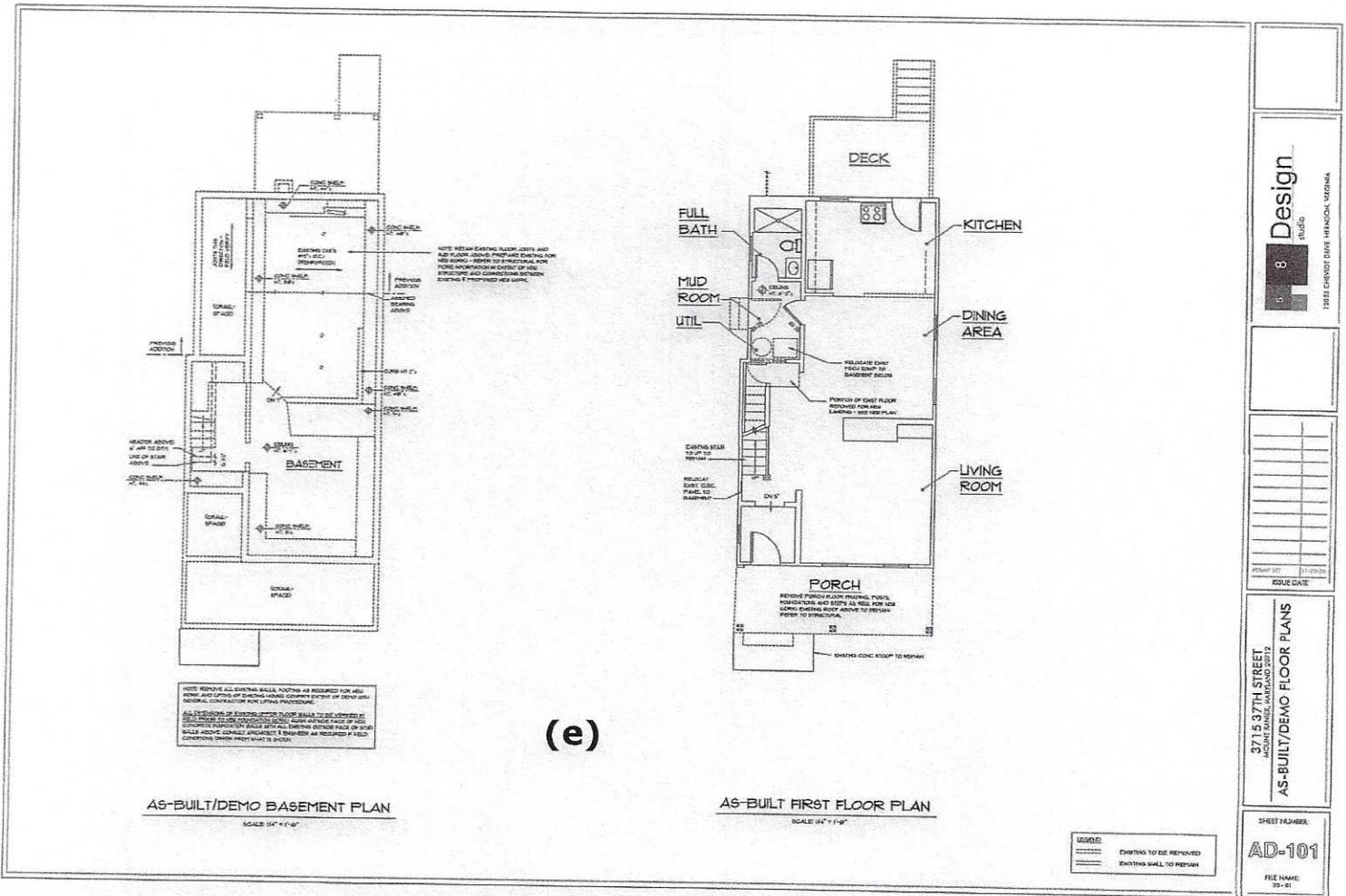
(d)

