



# 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.

A handwritten signature in black ink, appearing to read "Barbara J. Stone". Below the signature, the name "Barbara J. Stone" is printed in a smaller, sans-serif font, followed by the title "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 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.

## REVISED PROPOSED PLAT



P.B. 119-27

## BOARD OF APPEALS

APPROVED NOV 03 2021

ADMINISTRATOR

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

THE LEVEL OF ACCURACY OF  
DISTANCES TO APPARENT  
PROPERTY LINES ETC.

LOCATION DRAWING OF:  
#6300 HEADEN JORDAN AVENUE  
LOT 20 & PART OF OUTLOT A  
BLOCK E  
RIVERDALE HILLS  
PLAT BOOK 110, PLAT 17, L1

PRINCE GEORGE'S COUNTY, MARYLAND  
SCALE: 1"-20' DATE 11-30-2021

DRAWN BY: SAVADA FILE #: 21744

LEGENDA

LOCATIONS	FOODS
101	FRUIT AND VEGETABLES
102	DAIRY PRODUCTS
103	MEAT
104	EGGS, HONEY, TEA, COFFEE
105	BREAD
106	CONDIMENT
107	COOKIES
108	DESSERTS
109	DRINKS
110	FRUIT
111	FRAMES
112	MACARONI
113	CAKE
114	DRINKING
115	EGGNOG, SUGAR, LICKS
116	FRUIT JUICE, SODA, BREAD

## A Land Surveying Company

DULEY  
and  
associates, Inc.

14604 Elm Street, Upper Marlboro, MD 20772  
Phone: 301-886-1111 Fax: 301-886-1114  
Email: [orders@dcley.biz](mailto:orders@dcley.biz) Or the web: [www.dcley.biz](http://www.dcley.biz)



## **SURVEYOR'S CERTIFICATE**

OLLEY & ASSOC.  
WILL GIVE YOU A FREE  
FULL CHECK TOWARDS  
UPGRADING THIS  
SURVEY TO A  
"BOUNDARY SURVEY"  
SURVEY FOR ONE  
YEAR FROM THE DATE  
OF THIS SURVEY  
RELIQUING THE REBUTTAL FEE.

# BOARD OF APPEALS

APPROVED NOV 03 2021

B. Storck  
ADMINISTRATOR



3 PROPOSED REAR ADD.

#### ARCHITECTURAL ABBREVIATIONS

#### LIST OF REFERENCE CODES

- ICC International Building Code 2015
- ICC International Residential Code 2015
- ICC International Existing Building Code
- NEPA National Electrical Code 2014.

#### **SCOPE OF WORK:**

One story addition, a new window and interior alteration to existing single family dwelling

## BUILDING DATA

Use Group: R3  
Construction type: IIIB  
Stories above grade: 1  
Basement: No

## ZONING ANALYSIS

Zoning District	R-6B		
Lot Area	6000sf		
	ALLOWED	EXISTING SF/H	PROPOSED
Lot Coverage (%)	30%	45.1%	45.1%
Lot Coverage (sf)	2000sf	2705sf	2705sf
Density	6.7		
Maximum Height	35 ft.	154	156
Maximum Stories	3 1/2	1	1
Front Yard	20ft	214	226
Side Yard	18	61	61

