



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

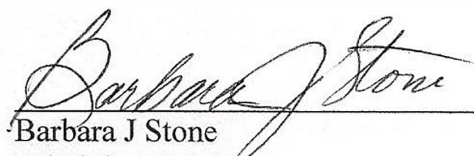
OF BOARD OF APPEALS

RE: Case No. V-115-21 Bachand and Naraine Pitamber

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: December 1, 2021

CERTIFICATE OF SERVICE

This is to certify that on March 28, 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: Balchand and Naraine Pitamber

Appeal No.: V-115-21

Subject Property: Lot 2, Block M, Calverton Division, being 3204 Dunnington Road, Beltsville,
Prince George's County, Maryland

Witness: Kim Pitamber, Daughter-in-Law

Heard and Decided: December 1, 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) 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 25% of the net lot area shall be covered by buildings and off-street parking. Petitioners propose to validate an existing condition (net lot coverage) and obtain a building permit to convert enclosed carport into a two-car garage. A variances of 5.6 feet rear yard depth/width and 3% net lot coverage is requested.

Evidence Presented

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

1. The property was subdivided in 1961, contains 11,841 square feet, is zoned R-R (Rural Residential) and is improved with a single-family dwelling, driveway, patio and shed. Exhibits (Exhs.) 2, 4, 7,8 and 9 (A) thru (G).
2. The subject property is a corner lot located within a cul-de-sac with the legal front yard being on Ingleside Drive. The house is facing Dunnington Road. Exhs. 2, 4, 7,8 and 9 (A) thru (G).
3. Petitioners propose to validate an existing condition (net lot coverage) and obtain a building permit to convert an enclosed carport into a two-car garage. A variance of 5.6 feet rear yard setback is required for the garage placement. The maximum allowable lot coverage for the R-R Zone is 25%. Currently, with the addition of the two-car garage, the lot coverage will expand to 28%. A variance of 3% lot coverage is, therefore, required. Exhs. 2, 4, 7,8 and 9 (A) thru (G).
4. Petitioner Balchand Pitamber testified that he currently has a double-wide driveway (fronting Dunnington Road) which leads to a one-car carport. As such, Petitioner is requesting to construct a two-car garage to connect with the double-wide driveway to provide more security for their vehicles. At the end of the right side of the driveway are bushes that will be replaced with new concrete to complete the connection to the garage. The dimensions of the proposed garage are 12 feet by 21.5 feet. Exhs. 2, 3 (a) thru (d) and 5 (A) thru (H).

5. Kim Pitamber testified that the proposed garage will be used not only for security purposes but as a storage area. She stated that the two-car garage will be in character of the neighborhood as many nearby properties have two-car garages. Exhs. 2, 3 (a) thru (d) and 5.

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.

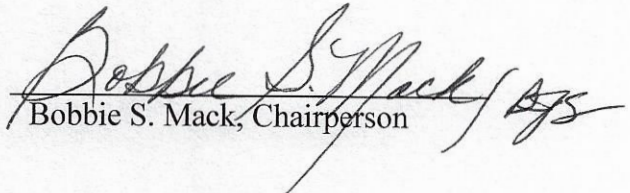
Findings of the Board

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 preexistence location of a double-wide driveway on the lot, the need to provide a more secure structure for vehicles, the need for a storage area 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 5.6 feet rear yard depth/width and 3% net lot coverage in order to validate an existing condition (net lot coverage) and obtain a building permit to convert enclosed carport into a two-car garage on the property located at 3204 Dunnington Road, Beltsville, 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 (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.

