



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-91-21 Susan Salb

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 November 4, 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: Susan Salb

Appeal No.: V-91-21

Subject Property: Lot 18, Block B1, Cheverly Gardens Subdivision, being 6403 Inwood Street, Cheverly
Prince George's County, Maryland

Municipality: Cheverly

Witness: Michael Crook, Contractor

Heard and Decided: September 29, 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, Petitioner(s) request(s) 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 and shall have a side yard at least 8 feet in width. 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 existing conditions (front yard depth, side yard width and parking of waiver) and obtain a building permit to replace and enlarge the existing porch with roof structure. Variances of 4 feet front yard depth, 1-foot each side yard width and a waiver of the parking area location requirement is requested.

Evidence Presented

1. The property was subdivided in 1958, contains 9,586 square feet, is zoned R-55 (One-Family Detached Residential) and is improved with a single-family dwelling, driveway and shed. Exhibits (Exhs.) 2, 4, 7, 8 and 9 (A) thru (F).
2. The subject property is irregular in shape as the rear lot line is severely angled. Exhs. 2 and 4.
3. Petitioner proposes to validate existing property conditions (front yard depth, side yard width and parking of waiver) and obtain a building permit to replace and enlarge the existing porch with roof structure. Specifically, the existing conditions are, a) the front porch is encroaching the required 25-foot front yard setback, which will require a 4-foot front yard variance, b) the side yards are only 7 feet and side yard setbacks will require a 1-foot side yard variance on each side of the dwelling and c) lastly, due to the driveway not being associated with a garage or carport and being located in front of the dwelling, a waiver of the parking area location is required. Exhs. 2, 4, 7, 8 and 9 (A) thru (F).

4. Contractor Michael Crook explained that the Petitioner is in need of a front porch replacement because of its failing condition and the replacement will be on essentially the same footprint as the existing porch.

5. Mr. Crook added that there is currently a 7' x 4' stoop, which does not include the steps. Petitioner is requesting to construct a 10' x 5' portico by adding a roof and columns, removing the flat roof

and adding a pitched roof that will cover the stoop area. The portico will increase by 1 foot on each side. Exhs. 2, 3 (a) thru (d) and 5 (A) thru (J).

6. The Town of Cheverly has approved the request for variances and the addition of the portico. Exh. 16.

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

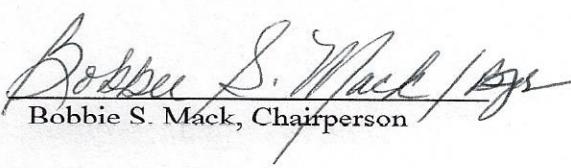
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variances comply with the applicable standards set forth in Section 27-230, more specifically:

Due to the failing condition of the existing front porch, the need to replace and minimally enlarge the portico area to provide cover from the weather 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 variances of 4 feet front yard depth, 1-foot each side yard width and a waiver of the parking area location requirement in order to validate existing conditions (front yard depth, side yard width and parking of waiver) and obtain a building permit to replace and enlarge the existing porch with roof structure on the property located at 6403 Inwood Street, Cheverly, 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 (i).

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.

