



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-84-24 Marlon F. Wise

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: January 15, 2025.

CERTIFICATE OF SERVICE

This is to certify that on May 15, 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

Petitioner: Marlon F. Wise

Appeal No.: V-84-24

Subject Property: Lot 7, Block 8(A), Palmer Park Subdivision, being 7612 Allendale Circle, Hyattsville, Prince George's County, Maryland

Heard: January 15, 2025 and Decided: January 15, 2025

Board Members Present and Voting: Omar Boulware, Chair

Phillippa Johnston, Vice Chair

Dwayne A. Stanton, Board 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 27-3613 of the Zoning Ordinance, Petitioners request that the Board approve a variance from Section 27-4202(f)(1) which prescribes that a lot shall have a minimum width of 40 feet at the building line, a lot frontage of a minimum width of 32 feet at the front street line. Section 27-5202(c)(4)(A). No accessory structure shall be located in the front yard. Variances of a 9-foot lot width at the building line, a 1-foot lot width at the front street line, and a waiver for an accessory building (carport) are requested.

Evidence Presented

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

1. The property was subdivided in 1959, before the adoption of the *Prince George's County Zoning Ordinance and Subdivision Regulations*, contains 4,099 square feet, is zoned RFS-A (Residential, Single-Family-Attached), and is improved with a single-family townhouse, shed, carport, and driveway. Exhs. 3, 5, 6 (A) thru (D), 8, and 9.
2. The Petitioner proposes to obtain a building permit for a proposed carport in the front yard. Variances of 9-foot lot width at the building line, a 1-foot lot width at the front street line, and a waiver for an accessory building (carport) are requested. Exhs. 1, 3, 4, 6 (A) thru (D), and 12.
3. The Petitioner, Mr. Wise, testified that due to his health and the steepness of his driveway, he needs the carport to keep his driveway clear from various weather conditions. Exhs. 3 and 6 (A) thru (D).
4. Further, Mr. Wise testified that his health is deteriorating, and he has issues during the winter months protecting his driveway from snow.
5. Additionally, Mr. Wise testified that the carport will not impact his house, and the prefabricated carport is not permanent, only the footings.
6. Vice Chair Johnston asked Mr. Wise if there was an existing carport on his property. Mr. Wise answered in the affirmative and stated that the existing carport is on the side of the house, and the proposed carport will be placed over the driveway.
7. Further, Vice Chair Johnston mentioned that the subject property has major topography issues due to the steepness of the driveway.

8. Chair Boulware asked Mr. Wise if his property is within the boundaries of a Homeowners' Association (HOA) or Civic Association. Mr. Wise responded that his property is not within the boundaries of an HOA or Civic Association. Additionally, Chair Boulware asked if his neighbors had any issues with the proposed carport. Mr. Wise responded that he was not aware of any issues that his neighbors had with the proposed carport.

9. In conclusion, Chair Boulware stated that he found major topographical issues on the subject property due to the steepness of the driveway.

10. Vice Chair Johnston made the Motion to Approve V-84-24, and the Motion was seconded by Board Member Stanton. Motion carried by a 3-0 vote.

Applicable Code Sections 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:

Due to the subject property being subdivided in 1959 before the adoption of the *Prince George's County Zoning Ordinance and Subdivision Regulations*, the subject property is physically unique and unusual in a manner different from the nature of surrounding properties due to the steepness of the subject property's driveway. The particular uniqueness and peculiarity of the specific property, if applied, would force the Petitioner to constantly risk his health in order to maintain his driveway. Additionally, the Board concluded that this variance is the minimally necessary to overcome the exceptional physical conditions

found on the property. The Board reviewed the record and found that granting the relief requested would not substantially impair the intent, purpose, and integrity of the General Plan or Functional Master Plan, Area Master Plan, or Sector Plan affecting the subject property. Moreover, there was no evidence presented or pertained in the record that the variances would substantially impair the use and enjoyment of adjacent properties. Lastly, the Board found the practical difficulty was not self-inflicted due to the Petitioner not commencing to place the permanent footings and carport over the driveway without a variance approval.

BE IT THEREFORE RESOLVED, by a 3-0 vote, the variances of a 9-foot lot width at the building line, a 1-foot lot width at the front street line, and a waiver for an accessory building (carport) on the property located at 7612 Allendale Circle, Hyattsville, 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 approved elevation plans, Exhibit 4.

BOARD OF ZONING APPEALS

By:



Omar Boulware (May 12, 2025 15:37 EDT)

Omar Boulware, Chair

APPROVED FOR LEGAL SUFFICIENCY

By:



Keisha A. Garner

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

PROPOSED

CARPORT

FOR

THE WISE RESIDENCE

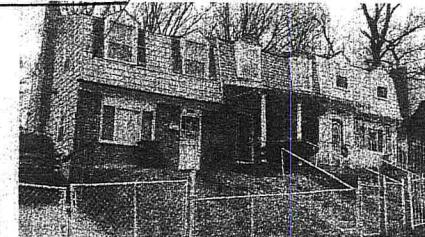
7612 ALLENDALE CIR.
HYATTSVILLE, MD.

