



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

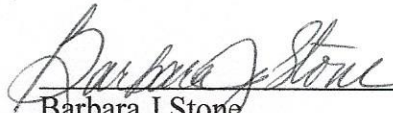
OF BOARD OF APPEALS

RE: Case No. V-57-21 Oliver R. Coleman

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 _____, 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: Oliver Ricardo Coleman

Appeal No.: V-57-21

Subject Property: Lot 12 and Part of Lot 11, Block F, Temple Hills Subdivision, being 3713 Crystal Lane,
Temple Hills, Prince George's County, Maryland

Heard and Decided: July 28, 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, Petitioner requests that the Board approve a variance from Section 27-120.01(c) prescribes that no parking space, parking area, or parking structure other than a driveway no wider than its associated garage, carport, or other parking structure may be built in the front yard of a dwelling in the area between the front street line and the sides of the dwelling. Petitioner proposes to validate the existing gravel driveway partially located in front of the house and obtain a building permit for the proposed 6-foot vinyl privacy fence. A waiver of the parking area location requirement and a waiver of the fence location and height requirements for a fence over 4 feet in height in the front yard/side yard (abutting Crystal Lane and Lambert Drive) is requested.

Evidence Presented

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

1. The property was subdivided in 1946, contains 15,000 square feet, is zoned R-8- (One-Family Detached Residential) and is improved with a single-family dwelling, gravel driveway, second concrete driveway, screened porch and shed. Exhibit (Exhs.) 2, 4, 7, 8 and 9 (A) thru (F).
2. The subject property is located on a corner lot with the dwelling facing the legal front yard (Crystal Lane). Exhs. 2 and 4.
3. Petitioner Oliver Coleman proposes to validate the existing gravel driveway partially located in front of the house and the proposed 6-foot vinyl privacy fence. Because the existing gravel driveway is partially in front of the dwelling, a waiver of the parking area location is required. Because of the installation of a 6-foot white vinyl fence along the side of the Lambert Drive, a waiver of the fence location and height requirements are requested. Exhs. 2, 4, 7, 8 and 9 (A) thru (F).
4. Petitioner testified that the 6-foot fence is sought for privacy and security for his family and pet on a corner lot.
5. Mr. Coleman stated that the existing chain link fence is in disrepair and will be replaced by the new fence that will extend from the intersection of Crystal Lane and Lambert Drive to the driveway. Exhs. 2, 3 (a) thru (c) and 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

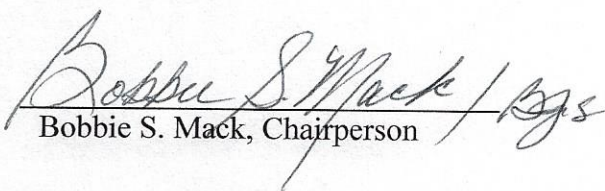
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variance complies with the applicable standards set forth in Section 27-230, more specifically:

Due to the property being a corner lot, the gravel driveway preexisting in front of the dwelling, the need to replace the existing fence that is in disrepair, the need for family safety and privacy, blocking the view of these activities to and from his grandchildren 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, by majority vote, Ms. Anastasia Johnson absent, that a waiver of the parking area location requirement and a waiver of the fence location and height requirements for a fence over 4 feet in height in the front yard/side yard (abutting Crystal Lane and Lambert Drive in order to obtain a validate the existing gravel driveway partially located in front of the house and to obtain a building permit for the proposed of a 6-foot vinyl privacy fence on the property located at 3713 Crystal Lane, Temple Hills, 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 (c).

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.

