



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-2-25 Louis and Barbara Tucker

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 19, 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: Louis and Barbara Tucker

Appeal No.: V-2-25

Subject Property: Lot 9, Block 2, Dillon Park Subdivision, being 1811 Billings Avenue, Capitol Heights, 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, 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 27-4203(e)(1), which prescribes that each lot shall have a maximum lot coverage of 35% of the net lot area. A variance of 4.5% lot coverage of net lot area is requested.

Evidence Presented

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

1. The property was subdivided in 1939, before the adoption of the *Prince George's County Zoning Ordinance and Landscape Manual*, contains 7,980 square feet, is zoned RSF-65 (Residential, Single-Family-65), and is improved with a single-family dwelling, concrete driveway, and retaining wall. Exhs. 3, 5, 8, 9, 17, and 19.

3. The Petitioners propose to obtain a building permit for the proposed storage/garage (30' x 30') and driveway extension. A variance of 4.5% lot coverage of the net lot area is requested. Exhs. 1, 2, 4 (A) thru (D), 6 (A) thru (G), and 17.

4. The Petitioner, Mr. Tucker, testified that he has reported several incidents of theft on the subject property, and needs the storage garage to protect his personal property. Exhs. 1, 2, 3, 4 (A) thru (D), 6 (A) thru (G), 10 (A) thru (F), and 17.

5. Chair Boulware interjected that he found the Petitioners' property unique and found that the property contained topographic issues that were different than their surrounding neighbors. Vice Chair Johnston and Board Member Stanton concurred with Chair Boulware's statement. Exhs. 3, 6 (A) thru (G), 10 (A) thru (F), 11 (A) thru (D), and 17.

6. Administrator Watson confirmed with the Board that all six (6) criteria for granting a variance were satisfied by the Petitioners. The Board answered in the affirmative. Exh. 2.

7. Vice Chair Johnston made the Motion to Approve V-2-25, and the motion was 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:

Due to the subject property being subdivided in 1939, before the adoption of the *Prince George's County Zoning Ordinance and Subdivision Manual*, the subject property is physically unique and unusual in a manner different from the nature of surrounding properties due to the subject property having a pentagon shape and topographic concerns as compared with the surrounding neighborhood. *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 cause, if applied, would cause the Petitioner the inability to construct a storage/garage needed to protect their personal effects from theft. Additionally, the Board concluded that these variances are minimally necessary to overcome the exceptional physical conditions found on the property due to the pentagon shape of the Petitioners' property and the topographic concerns. 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 is no evidence 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 permit.

BE IT THEREFORE RESOLVED, by a 3-0 vote, that a variance of 4.5% lot coverage of the net lot area on the property located at 1811 Billings Avenue, Capitol Heights, 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 17, and approved elevation plans, Exhibit 4 (A) thru (D).

BOARD OF ZONING APPEALS

By: 
Omar Boulware, Chair

APPROVED FOR LEGAL SUFFICIENCY

By: 
Ellis F. Watson, Esq.

