

# 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-61-24 Lori E. and Reginald C. Dixon

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: October 23, 2024.

### **CERTIFICATE OF SERVICE**

This is to certify that on February 4, 2025, the above notice and attached Order of the Board were mailed, postage prepaid, to all persons of record.

*Ellis Watson*

Ellis Watson  
Administrator

cc: Petitioner  
Adjoining Property Owners  
M-NCPPC, Permit Review Section  
DPIE/Building Code Official, Permitting  
David Asofsky, Delta Engineers, Architects & Surveyors

**BEFORE THE BOARD OF APPEALS FOR PRINCE GEORGE'S COUNTY, MARYLAND**  
*Sitting as the Board of Zoning Appeals*

Petitioners: Lori E. and Reginald C. Dixon

Appeal No.: V-61-24

Subject Property: Lot 221, Block A, Springdale Subdivision, being 3601 Cara Drive, Upper Marlboro, Prince George's County, Maryland

Decided: October 23, 2024

Witnesses: Charles Johnson, Neighbor  
David Asofsky, Architect  
Justin Hunter, Architect

Board Members Present and Voting: Omar Boulware, Chair  
Phillippa Johnston, Vice Chair  
Dwayne A. Stanton, 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 27-3303 of the Zoning Ordinance, Petitioners request that the Board approve a variance from Section 27-4202(d)(1) that prescribes that each lot shall have a frontage (width) at front street line a minimum of 60 feet, and no more than 30% of the net lot area shall be covered by buildings and off-street parking. Section 27-4202(d)(6) prescribes that on a corner lot the side yard depth alongside street shall have a minimum of 25 feet. Variances of 964 square feet net lot area, 15.75 feet lot frontage width at the front street line, 8.7% net lot coverage, 3.9 feet side yard width, and 4 feet side yard depth alongside street are requested.

**Evidence Presented**

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

1. The property was subdivided in 1986, contains 8,536 square feet, is zoned RSF-95 (Residential, Single-Family-95), and is improved with a single-family dwelling. Exhs. 3, 5, 7, and 12.
2. The Petitioner proposes to obtain a building permit for a proposed one-story addition (20' x 27') and screened porch (10' x 12'). Variances of 964 square feet net lot area, 15.75 feet lot frontage width at the front street line, 8.7% net lot coverage, 3.9 feet side yard width, and 4 feet side yard depth alongside street are requested. Exhs. 3, 4 (A) & (B), 6 (A) thru (G), and 12.
3. The Petitioner, Mr. Dixon, articulated to the Board how the proposed construction satisfied the six (6) criteria for granting a variance. Mr. Dixon highlighted the fact that his property was on a corner lot and the north and west side of his house are not parallel to Cara Drive like his neighbors' properties. In turn, the narrowness of his lot would not allow the legal front of his house to face his actual street address, Cara Drive. Exhs. 2, 3, and 6.
4. Mr. Dixon testified that the property is unique because three (3) of the four corners of his house are over the setback line or located at odd angles, which limits the ability to build within the zoning code provisions.

5. Mr. Dixon further testified that he hosted a meeting for his neighbors to discuss the proposed plans for the addition, and none of the neighbors had concerns or objections to the plans.

6. Vice Chair Johnston asked the Petitioner(s) if the Homeowner's Association (HOA) provided an approval letter. Mr. Dixon testified that the HOA was yielding to the County's process.

7. Chair Boulware stated that he found the property unique as compared to the surrounding neighbors and the other aspects of granting a variance have been met.

8. Vice Chair Johnston determined there was no issues with moving forward with a decision without an HOA approval letter<sup>1</sup>. Exh. 17.

9. Vice Chair Johnston made the Motion to Approve V-61-24 and Seconded by Board Member Stanton. Motion carried by a 3-0 vote.