THIS DOCUMENT IS CERTIFIED TO:

ULTIMATE TITLE, LLC

3158 Braverton Street
Edgewater, Maryland 21037
(866)919-2302
(410)956-5262 (fax)

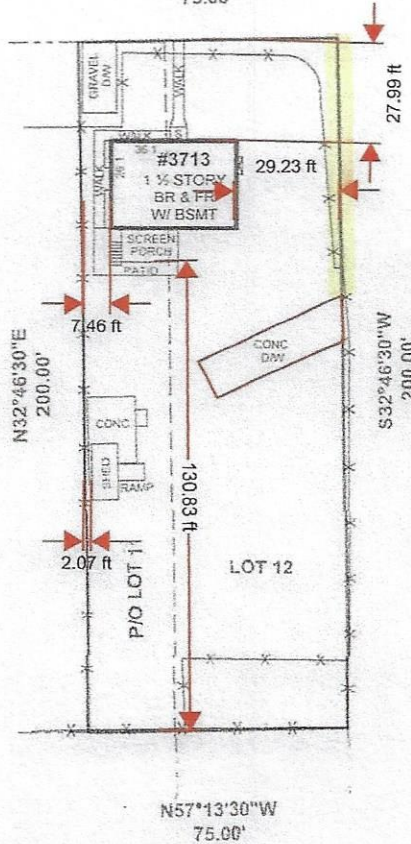
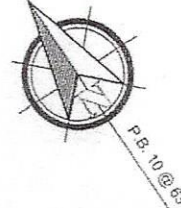
CASE #: 18-0625



Joan K. Singh
10460 Campus Way S
Upper Marlboro, MD 20774
Main: (240) 765-1300
Direct: (240) 765-1334

CRYSTAL LANE

S57°13'30"E
75.00'



LAMBERT DRIVE

6' FENCE
LOCATION

NOTE:
ENCROACHMENTS
MAY EXIST

BOARD OF APPEALS

APPROVED JUL 28 2021

ADMINISTRATOR

LOCATION DRAWING OF:

**#3713 CRYSTAL LANE
LOT 12 & PART OF LOT 11
BLOCK F**

**TEMPLE HILLS PARK
PLAT BOOK 10, PLAT 63**

PRINCE GEORGE'S COUNTY, MARYLAND

SCALE 1"=40' DATE 07-26-2018

DRAWN BY: B.G. FILE #: 186031-661

LEGEND

F - FENCE
BE - BASEMENT ENTRANCE
BW - BAY WINDOW
BR - BRICK
BL - BLDG RESTRICTION LINE
BSMT - BASEMENT
CS - CONCRETE STOOP
CONC - CONCRETE
DW - DRIVEWAY
EA - EAPING
FH - FRAME
MAC - MASONRY
G - GATE
OH - OVERHANG
PUE - PUBLIC UTILITY EASEMENT
PIE - PUBLIC IMPROVEMENT EASEMENT

COLOR KEY:

