



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-3-25 Pobitra Denis D'Rozario

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: March 26, 2025.

CERTIFICATE OF SERVICE

This is to certify that on September 9, 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: Pobrita Denis D'Rozario

Appeal No.: V-3-25

Subject Property: Lot 27, Block 18, Queens Chapel Manor Subdivision, being 6003 37th Avenue,
Hyattsville, Prince George's County, Maryland

Heard: March 26, 2025, and Decided: March 26, 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(e)(1), which prescribes that each lot shall have a minimum width of 65 feet at the building line. Section 27-4202(e)(2) prescribes that each lot shall have a front yard depth of at least 25 feet in depth. Section 27-11002(a) prescribes that no parking space, parking area, or parking surface other than a driveway no wider than its associate garage, carport, or other parking structure may be built in the front yard of a dwelling, except a "dwelling, townhouse" or "dwelling, multifamily", in the area between the front street line and the sides of the dwelling. Variances of 10 feet lot width at the building line, 2.7 feet front yard depth, 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 1946, before the adoption of the *Prince George's County Zoning Ordinance and Subdivision Regulations*, contains 10,490 square feet, is zoned RSF-65 (Residential, Single-Family-65), and is improved with a single-family dwelling, deck, and porch. Exhs. 2, 4, % (A) thru (L), 6, and 7.
2. The Petitioner proposes to validate existing conditions (lot width at the building line and front yard depth) and obtain a building permit for the proposed driveway extension (7' x 15') and shed (10' x 10'). Exhs. 1, 3, 5 (A) thru (L), and 10.
3. The Petitioner, Mr. D'Rozario, testified that the subject property is in a high-density area, and he only has the ability to park one car in his current driveway. Exhs. 2, 3, 5 (A) thru (L), 8 (A) thru (F), and 9 (A) thru (D).
4. Further, Mr. D'Rozario testified that cars in his neighborhood are vandalized, and he needs additional parking on the subject property for safety reasons. Exhs. 5 (A) thru (L), 8 (A) thru (F), and 9 (A) thru (D).
5. Additionally, Mr. D'Rozario testified that the Department of Permitting, Inspections, and Enforcement (DPIE) approved his application for a curve cut for the driveway extension. Exh. 3.

6. Chair Boulware asked Mr. D'Rozario if he resided in the City of Hyattsville, and staff confirmed he did not live within the city limits. Exh. 6.

7. Vice Chair Johnston determined that the subject property had slopes and other topographic issues. Exhs. 5.

8. Vice Chair Johnston determined that the Petitioner met all six (6) criteria to grant the variance request and made the Motion to Approve V-3-25, 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 1946, 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 topographical issues and sloping found on the subject property. *See, North v. Saint Mary's County*, 99 Md. App. 502, 638 A.2d 1175 (1994). The particular uniqueness and peculiarity of the specific property would render, if applied, would not allow the Petitioners to park safely on their property. Additionally, the Board concluded that this variance is minimally necessary to overcome the exceptional physical conditions found on the property because the sloping found on the Petitioner's property does not allow for any other location for parking. 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 contained 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 construction before seeking a variance.

BE IT THEREFORE RESOLVED, by a 3-0 vote, variances of 10 feet width at the building line, 2.7 feet front yard depth, and a waiver of the parking area location requirements on the property located at 6003 37th Avenue, Hyattsville, Prince George's County, Maryland, be and are hereby APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 3.

BOARD OF ZONING APPEALS

By: 
Omar Boulware (Sep 9, 2025 12:25:48 EDT)
Omar Boulware, Chair

APPROVED FOR LEGAL SUFFICIENCY

By: 
Ellis Watson (Sep 9, 2025 12:27:07 EDT)
Ellis F. Watson, 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.

LOCATION DRAWING

LOT 27, BLOCK "18", SECTION FIVE
QUEENS CHAPEL MANOR

PLAT BOOK BB 14 @ PLAT NO. 56
16TH ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MD.

SCALE = 1" = 20'

Prince George's County, Maryland
Department of Permitting, Inspections and Enforcement

APPROVED PERMIT SET

The Department of Permitting, Inspections and Enforcement has completed a review of this document for code compliance. As required by State Code, the design professional(s) responsible for the preparation and content of this document must provide a record copy of these documents with their original seal, signature and date.

