



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

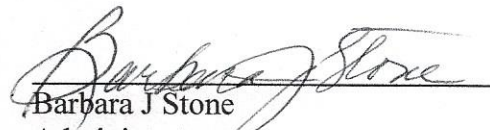
OF BOARD OF APPEALS

RE: Case No. V-95-21 Bradley Padavick and Jamilyah Smith-Kanze

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: October 20, 2021

CERTIFICATE OF SERVICE

This is to certify that on January 3, 2022, 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

Petitioners: Bradley Padavick and Jamilyah Smith-Kanze

Appeal No.: V-95-21

Subject Property: Lot 16, Block 4, Mount Rainier Subdivision, being 4011 31st Street, Mount Rainier,
Prince George's County, Maryland

Municipality: Mt. Rainier

Witnesses: Lynn and John Topp, Neighbors

Michael Romero, Architect

Heard: October 6, 2021; Decided: October 20, 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 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, Petitioners request that the Board approve variances from Section 27-442(c)(Table II), which prescribes that not more than 30% of the net lot area shall be covered by buildings and off-street parking. Petitioners propose to obtain a building permit for the construction of a 2nd story addition and a 1st story addition. A variance of 9.1% net lot coverage is requested.

Evidence Presented

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

1. The property was subdivided in 1930, contains 7,500 square feet, is zoned R-55 (One-Family Detached Residential) and is improved with a single-family dwelling, driveway and garage. Exhibits (Exhs.) 2, 5, 7, 8 and 9 (A) thru (F).
2. The subject property is rectangular in shape being 150 feet long by 50 feet wide. Exhs. 2, 5, 7, 8 and 9 (A) thru (F)
3. Petitioners propose to obtain a building permit for the construction of a 2nd story addition and a 1st story addition. Exhs. 2, 5, 7, 8 and 9 (A) thru (F).
4. The existing construction exceeds the minimum lot coverage by 8 %. With the new construction, the net lot coverage increases by approximately 1.1%. The variance request for the total net lot coverage is, therefore, for 9.1%. Exhs. 2, 5, 7, 8 and 9 (A) thru (F).
5. Architect Michael Romero explained that the owners purchased the property in 2014. He stated that like many dwellings in Mt. Rainier, their house is beautiful but very small. The dwelling has one and half stories with a second floor that has a very low in head height. The square footage of the house is just above 900 square feet which is very limited. The first issue was where to put the staircase to go up to the second floor that will be properly scaled and to code and would allow for more bedrooms. To conform with character of the house, Petitioners have decided to build a small addition off the rear of the home that will basically constitute a mud room and staircase up to the second floor where the second-floor roof will be

raised up to 3 feet. The knee wall with the new roof will allow for a proper master suite and an extra bedroom. The second issue is the topography of the property. The garage was previously placed at the rear of the property, which is flat. The slope comes all the way down to the house. As a result of the garage being in the rear, the concrete driveway comes from the street all the way to the rear of the property. The concrete driveway represents a large percentage of the lot coverage. Obviously, the house and the garage are quite small. Further complicating matters, concerning subject property and the neighboring property Lot 17, is that the driveway is shared. The adjoining neighbors (Topps) are present at this hearing and are in support of the project. The impetus for the new construction starts with the growing family and the desire to stay within the house footprint as much as possible. These conditions are not at the fault of the Petitioners as all of these conditions: the smaller than usual second floor, the steep staircase, the steep grade and the long concrete driveway were all existing conditions when the Petitioners purchased the property. Exhs. 3, 4 (a) thru (d), 6 (A) thru (E).

6. Ms. Lynn Topp, 4009 31st Street. Mt. Rainer, testified that she and her husband have lived in Mt. Rainier for 35 years and these old houses need very much to be brought up to code. She supports the request for the variance.

7. Mr. John Topp, 4009 31st Street. Mt. Rainer, corroborated the architect's statement that the upstairs of Petitioner's house is very small. He stated that he has a similar (size) house. He stated that the upstairs is really nothing more than a storage area. He supports their project to raise the roof a little bit.