#### Applicable Code Section and Authority

The Board is authorized to grant the requested variances if it finds that the following provisions of Section 27-3613(d) of the Prince George's County Zoning Ordinance are satisfied:

##### **(d) General Variance Decision Standards**

A variance may only be granted when the review board or official, as appropriate, finds that:

- (1) A specific parcel of land is physically unique and unusual in a manner different from the nature of surrounding properties with respect to exceptional narrowness, shallowness, shape, exceptional topographic conditions, or other extraordinary conditions peculiar to the specific parcel (such as historical significance or environmentally sensitive features);
- (2) The particular uniqueness and peculiarity of the specific property causes a zoning provision to impact disproportionately upon that property, such that strict application of the provision will result in peculiar and unusual practical difficulties to the owner of the property;
- (3) Such variance is the minimum reasonably necessary to overcome the exceptional physical conditions;
- (4) Such variance can be granted without substantial impairment to the intent, purpose and integrity of the General Plan or any Functional Master Plan, Area Master Plan, or Sector Plan affecting the subject property;
- (5) Such variance will not substantially impair the use and enjoyment of adjacent properties; and
- (6) A variance may not be granted if the practical difficulty is self-inflicted by the owner of the property.

#### 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 27-3613(d), more specifically:

The Board determined that the Petitioners' property was physically unique and unusual in a manner different from the nature of surrounding properties due to the fact that the property is narrow in size. Further, the Board determined that this particular uniqueness and peculiarity of the Petitioners' property would cause a zoning provision to impact disproportionately upon the property because the original construction of the house was modified to accommodate for setback issues due to the narrowness of the lot. Additionally, the Board reviewed the available materials and determined the variance is the minimum

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<sup>1</sup> To note, the Petitioners provided an HOA approval letter on November 11, 2024.

reasonably necessary to overcome the exceptional physical conditions found on the Petitioners' property. Moreover, there was no evidence that granting this variance would substantially impair the intent, purpose, and integrity of the General Plan, or any Functional Master Plan, or Sector Plan affecting the Petitioners' property. Lastly, the Board determined through the Petitioner's testimony that this variance would not substantially impair the use and enjoyment of adjacent properties, and the practical difficulty was not self-inflicted by the owner of the property.

BE IT THEREFORE RESOLVED, by a 3-0 vote, that variances of 964 square feet net lot area, 15.75 feet lot frontage width at the front street line, 8.7% net lot coverage, 3.9 feet side yard width, and 4 feet side yard depth alongside street on the property located at 3601 Cara Drive, Upper Marlboro, Prince George's County, Maryland, be and is hereby APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 3, and elevation plans, Exhibit 4 (A) & (B).

BOARD OF ZONING APPEALS

By:   
\_\_\_\_\_  
Omar Boulware, Chair

APPROVED FOR LEGAL SUFFICIENCY

By:   
\_\_\_\_\_  
Keisha A. Garner, Esq.

