



# 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*

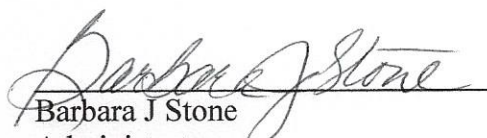
### *OF BOARD OF APPEALS*

RE: Case No. V-49-21 Housing Initiative Partnership

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 9/21/2021, 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: Housing Initiative Partnership (HIP)

Appeal No.: V-49-21

Subject Property: Lot 5, Block R, Section 2, Palmer Park Subdivision, being 1920 Ray Leonard Road,  
Landover, Prince George's County, Maryland

Counsel for Petitioner: Matthew Tedesco, Esq., McNamee and Hosea

Witness: Jocelyn Harris, Senior Housing Developer, HIP

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, Petitioner requests that the Board approve a variance from Section 27-442(e) (Table IV) which prescribes that each lot shall have a front yard at least 25 feet in depth. Petitioner proposes to obtain a building permit for the construction of a covered front porch. A variance of 5 feet front yard depth is requested.

Evidence Presented

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

1. The property was subdivided in 1954, contains 3.851 square feet, is zoned R-35 (One-Family Semidetached Residential) and is improved with a single-family semidetached dwelling. Exhibits (Exhs.) 2, 4, 7, 8 and 9 (A) thru (G).
2. A motion to incorporate testimony from V-48-21 into V-49-21 has been granted.
3. Petitioner proposes to obtain a building permit for the construction of a covered front porch. Section 27-442(e)(Table IV) prescribes that each lot shall have a front yard at least 25 feet in depth. Because the proposed covered front porch will decrease the front yard setback, a variance of 5 feet is required. Exhs. 2, 4, 7, 8 and 9 (A) thru (F).
4. Attorney Matt Tedesco, on behalf of HIP, explained that the subject property was developed in 1955. He stated that HIP is an innovative, green, non-profit housing developer and counseling agency based in Prince George's County. HIP buys houses specifically to make significant improvements on them prior to selling them to first-time home buyers. HIP will be adding to the property one of its signature features, being a covered front covered porch. Exhs. 2, 3 and 5 (A) thru (D).
5. The Board is aware that such porches by HIP have provided weather coverage for new homeowners, served as an outdoor amenity space for homeowners and created space for the homeowners and adjoining homeowners to congregate. HIP believes that the porches put "eyes on the street" for security purposes, drastically improves upon the esthetics of the home and add value to the property.
6. Counsel stated that the house was built in the 1950s (prior to the current front yard requirement). The house cannot be moved on the property because it is a semidetached dwelling. As such, counsel argues



that there exists both a practical difficulty and extraordinary situation and submits that approval of the variance will not substantially impair the integrity of the Master Plan. Exhs. 2, 3, 5 (A) thru (D).

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.

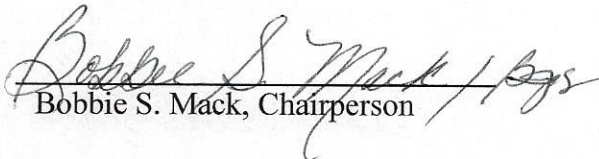
Findings of the Board

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 home being constructed in 1955 prior to the current front yard setback requirement, the inability to relocate the semidetached house on the lot to meet the setback requirement, the several benefits attributed to the covered front porch for the homeowner and the community 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 a variance of 5 feet front yard depth in order to obtain a building permit for the construction of a covered front porch on the property located at 1920 Ray Leonard Road, Landover, 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, Exh. 2 and approved elevation plan, Exh. 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.

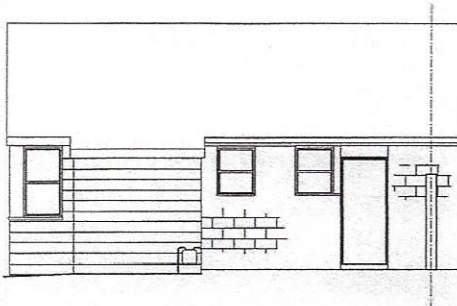
Further, Section 27-233(a) of the Prince George's County Code states:

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.



PHONE 301 864 1334  
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4 PROPOSED REAR ELEVATION  
Scale: 1/4" = 1'-0"



3 PROPOSED SIDE ELEVATION  
Scale: 1/4" = 1'-0"



2 PROPOSED FRONT ELEVATION  
Scale: 1/4" = 1'-0"

## BOARD OF APPEALS

APPROVED

JUN 23 2021

*[Signature]*  
ADMINISTRATOR

EXH. # 3  
V-49-21

**AHMANIN LLC**  
ARCHITECTURAL SERVICES  
4401 EIGHTH STREET APT. 100, WASHINGTON, DC 20014  
PHONE: 301.864.1334  
FAX: 301.864.6618

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

HIP HOMES  
MODERATE REHABILITATION  
1920 RAY LEONARD  
LANDOVER, MD 20785

PRELIMINARY  
DRAWINGS  
NOT FOR PERMIT OR  
CONSTRUCTION

ISSUE DATE  
30 MARCH 2021

A-1

Ahmanin LLC  
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