Case Name: QUEENS CHAPEL MANOR
Application Number: SIT-00476-2024
Permit Number:
Issuance Date: 12/4/2024
Address: 6003 37TH AVE HYATTSVILLE MD 20782
Lot(s), Block(s) and Parcel(s): 27 18

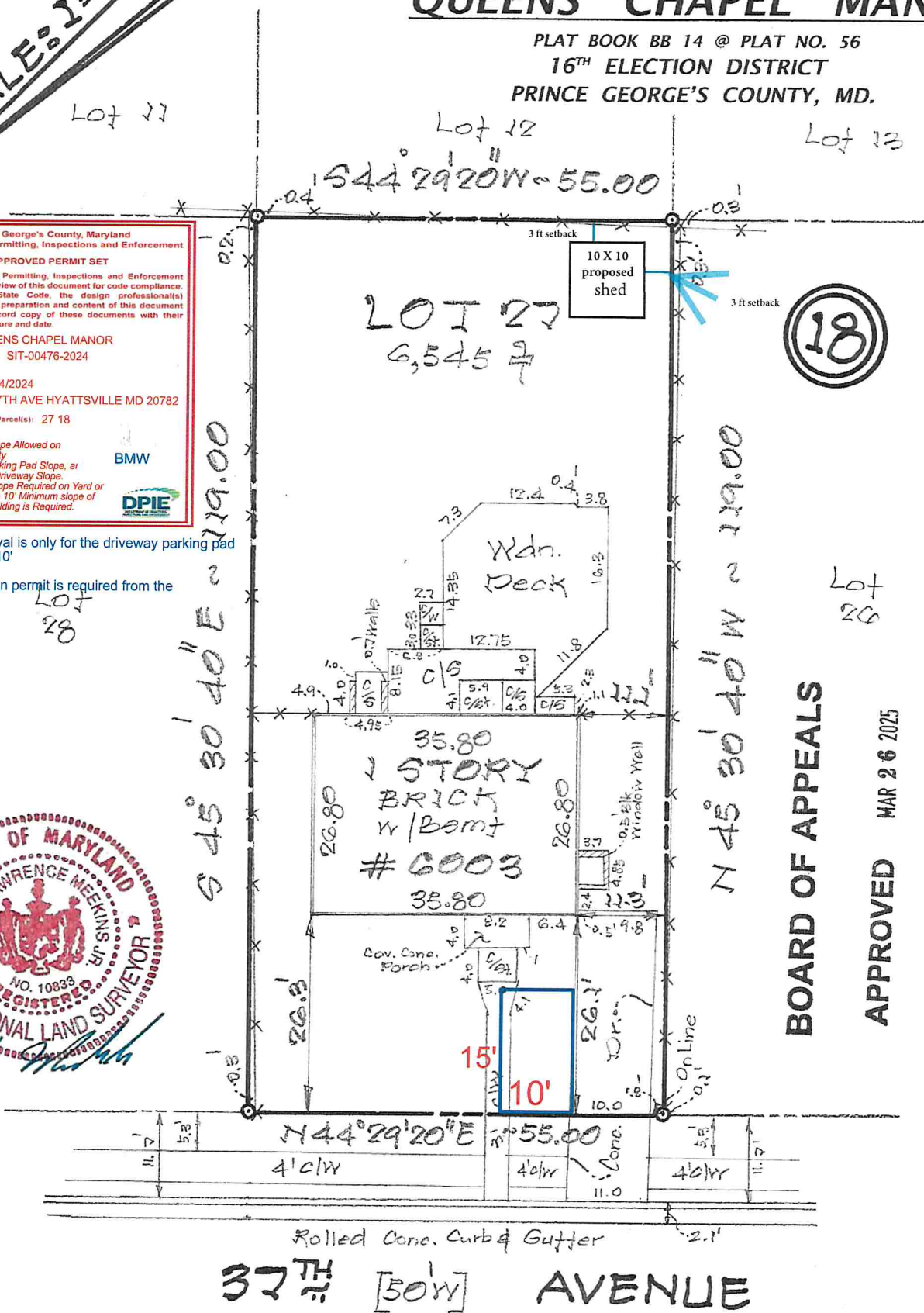
-3: 1 Maximum Slope Allowed on Residential Property
-7% Maximum Parking Pad Slope, at
-12.5% Maximum Driveway Slope.
-2.5% Minimum Slope Required on Yard or Lawn Areas. 10" in 10' Minimum slope of Pad away from Building is Required.

BMW

DPIE

-Site road approval is only for the driveway parking pad extension 15' X 10'

-A driveway apron permit is required from the municipality



BOARD OF APPEALS

APPROVED MAR 26 2025

ADMINISTRATOR

SURVEYOR'S CERTIFICATES :

I hereby certify that the position of the existing improvements on the above described property has been established by a field survey and that unless otherwise shown, there are no visible encroachments.

This location drawing is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or refinancing; is NOT to be relied upon for establishment or location of fences, garages, buildings or other existing or future improvements; and does NOT provide for the accurate identification of property boundary lines, but this identification may not be required, for the transfer of title or securing financing or refinancing.

DATE: 14th November 2024 W.L. Meekins

NOTE: Location drawing does NOT include setting Permanent Survey Markers at property corners.

EXH. # 3
V-3-25

W. L. MEEKINS, INC.

3101 RITCHIE ROAD
FORESTVILLE, MD 20747
TEL : 301-736-7115
email : info@meekins.net
web : www.meekins.net

REGISTRATIONS

MD # 10833, DCLS # 900860

NO TITLE REPORT FURNISHED
PLAT SUBJECT TO RESTRICTIONS & EASEMENTS
OF RECORD OR OTHERWISE.