



# 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-122-21 Annie Wilder

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 15, 2021.

## **CERTIFICATE OF SERVICE**

This is to certify that on June 23, 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 standard black font, followed by the title "Administrator" in a smaller font.

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: Annie Wilder

Appeal No.: V-122-21

Subject Property: Lots 34, 35 and Part of Lot 33, Block H, Fairmount Heights Subdivision, being 5509  
Addison Road, Fairmount Heights, Prince George's County, Maryland

Municipality: Town of Fairmont Heights

Witness: Raymond Smith, Family Member

Heard and Decided: December 15, 2021

Board Members Present and Voting: Bobbie S. Mack, Chairperson

Albert C. Scott, Vice Chairman

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 variances 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 variances from Section 27-442(c)(Table II) prescribes that not more than 30% of the net lot area shall be covered by buildings. 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. Petitioner proposes to validate an existing condition (net lot coverage) and obtain a building permit to construct a screened porch over an existing front porch. A variance of 7.7% net lot coverage and a waiver of the parking area location requirement are requested.

**Evidence Presented**

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

1. The property was subdivided in 1930, contains 8,013 square feet, is zoned R-55(One-Family Detached Family) and is improved with a single-family dwelling, driveway, brick walls and front porch. Exhibits (Exhs.) 2, 4, 8, 9, and 10 (A) thru (F).
2. The subject property (Lots 33, 34 and 35) is a corner property being narrow at the legal front street (61<sup>st</sup> Avenue) and wider to the rear yard. With the configuration of the house on the far rear of the property, yard area is limited in the rear. The dwelling is facing the side street (Addison Road). Exhs. 2, 4, 8, 9, and 10 (A) thru (F).
3. Petitioner proposes to validate existing conditions (net lot coverage and front yard parking area) and obtain a building permit to construct a covered screened porch over the same footprint of the existing front porch. Because the replacement covered front porch will further increase the percentage of net lot coverage, a variance of 7.7% net lot coverage is required. As the existing driveway curves and ends parallel with the front of the home, a waiver of the parking area location is required. Exhs. 2, 4, 8, 9, and 10 (A) thru (F).
4. Mr. Raymond Smith opined that the purpose of the covered screen porch is to provide an area in which Petitioner's two-year-old grandson may safely play. He explained that the existing elevated patio

comes out of the front door to stairway that leads down to the walkway. The new screen porch will be constructed on the existing patio. Exhs. 2, 3 (a) thru (i) and 5 (A) thru (D).

5. He further stated that because of the configuration of the house on the lot, there is no back yard area for the grandchild to play. He stated that Ms. Wilder has sole custody of her grandson, has a medical issue with a hip replacement (mobility) and the proposed covered porch will allow the child to play outside where he can be monitored. Exhs. 2, 3 (a) thru (i) and 5 (A) thru (D).

6. Ms. Wilder testified that the driveway was in its current front yard configuration when she purchased the property (in 1991). Exhs. 2, 3 (a) thru (i) and 5 (A) thru (D).

7. The Town of Fairmount Heights has provided a letter in support of the request for the requested variances. Exh. 6.

#### 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

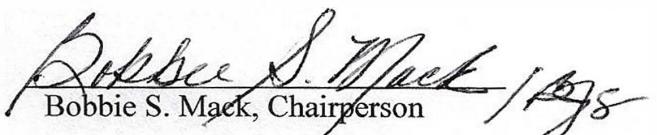
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variances comply with the applicable standards set forth in Section 27-230, more specifically:

Due to the property being corner lot, the preexisting location of the dwelling and front yard driveway, the limited rear yard area, the need for a safe area for the grandchild to play in and be monitored, the screened covering will be on the same footprint as the existing concrete porch, 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 owner of the property.

BE IT THEREFORE RESOLVED, unanimously, that a variance of 7.7% net lot coverage and a waiver of the parking area location requirement to validate existing conditions (net lot coverage and front yard parking area) and obtain a building permit to construct a covered screened porch on an existing front porch on the property located at 5509 Addison Road, Fairmount Heights, Prince George's County, Maryland, be and are hereby APPROVED. Approval of the variance and waiver is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plans, Exhibits 3 (a) thru (i).

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.

