



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

BOARD OF ZONING APPEALS

BOARD OF ADMINISTRATIVE APPEALS

WAYNE K. CURRY COUNTY ADMINISTRATION BUILDING, LARGO, MARYLAND 20774  
**TELEPHONE (301) 952-3220**

## *NOTICE OF FINAL DECISION*

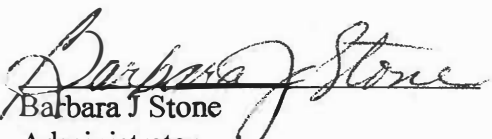
### *OF BOARD OF APPEALS*

RE: Case No. V-102-21 George Fon and Abeck Ivonne Aboh

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: November 3, 2021.

## **CERTIFICATE OF SERVICE**

This is to certify that on May 25, 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: George Fon and Abeck Ivonne Aboh

Appeal No.: V-102-21

Subject Property: Lot 20 and part of Outlot A, Block E, Riverdale Hills Subdivision, being 6300 Headen Jordan Avenue, Riverdale, Prince George's County, Maryland

Witnesses: Mudoh Mbah, Designer

Kenneth Harrison, Inspector, Department of Permitting, Inspections and Enforcement (DPIE)

Heard: October 6, 2021; Decided: November 3, 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 requests that the Board approve a variance from Section 27-442(e)(Table IV) which prescribes that each lot shall have a side yard at least 8 feet in width and each corner lot shall have a side yard along the side street at least 25 feet in depth. 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. 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. Petitioners propose to validate existing conditions (side yard width, side street yard depth, waiver of parking area and net lot coverage) and obtain a building for the unauthorized construction of a one-story-side addition. Variances of 3.5 feet right side yard width, 5 feet side street yard depth, 18.5% net lot coverage, a waiver of the parking area location is requested.

**Evidence Presented**

1. The property was subdivided in 1984, contains 6,938 square feet, is zoned R-55(One-Family Detached Residential) and is improved with a single-family dwelling, shed, detached garage with driveway and a second driveway in front of the dwelling. Exhibits (Exh.) 2, 4, 8, 9 and 10 (A) thru (F).

2. Petitioners propose to validate existing conditions (side yard width, side street yard depth, waiver of parking area and net lot coverage) and obtain a building for the unauthorized construction of a one-story-side addition. A variance of 3.5 feet right side yard width is required as the proposed addition is only 4.5 feet from the right property line but should maintain a right-side setback of 8 feet. A variance of 5 feet side street yard depth is required as the dwelling is located only 20 feet from the side street side and should have a 25-foot setback. A variance of 18.5% net lot coverage is required as the maximum allowable lot coverage is 30% and the current lot coverage is at 48.5 %. Finally, a waiver of the parking area location is required as one driveway is located in front of the dwelling. Exh. 2, 4, 8, 9 and 10 (A) thru (F).

3. The subject property is located on a corner lot with the dwelling facing and at a slant to the legal side street (Roanoke Avenue), but the legal front of the property is Headen Jordan Avenue. Exh. 2, 4, 8, 9 and 10 (A) thru (F).

4. Designer Mudoh Mbah testified that, without a permit, the original one-story addition was built too close to the property line and suggested reducing the size of the addition to move it further away from the property line. His intention is to rebuild the addition consistent with the site plan.

5. On November 18, 2020, a Violation Notice (No. 48510.2020) was issued for the rebuilding of the proposed rear yard addition without a building permit. Exh. 2, 3 (a) thru (i) and 5 (A) thru (F).

6. DPIE Inspector Kenneth Harrison testified that he responded to a complaint, inspected the subject property and observed the unauthorized addition being constructed. He placed a stop work order on the property until such time that the required building permit was obtained. At that time, he was unaware of the intended purpose for the addition. Exh. 2, 3 (a) thru (i) and 5 (A) thru (F).

7. Petitioner George Fon testified that family as well as social club meetings will be held in the addition.<sup>1</sup>

8. Petitioners provided a revised site plan and elevation plans decreasing the right-side yard setback from 5 feet to 5.5 feet. Exhs. 2 with 18(a).

#### 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 property being a corner lot, the location of the preexisting slanted development (dwelling) on the property necessitating the attendant need for the current variances, the reduction of the right side yard setback 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 3.5 feet right side yard width, 5 feet side street yard depth, and 18.5% net lot coverage, and a waiver of the parking area location in order to validate existing conditions (side yard width, side street yard depth, waiver of parking area and net lot coverage) and obtain a building permit for the construction of a one-story-side addition on the property located at 6300 Headen Jordan Avenue, Riverdale, Prince George's County, Maryland, be and is hereby APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exh. 18 (A) and approved revised elevation plans, Exhs. 19 (a) thru (i).

