



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-63-24 Lorenzo Alberto Ramirez

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 March 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

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

Petitioners: Lorenzo Alberto Ramirez

Appeal No.: V-63-24

Subject Property: Lot 14, Block F, Chiappini's Addition to Good Luck Heights, being 9223 Elvis Lane, Lanham, Prince George's County, Maryland

Heard: October 23, 2024 Decided: October 23, 2024

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, Petitioner requests that the Board approve a variance from Section 27-4202(d)(2) that prescribes that each lot shall have a maximum lot coverage of 30% and a minimum rear yard depth of 20 feet. Variances of 9.3% lot coverage and 10 feet rear yard depth are requested.

Evidence Presented

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

1. The property was subdivided in 1965, contains 11,286 square feet, is zoned RSF-95 (Residential, Single-Family-95), and is improved with a single-family dwelling. Exhs. 3, 5, 8, 9 and 12.

2. The Petitioner proposes to obtain a building permit to construct a proposed second-story addition, proposed porch roof, proposed exterior stairs, and demolish an existing chimney. Variances of 9.3% lot coverage and 10 feet rear yard depth are requested. Exhs. 1, 3, 4 (A) thru (D), 6 (A) thru (W), and 12.

3. The Petitioner, Mr. Ramirez, testified that the need for the variances is to expand his livable space to accommodate his family. Further, Mr. Ramirez testified that he had not made any changes to the subject lot since purchasing in 2017. Exhs. 2, 3, and 6 (A) thru (W).

4. Vice Chair Johnston acknowledged that the Petitioner's property is unique compared to the surrounding neighbors' property. Chair Boulware and Board Member Stanton concurred.

5. Board Member Stanton made the Motion to Approve V-63-24 and Seconded by Vice Chair Johnston. 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 Petitioner's property was physically unique and unusual in a manner different from the nature of surrounding properties due to the topography of the Petitioner's property and the orientation of the dwelling on the subject lot. 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 current state of the subject lot, without any modification, places the garage over the allowable setback line. Additionally, the Board reviewed the available materials and determined the variances are the minimum 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 due to the fact the Petitioner purchased the subject property in its current state in 2016.

BE IT THEREFORE RESOLVED, by a 3-0 vote, that variances of 9.3% lot coverage and 10 feet rear yard depth on the property located at 9223 Elvis Lane, Lanham, 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) thru (D).

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.

BOARD OF APPEALS

APPROVED OCT 23 2024

Ellis Watson

ADMINISTRATOR

CONSUMER INFORMATION NOTES:

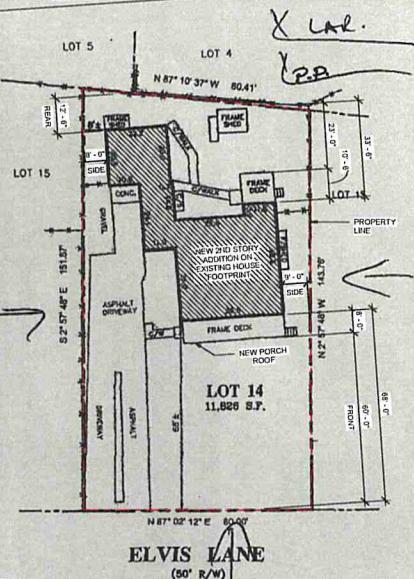
- This plan is a benefit to a consumer in connection with the transfer of title or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
- This plan is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
- 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.
- Building line and/or Flood Zone information is taken from available sources and is subject to interpretation of originator.
- No Title Report furnished.

Notes:

- 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 2 feet.
- Fences, if shown, have been located by approximate methods.



LOCATION DRAWING
LOT 14, BLOCK F
CHIAIPPINI'S
ADDITION TO
GOOD LUCK HEIGHTS
PRINCE GEORGE'S COUNTY, MARYLAND



SURVEYOR'S CERTIFICATE
The information shown herein has been based upon the results of a field survey performed upon the need or plan of record. Existing structures shown have been field located based upon measurements from property markers found or from evidence of lines of apparent occupation or from other sources.

