



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.


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

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 (61st 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 Fairmont 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

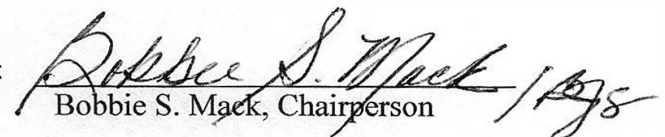
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variances comply with the applicable standards set forth in Section 27-230, more specifically:

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 2021

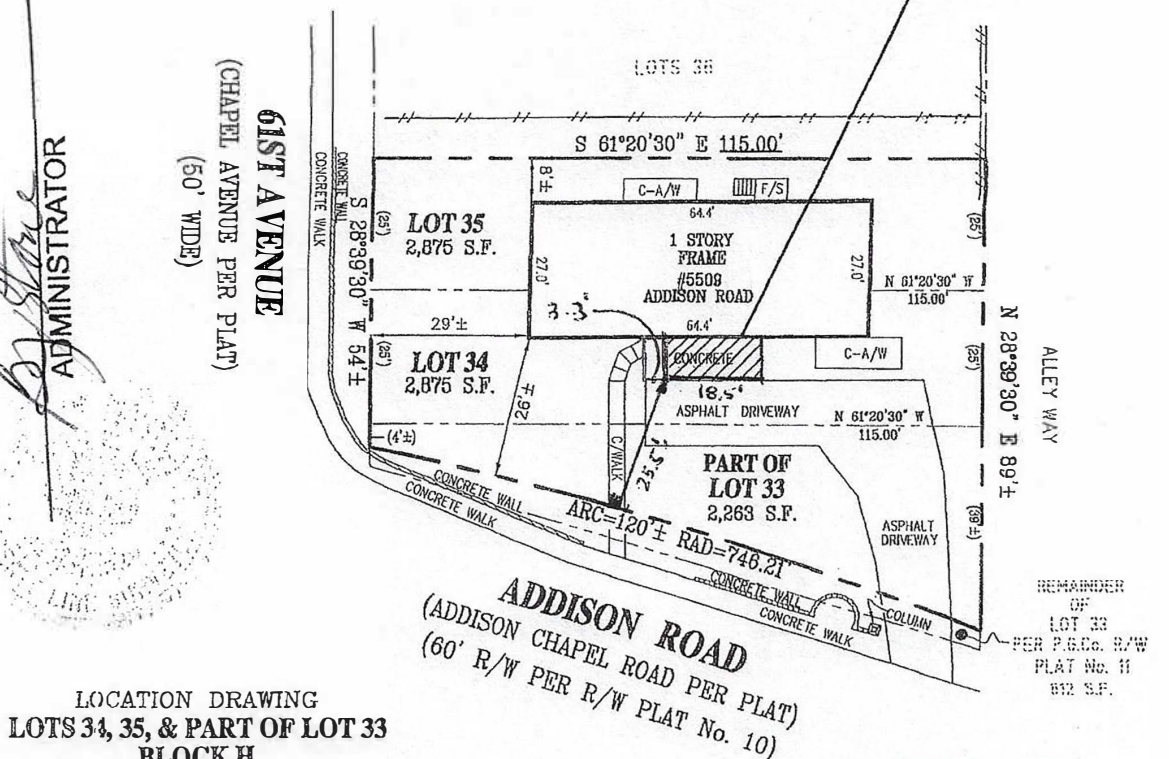
ADMINISTRATOR

Notes:

1. 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 8 feet.
2. Fences, if shown, have been located by approximate methods.
3. No Property Corners Confirmed
4. Total Area: 6,013 S.F. Per Tax Records.

CONSUMER INFORMATION NOTES:

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 originator.
5. No Title Report furnished.