APPROVED JAN 15 2024

Ellis Watson

ADMINISTRATOR

THE WISE RESIDENCE



General Notes

12/30/2019 ISSUED FOR BUILDING PERMIT KR
DATE: NO: REVISION/ISSUE: BY:

PROFESSIONAL CERTIFICATION:
I CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT
I AM DULY REGISTERED AS A PROFESSIONAL
UNDER THE LAWS OF THE STATE OF MARYLAND.
LICENSE NUMBER: 16868

EXPIRATION DATE: JULY 25, 2020



SIGN & SEAL

K KENNETH G. RAY
R ARCHITECT
Whitehall Professional Center
6015 Laurel Bowie Rd, Suite 206
Bowie, Maryland 20715
EMAIL: kgarch1983@gmail.com
TEL NO. 301-975-7503

PROJECT:
PROPOSED NEW CARPORT
AT
THE WISE RESIDENCE
7612 ALLENDALE CIR.
HYATTSVILLE, MD

DRAWING:
COVER SHEET

PROJECT NO: 29163
DATE: 11/25/2019
SCALE: AS NOTED
C-1
EXH. # 3
V-84-24
SHEET NO:

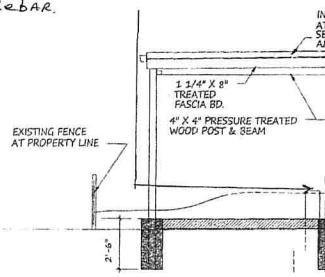
NOTE:
2" X 6" RAPTERS SHALL MEET THE MINIMUM SPAN REQUIREMENTS OF THE SPECIES AND
GRADE OF WOOD LISTED IN THE
2018 IBC TABLE 2308.7.2
RAPTERS SPANS FOR COMMON LUMBER SPECIES:
(GROUND SNOW LOAD = 30 PSF)

SOME GRADES AS LISTED:

| SPECIES AND GRADE | SPAN | SPACING = 16" OC |
|-------------------|------|------------------|
| DOUGLAS FIR-LARCH | SS | 14'-4" |
| DOUGLAS FIR-LARCH | #1 | 13'-4" |
| DOUGLAS FIR-LARCH | #2 | 13'-6" |
| DOUGLAS FIR-LARCH | #3 | 12'-5" |
| HEM - FIR | SS | 13'-4" |
| HEM - FIR | #1 | 13'-3" |
| HEM - FIR | #2 | 12'-7" |
| HEM - FIR | #3 | 10'-5" |
| SOUTHERN PINE | SS | 14'-1" |
| SOUTHERN PINE | #1 | 13'-6" |
| SOUTHERN PINE | #2 | 12'-11" |
| SOUTHERN PINE | #3 | 10'-4" |
| SPRUCE PINE - FIR | SS | 13'-3" |
| SPRUCE PINE - FIR | #1 | 12'-11" |
| SPRUCE PINE - FIR | #2 | 12'-11" |
| SPRUCE PINE - FIR | #3 | 10'-5" |

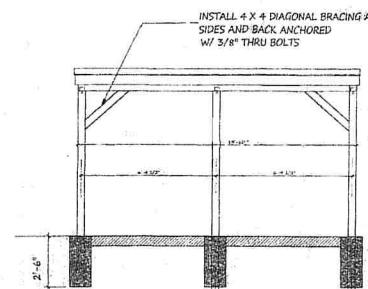
DESIGNED FOR ADDITIONAL STRENGTH FOR SNOW DRIFT
LOADS

INSTALL CONTINUOUS GRAVEL STOP
AT THREE SIDES
SECURE WITH CONTINUOUS METAL CLEAT
ANCHORED TO FASCIA BD.



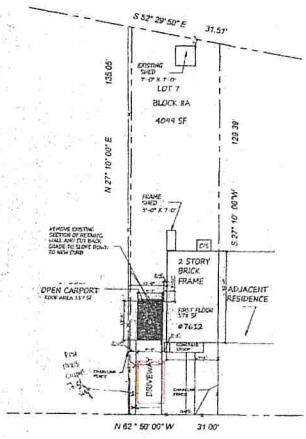
1 SOUTH ELEVATION

Scale: 1/8" = 1'-0"



2 EAST ELEVATION

Scale: 3/8" = 1'-0"

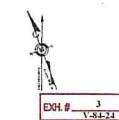


ALLENDALE CIRCLE

INFORMATION FOR SITE PLAN TAKEN FROM SURVEY
PREPARED BY
STEVENS & SON R.C.P.S. NO. 417
6000 STEVENS CT
DRASTIC MEASURES, INC.
CLINTON MARYLAND
DATED: 08/31/2004

3 SITE PLAN

Scale: 1"-0"



EXH. # 3
V-84-24

Step 13

| PART | NO. | Qty. | List |
|---|-----|------|------|
|  | B | | |

BOARD OF APPEALS

APPROVED JAN 15 2024

Ellis Watson

ADMINISTRATOR