8. Petitioner Bradley Padavick stated with a growing family, the current house simply does not accommodate the needs of his family. He noted specifically that the staircase has been a serious health risk as he is 6'3" in height. He has hit his head and actually fallen down the stairs once or twice. Exhs. 3, 4 (a) thru (d), 6 (A) thru (E).

9. The Town of Mt. Rainier voted to approve the variance request. 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.

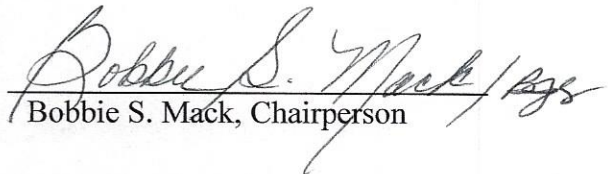
Findings of the Board

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

Due to the existing development already exceeding the current net lot coverage requirement, the topography of the subject property also impacting the existing net lot coverage, smaller than usual second floor, the steep staircase, the steep grade and the long concrete driveway being existing conditions, the need to provide additional square footage for living for the growing family 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 9.1% net lot coverage in order to obtain a building permit for the construction of a 2nd story addition and a 1st story addition. on the property located at 4011 31st Street, Mount Rainier, 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.

PADAVICK/SMITH-KANZE RESIDENCE
4011 31ST STREET | MT. RAINIER, MD | 20712
ADDITION & RENOVATIONS

BOARD OF APPEALS

MUNICIPAL STAMPS

APPROVED OCT 20 2021

ADMINISTRATOR

ROMERO ARCHITECTS, LLC
406 GALLATIN STREET
HYATTSVILLE MD 20781
202 436 2200
info@romero-architects.com



REVISIONS:

PADAVICK / SMITH-KANZE RESIDENCE
ADDITION AND RENOVATIONS
4011 31ST STREET | MT. RAINIER MD | 20712

PROFESSIONAL CERTIFICATION:
I, MICHAEL ROMERO, HEREBY
CERTIFY THAT THESE
DOCUMENTS WERE PREPARED OR
APPROVED BY ME, AND THAT I
AM A FULLY LICENSED ARCHITECT
HOLDING THE LICENSE OF THE STATE
OF MARYLAND, LICENSE NO.
10000, EXPIRATION DATE: JULY 8,
2022.

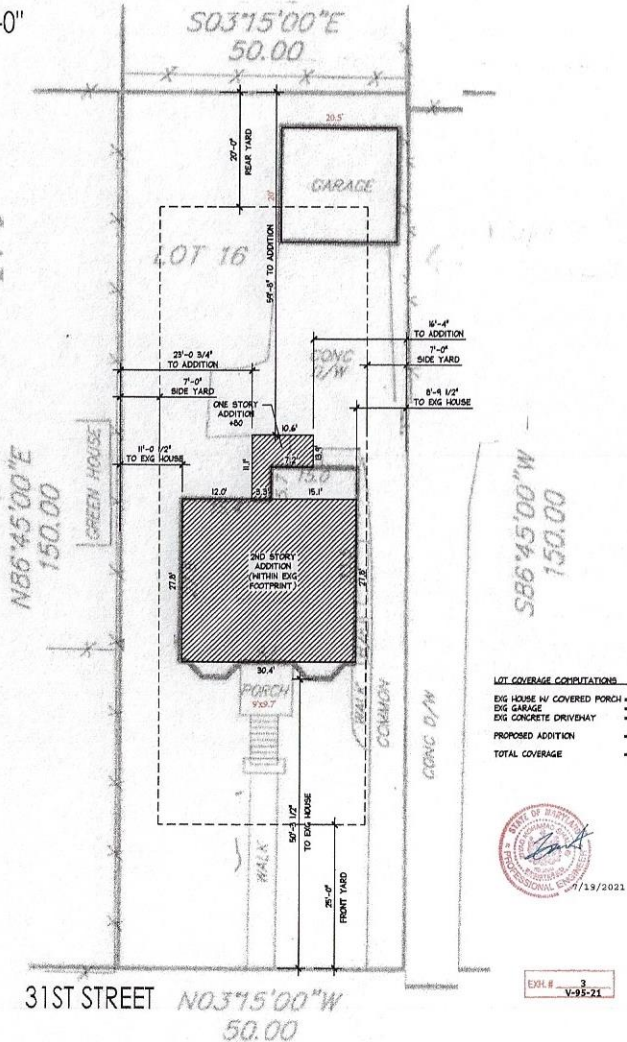
PRINTED LOG
DATE: 10/20/21 PURPOSE:
10/20/21 CHEMICAL DESIGN 1
10/20/21 CHEMICAL DESIGN 2
10/20/21 CHEMICAL DESIGN 3
10/20/21 CHEMICAL DESIGN 4
10/20/21 CHEMICAL DESIGN 5
10/20/21 TERM SET