ORANGE - RECORD INFORMATION
BLUE - EASEMENTS
GREEN - EASEMENTS & RESTRICTION LINES

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On the web: www.duley.biz



SURVEYOR'S CERTIFICATE

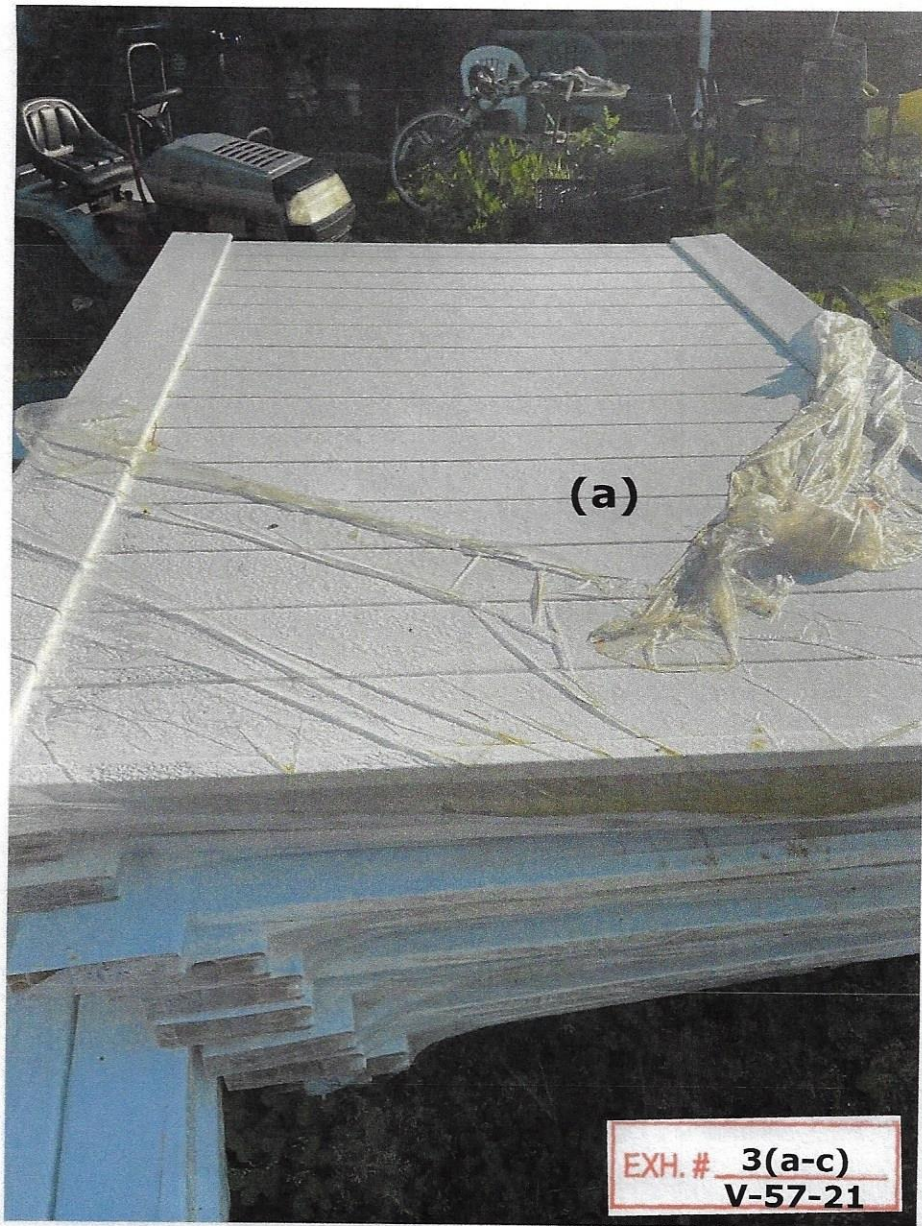
I HEREBY STATE THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS DRAWING AND THE SURVEY WORK REFLECTED HEREIN AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 12 CHAPTER 08 11 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. THIS SURVEY IS NOT TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF FENCES, BUILDING, OR OTHER IMPROVEMENTS. 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. THIS PLAT IS OF SERVICE TO A CONSUMER ONLY INsofar as IT IS REQUIRED BY A LICENSED OR A TITLE INSURANCE COMPANY OR ITS AGENTS IN CONNECTION WITH THE CONTINGENT TRANSFER, FINANCING OR REFINANCING. THE LEVEL OF ACCURACY FOR THIS DRAWING IS 1". NO TITLE REPORT WAS FURNISHED TO NOR DONE BY THE COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENTS OF RECORD. BUILDING RESTRICTION LINES AND EASEMENTS MAY NOT BE SHOWN ON THIS SURVEY. IMPROVEMENTS WHICH IN THE SURVEYOR'S OPINION APPEAR TO BE IN A STATE OF DISREPAIR OR MAY BE CONSIDERED "TEMPORARY" MAY NOT BE SHOWN. IF IT APPEARS ENCROACHMENTS MAY EXIST A BOUNDARY SURVEY IS RECOMMENDED.

DULEY & ASSOC.