**NOTICE**

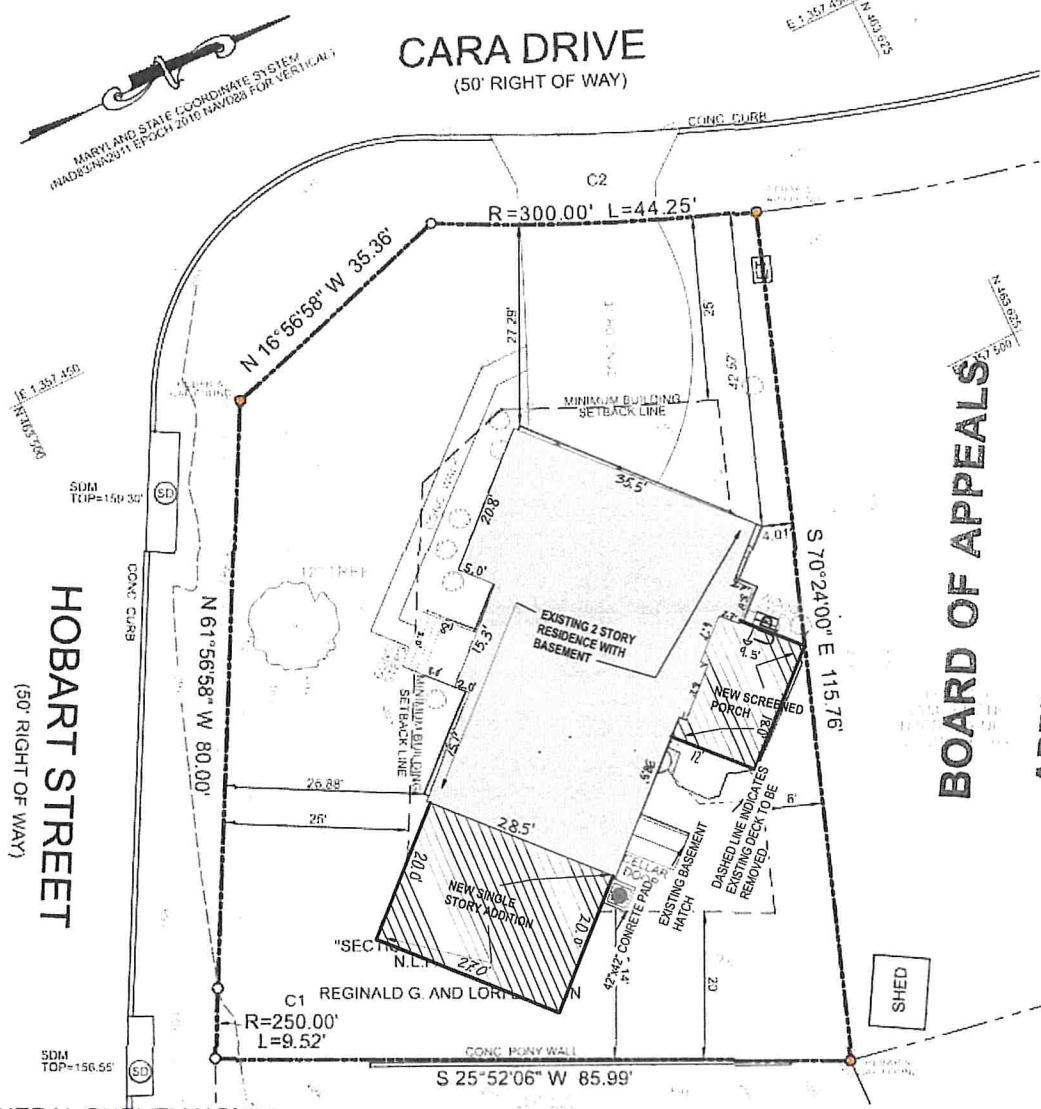
Within thirty (30) days from the date of this decision, any person, firm, corporation, or governmental agency who was a party to the Board's proceedings and is aggrieved by its decision may file an appeal to the Circuit Court of Prince George's County.

Further, Section 27-3613(c)(10)(B) 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.

## CURVE DATA

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	250.00'	9.52'	9.52'	N 63°02'25" W	2°10'54"
C2	300.00'	144.25'	144.21'	N 23°49'30" E	8°27'04"



## GENERAL SURVEY NOTES:

1. SITE DATA  
 OWNERSHIP: REGINALD G. AND LORI E. DIXON  
 ADDRESS: 2601 CARA DR. UPPER MARLBORO, MD 20774  
 ZONING: DR 5 5

2. THE LOCATION OF IMPROVEMENTS SHOWN HEREON ARE DERIVED FROM FIELD RUN SURVEY PERFORMED BY PRECISION SURVEY AND MAPPING, LLC IN FEBRUARY, 2023.

3. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT

4. THIS PROPERTY LIES PRIMARILY IN A ZONE X ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON FLOOD INSURANCE RATE MAP NO. 24033C0155E, WITH A DATE OF SEPTEMBER 16, 2016 FOR COMMUNITY NO. 245208, IN PRINCE GEORGE'S COUNTY, STATE OF MARYLAND, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED.