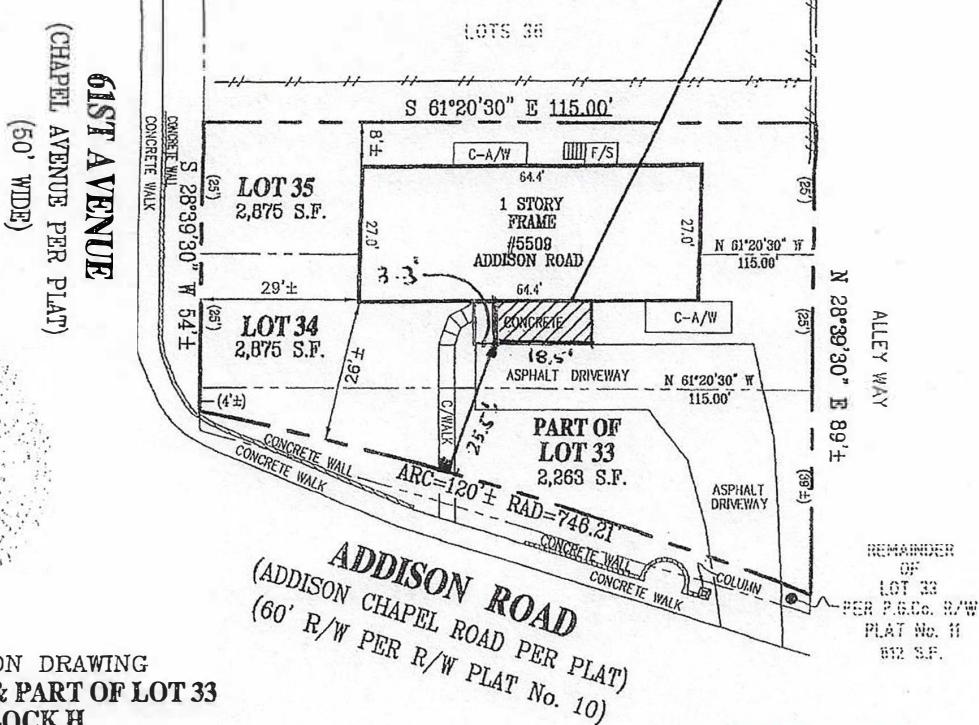
# BOARD OF APPEALS

APPROVED DEC 15 2011

*B. Stone*  
ADMINISTRATOR

LOCATION DRAWING  
LOTS 34, 35, & PART OF LOT 33  
BLOCK H  
FAIRMOUNT HEIGHTS  
PRINCE GEORGE'S COUNTY, MARYLAND

SURVEYOR'S CERTIFICATE		REFERENCES	SNIDER & ASSOCIATES LAND SURVEYORS 19544 Amaranth Drive Germantown, Maryland 20874 301/948-5100 Fax 301/948-1266 WWW.SNIDERSURVEYS.COM	
<p>"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 OR APPARENT OCCUPATION."</p> <p><i>Keeler</i></p> <p>MARYLAND PROPERTY LINE SURVEYOR REG. NO. 592 Expires: 04-07-2021</p>		<p>PLAT BK. A PLAT NO. 85</p> <p>LIBER 35317 FOLIO 374</p>	<p>DATE OF LOCATIONS WALL CHECK: HSE. LOC.: 07-17-2020</p>	<p>SCALE: 1" = 30' DRAWN BY: K.D.S. JOB NO.: 20-02707</p>