LOCATION DRAWING
LOTS 34, 35, & PART OF LOT 33
BLOCK H

FAIRMOUNT HEIGHTS

PRINCE GEORGE'S COUNTY, MARYLAND

EXH. # 2
Y-122-21

| SURVEYOR'S CERTIFICATE | REFERENCES | <div data-bbox="893 1627 1015 1732"> </div> <div data-bbox="1120 1627 1412 1732"> SNIDER & ASSOCIATES LAND SURVEYORS 19544 Amaranth Drive Germantown, Maryland 20874 301/948-5100 Fax 301/948-1288 WWW.SNIDERSURVEYS.COM </div> | |
|--|---------------------------|---|-------------------|
| "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 OF APPARENT OCCUPATION." | PLAT BK. A PLAT NO. 85 | DATE OF LOCATIONS | SCALE: 1" = 30' |
| | LIBER 35317 FOLIO 374 | WALL CHECK: | DRAWN BY: K.D.S. |
| MARYLAND PROPERTY LINE SURVEYOR REG. NO. 592 Expires: 04-07-2021 | | HSE. LOC.: 07-17-2020 | JOB NO.: 20-02707 |

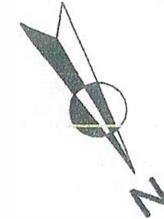
BOARD OF APPEALS

NEW SCREENED PORCH

SFD 1 STORY + BSMT.
ON CORNER LOT

APPROVED DEC 15 2021

[Signature]
ADMINISTRATOR



AREAS

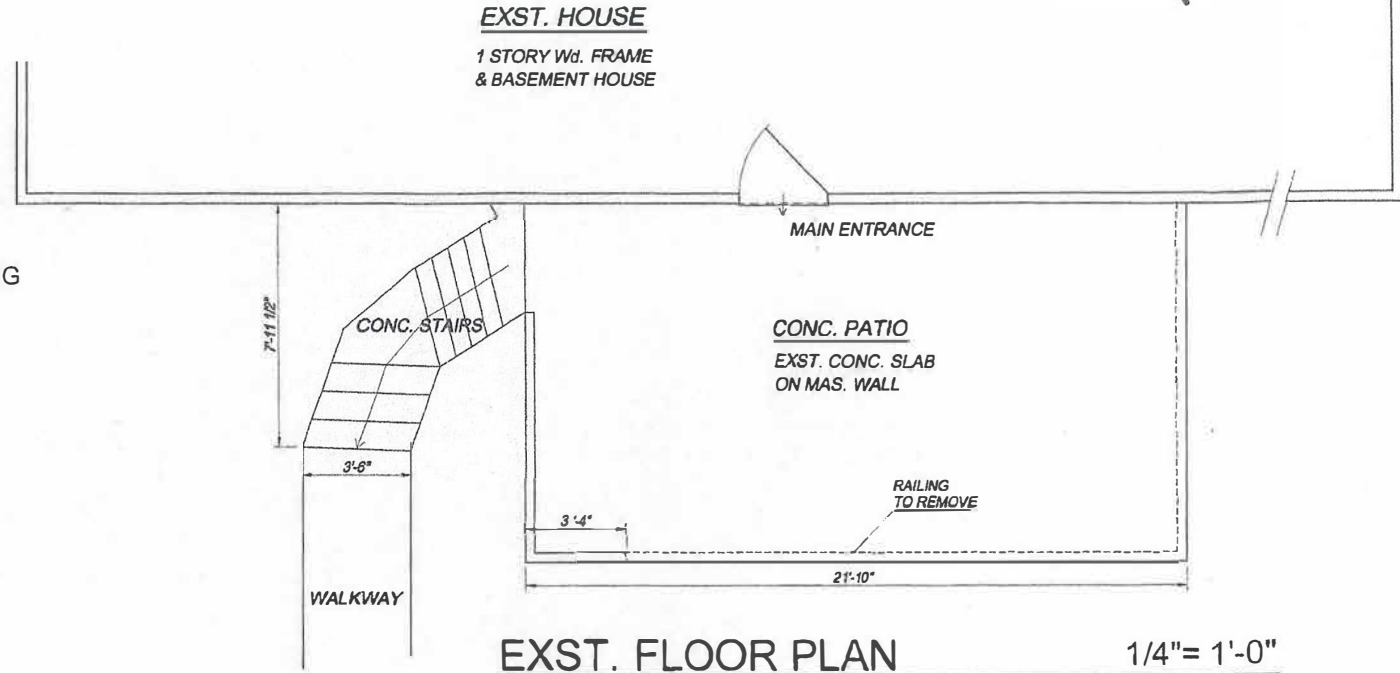
HOUSE FOOTPRINT: 1,738.8 SF
SCREENED PORCH: 255.6 SF