### ① Learning Tables

#### PREVIOUS SURFACE CALC

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



Ex. # 19(a-i)  
V-102-2

**HABM DESIGNS**

PROPOSED BUILDING PLAN  
FOR Mr. FON GEORGE  
65300 HEADEN JORDAN AVE.  
RIVERDALE, MARYLAND

**COVER SHEET**

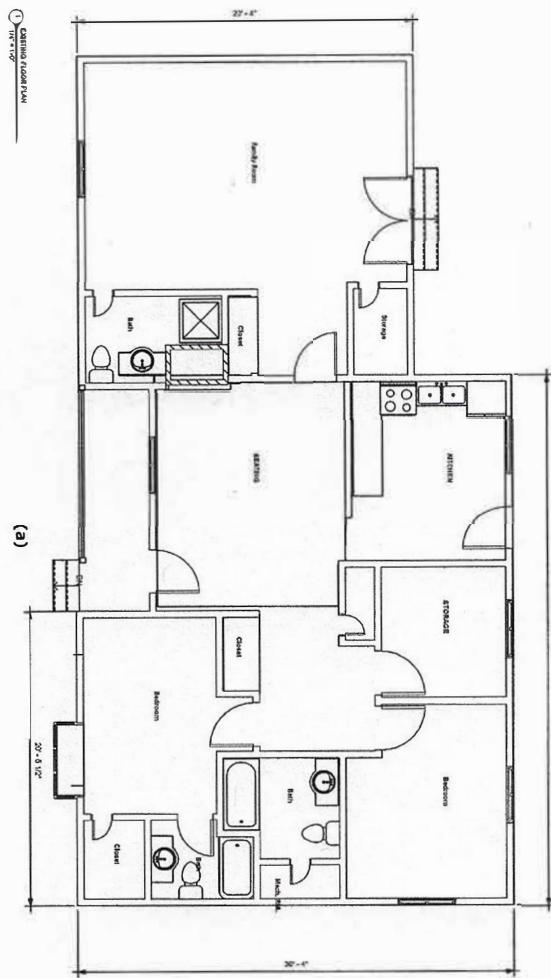
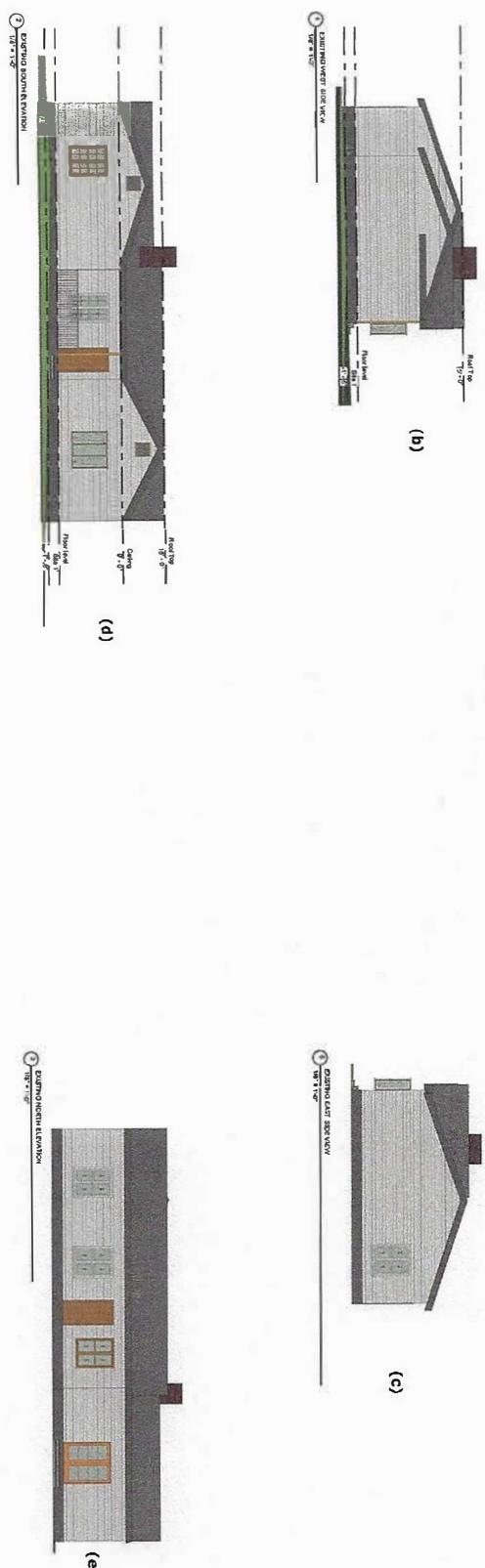
Printed on:	07/15/20-01
Date:	Issue Date
Green by:	M.S.
Classified:	M.S.
<b>C-0</b>	
Size:	11" x 14"

65

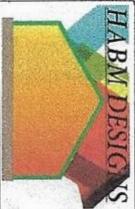
# BOARD OF APPEALS

APPROVED NOV 03 2021

~~Bestone~~  
ADMINISTRATOR



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

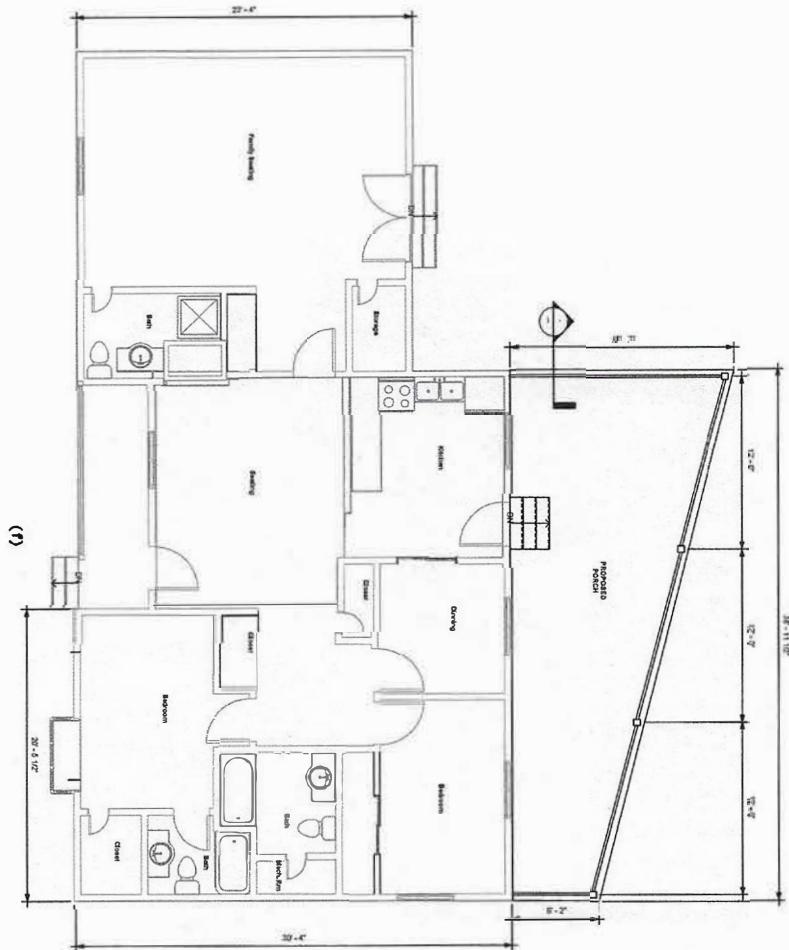


EXISTING PLAN		Plan	Building Plan	Date
Plan Name	0170.0214-1			
Date	01/01/00			
Drawn by	John Doe			
Checklist	✓			
A-1				
Any additional				

# BOARD OF APPEALS

APPROVED NOV 03 2021

*Bob Stone*  
ADMINISTRATOR



Proposed Room	Dimensions	Notes
Living Room	22' x 4'	
Dining Room	12' x 12'	
Kitchen	12' x 12'	
Dining Room	12' x 12'	
Living Room	20' x 12'	
Kitchen	12' x 12'	
Dining Room	12' x 12'	
Living Room	22' x 4'	
Bath	8' x 2'	
Bedroom	12' x 12'	
Proposed Porch	12' x 12'	

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

