



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

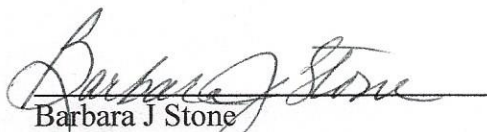
OF BOARD OF APPEALS

RE: Case No. V-100-21 Trent Family Trust

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 6, 2021.

CERTIFICATE OF SERVICE

This is to certify that on December 10, 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: Trent Family Trust (Lindsey Trent, Trustee)

Appeal No.: V-100-21

Subject Property: Lot 12, Block 47, Cheverly Subdivision, being 5817 Caryle Street, Cheverly,
Prince George's County, Maryland

Municipality: Cheverly

Heard and Decided: October 6, 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, Petitioners request that the Board approve a variance from Section 27-442(e)(Table IV) of the Zoning Ordinance, 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 portico with 2 columns and small roof. A variance of 3.1 feet front yard depth is requested.

Evidence Presented

1. The property was subdivided in 1945, contains 6,026 square feet, is zoned R-55 (Sing-Family Detached Residential) and is improved with a single-family dwelling and driveway. Exhibits (Exhs.) 2, 4, 6, 7 and 8 (A) thru (F).

2. The subject property is odd shaped as the rear property line is sharply angled. Exhs. 2 and 4.

3. Petitioner proposes to obtain a building permit for the construction of a portico with 2 columns and small roof. Due to the addition being a small roof over the front stoop, the front yard setback is being encroached. A variance of 3.1 feet to address the front yard setback is required. Exhs. 2, 4, 6, 7 and 8 (A) thru (F).

4. Petitioner Lindsay Trent testified that she and her husband are trustees for Trent Family Trust. She explained that there is an existing concrete stoop (a single step) with a slight overhang which provides no protection for mail and packages from the rain and snow.

5. She stated that their youngest son has prolonged physical disabilities, and the proposed portico will provide protection for him as he enters and leaves the home.

6. She shared that at least three nearby neighbors have porticos over existing stoops so the proposed improvement will not be out of character in the neighborhood.

7. She noted that the proposed portico will only go over the current stoop and will not increase the footprint. The portico will have two columns and a pitched roof. Exhs. 2, 3 (a) thru (e) and 5 (A) thru (D).

8. She believes that the portico will add value and aesthetics to the property.

9. The Town of Cheverly supports the request for the addition of the portico. Exh 12.

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

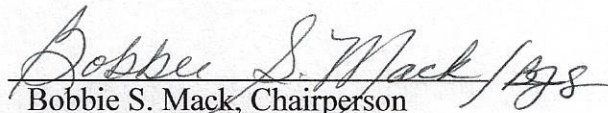
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variance complies with the applicable standards set forth in Section 27-230, more specifically:

Due to the proposed portico will not enlarge the footprint of the already existing stoop, the need to provide weather cover for a physically disabled young son 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 owners of the property.

BE IT THEREFORE RESOLVED, by majority vote, Ms. Anastasia Johnson absent, that a variance of 3.1 feet front yard depth in order to obtain a building permit for the construction of a portico with 2 columns and small roof on the property located at 5817 Caryle Street, Cheverly, Prince George's County, Maryland, be and is hereby APPROVED. Approval of the variance(s) is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plans, Exhibits 3 (a) thru (e).

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By:


Bobbie S. Mack, ChairpersonNOTICE

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.

CONSUMER INFORMATION NOTES:

1. This plan is a benefit to a consumer insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
2. This plan is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
3. This plan 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 re-financing.
4. Building line and/or Flood Zone information is taken from available sources and is subject to interpretation of originator.
5. No Title Report furnished.