DRAWN BY:
MJR
PROJECT NUMBER:
21002

COVER SHEET
AND GENERAL
NOTES

CS

SITE PLAN: 1" = 10'-0"



LOT COVERAGE COMPUTATIONS	
EXIST. HOUSE W/ COVERED PORCH	1,050 SF
EXIST. GARAGE	400 SF
EXIST. CONCRETE DRIVEWAY	1,400 SF
PROPOSED ADDITION	80 SF
TOTAL COVERAGE	2,930 SF (91.8%)



EXPL # 3
V-95-21

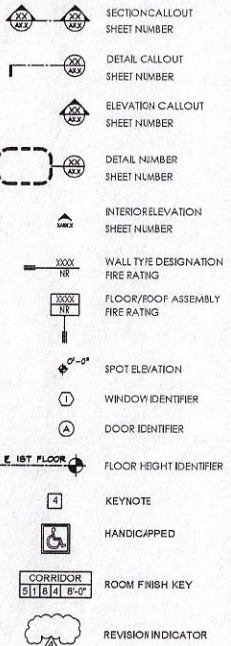
PROJECT TEAM

OWNERS:
BRADLEY PADAVICK
JAMILYAH SMITH-KANZE
4011 31ST STREET
MT. RAINIER, MD 20712
(202) 509-5796

ARCHITECT:
MICHAEL ROMERO
ROMERO ARCHITECTS, LLC
4106 GALLATIN STREET
HYATTSVILLE MD 20781
(202) 436-2200

STRUCTURAL ENGINEER:
GEORGE GERBER, P.E.
1309 BALLANTRAE COURT
MCLEAN, VA 22101
(703) 442-0903

GRAPHIC SYMBOLS



CODE ANALYSIS

SCOPE OF WORK:
AN EXISTING TWO STORY SINGLE FAMILY HOME TO HAVE
A 2ND STORY ADDITION & REAR ADDITION WITH NEW
STAIR

LOT: LOTS 16
BLOCK: 4
SUBDIVISION: MT RAINIER

CODE: IRC 2015
ZONE: R-55
CONSTRUCTION TYPE: SI
NO. OF STORIES: 2
SPRINKLERED: NO

ALLOWED HEIGHT: 35'-0" MAX. HEIGHT
PROPOSED HEIGHT: NO CHANGE

SETBACKS:
FRONT YARD: 25'-0"
SIDE YARD: 7'-0"
REAR YARD: 20'-0"

DESIGN CRITERIA:
GROUND SNOW LOAD: 35 PSF
WIND SPEED: 115 MPH
SEISMIC DESIGN CATEGORY: SEVERE
WEATHERING: 30 IN.
FROST DEPTH LINE: MODERATE TO HEAVY
TEMPERATURE: SLIGHT TO MODERATE
WINTER DESIGN TEMP: 13° F
ICE SHIELD UNDERLAYMENT REQ'D: YES
FLOOD HAZARDS: JULY 2, 1979
AIR FREEZING INDEX: 300
MEAN ANNUAL TEMP: 59° F

LOT COVERAGE

LOT AREA CALCULATIONS:
LOT SITE: 7,500.0 SQ. FT. (100.0%)
MAX. LOT COVERAGE: 2,250.0 SQ. FT. (30.0%)
EXIST. LOT COVERAGE: 2,850.0 SQ. FT. (38.0%)
PROPOSED COVERAGE: 2,930.0 SQ. FT. (39.1%)

FLOOR AREA

FLOOR LIVING AREA CALCULATIONS:
EXISTING FLOOR AREA
BASEMENT: 0 SQ. FT.
FIRST FLOOR: 180 SQ. FT.
SECOND FLOOR: 354 SQ. FT.
TOTAL EXISTING: 1,334 SQ. FT.