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<sup>1</sup> Inspector Harrison stated that a Use and Occupancy permit must be obtained, and all social club activities must cease until such time a U & O permit is obtained.

BOARD OF ZONING APPEALS

By:   
Bobbie S. Mack, Chairperson

**NOTICE**

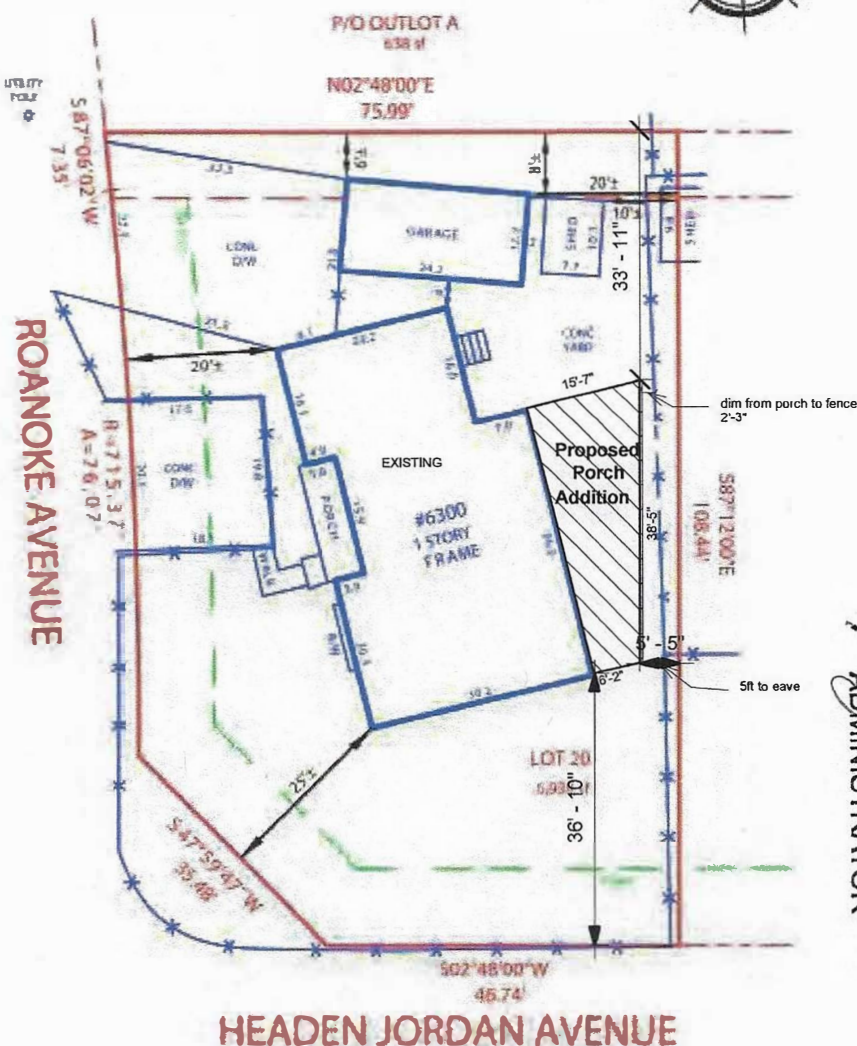
Within thirty (30) days from the date of this decision, any person, firm, corporation, or governmental agency who was a party to the Board's proceedings and is aggrieved by its decision may file an appeal to the Circuit Court of Prince George's County.

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.



P.B. 114 @ 27



ADMINISTRATOR

APPROVED NOV 03 2021

# BOARD OF APPEALS

A

EXH. # 18(A&B)  
V-102-21

34

**LEGEND:**

100%	100%
90%	90%
80%	80%
70%	70%
60%	60%
50%	50%
40%	40%
30%	30%
20%	20%
10%	10%
0%	0%

**COLOR KEY:**

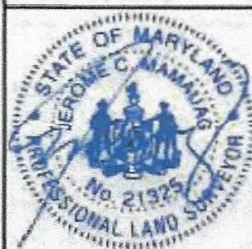
100%	100%
90%	90%
80%	80%
70%	70%
60%	60%
50%	50%
40%	40%
30%	30%
20%	20%
10%	10%
0%	0%