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 spf |
| Roof Live Load | 30 spf |
| Dead Loads | 10 spf |
| Ground Snow Load | 30 spf |
| 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 |
| Fb (Bending) | 850 PSI |
| Fv Shear (Parallel to Grain) | 150 PSI |
| Fc Compression (Parallel to Grain) | 405 PSI |



EXST. FLOOR PLAN

1/4" = 1'-0"


(a)

SCOPE OF WORK

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

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

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEERING LICENSEE UNDER THE LAWS OF THE STATE OF MARYLAND LICENSE NO. 2541 EXPIRATION DATE 5-18-22


1 of 5
July 2020

NEW SCREENED PORCH
Annie Wilder
5509 Addison Rd.
Fairmount Heights, Maryland 20743
Designer: Herman R. Carrasco
Cell 703-888-7280

BOARD OF APPEALS

APPROVED DEC 15 2021

[Signature]
ADMINISTRATOR

EXST. HOUSE
NO STRUCTURAL CHANGES

UNDERPINNING NOTES

ALL UNDERPINNING SECTIONS SHALL PROCEED IN THE FOLLOWING SEQUENCE:

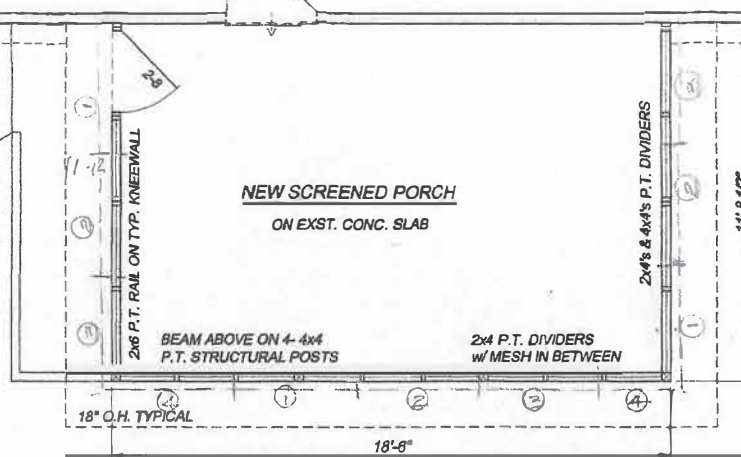
1. LABEL ALL SECTIONS AS SHOWN ON THE DRAWINGS
2. COMPLETE ALL SECTIONS MARKED "1"
3. PROCEED IN NUMERICAL ORDER TO THE COMPLETION OF SECTION MARKED "4"

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

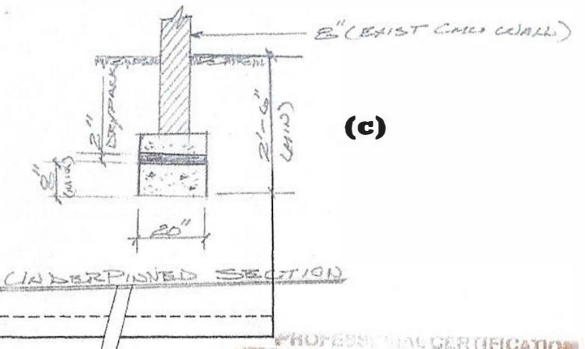
PROPOSED FLOOR PLAN

1/4" = 1'-0"

(b)