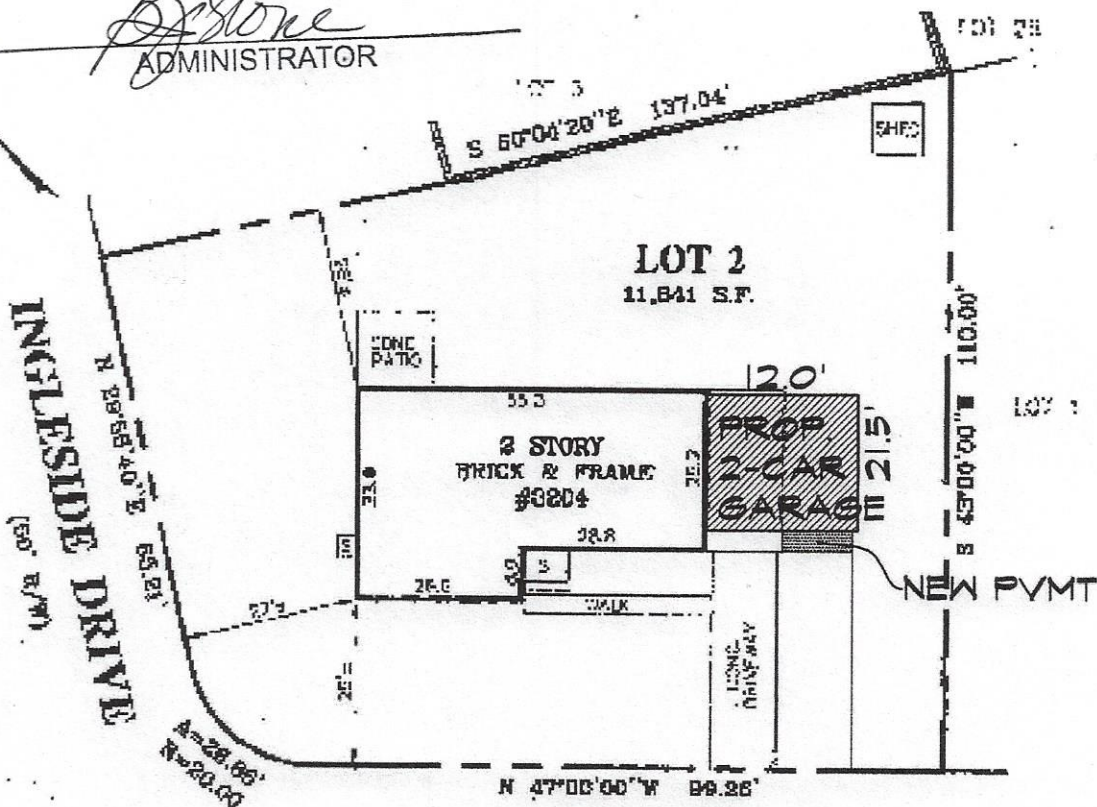
CONSUMER INFORMATION NOTICE

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 original.
5. No Title Report furnished.

BOARD OF APPEALS

APPROVED DEC 01 2021

[Signature]
ADMINISTRATOR



DUNNINGTON ROAD

(60' R/W)

Notes

1. Flood zone "V" per H.U.D. panel No. 0010C.
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 1 foot. Fences, if shown, have been located by approximate methods.

LOCATION DRAWING
LOT 2, BLOCK M, SECTION TWO
CALVERTON
PRINCE GEORGE'S COUNTY, MARYLAND

EXH. # 2
V-115-21

SURVEYOR'S CERTIFICATE

THE INFORMATION SHOWN HEREIN HAS BEEN USED UPON THE BASIS OF A FIELD INSPECTION UPON THE NEED OR PLAT OF RECORD. EXISTING STRUCTURES SHOWN HAVE BEEN FIELD LOCATED BASED UPON MEASUREMENTS FROM PROPERTY MARKERS FOUND & FROM EVIDENCE OF LINES OF APPARENT OCCUPATION.

[Signature]
DATE OF LOCATION: 11/11/21

REFERENCES

PLAT BK. W0041
PLAT NO. 51

USER
FOLIO



SNIDER & ASSOCIATES
LAND SURVEYORS

20270 Goldenrod Lane, Suite 110
Germantown, Maryland 20878
301/948-5100 Fax 301/948-1288

DATE OF LOCATION

SCALE: 1" = 30'

WALL CHECK:

DRAWN BY: J.T.H.