Jeffrey A. Foster
MARYLAND PROPERTY LINE SURVEYOR, REG. NO. 57
Expires: 04-01-2027

REFERENCES

| | | | |
|----------------|-------------|--|---|
| PLAT BK. 57 | PLAT NO. 55 | SNIDER & ASSOCIATES LAND SURVEYORS 20270 Goldsboro Lane, Suite 110 Gainesville, Maryland 20735 301/945-8100 Fax 301/945-1268 | |
| LINER FOLIO | | DATE OF LOCATIONS WALL CHECK FOLIO | SCALE: 1" = 30' DRAWN BY: D.M.L. JOB NO.: 18-02913 Expires: 04-01-2027 |

② SITE PLAN - PROPOSED

1" = 20'-0"

CONSUMER INFORMATION NOTES:

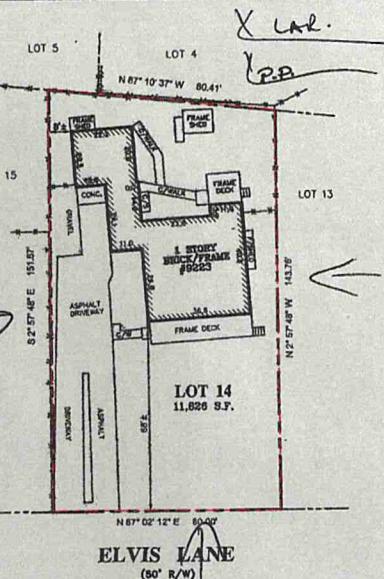
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LOT 14, BLOCK F
CHIAIPPINI'S
ADDITION TO
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PRINCE GEORGE'S COUNTY, MARYLAND



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① SITE PLAN - EXISTING

1" = 20'-0"

EXHIBIT

3

V-63-24

PROFESSIONAL CERTIFICATION:
I CERTIFY THAT THESE DOCUMENTS WERE PREPARED
OR APPROVED BY ME AND THAT I AM A DULY LICENSED
PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND
AND AM LICENSED TO PRACTICE
EXPIRATION DATE: AUGUST 09, 2025



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SITE PLAT

9223 ELVIS LN, LANHAM MD

9223 ELVIS LN, LANHAM MD

SEAL



SCALE: AS MENTIONED
DATE:

PROJECT NUMBER: 23-168

SITE PLAT

0002

BOARD OF APPEALS

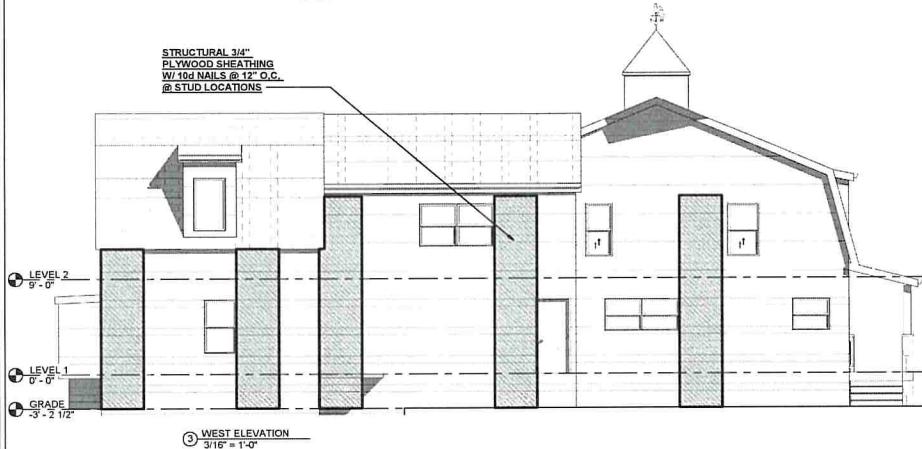
APPROVED OCT 23 2024

Ellis Watson

ADMINISTRATOR

EXHIBIT
4 (A-D)

V-63-24



WALL BRACING ELEVATIONS

9223 ELVIS LN, LANHAM MD



SCALE: AS MENTIONED
DATE:
PROJECT NUMBER: 23-168

WALL BRACING ELEVATIONS

S120

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