



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

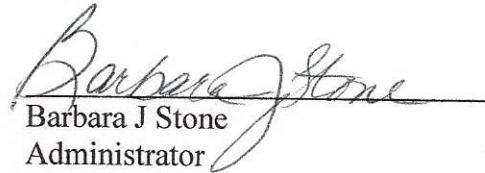
OF BOARD OF APPEALS

RE: Case No. V-84-21 New Investment Group, LLC-KE Zhong Zhao

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: September 29, 2021.

CERTIFICATE OF SERVICE

This is to certify that on October 10, 2021, the above notice and attached Order of the Board were mailed, postage prepaid, to all persons of record.



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: New Investment Group, LLC-KE Zhong Zhao

Appeal No.: V-84-21

Subject Property: Parcel 78, Map 114, Grid F1, being 8318 Bock Road, Fort Washington, Prince George's County, Maryland

Counsel for Petitioner: Abdullah Hijazi, Esq.

Witness: Ying Qin Lu, Property Owner

Heard and Decided: September 29, 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 variances 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 variances from Section 27-442(c)(Table II) which prescribes that not more than 25% of the net lot area shall be covered by buildings and off-street parking. Petitioner proposes to obtain a building permit for the construction of a 2nd story addition, covered porch and driveway. Variances of .27% net lot coverage are requested.

Evidence Presented

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

1. The property was subdivided by deed in 1962, contains 7,546 square feet, is zoned R-R (Rural Residential) and is improved with a single-family dwelling, gravel driveway, deck, BBQ pit and shed. Exhibits (Exhs.) 2, 7, 8, 9, 10 (A) thru (E) and 17.
2. Petitioner proposes to obtain a building permit for the construction of a 2nd story addition, covered porch and driveway. The maximum allowable lot coverage for the site is 25%. The proposed lot coverage is 1,959.5 square feet or 25.97% of lot coverage. The previously approved lot coverage under V-127-19 is 1,940 square feet or 25.7% of lot coverage. A variance of .27% is now requested in addition to the previously approved lot coverage under V-127-19. Exhs. 2, 7, 8, 9, 10 (A) thru (E) and 17.
3. Counsel Abdullah Hijazi stated that construction pursuant to V-127-19 had been proceeded through the permit process, but not completed. Exhs. 6 and 7.
4. He stated that the architect recommended relocation of the driveway and changed the footprint of the house. As such the driveway is being moved from the left to right side of the house; the deck and barbecue pit were being removed. The proposed addition will be smaller in the front but larger going out to the left side of the house. Exh. 3, 4 (a) thru (d) and 5 (A) thru (C).
5. Attorney Hijazi further stated that the subject property is uniquely small and awkwardly shaped. The current house is only 400 square feet and has been vacant for years being in terrible condition. Exh. 3, 4 (a) thru (d) and 5 (A) thru (C).
6. Others houses in the neighborhood appear comparatively larger. Exhs. 10 (A) thru (B)

7. He explained that the only available yard space is on the left side of the house, which is why the driveway is being relocated to the right side where the deck and barbecue pit will be removed. Exh. 3, 4 (a) thru (d) and 5 (A) thru (C).

8. Counsel believed that a new variance application is needed due to changes to the proposed building addition, correcting site measurements, and relocation of the driveway. Exhs. 3, 4 (a) thru (d) and 5 (A) thru (C).

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

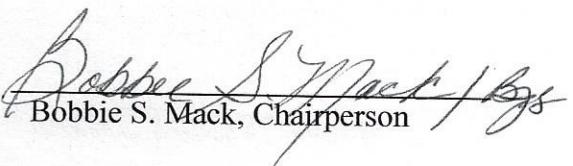
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variance complies with the applicable standards set forth in Section 27-230, more specifically:

Due to the original dwelling (having been constructed in 1900) being extremely and comparably smaller to current dwellings in the community, the house having been vacant for years and in total disrepair, the architectural need to relocate the driveway, the need to correct inconsistencies of the elevations /site plan, the net lot change is *de minimis* 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 variance of .27% net lot coverage in order to obtain a building permit for the construction of a 2nd story addition, covered porch and driveway on the property located at, 8318 Bock Road, Fort Washington, Prince George's County, Maryland, be and are hereby APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 3 and approved elevation plans, Exhibits 4 (a) thru (d).

