



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

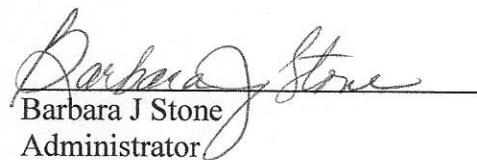
OF BOARD OF APPEALS

RE: Case No. V-101-21 Leslie and James Morris Jr.

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 November 29, 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

Petitioners: Leslie and James Morris Jr.

Appeal No.: V-101-21

Subject Property: Lot 48, The Vineyards II Subdivision, being 6003 Hunt Weber Drive, Clinton,
Prince George's County, Maryland

Heard and 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 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 rear yard at least 20 feet in depth/width. Section 27-442(c)(Table II) 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 an open deck. Variances of 12 feet rear yard depth/width and .6% net lot coverage are requested, respectively.

Evidence Presented

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

1. The property was subdivided in 2014, contains 9,625 square feet, is zoned R-80 (One-Family Detached Residential) and is improved with a two-story single-family dwelling, driveway and two retaining walls. Exhibits (Exhs.) 2 (A) thru (B), 3 (a) thru (m), 4, 9 and 10 (A) thru (H).

2. The subject property is oddly shaped with a curved rear lot line. The topography of the lot requires two retaining walls, one on the rear of the property and the other on the side of the house next to the driveway. Exhs. 2 (A) thru (B), 3, (a) thru (m), 4, 9 and 10 (A) thru (H).

3. Petitioners propose to obtain a building permit for the construction of an open deck. Due to the configuration of the rear lot line, a variance of 12 feet rear yard depth is required. A variance of .6% net lot area is also needed for existing conditions of the house and driveway. Exhs. 2 (A) thru (B), 3, (a) thru (m), 4, 9 and 10 (A) thru (H).

4. Petitioner James Morris testified that they are proposing to construct an open deck on the rear of the dwelling. Currently, there are existing sliding doors with a blocked off railing. The deck, however, will provide an additional safety exit in case of an emergency. Exhs. 2 (A) thru (B), 3, (a) thru (m) and 5 (A) thru (M).

5. He stated that the property backs up to a conservation area and they would like to be able to enjoy the outside rear area on the deck. Exhs. 2 (A) thru (B), 3, (a) thru (m) and 5 (A) thru (M).

6. He further stated that the unique property shape, which is specific to their property, is what has brought them to this point. Exhs. 2 (A) thru (B), 3, (a) thru (m) and 5 (A) thru (M).

7. He indicated that there are decks on other properties within the neighborhood. Exh. subdivision

5. The Architectural Control Committee of Vineyards II (HOA) approved the construction of the proposed deck on the subject property. Exh. 7.

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

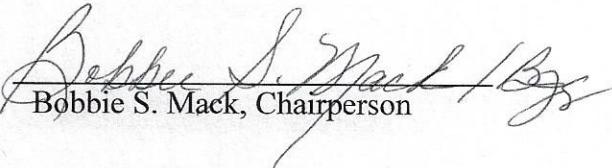
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variances comply with the applicable standards set forth in Section 27-230, more specifically:

Due to the existing odd shape of the rear lot line, the sloping topography in the rear, the need for an emergency rear exit, the desire to enjoy more of the rear of the property, the approval of the deck by the Homeowners Association, the de minimis size of the net lot variance 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 Variances of 12 feet rear yard depth/width and .6% net lot coverage in order to obtain a building permit for the construction of an open deck on the property located at 6003 Hunt Weber Drive, Clinton, 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 (m).

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:

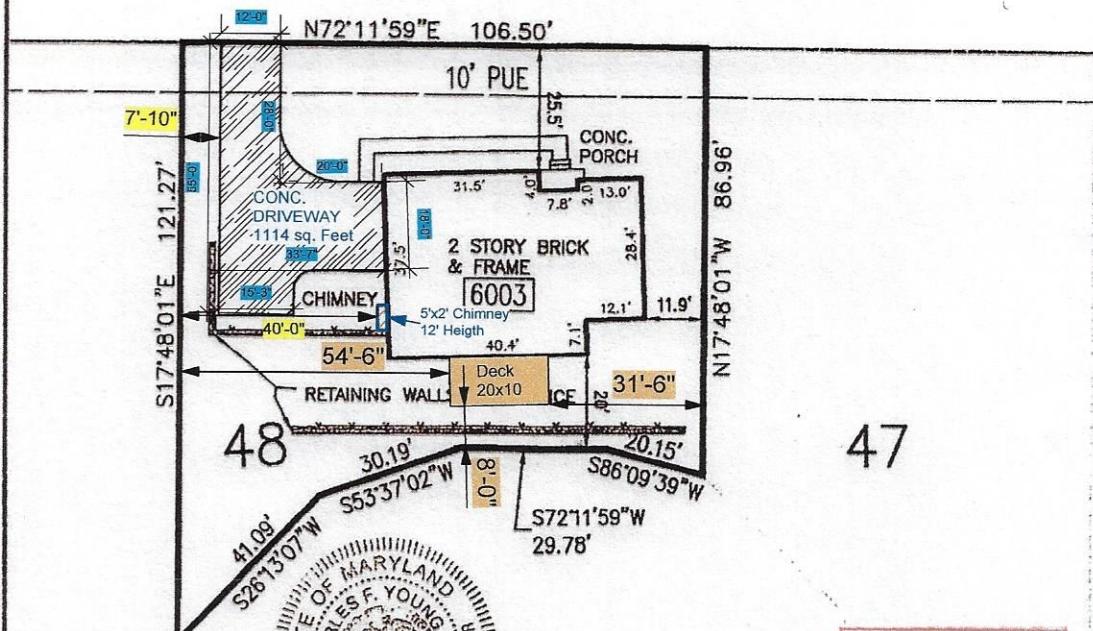
A decision of the Board, permitting the erection of a building or structure, shall not be valid for more than two (2) years, unless a building permit for the erection is obtained within this period and the construction is started and proceeds to completion in accordance with the terms of the decision and the permit.

BOARD OF APPEALS

APPROVED OCT 20 2021

John H. Young
ADMINISTRATOR

HUNT WEBER DRIVE
60' R/W



EXH. # 2(A-B)
V-101-21

77 77
6003 HUNT WEBER DRIVE

MINIMUM ADVICE	REFERENCE	HOUSE LOCATION DRAWING						
		PLAT NO.	LOT 48					
		PLAT BOOK	VINEYARDS II					
		SJH 243	9TH ELECTION DISTRICT					
		50	PRINCE GEORGE'S COUNTY, MARYLAND					
1) THIS PLAT IS OF BENEFIT TO A CONSIDER ONLY INSO FAR AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR THE AGENT IN CONNECTION WITH CONTEMPLATED TRANSFER, FINANCING OR REFINANCING. 2) THIS PLAT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OR LOCATION OF FENCES, GARAGES, BUILDINGS OR OTHER EXISTING OR FUTURE IMPROVEMENTS. 3) 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. 4) ACCURACY OF APPARENT SETBACK DISTANCES IS 1" ±.		A LANDTECH CORPORATION A FALCON COMPANY 201 Defense Highway Suite 200 Annapolis, MD 21401 Ph. (443) 274-3232 Fax (443) 274-3233 Contact Person: Charles F. Young Chief Surveyor cyoung@techgroupinc.net						
I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF THAT THIS "LOCATION DRAWING" HAS BEEN PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, ALL IN ACCORDANCE WITH MARYLAND STATE LAW REGARDING "MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYORS" AS ADOPTED IN AUGUST 2005		DATE DRAWN BY CHECKED BY						
<i>Charles F. Young 11/8/19</i> CHARLES F. YOUNG PROFESSIONAL LAND SURVEYOR MARYLAND LICENSE NUMBER 10332 DATE		WALL CHECK	08/02/2019	JAB	CFY			
		FINAL	11/04/2019	JAB	CFY			
		RECERT.						
		SCALE: 1" = 30'						

Residence of:
Morris Leslie
6003 Hunt Weber Dr,
Clinton, MD 20735
SCALE 1'- 1/4"

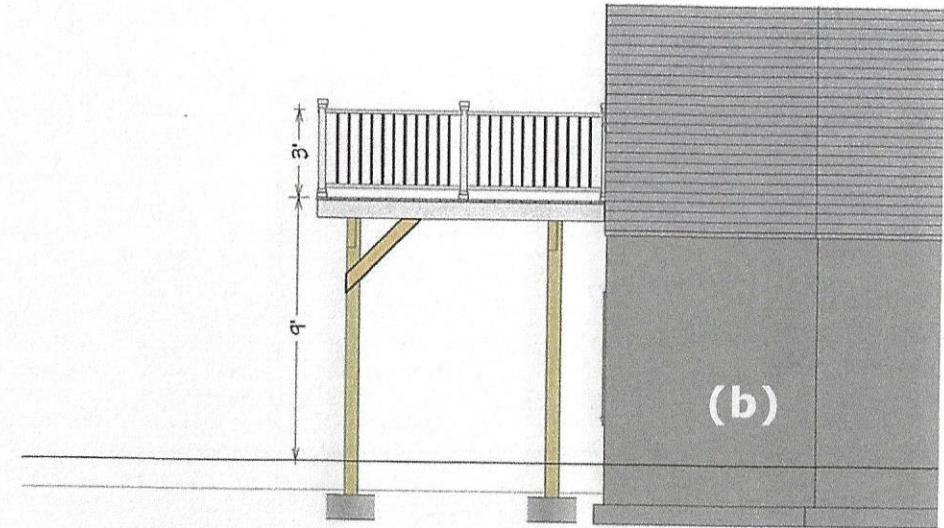
Drawn By:
Miguel Angel Coca (Occupation:Designer)
13851 Delaney Rd. Woodbridge Va. 22193
571-237-6619