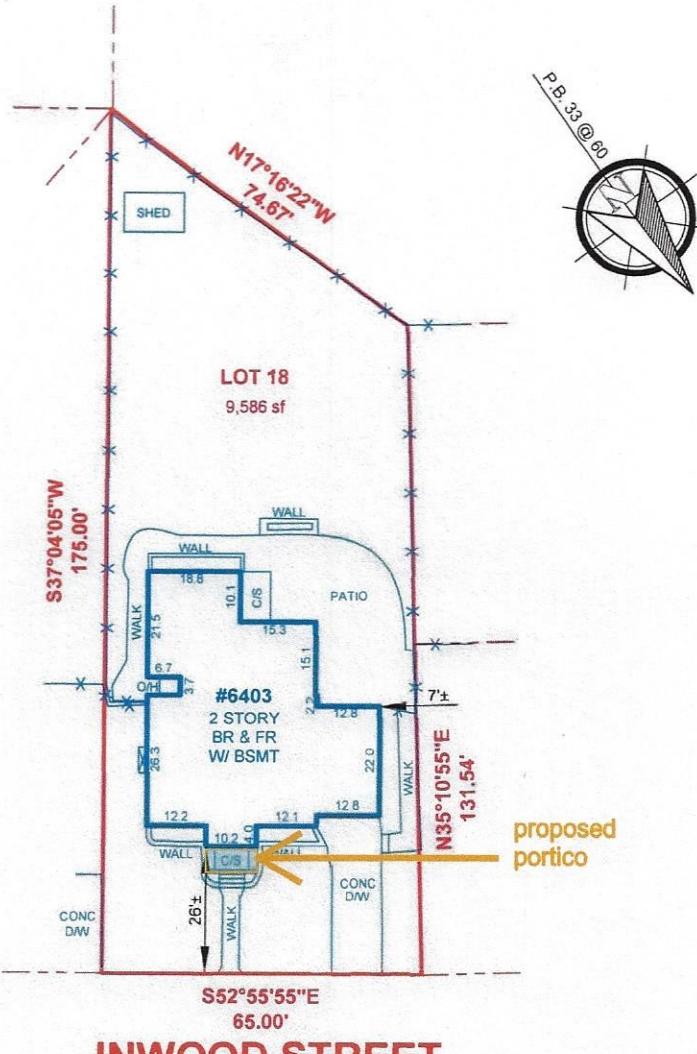
Further, Section 27-233(a) of the Prince George's County Code states:

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



INWOOD STREET

EXH. # 2
V-91-21

LOCATION DRAWING OF:

#6403 INWOOD STREET

LOT 18
BLOCK B

CHEVERLY GARDENS

PLAT BOOK 33, PLAT 60
PRINCE GEORGE'S COUNTY, MARYLAND

SCALE: 1"=30' DATE: 02-12-2021

DRAWN BY: EMG/SM FILE #: 211395-200

LEGEND:

**	- FENCE
BW	- BEDROOM ENTRANCE
BY	- BAY WINDOW
BR	- BRICK
BLD	- BLDG. RESTRICTION LINE
BSMT	- BASEMENT
CIS	- CONCRETE STOOP
CMPT	- COMPTON
DAW	- DRIVEWAY
Ex.	- EXISTING
FR	- FRAME
MAC	- MACADAM
MACAD	- MACADAM
GATE	- GATE
OH	- OVERHANG
PUE	- PUBLIC UTILITY ESMT.
PIE	- PUBLIC IMPROVEMENT ESMT.
COLOR KEY:	
(RED)	- RECORD INFORMATION
(BLUE)	- IMPROVEMENTS

A Land Surveying Company

DULEY
and
Associates, Inc.

14604 Elm Street, Upper Marlboro, MD 20772
Phone: 301-888-1111 Fax: 301-888-1114
Email: orders@duley.biz 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 09.13.06 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. THE USE OF THIS SURVEY TO COMMENCE A LENDER'S TITLE INSURANCE COMPANY OR AGENT'S CONNECTION TO THE PROPERTY ONLY INSOFAST AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR AGENT'S CONNECTION TO THE PROPERTY ONLY INSOFAST AS IT IS REQUIRED BY A LENDER, FINANCIAL OR REFINANCING THE LEVEL OF ACCURACY FOR THIS DRAWING IS 1%. NO TITLE REPORT WAS FURNISHED TO THE SURVEYOR'S COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENTS OF RECORD. BUILDING RESTRICT ON LINES AND EASEMENTS MAY NOT BE SHOWN ON THIS SURVEY. IMPROVEMENTS WHICH IN THE SURVEYOR'S OPINION APPEAR TO BE IN A STATE OF DISPAIRAY OR MAY BE CONSIDERED TEMPORARY MAY NOT BE SHOWN. IF IT APPEARS ENCRACHTMENTS MAY EXIST, A BOUNDARY SURVEY IS RECOMMENDED.

DULLEY & 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.

(EXCLUDING D.C. & BALTIMORE CITY)