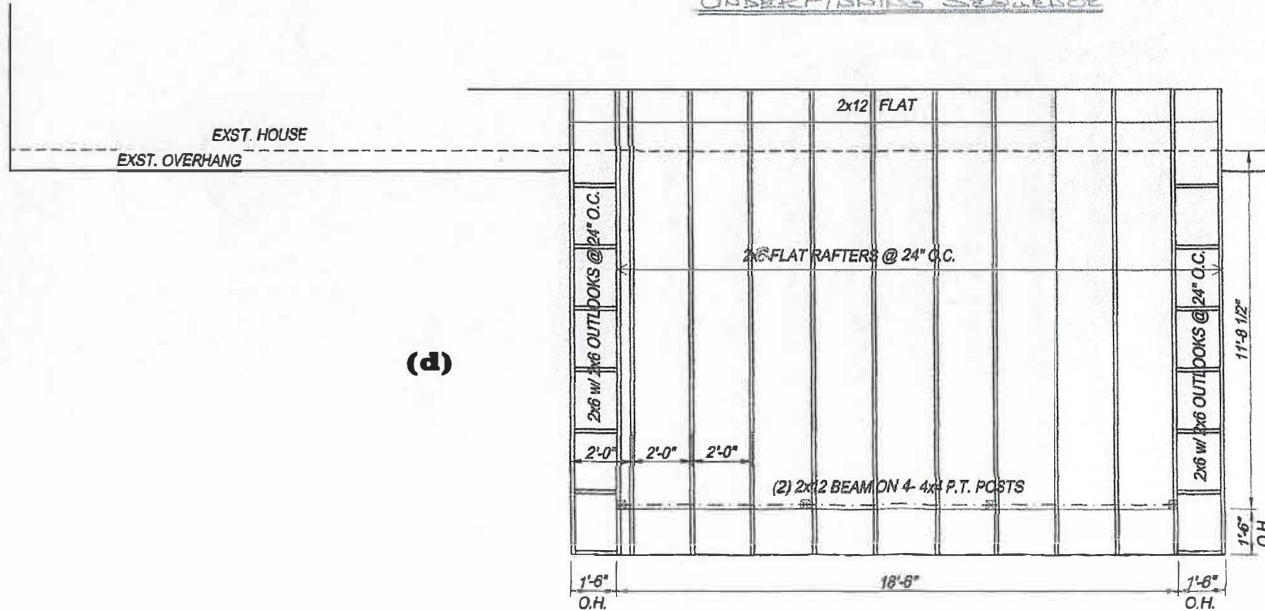


UNDERPINNING SEQUENCE



(c)

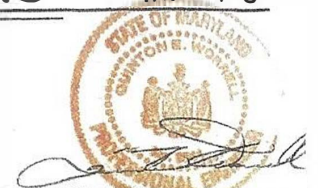
(d)



ROOF FRAMING

1/4" = 1'-0"

PROFESSIONAL CERTIFICATION
HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR REVIEWED BY ME, AND THAT I AM
A FULLY LICENSED PROFESSIONAL ENGINEERING UNDER
THE LAWS OF THE STATE OF MARYLAND LICENSE
NO. E-5411 EXPIRATION DATE 5-18-22