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### SURVEYOR'S CERTIFICATE

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**DULLEY ASSOC.**  
WILL GIVE YOU A 100%  
FULL CREDIT TOWARDS  
UPGRADING THIS  
SURVEY TO A  
"BOUNDARY STAKE"  
SERVICE FOR ONE  
YEAR FROM THE DATE  
OF THIS SURVEY

TABLE 1. Continued

**APPROVED** NOV 03 2021

~~APPROVED~~ NOV 03 2021

*By Stone*  
ADMINISTRATOR

**SCOPE OF WORK:**

## BUILDING DATA

Use Group: R3

Construction type: III B

Stories above grade: 1

Basement: No



3 PROPOSED REAR ADD.

## LIST OF REFERENCE CODES

ICC International Building Code 2015

ICC International Residential Code 2015

ICC International Existing Building Code

NFPA National Electrical Code 2014.

## ZONING ANALYSIS

Zoning District	R-65		
Lot Area	(6300)		
	ALLOWED	EXISTING (SFR)	PROPOSED
Lot Coverage (%)	30.4%	42.1%	48.6%
Lot Coverage (sq)		2680sq	3497.5sq
Density	8.7		
Maximum Height	35.1	15ft	15ft
Maximum Stories	3-4 1/2	1	1
Front Yrd	20ft	20ft	20ft
Side Yrd	5ft	5ft	-0-

Exercice 10

## PERVIOUS SURFACE CALC.

	Existing	Proposed
Main building	1643sf	2054sf
Garage	295.24sf	295.24sf
Driveways	1054sf	1054sf
Wallway	37sf	37sf
Shed	80 sf	80sf
<b>Total</b>	<b>3109.2sf</b>	<b>3520.24sf</b>



EXH. # 19(a-i)  
V-102-21

## ARCHITECTURAL ABBREVIATIONS

[illegible]

2 ABBREVIATIONS  
18" = 1-0"

**PROPOSED BUILDING PLAN  
FOR Mr. FON GEORGE  
6300 HEADEN JORDAN AVE.  
RIVERDALE, MARYLAND**

[illegible]

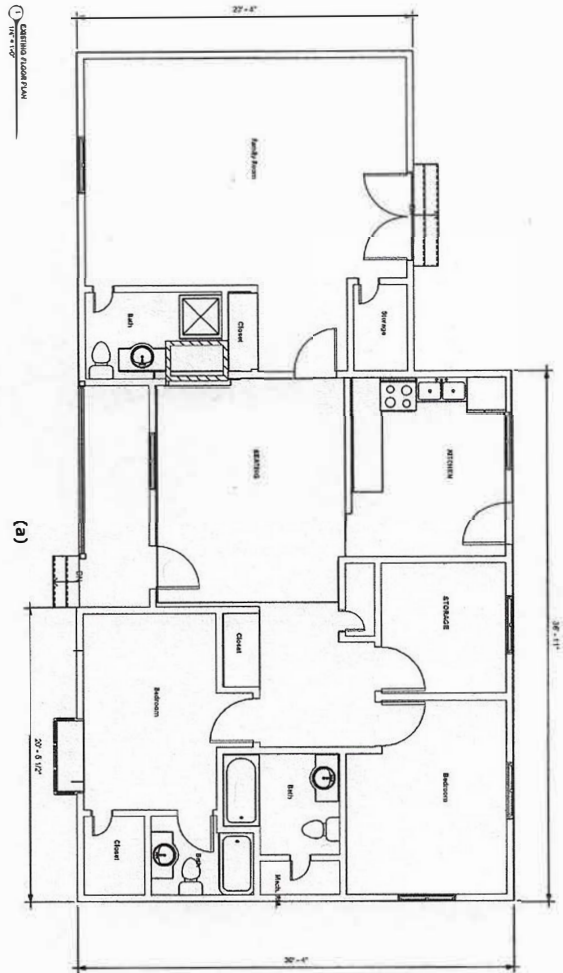
## COVER SHEET

Project number	6713/21-01
Date	Issue Date
Order by	M
Ordered by	M
<b>C-0</b>	
Scale	1/8" = 1'-0"