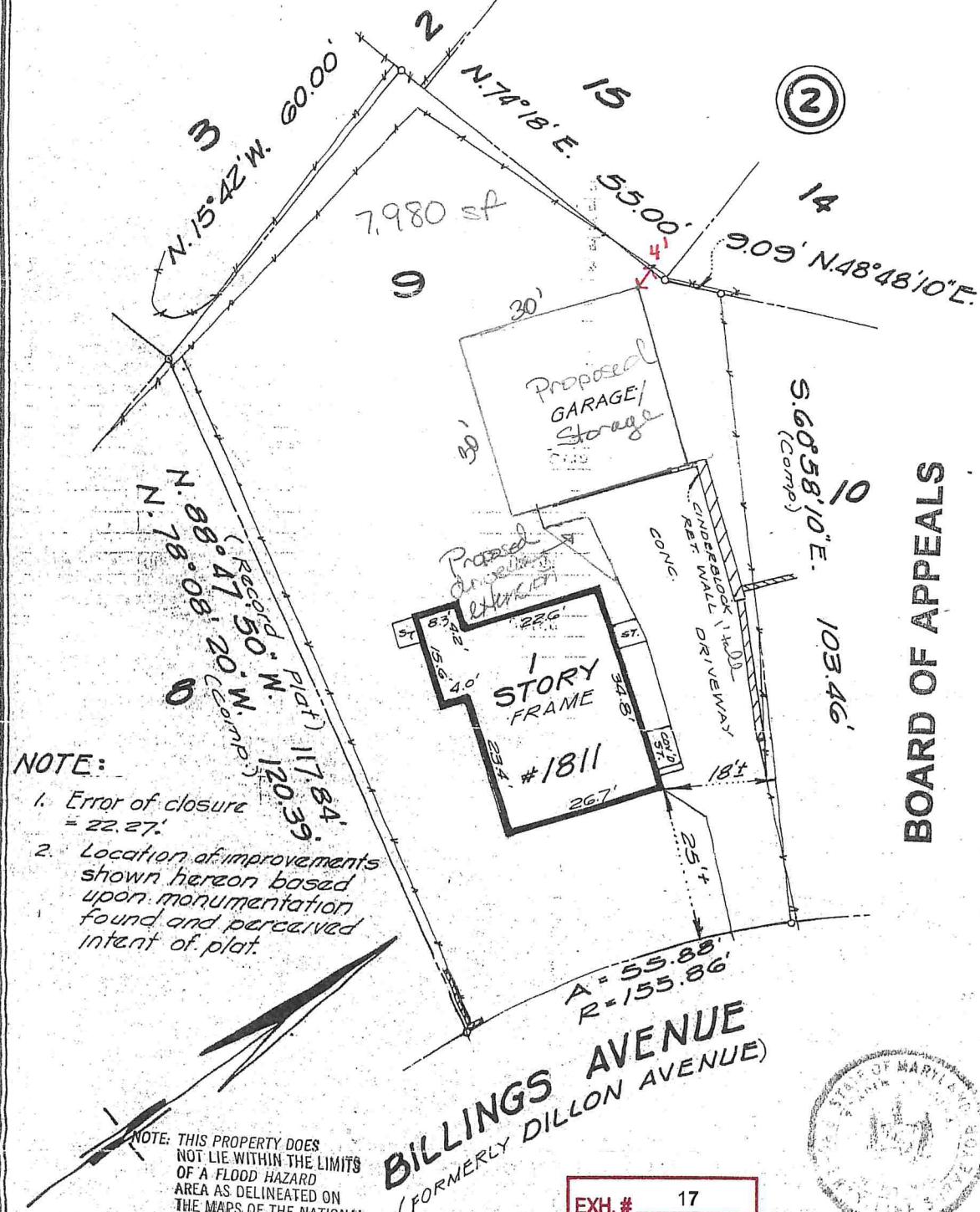
NOTICE

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.

ANDTECH ASSOCIATES I
7307 BALTIMORE AVENUE SUITE 214
COLLEGE PARK, MARYLAND 20740



BOARD OF APPEALS

APPROVED MAR 26 2025

Ellis Watson

ADMINISTRATOR

LOCATION SURVEY OF 1811 BILLINGS AVENUE PRINCE GEORGES COUNTY, MARYLAND	LOT: 9	BLOCK: 2
SUBDIVISION SECTION ONE DILLON PARK	PLAT BOOK: 7	PLAT NO: 61
	DATE: 5-11-88	SCALE: 1" = 20'
	CASE NO: 5728	FILE NO: K-88066

CERTIFICATION: I hereby certify that the position of all the existing improvements on the above described property has been carefully established by a transit tape survey and that unless otherwise shown there are no encroachments. This is not a property line survey and should not be used as such.