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.

BOARD OF APPEALS

APPROVED SEP 29 2021

Administrator

NOTS:

- This plat is not intended for use in the establishment of property lines, but prepared for the exclusive use of the present property owners of record and/or those who purchase, mortgage or guarantee the title within six months from the date hereof and as to them I warrant this house location plat.
- For title purposes only.
- No title reports furnished at this time, subject to all easements and rights of ways of record.
- Property corners have not been set with this survey. Property information was taken from the best available records.
- The location plat is not to be used for the construction of fences or other improvements. A boundary Survey and lot staking would have to be performed to determine the location of all property lines as shown.
- The Property shown hereon is located within Zone as shown on F.R.M.A. Land Insurance Rate Map Community Panel No. _____ of Prince George's County, Maryland.
- This plat is valid within 6 months of date of signature.

Par. 77

Par. 76

Par. 75

To BOCK ROAD

Par. 298

Northwesterly

Prop. Cov. Porch 1st Floor

6' Rear B.R.L.

6' Front B.R.L.

Approved by Variance V. 127-19

Proposed 2 Story Addition 142 sf

Existing 1 Story Brick #8318

Proposed CONC. DRIVE 50'

Ex. Wood Deck

BBQ

Deck to Be Razred

BBQ to Be Razred

Notes:

- Property subject to prior Variance approved Dec. 4, 2010 V-127-19.

- Lot created by deed June 1962.

SURVEYOR'S CERTIFICATE

I hereby certify that the position of all the existing improvements on the above described property has been carefully surveyed by me or directly under my supervision and that they are located as shown. THIS IS NOT A BOUNDARY SURVEY.

5-13-2021

Date

Gregory C. Benefiel
Registered Professional
Land Surveyor, MD No. 10994

SURVEYS, INC.

SURVEYS • ENGINEERS • LAND PLANNERS
PERMIT SERVICES
350 MAIN STREET
LAUREL, MARYLAND, 20701
PHONE 301-716-0561 E-MAIL SURVEYS@VERIZON.NET

Par. 79

50'

North 1:20

ZONE: R.R.

Variance Required For:
1) LOT COVERAGE

Ex. Lot Coverage:
 - Ex. Hse = 772.1 sf.
 - Ex. Driv = 637.5 sf.
 - Ex. Shed = 48 sf.
 Total = 1,457.6 sf
 $1,457.6 / 7,546 \text{ sf} = 19.32\%$

Proposed Lot Coverage
 - Hse & Addition = 1,238.3 sf
 - Covered Porch = 73.2 sf
 - New Driv = 600 sf
 - Ex. Shed = 48 sf
 Total = 1,959.5 sf
 $1,959.5 / 7,546 = 25.97\%$

EXH. # **3**
V-84-21

STATE OF MARYLAND
GREGORY C. BENEFIEL
PROFESSIONAL LAND SURVEYOR
10994

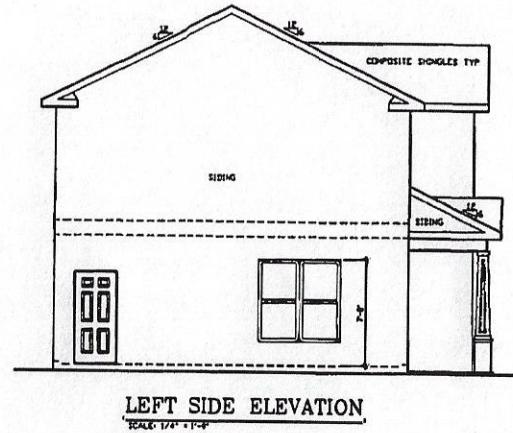
DRAWN BY Tom Olive
CHECKED BY Brad
DATE 05-11-2021
SCALE: 1" = 20'
JOB NO. 12-46
CASE NO. Lucy 131

HOUSE LOCATION PLAT
8318 Bock Road
Lot(s)/Parcel 78 TM/Block 114-F1
Plat _____ Section _____ Phase _____