5. SETBACKS SHOWN HEREON ARE BASED ON AN INTERPRETATION OF THE PRINCE GEORGE'S COUNTY, MARYLAND ZONING REGULATIONS FOR RSF-95.



3  
V-61-24

SURVEYOR'S CERTIFICATION  
 I HEREBY CERTIFY THAT THE INFORMATION SHOWN ON THE SURVEY IS CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF AND THAT IT REPRESENTS A FIELD SURVEY FOR THE PROPERTY SHOWN HEREON PERFORMED UNDER MY DIRECT SUPERVISION

C. Ruzicka  
 MD LICENSED PROFESSIONAL LAND SURVEYOR NO. 21168  
 EXPIRES JUNE 26, 2023

2-10-23

**PRECISION**  
 SURVEY AND MAPPING LLC  
 Using Modern Technology to Map America  
 836 Loblolly Drive SW  
 Shallotte, North Carolina 28470  
[www.precisionsurveys.us](http://www.precisionsurveys.us)  
 Phone: 410-459-2124  
[info@precisionsurveys.us](mailto:info@precisionsurveys.us)

DATE	2-10-23
SCALE	1"=20'
DESIGNED BY	
DRAWN BY	JRO

**SITE PLOT PLAN**  
**REGINALD G. AND LORI E. DIXON PROPERTY**  
 LOT 221 OF PLAT "SECTION TWO - SPRINGDALE"  
 N.L.P. 127 P 31  
 3601 CARA DRIVE, UPPER MARLBORO,  
 MARYLAND 20774  
 PRINCE GEORGE'S COUNTY, MARYLAND

APPROVED OCT 23 2024  
*Ellis Watson*

ADMINISTRATOR

## BOARD OF APPEALS

APPROVED OCT 23 2024

Ellis Watson

## ADMINISTRATOR

This architectural cross-section diagram illustrates the structure of a house, divided into three main sections: PRIMARY RESIDENCE, ADDITION, and SECOND FLOOR.

**PRIMARY RESIDENCE:** The leftmost section, separated by a vertical dashed line. It features a central entrance with a double door, flanked by sidelights. Above the entrance is a transom window. The interior is shown with various rooms, including a large living room with a fireplace, a dining room, and a kitchen. A staircase leads up to the second floor.

**ADDITION:** The middle section, also separated by a vertical dashed line. It is a single-story extension attached to the primary residence. It contains a large living room with a fireplace, a dining room, and a kitchen. A staircase leads up to the second floor.

**SECOND FLOOR:** The rightmost section, separated by a vertical dashed line. It is a two-story section. The top floor (SECOND FLOOR) contains a large master bedroom with a walk-in closet, a smaller bedroom, and a bathroom. The bottom floor (FIRST FLOOR) contains a large living room with a fireplace, a dining room, and a kitchen. A staircase leads down to the ground floor.

**Exterior Features:**

- Roof:** The roof is shown with a 10/12 pitch.
- Walls:** The primary residence and addition have 2x6" G+I (G+I) walls. The second floor has 2x6" G+I (G+I) walls.
- Windows:** The primary residence has several windows with multiple panes. The addition has windows with multiple panes. The second floor has windows with multiple panes.
- Doors:** The primary residence has a double door with sidelights and a transom window. The addition has a double door with sidelights and a transom window. The second floor has a double door with sidelights and a transom window.
- Roofing:** The roof is covered with shingles.
- Foundation:** The primary residence has a stepped action footing. The addition has a stepped action footing. The second floor has a stepped action footing.
- Exterior Finishes:** The primary residence has a brick pattern face. The addition has a brick pattern face. The second floor has a brick pattern face.
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1 EXTERIOR ELEVATION - SOUTH

2 EXTERIOR ELEVATION - EAST SCREENED IN PORCH

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**1 EXTERIOR ELEVATION - SOUTH**

3 EXTERIOR ELEVATION - NORTH

**4 EXTERIOR ELEVATION - EAST**

Drawing 11a

A-201

EXT # 4(A-B)  
V-61-24