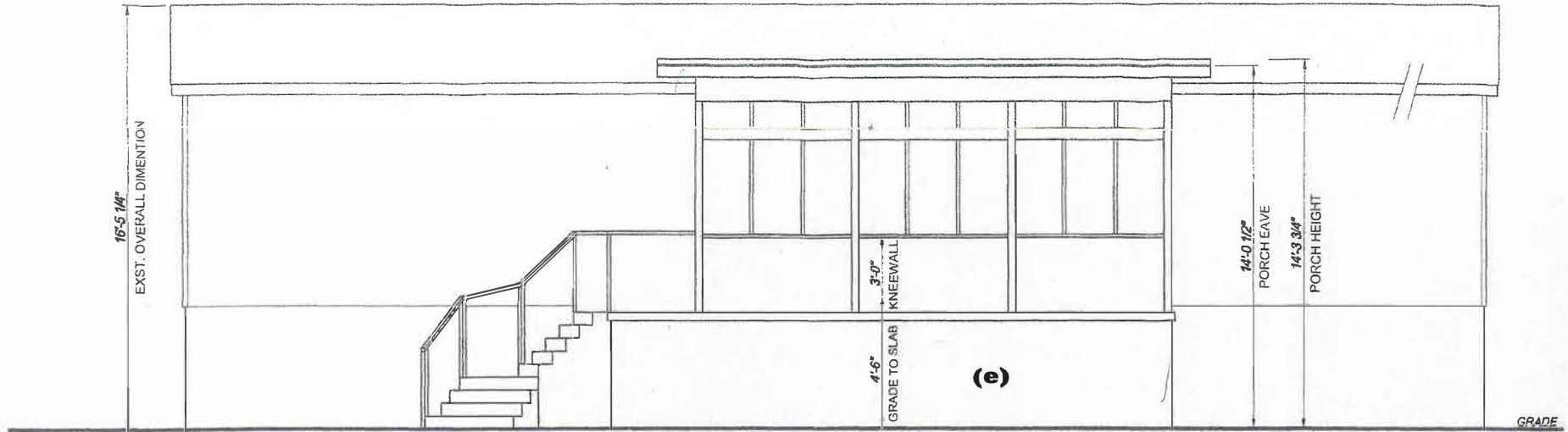


| | |
|-----------|--|
| 2 of 5 | NEW SCREENED PORCH Annie Wilder 5509 Addison Rd. Fairmount Heights, Maryland 20743 Designer: Herman R. Carrasco Cell 703-888-7290 |
| July 2020 | |

BOARD OF APPEALS

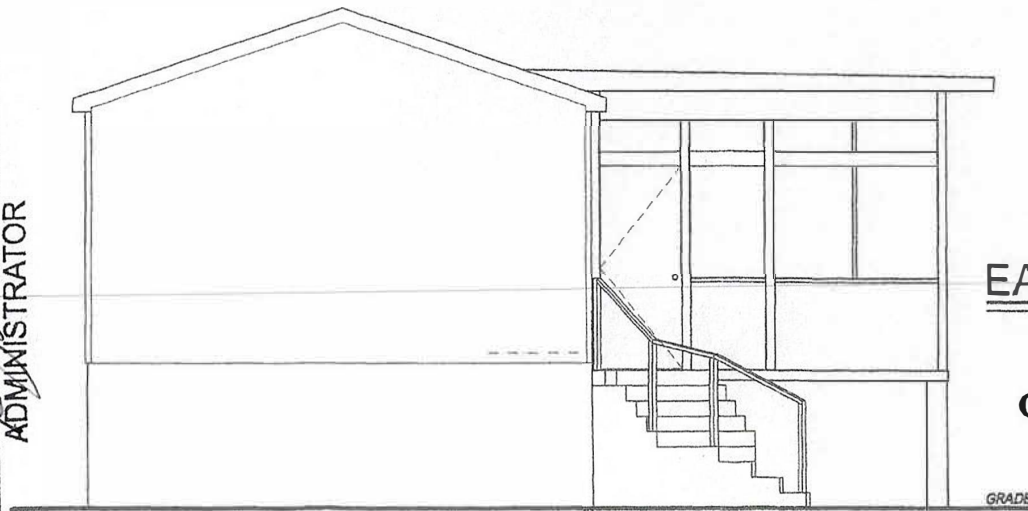
APPROVED DEC 15 2021

[Signature]
ADMINISTRATOR



NORTH (FRONT) ELEVATION

1/4" = 1'-0"



EAST ELEVATION

1/4" = 1'-0"



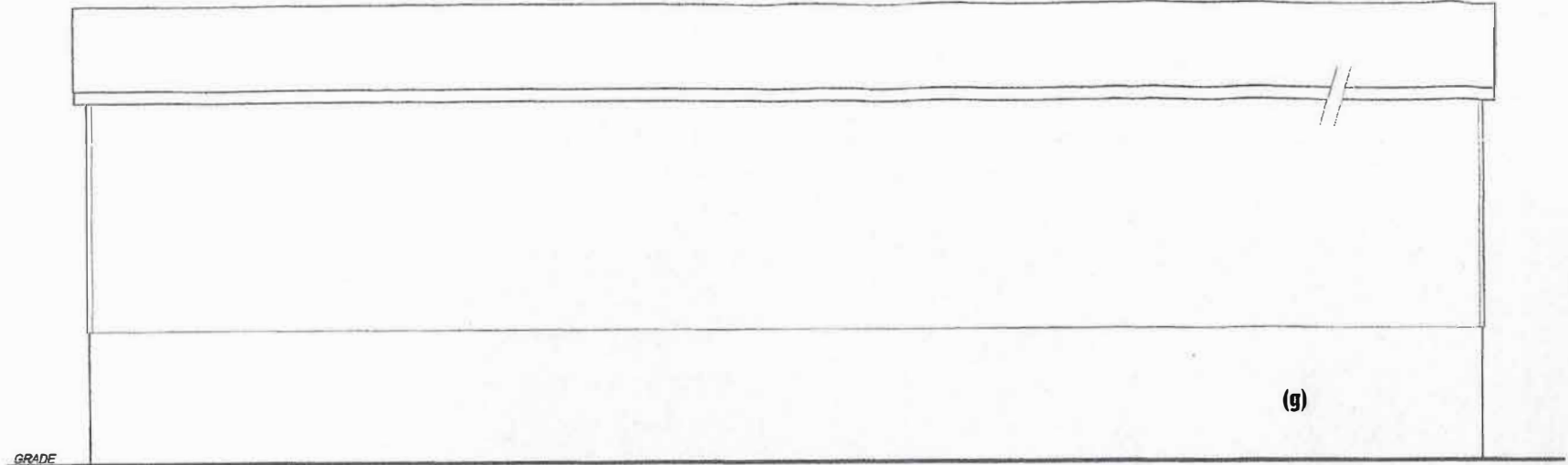
PROFESSIONAL CERTIFICATION
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FULLY LICENSED PROFESSIONAL ENGINEERING UNDER
THE LAWS OF THE STATE OF MARYLAND LICENSE
NO. 25541 EXPIRATION DATE 5-18-22