NEW CAPITOL
INVESTMENT GROUP LLC

Oxon Hill (12th) Election District
Prince George's County, Maryland

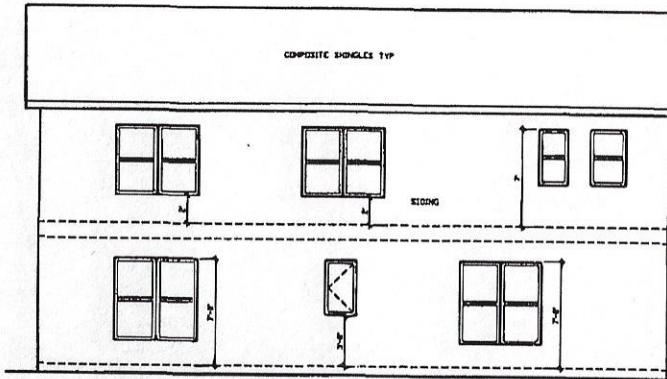
Plat Book _____ Plat No. _____
Liber 42472 Edio 156 S- 5678 ✓



(a)

LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

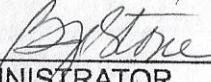


(b)

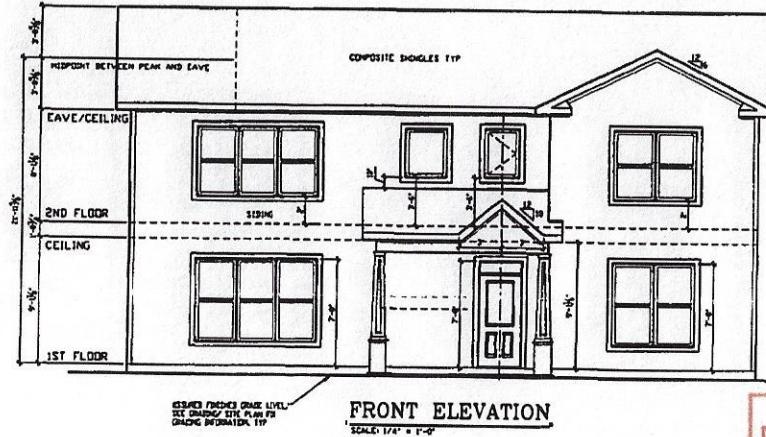
REAR ELEVATION

SCALE: 1/4" = 1'-0"

APPROVED SEP 29 2021


B. Stone

ADMINISTRATOR

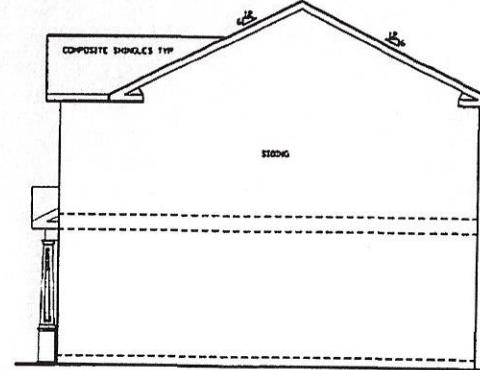


(c)

FRONT ELEVATION

SCALE: 1/4" = 1'-0"

EXH. # 4(a-d)
V-84-21



(d)

RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

DESIGN BY BRAHMS HOMES, INC.
DESIGN SERVICES
IN THIS ESTIMATE, UNQUOTE UNQUOTE IS UNQUOTE
PHONE: 800-344-4444, FAX: 800-344-4444

NEW CAPITAL INVESTMENT LLC
ADDRESS: 400 COUNTRYWOOD DR STE 100
PROJECT: THE ROCK RD. NEW HOMES, ID 83444
CLIENT

ELEVATIONS

REVISIONS
ALL DRAWINGS ARE THE PROPERTY OF THE
PROJECT OWNER. THEY ARE TO BE USED
FOR THE PROJECT ONLY AND ARE NOT
TO BE COPIED OR USED FOR OTHER
PROJECTS.
OWNER BY: BRAHMS HOMES, INC.
DATE: 1/4" = 1'-0"
END: FEBRUARY 24, 2021
PENALTY: \$1000.00 PER DAY
DRAFT 3 OF 4
A002