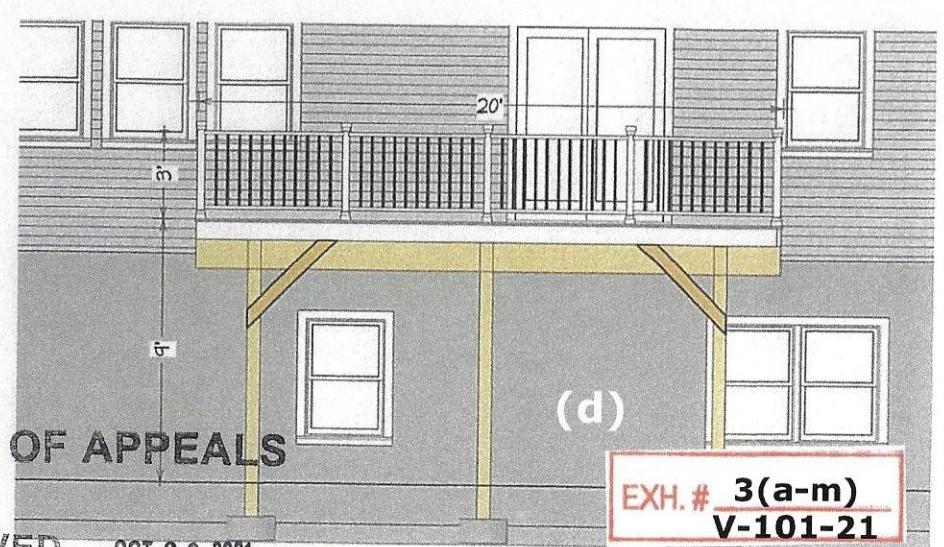
(a)



(c)



(b)



(d)

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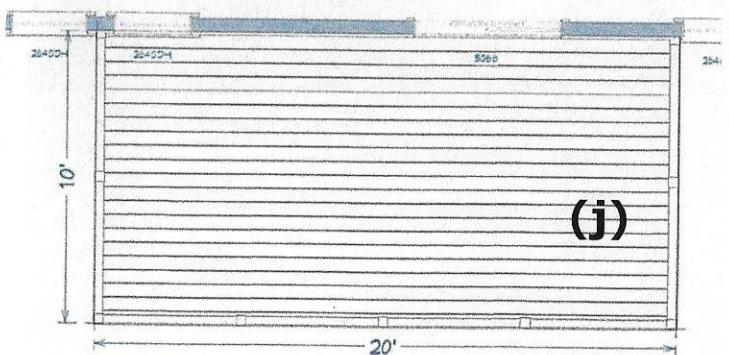
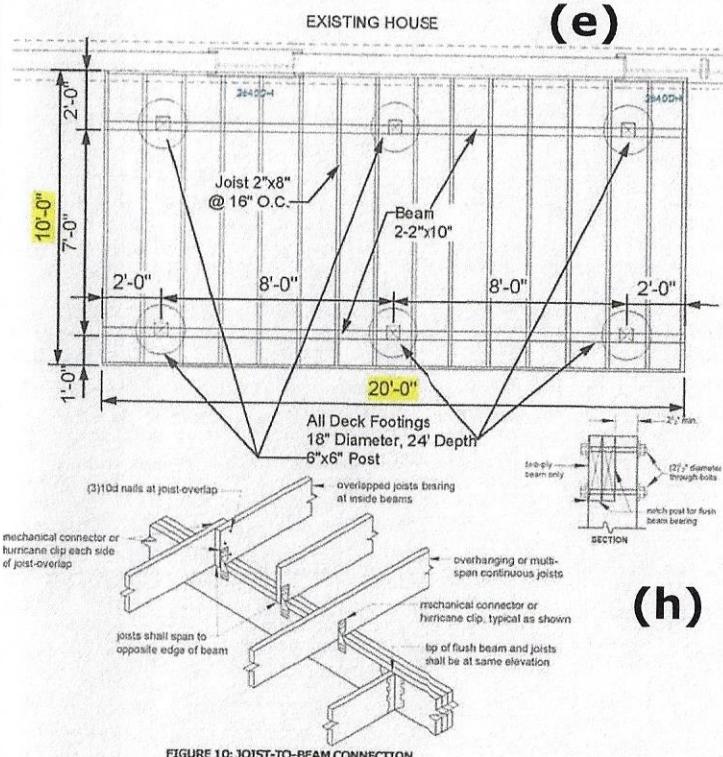
APPROVED OCT 20 2021