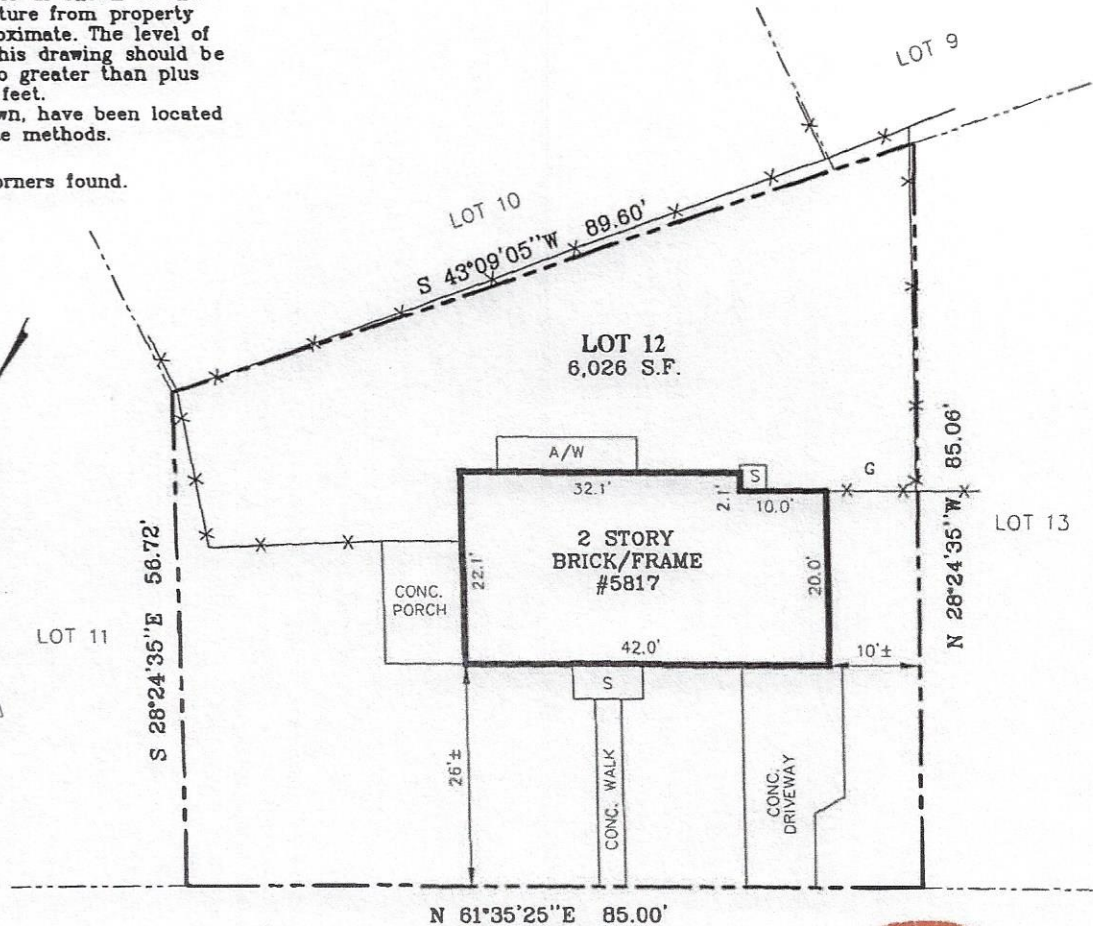
Notes:

1. Flood zone "C" per H.U.D. panel No. 0040C.
2. Setback distances as shown to the principal structure from property lines are approximate. The level of accuracy for this drawing should be taken to be no greater than plus or minus 3 feet.
Fences, if shown, have been located by approximate methods.
3. No property corners found.

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APPROVED OCT 06 2021

ADMINISTRATOR




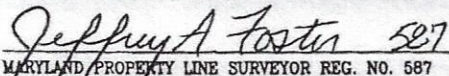
LOCATION DRAWING
LOT 12, BLOCK 47
SECTION 8
CHEVERLY

CARLYLE STREET
(60' WIDE R/W PER PLAT)

PRINCE GEORGE'S COUNTY, MARYLAND

EXH. # 2
V-100-21



SURVEYOR'S CERTIFICATE		REFERENCES	 SNIDER & ASSOCIATES LAND SURVEYORS 20270 Goldenrod Lane, Suite 110 Germantown, Maryland 20876 301/948-5100 Fax 301/948-1286	
"THE INFORMATION SHOWN HEREON HAS BEEN BASED UPON THE RESULTS OF A FIELD INSPECTION PURSUANT TO THE DEED OR PLAT OF RECORD. EXISTING STRUCTURES SHOWN HAVE BEEN FIELD LOCATED BASED UPON MEASUREMENTS FROM PROPERTY MARKERS FOUND OR FROM EVIDENCE OF LINES OF APPARENT OCCUPATION."		PLAT BK. 10		
		PLAT NO. 16		
 MARYLAND PROPERTY LINE SURVEYOR REG. NO. 587		LIBER	DATE OF LOCATIONS	SCALE: 1" = 20'
		FOLIO	WALL CHECK:	DRAWN BY: E.H.
			HSE. LOC.: 3-26-10	JOB NO.: 10-01038

1 PROPOSED ELEVATION
SCALE: 3/16"=1'

3 BUILDING SECTION 1
SCALE: 3/16"=1'

a

b

5 DETAIL
NTS

2 PROPOSED FLOOR PLAN
SCALE: 3/16"=1'

c

d

e

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SCALE: 3/16"=1'

6 FRAMING ROOF PLAN
SCALE: 3/16"=1'

EXH. # 3(a-e)
V-100-21

APPROVED OCT 06 2021