



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-58-24 OZA Daniel and April Smith

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: November 6, 2024.

CERTIFICATE OF SERVICE

This is to certify that on September 23, 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 Appeal

Appellants: Daniel and April Smith

Appeal No.: V-58-24 OZA

Subject Property: Lot 33, Block O, Map: 0044, Grid: 044D2, Halliewood (adjacent to Seabook) Subdivision, being 9336 Annapolis Road, Lanham, Prince George's County, Maryland

Counsel for the Appellants: Traci R. Scudder, Esq.

Witnesses: Lorenz Winston, Inspector, Department of Enforcement, Inspection, and Enforcement (DPIE)
Brandon Wright, Inspector, DPIE

Action by the Board: November 6, 2024

Counsel for the County: Calisa M. Smith, Esq., Associate County Attorney

Board Members Present and Voting:

Omar Boulware, Chair

Dwayne A. Stanton, Member

Board Member Absent:

Phillippa Johnston, Vice Chair

RESOLUTION

This appeal was filed with the Board of Appeals for Prince George's County, Maryland, sitting as the Board of Administrative Appeals, from the determination of the Department of Permitting, Inspections, and Enforcement to issue Violation Notice No. 19528 Zone, dated July 9, 2024, citing the Petitioner with Zoning Code Section 27-441(b)(1) which mentions illegal operation of a business and the practice of having employees for work and/or storage of vehicles, trailers, equipment, and materials on the zoned property. Zoning Code Section 27-441(b)(8) restricts the parking or storage of commercial vehicles over 8,500 pounds, 300 cubic feet of load space, and advertisements in letters exceeding 4 inches in height. Zoning Code Section 27-253(a)(1), 4-118(c)(1), which talks about the use of a building, structure, or land without a use and occupancy certificate. The Appellants must cease the operations without a use and occupancy permit and remove all vehicles, trailers, equipment, materials, and supplies—failure to comply with a penalty of \$1,000- or six-months imprisonment—on RSF-95 (Residential, Single-Family-95) zoned property located at Lot 33, Block O, Map 0044, Grid: 044D2, Halliewood (adjacent to Seabrook) Subdivision being 9336 Annapolis Road, Lanham, Prince George's County, Maryland.

This case was heard by the Board of Appeals on November 6, 2024.

1. Counsel for the Petitioner, Traci Scudder, Esq, stated to the Board that the subject property needs additional time to come into compliance. The Appellants do not deny that they are in violation of the stated Code provision and acknowledge that the *Prince George's County Zoning Ordinance and Landscape Manual* does not allow their type of business in their current zone.

2. Ms. Scudder, Esq. asked by the Board for sufficient time to apply for a rezoning of the subject property and to apply for the appropriate Use and Occupancy (U + O) permit. Ms. Scudder, Esq., referenced aerial photos contained in the record to illustrate that the subject property is surrounded by CGO (Commercial, General and Office). Exh. 9 (A) thru (F).

3. Inspector Wright testified that the subject property contains a house that would need to secure a home office permit from the County.

4. Counsel for the County, Ms. Smith, Esq., sought clarification from the Board that the three (3) separate violations would receive an eighteen (18) month extension or would require intermediate compliance to remove vehicles, secure the office permit from the County, and properly store commercial materials. The Board stated that it would require ninety (90) day updates on the intermediate compliance as the Appellants sought the rezoning from RSF-95 to CGO from the County.

5. The Board agreed to grant an eighteen (18) month extension to rezoning the subject property from RSF-95 to CGO (Commercial, General and Office). Further, the Board requested ninety (90) day updates from the Petitioner regarding the progress of bringing the subject property into compliance. Motion made by Board Member Stanton and seconded by Chair Boulware. Motion carried by a 2-0 vote.

BE IT THEREFORE RESOLVED, by a 2-0 vote, Vice Chair Johnston being absent, that the appeal be and is hereby EXTENDED for an 18-month period with 90-day updates to the Board.

BOARD OF ZONING APPEALS

By:


Omar Boulware (Sep 22, 2025 16:03:06 EDT)

Omar Boulware, Chairperson

Approved for Legal Sufficiency

By:


Ellis Watson (Sep 22, 2025 16:12:20 EDT)

Ellis F. Watson, Esq.

cc: Petitioner
Adjoining Property Owners
DPIE
Office of Law