Alsaid
Osman
Digitally signed
by Alsaid
Osman
Date:
2020.11.23

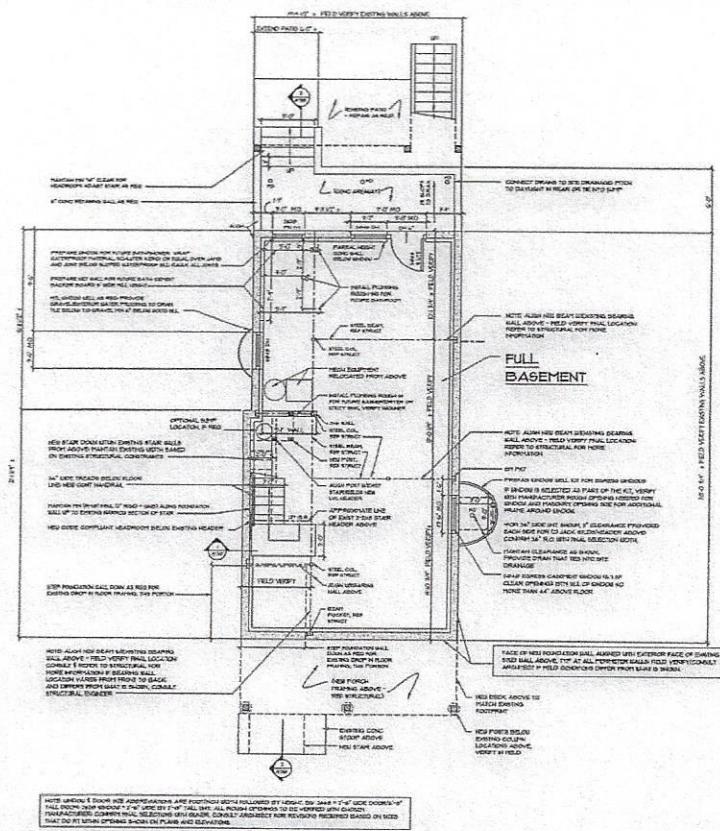
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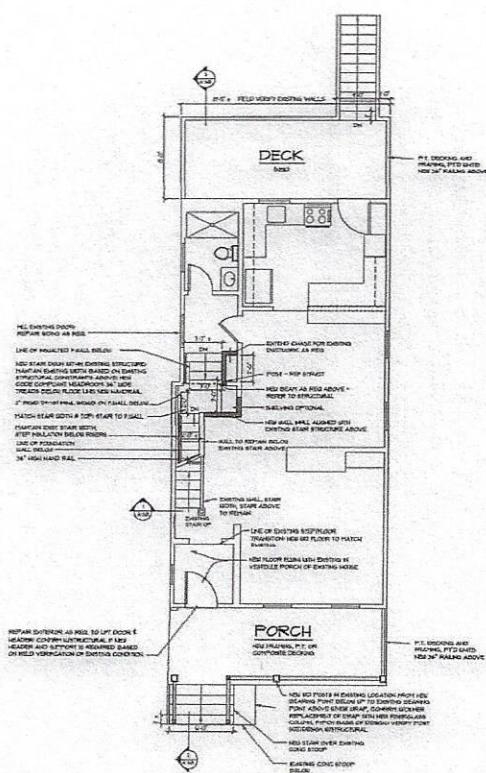


(g)

PROPOSED BASEMENT FLOOR PLAN

SGAED 1/4" = 1/4

SHEET NUMBER:
A-101



(h)

PROPOSED FIRST FLOOR PLAN

ANSWER: $164^\circ = 8 \times 41^\circ$

**3715 37TH STREET
MOUNT RAINER, MARYLAND 20771**
PROPOSED FIRST FLOOR PLAN

SHEET NUMBER:
A-102
FILE NAME:

3333 CHEVOT DRIVE, HENDON, VIRGINIA

3333 CHEVOT DRIVE, HENDON, VIRGINIA