WILL GIVE YOU A 100%
FULL CREDIT TOWARDS
UPGRADING THIS
SURVEY TO A
"BOUNDARY/STAKE"
SURVEY FOR ONE
YEAR FROM THE DATE
OF THIS SURVEY

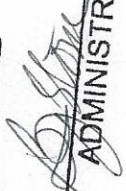
EXH. # 2
V-57-21

EXCLUDING D.C. & BALT. CITY



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APPROVED JUL 28 2021

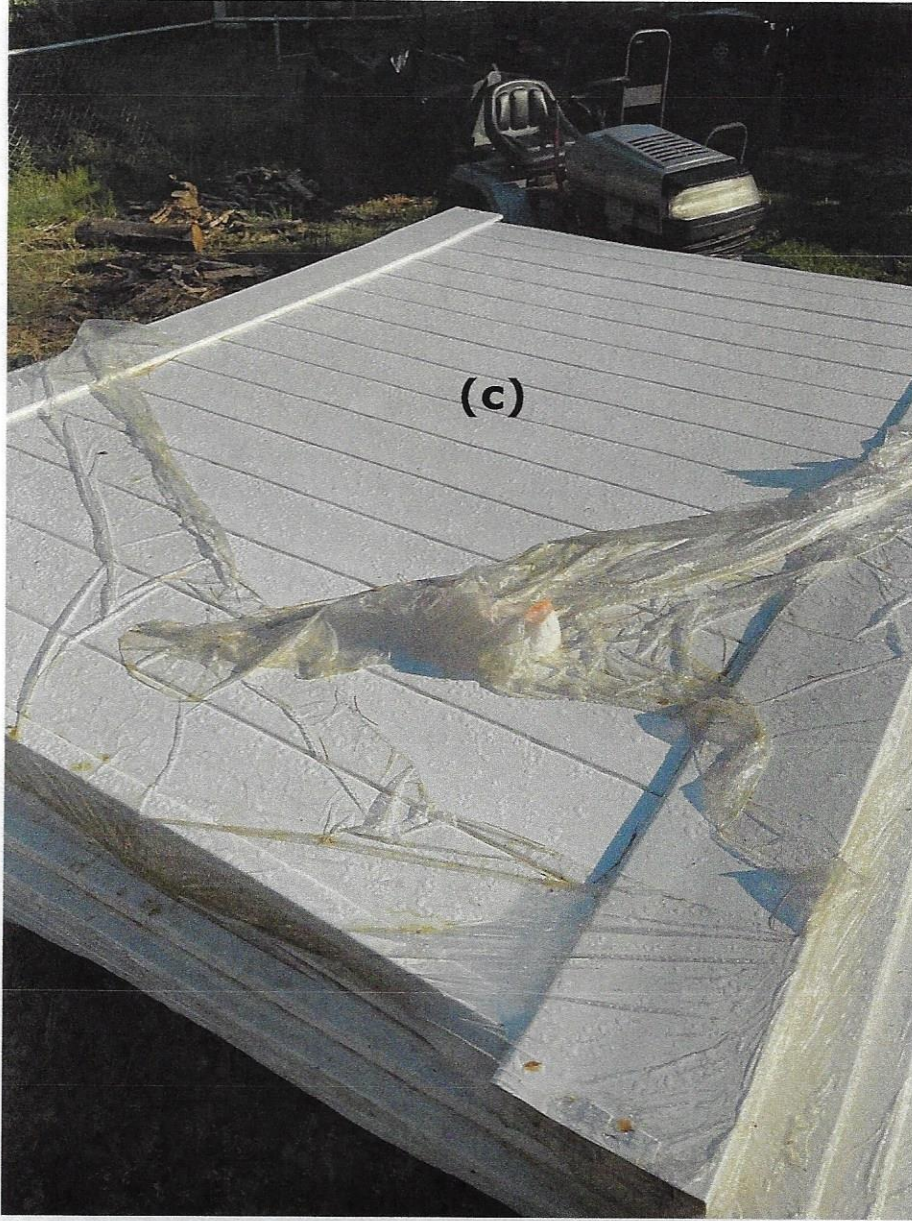

ADMINISTRATOR



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