Graden A. Rogers

GRADEN A. ROGERS - PROP. S. MD. LIC. NO. 119

BOARD OF APPEALS

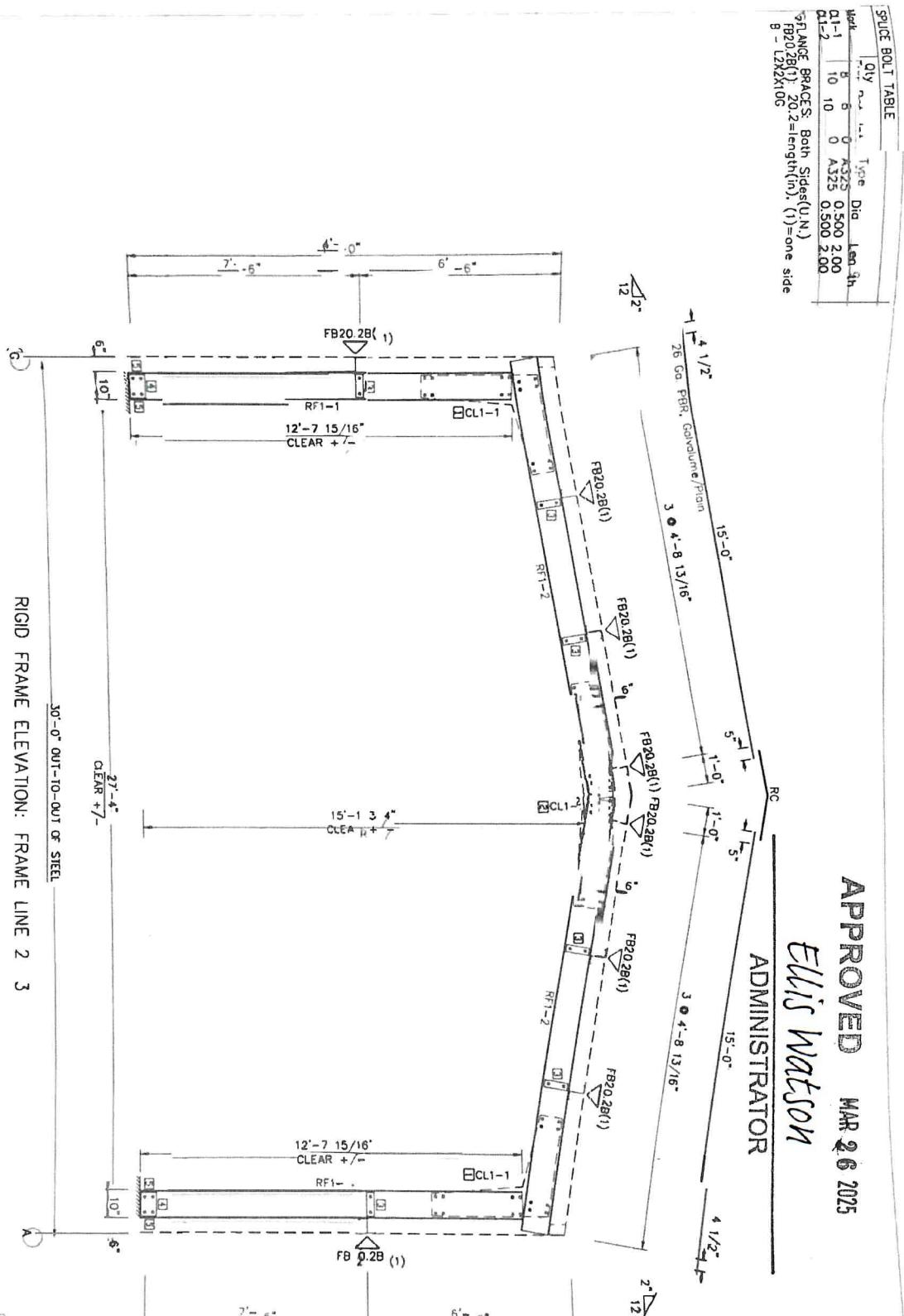
APPROVED MAR 26 2025

Ellis Watson

ADMINISTRATOR

MEMBER SIZE TABLE	
MARK	MEMBER LENGTH
RFI-1	10'-5 1/4" 12'-0 3/4"
RFI-2	10'-5 1/4" 15'-0 3/4"