# BOARD OF APPEALS

## NEW SCREENED PORCH

SFD 1 STORY + BSMT.  
ON CORNER LOT

### AREAS

HOUSE FOOTPRINT: 1,738.8 SF  
SCREENED PORCH: 255.6 SF

### INDEX

1. COVER PAGE & EXST. FLOOR PLAN
2. PROPOSED FL. PLAN & ROOF FRAMING
3. ELEVATIONS-1
2. ELEVATIONS-2
3. SECTION

### IRC 2015 DESIGN CRITERIA

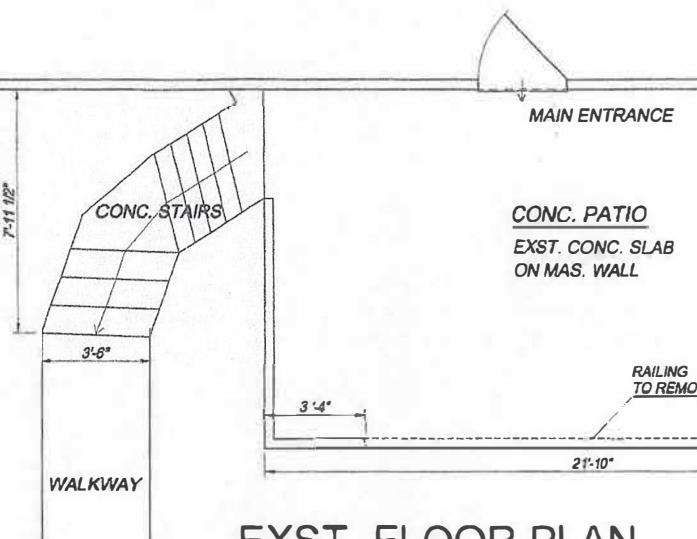
Floor Live Load	40 psf
Roof Live Load	30 psf
Dead Loads	10 psf
Ground Snow Load	30 psf
Wind Speed Exposure	110 mph
Seismic Design	Category B
Weathering	Severe
Frost Line Depth	30"
Termites Area	Moderate to Heavy
Decay Area	Slight to Moderate
Winter Design Temperature	13 F
Ice Shield Underlayment	Yes, Required
Flood Hazard	July 2, 1979
Air Freezing Index	300
Mean Annual Temperature	55 F
Framing Lumber	SPF #2
E (Modulus of Elasticity)	1.3 MPSI
F <sub>b</sub> (Bending)	850 PSI
F <sub>c</sub> Shear (Parallel to Grain)	150 PSI
F <sub>c</sub> Compression (Parallel to Grain)	405 PSI

### SCOPE OF WORK

-NEW SCREENED PORCH ON EXST. ELEVATED  
FRONT CONCRETE PATIO ON CONT. CMU WALL  
-WD. SCREENED PORCH w/ SHED ROOF

### EXST. HOUSE

1 STORY Wd. FRAME  
& BASEMENT HOUSE



### EXST. FLOOR PLAN

1/4" = 1'-0"

(a)

EXH. # 3(a-i)  
V-122-21

1 of 5	NEW SCREENED PORCH Annie Wilder 5509 Addison Rd. Falmouth Heights, Maryland 20743 Designer: Hernan R. Camasco Cell 703-688-7290
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PROFESSIONAL CERTIFICATION  
I, ANNIE WILDER, DO, CERTIFY THAT THESE DOCUMENTS WERE  
PREPARED IN ACCORDANCE WITH THE STANDARDS OF PROFESSIONAL ENGINEERING LICENSED  
BY THE STATE OF MARYLAND. I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF MARYLAND.  
EXPIRATION DATE: 5-7-22  
Signature: [Signature]

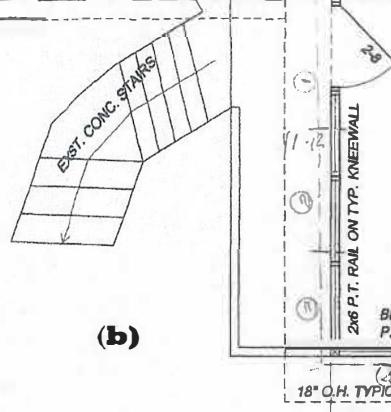
# BOARD OF APPEALS

APPROVED DEC 15 2021

*B. Stover*  
ADMINISTRATOR

EXST. HOUSE  
NO STRUCTURAL CHANGES

EXST. O.H. PARTIALLY REMOVED



NEW SCREENED PORCH  
ON EXST. CONC. SLAB

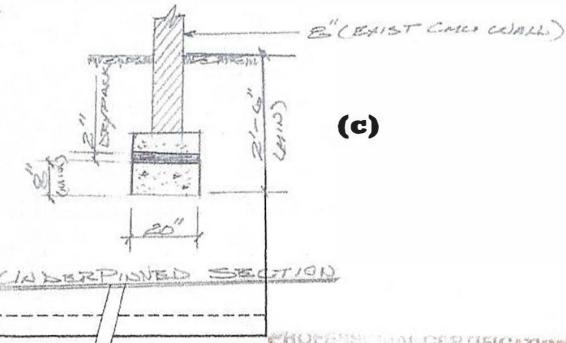
ALL UNDERPINNING SECTIONS SHALL PROCEED IN THE FOLLOWING SEQUENCE:

1. LABEL ALL SECTIONS AS SHOWN ON THE DRAWINGS
2. COMPLETE ALL SECTIONS MARKED "1"
3. PROCEED IN NUMERICAL ORDER TO THE COMPLETION OF SECTION MADEK "4"

DRYPACKING OF SECTIONS SHALL NOT PROCEED WITHIN 48 HOURS OF CONCRETE POUR

## PROPOSED FLOOR PLAN

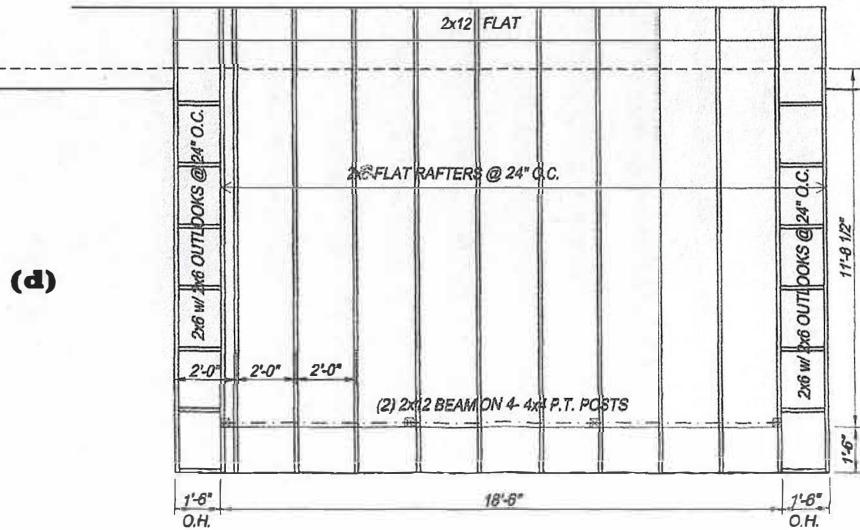
1/4" = 1'-0"



UNDERPINNED SECTION

PROFESSIONAL CERTIFICATION  
HEREBY CERTIFY THAT THESE DOCUMENTS WERE  
PREPARED ON 5-18-22, AND THAT I AM  
A FULLY LICENSED PROFESSIONAL ENGINEERING UND  
HE LAWS OF THE STATE OF MARYLAND LICEN  
G. BSAI EXPIRATION DATE 5-18-22

EXST. HOUSE  
EXST. OVERHANG



## ROOF FRAMING

1/4" = 1'-0"



2 of 5	NEW SCREENED PORCH Annie Wilder 5509 Addison Rd. Fairmount Heights, Maryland 20743 July 2020 Designer: Hernan R. Carrasco Cell: 703-868-7290
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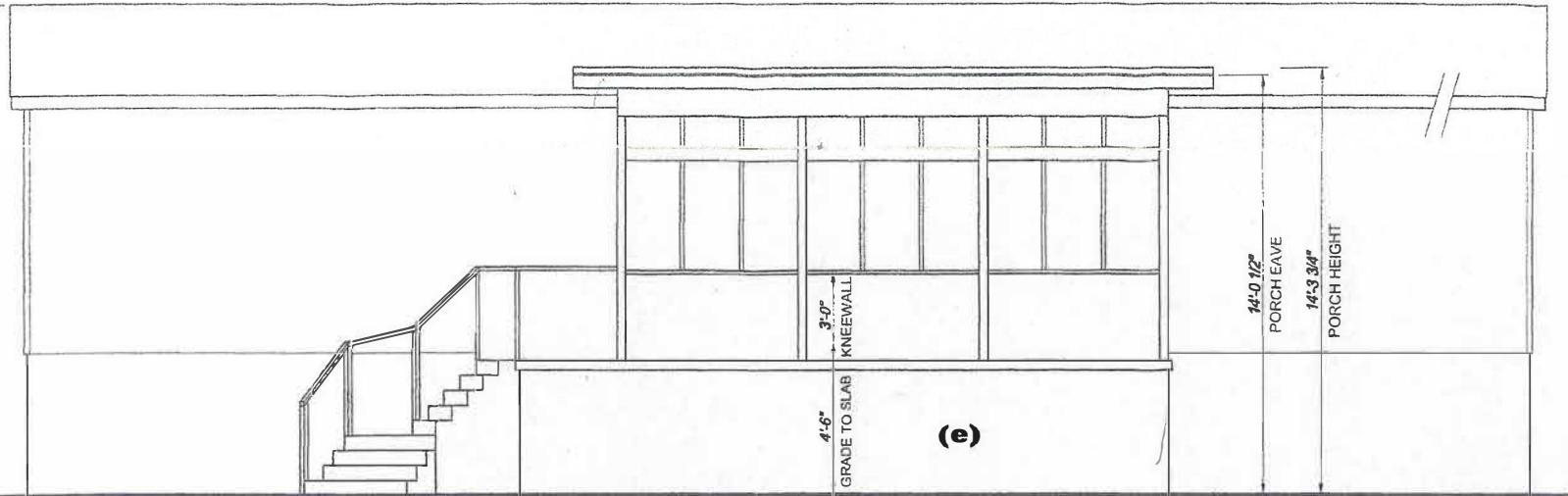
BOARD OF APPEALS