| | |
|-----------|--|
| 3 of 5 | NEW SCREENED PORCH Annie Wilder 5509 Addison Rd. Fairmount Heights, Maryland 20745 Designer: Herman R. Carrasco Cell 703-888-7290 |
| July 2020 | |

BOARD OF APPEALS

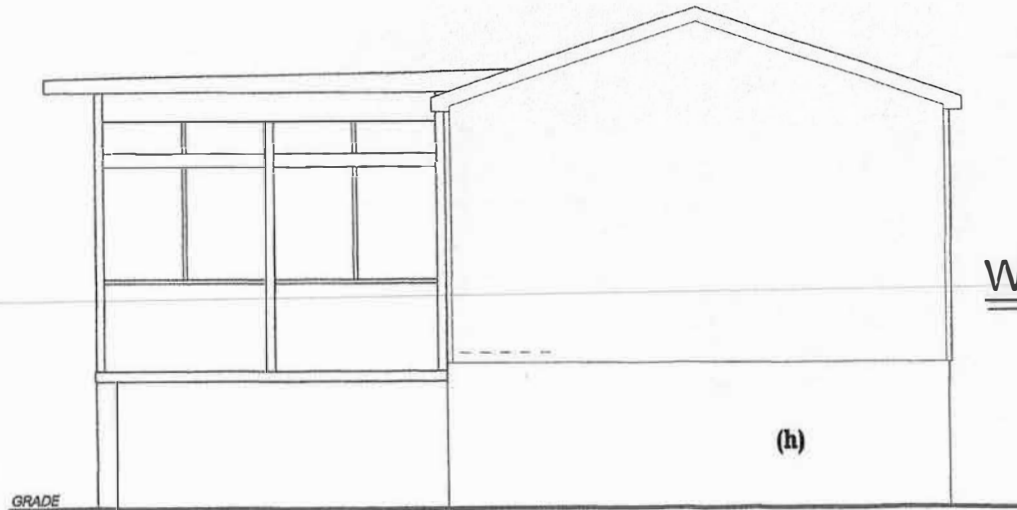
APPROVED DEC 15 2021

[Signature]
ADMINISTRATOR



SOUTH ELEVATION

1/4" = 1'-0"