CONNECTION PLATES	
ID	MARK/PORT
1	C1-1
2	C1-2
3	C2-1
4	C2-2
5	C3-1



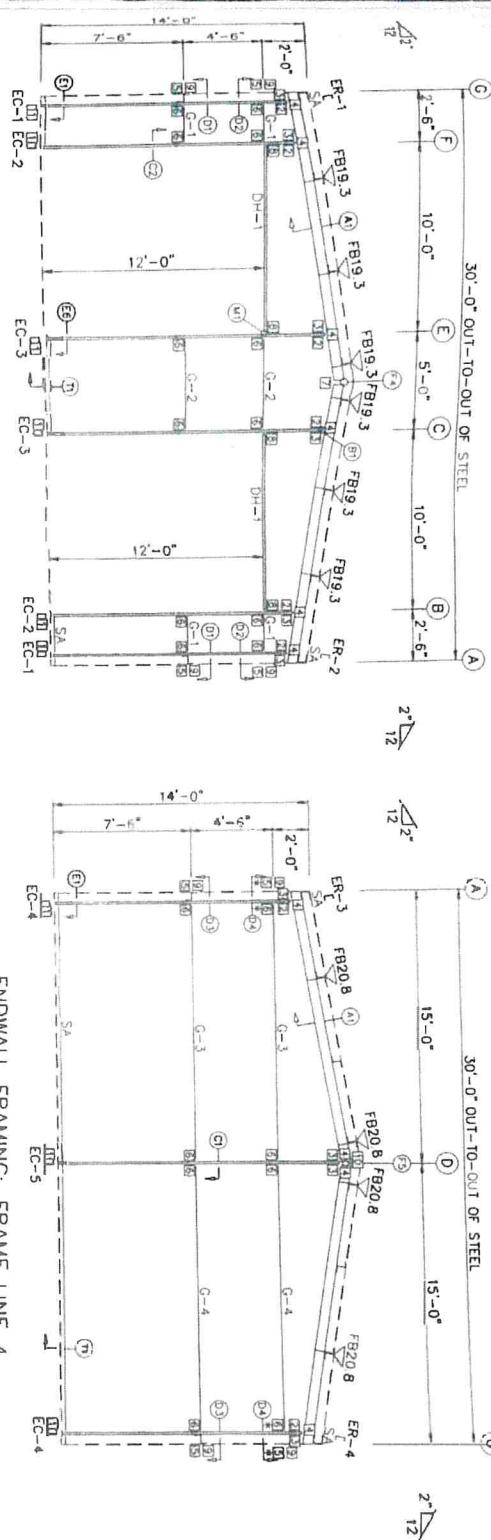
4(A)

EXH. # 4(A-D)
V-2-25

07/24/2024	
Professional Engineer's Seal	
Customer: LOUIS TUCKER	Cap. No. 20243
Design: 7/22/24	Date: 7/22/24
Designer: SA	Sign. ID: 01933
Checker: PG	
RIGID FRAME ELEVATION	
SIN 13 of 11	

GENERAL NOTES:
MINOR FIELD WORK OF STRUCTURAL, SECONDARY
AND PANEL/TRIM ITEMS MAY BE NECESSARY TO
ENSURE PROPER FIT. SUCH WORK IS CONSIDERED
A NORMAL PART OF METAL BUILDING ERECTION.
WE WILL NOT HONOR BACKCHARGES FOR MINOR
FIELD WORK.