APPROVED DEC 15 2021

  
Administrator

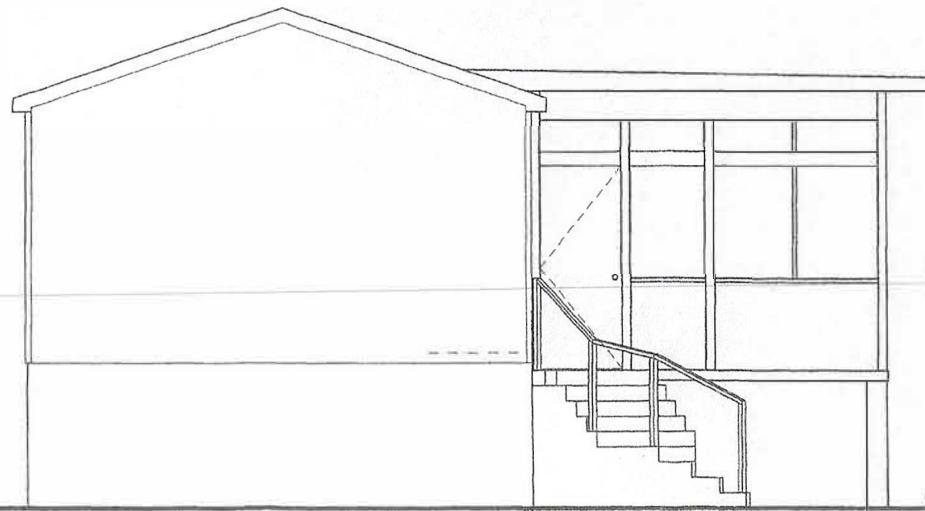
16'-5 1/4"

EXST. OVERALL DIMENTION



NORTH (FRONT) ELEVATION

1/4" = 1'-0"



EAST ELEVATION

1/4" = 1'-0"

PROFESSIONAL CERTIFICATION  
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE  
PREPARED OR APPROVED BY ME, AND THAT I AM  
A FULLY LICENSED PROFESSIONAL ENGINEERING UNL  
THE LAWS OF THE STATE OF MARYLAND LICEN  
NO. 26541 EXPIRATION DATE 5-18-22