PROPOSED FLOOR AREA
BASEMENT: 0 SQ. FT.
FIRST FLOOR: 1,060 SQ. FT.
SECOND FLOOR: 618 SQ. FT.
TOTAL PROPOSED: 1,678 SQ. FT.

SHEET INDEX

ARCHITECTURAL

- CS COVER SHEET
- A1 EXISTING / DEMO FLOOR PLANS
- A1.1 PROPOSED FLOOR PLANS
- A2 EXTERIOR ELEVATIONS
- A3 BUILDING SECTIONS
- A3.1 BUILDING SECTIONS
- A4 DETAILS
- S1 STRUCTURAL PLANS
- S2 STRUCTURAL PLANS
- E1 ELECTRICAL PLANS

BOARD OF APPEALS

APPROVED OCT 20 2021

B. Stone
ADMINISTRATOR



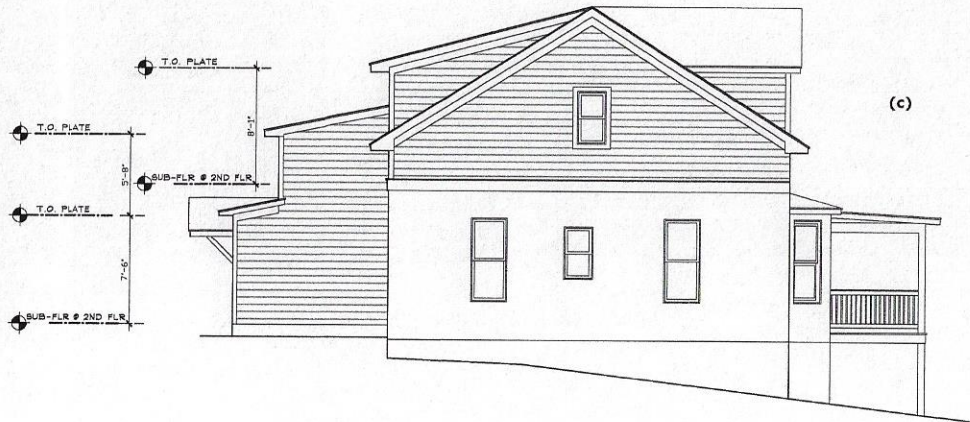
(a)

4 PROPOSED SIDE (SOUTH) ELEVATION
A2 1/4" = 1'-0"



(b)

3 PROPOSED REAR (EAST) ELEVATION
A2 1/4" = 1'-0"



(c)

2 PROPOSED SIDE (NORTH) ELEVATION
A2 1/4" = 1'-0"



(d)

1 PROPOSED FRONT (WEST) ELEVATION
A2 1/4" = 1'-0"

EXH. # 4(a-d)
V-98-21

ROMERO ARCHITECTS, LLC
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REVISIONS:

PADAVICK / SMITH-KANZE RESIDENCE
ADDITION AND RENOVATIONS
4011 31ST STREET | MT. VERNON MD | 20712

DATE	PURPOSE
11.20.20	SCHEMATIC DESIGN 1
12.02.20	SCHEMATIC DESIGN 2
02.18.21	SCHEMATIC DESIGN 3
04.01.21	SCHEMATIC DESIGN 4
04.01.21	SCHEMATIC DESIGN 5
04.01.21	PERMIT SET

DRAWN BY:
MJR
PROJECT NUMBER:
21002

EXTERIOR
ELEVATIONS

A2