BOLT TABLE 1 & 4		QUAN	TYPE	DIA.	LENGTH
FRAME LINE	1	4		1/2"	2"
LOCATION			A	A325T	
ER-1	ER-2	4	A325T	1 1/2"	
ER-3	ER-4	8	A325T	1 1/2"	2"
COLUMNS/RAF					
COLUMNS/RAF					



ENDWALL FRAMING: FRAME LINE 4

GENERAL NOTES: **MINOR FIELD WORK** OF STRUCTURAL SECONDARY AND PANEL/TIMING ITEMS MAY BE NECESSARY TO DESIRE PROPER FIT. SUCH WORK IS CONSIDERED A NORMAL PART OF METAL BUILDING ERECTION. **DO NOT HONOR BACKCHARGES FOR MINOR FIELD WORK.**

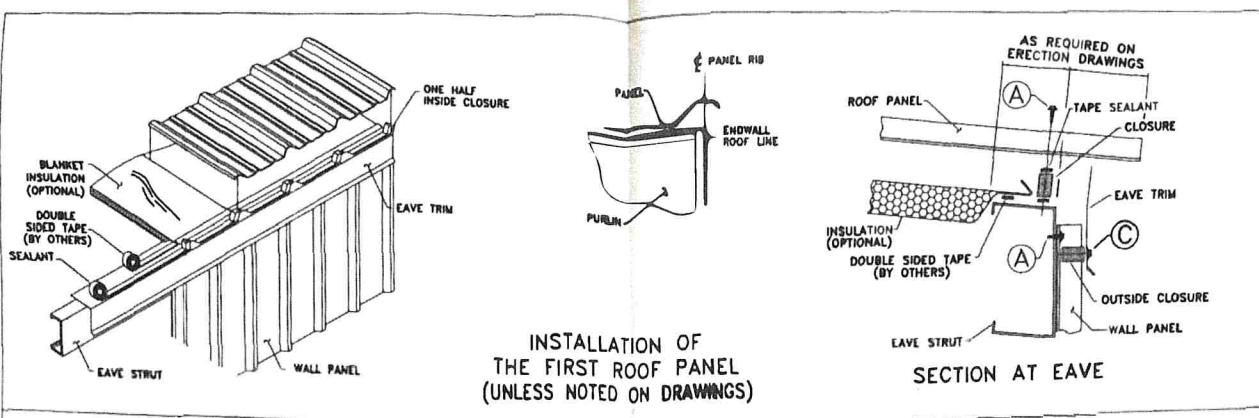
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4
(B)