3 of 5	NEW SCREENED PORCH Annie Wilder 5509 Addison Rd. Fairmount Heights, Maryland 20743 Designer: Herman R. Carrasco Cell: 703-868-7290
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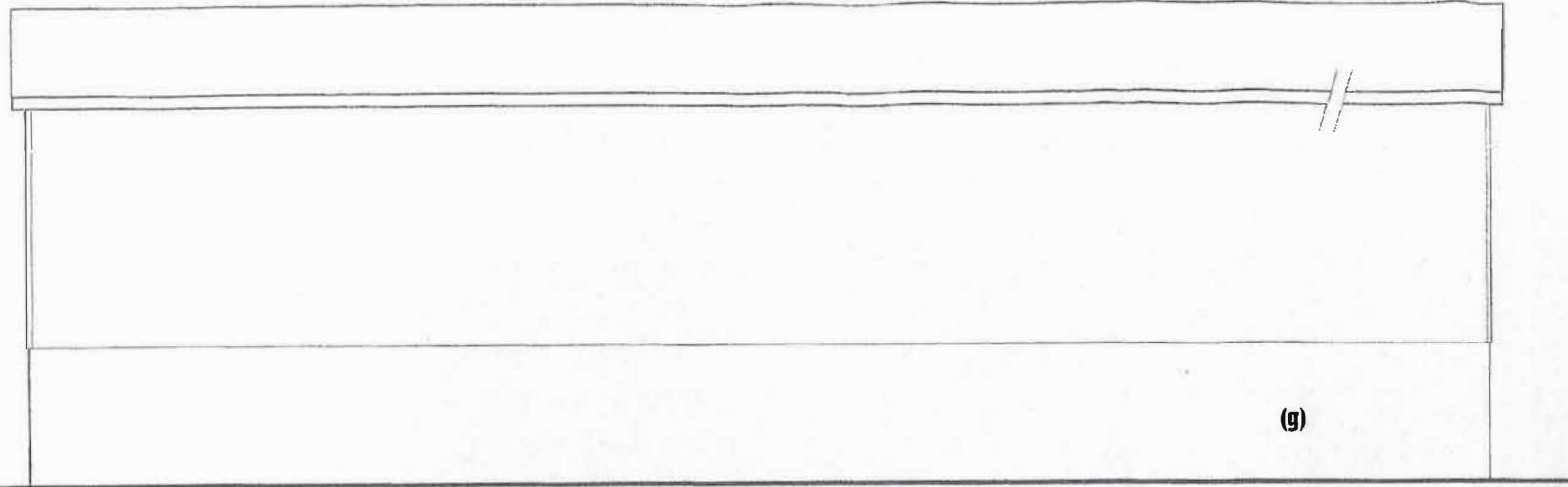


BOARD OF APPEALS

APPROVED DEC 15 2021

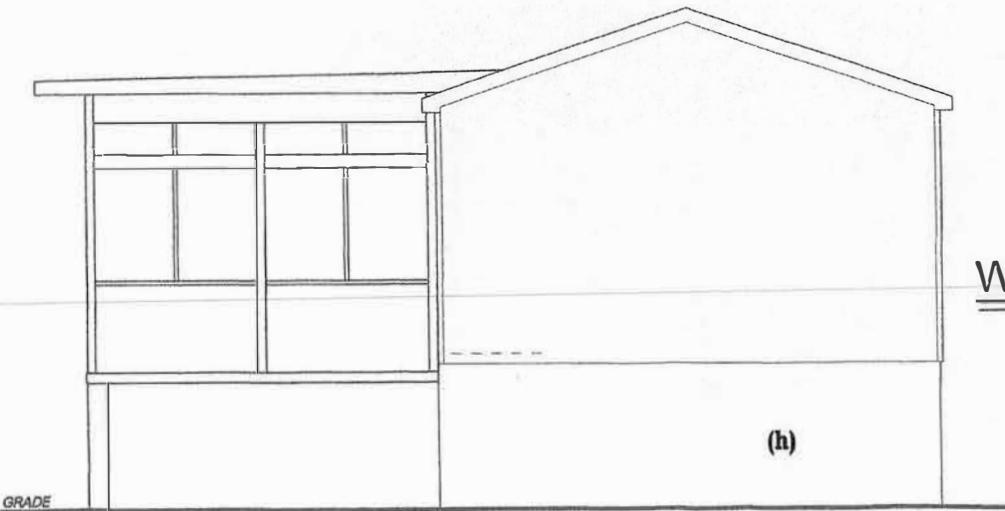
  
Administrator

GRADE



SOUTH ELEVATION

1/4"= 1'-0"