EXH. # 3(a-m)
V-101-21

Bystone
ADMINISTRATOR

Residence of:
Morris Leslie
6003 Hunt Weber Dr.
Clinton, MD 20735
SCALE 1'- 1/4"

Drawn By:
Miguel Angel Coca (Occupation:Designer)
13851 Delaney Rd. Woodbridge Va. 22193
571-237-6619



(e)

(f)

Pressure Treated Southern Pine 2019 Edition

Size inches (actual)	Spacing inches on center	Visually Graded	
		No.1 No.1 Prime	No.2 No.2 Prime
2x6 (1.5x5.5)	12.0	10-4	9-11
	16.0	9-5	9-0
	24.0	8-2	7-7
2x8 (1.5x7.25)	12.0	13-8	13-1
	16.0	12-5	11-10
	24.0	10-4	9-8
2x10 (1.5x9.25)	12.0	17-5	16-2
	16.0	15-10	14-0
	24.0	13-1	11-5
2x12 (1.5x11.25)	12.0	21-2	19-1
	16.0	19-1	16-6
	24.0	15-7	13-6

(h)

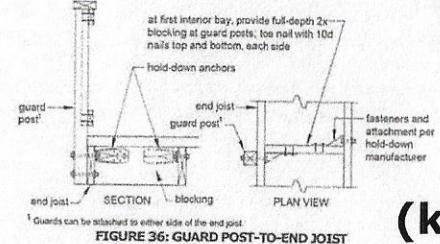


FIGURE 36: GUARD POST-TO-END JOIST

(m)

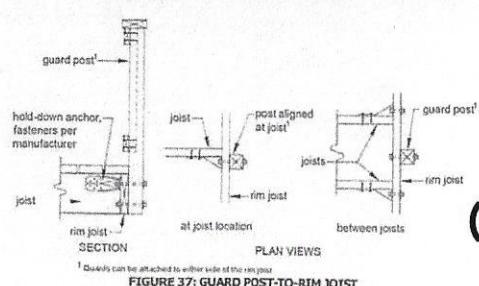
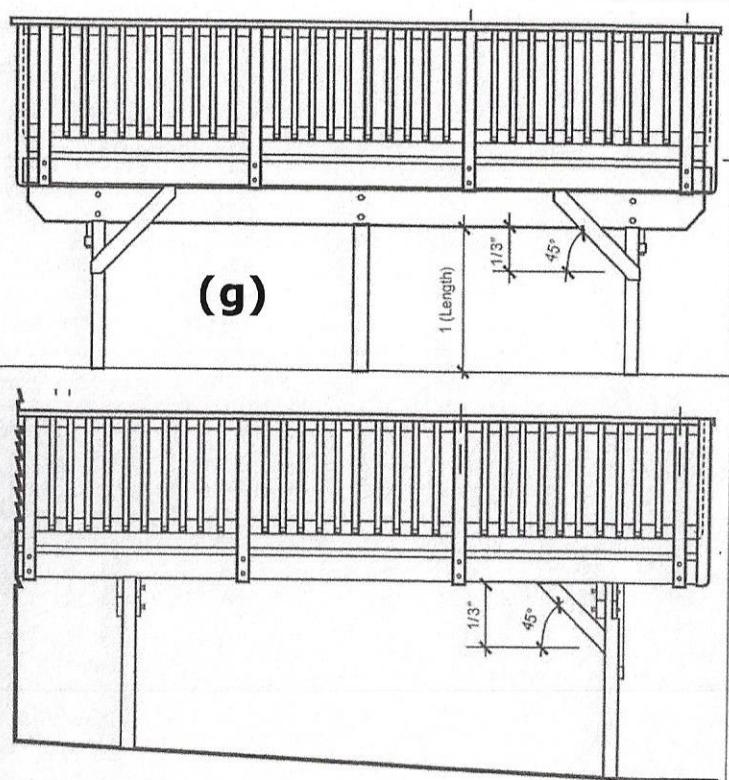


FIGURE 37: GUARD POST-TO-RIM JOIST



(i)

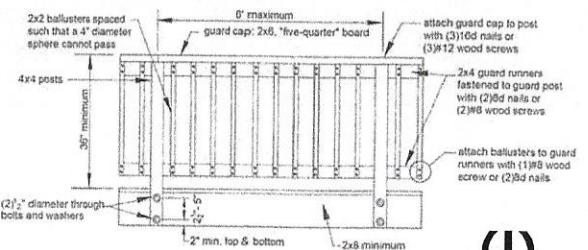


FIGURE 34: GUARD CONSTRUCTION
BOARD OF APPEALS

APPROVED OCT 20 2021


Administrator