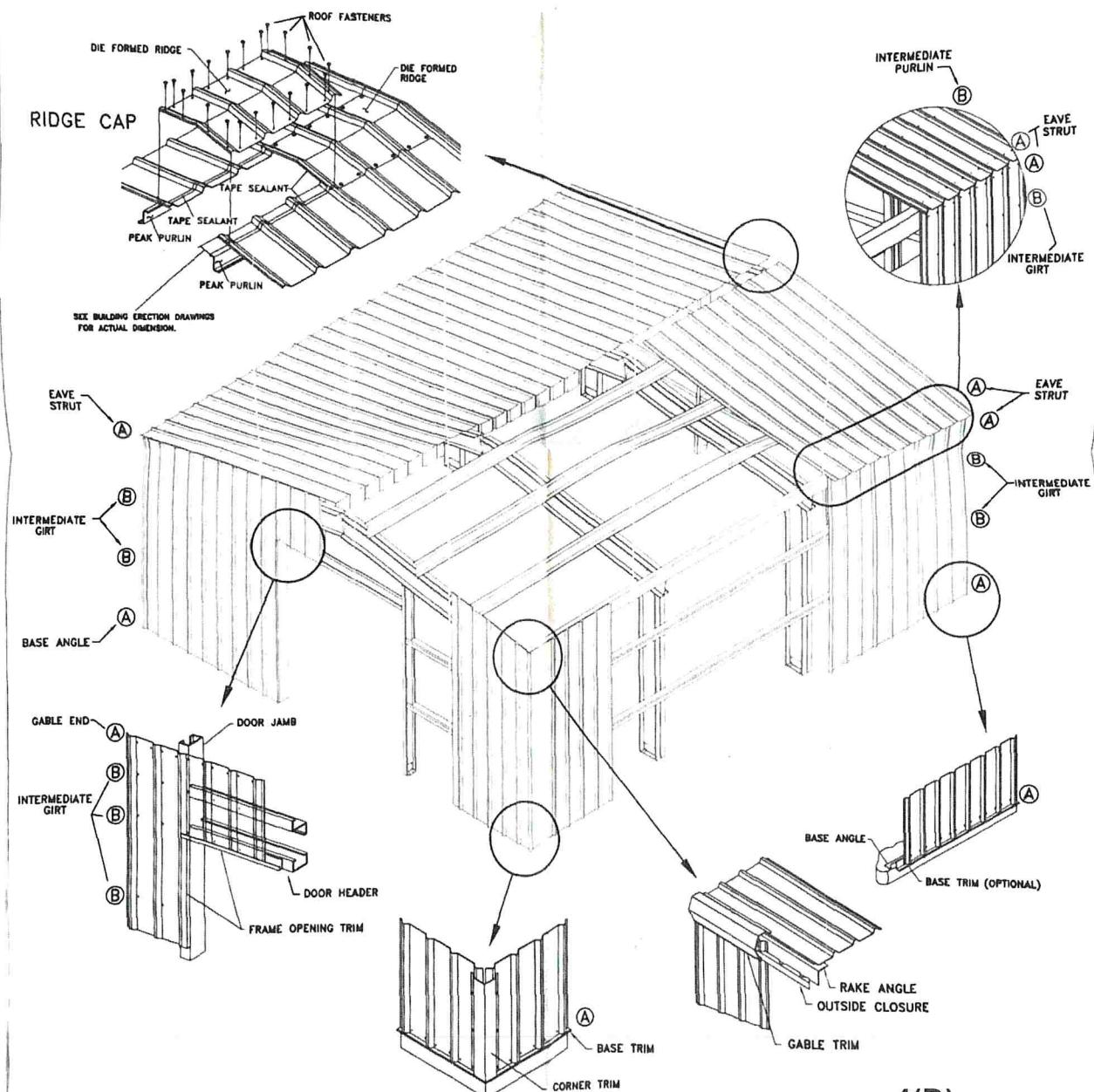


07/24/2022

OLYMPIA STEEL BUILDINGS		Date: 2/18/06
McKEES ROCKS PA 15136		Detention: 1000/10000
Drawer: #8	Date: 7/22/24	Capitol Heights MD 20743
Detainer: SR	Date: 7/22/24	Developer: MHDZ
Checklist: Pg	Date: 7/22/24	Stolen ID: 011935
ENDWALL FRAMING		Factory ID:
		SDN E5 of 11



FASTENER SCHEDULE



4(D)

DETAIL: A	DETAIL: B	DETAIL: C
<p>#14 SELF-TAPPING ROOF FASTENERS 30° O.C. AT SIDE LAP</p> <p>#12 SELF-DRILL ROOF FASTENERS 6" O.C.</p> <p>Ⓐ FASTENER PATTERN AT BASE ANGLE, EAVE STRUT AND RIDGE CAP</p>	<p>#14 SELF-TAPPING ROOF FASTENERS 30° O.C. AT SIDE LAP</p> <p>#12 SELF-DRILL ROOF FASTENERS 1'-0" O.C.</p> <p>Ⓑ FASTENER PATTERN AT INTERMEDIATE PURLIN OR GIRT</p>	<p>Ⓒ STITCH FASTENER #14x7/8" 12" ON CENTER</p> <p>DATE: 7/22/24</p> <p>DWG NO: CS-2</p>