WEST ELEVATION

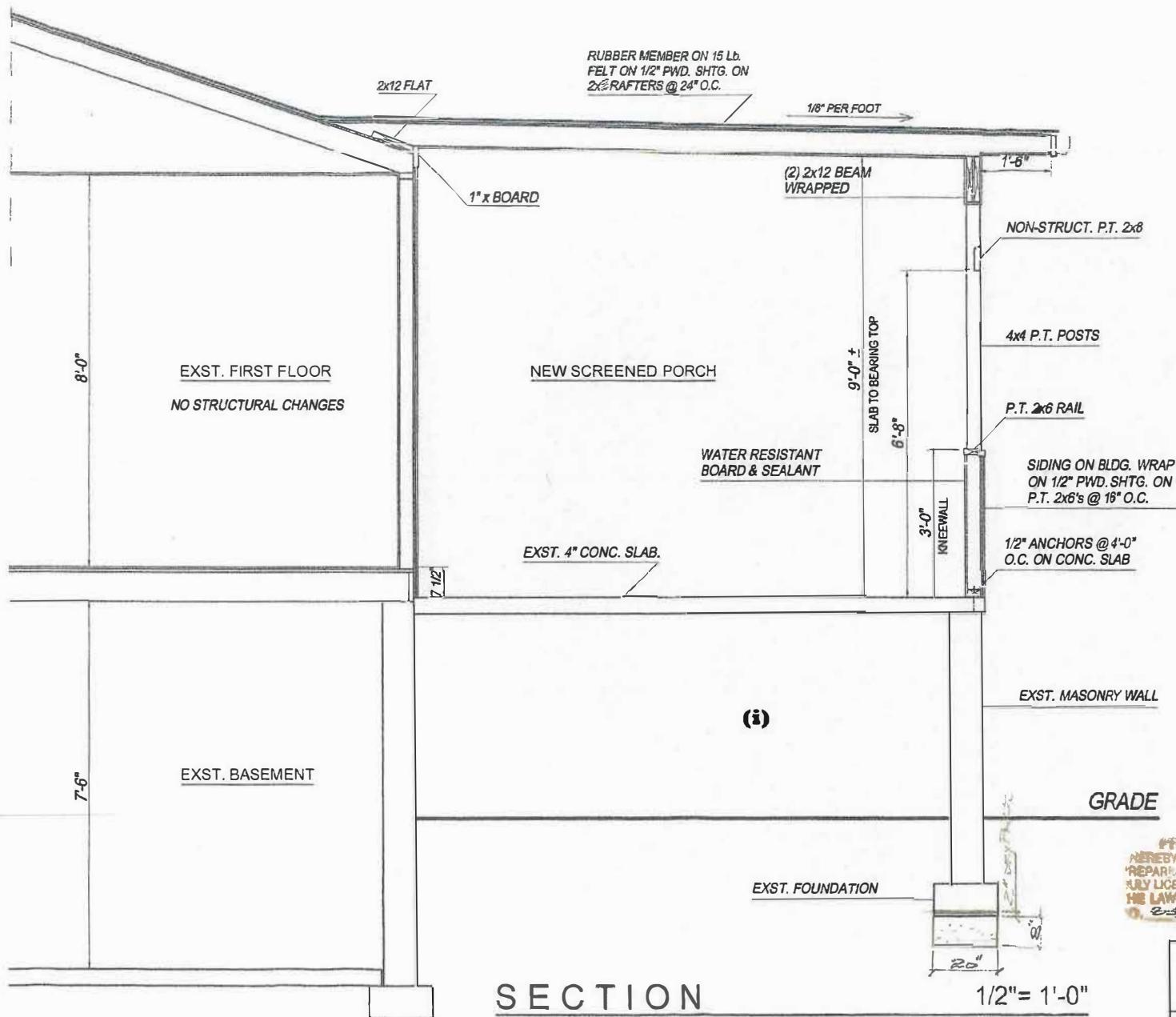
1/4"= 1'-0"

PROFESSIONAL CERTIFICATION  
HEREBY CERTIFY THAT THESE DOCUMENTS WERE  
PREPARED OR APPROVED BY ME, AND THAT I AM  
A LICENSED PROFESSIONAL ENGINEER UNDERTAKING  
THE LAWS OF THE STATE OF MARYLAND LICENSED  
#B5741 EXPIRATION DATE 5-14-22

4  
of 5

July 2020

NEW SCREENED PORCH  
Annie Wilder  
5509 Addison Rd.  
Fairmount Heights, Maryland  
Designer: Herman R. Carrasco  
Cell 703-888-7290



## BOARD OF APPEALS

APPROVED DEC 15 2021

*B. Wilder*  
ADMINISTRATOR



PROFESSIONAL CERTIFICATION  
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR REVISED BY ME, AND THAT I AM FULLY LICENSED IN PROFESSIONAL ENGINEERING UNDER THE LAWS OF THE STATE OF MARYLAND AND EXPIRATION DATE 05-12-2022.

5 of 5	NEW SCREENED PORCH Annie Wilder 5509 Addison Rd. Falmouth Heights, Maryland 20743 Designer: Herman R. Carrasco Cell: 703-868-7290
July 2020	