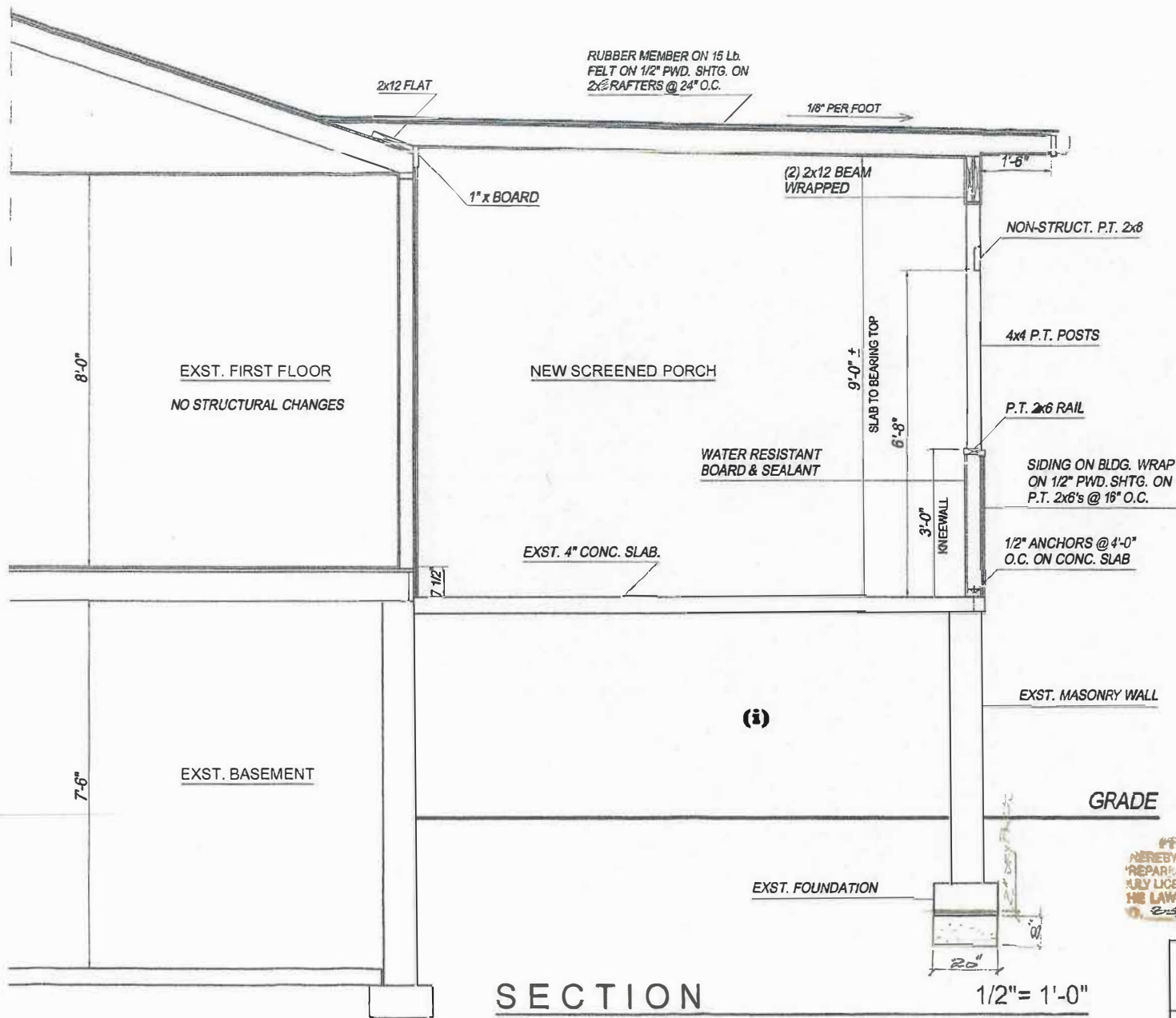
WEST ELEVATION

1/4" = 1'-0"



PROFESSIONAL CERTIFICATION
HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM A
FULLY LICENSED PROFESSIONAL ENGINEERING UNDER
THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 25411 EXPIRATION DATE 07-15-2022

| | |
|-----------|---|
| 4 of 5 | NEW SCREENED PORCH |
| | Annie Wilder 5509 Addison Rd. Fairmount Heights, Maryland |
| July 2020 | Designer: Herman R. Carrasco Cell 703-888-7280 |



BOARD OF APPEALS

APPROVED DEC 15 2021

ADMINISTRATOR



PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR REVIEWED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEERING UNDER THE LAWS OF THE STATE OF MARYLAND LICENSE NO. 2-5111 EXPIRATION DATE 5-1-22

| | |
|-----------|---|
| 5 of 5 | NEW SCREENED PORCH Annie Wilder 5508 Addison Rd. Fairmount Heights, Maryland 20743 |
| July 2020 | Designer: Herman R. Carrasco Cell 703-668-7290 |