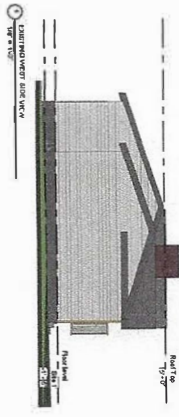

# BOARD OF APPEALS

APPROVED NOV 03 2021

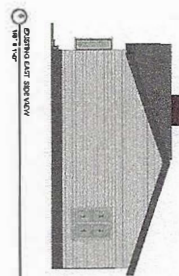
*By Stone*  
ADMINISTRATOR



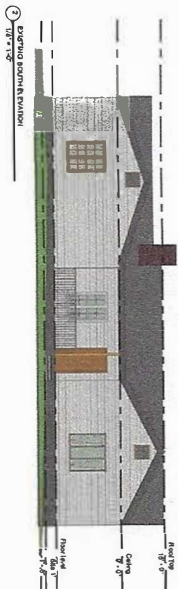
(a) EXISTING FLOOR PLAN  
1/8" = 1'-0"



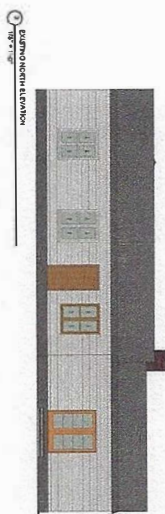
(b)



(c)

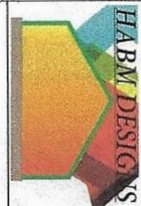


(d)



(e)

**PROPOSED BUILDING PLAN  
FOR Mr. FON GEORGE  
6300 HEADEN JORDAN AVE.  
RIVERDALE, MARYLAND**



EXISTING PLAN

A-1

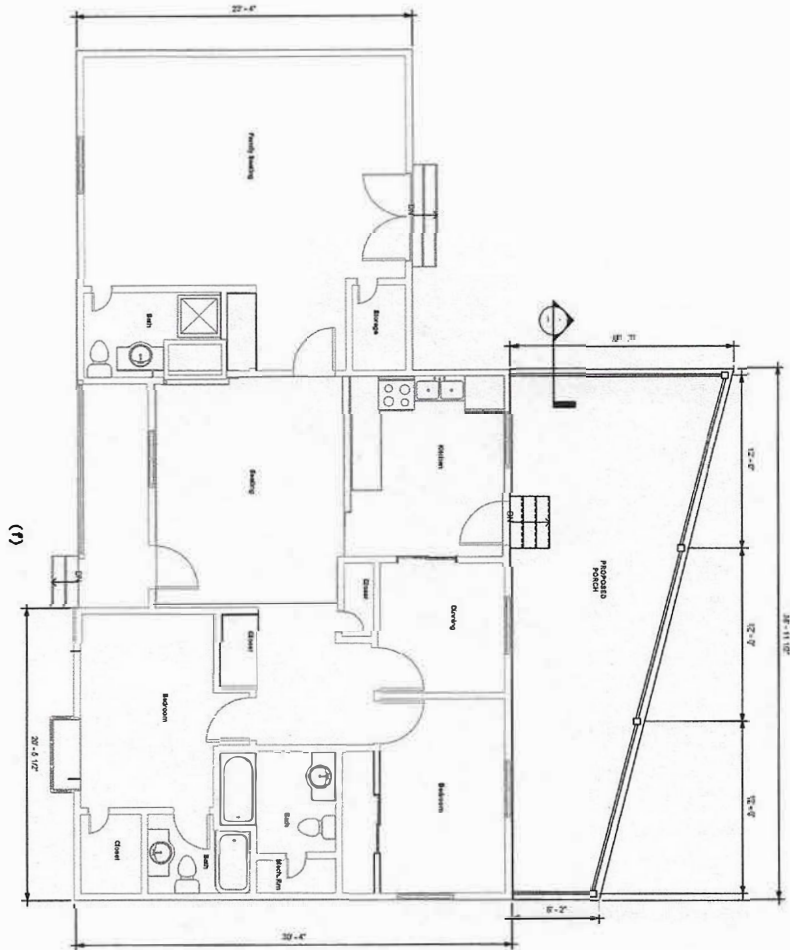


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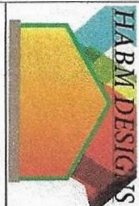
APPROVED NOV 03 2021

*B. Stone*  
ADMINISTRATOR

PROPOSED FLOOR PLAN  
20' x 11'



PROPOSED BUILDING PLAN  
FOR Mr. FON GEORGE  
6300 HEADEN JORDAN AVE.  
RIVERDALE, MARYLAND



PROPOSED FLOOR  
PLAN

A-2