



# 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-49-24 Babafemi and Bukola Adenuga

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 9, 2024.

### **CERTIFICATE OF SERVICE**

This is to certify that on October 3, 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: Babafemi and Bukola Adenuga

Appeal No.: V-49-24

Subject Property: Lot 14, Block A, Glenn Dale Greens Subdivision, being 11200 Lanette Lane, Glenn Dale, Prince George's County, Maryland

Heard: October 9, 2024      Decided: October 9, 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 27-3613 of the Zoning Ordinance, Petitioners request that the Board approve a variance from Section 27-4202(c)(1), which prescribes that a lot shall have a frontage of a minimum width of 70 feet at the front street line. Section 27-6600(a) prescribes that fences more than 4 feet high shall not be located in any required yard, shall meet the setback requirements for main buildings, and shall require a security exemption approval. Variances of 7,022 square feet net lot area, 18.56 feet lot width at the front street line, and a security exemption for a fence over 4 feet in height in the front yard (abutting Edge Avenue) are requested.

### Evidence Presented

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

1. The property was subdivided in 1999, contains 12,978 square feet, is zoned RR (Residential, Rural), and is improved with a two-story dwelling, shed, and driveway. The subject property also contains a W.S.S.C. sewer easement. Exhs. 3, 4, 7, 8, and 12.
2. The Petitioner proposes to validate existing conditions (net lot area and lot frontage at front street line) and obtain a building permit to construct a 6-foot privacy fence. Variances of 7,022 square feet net lot area, 18.56 feet lot width at the front street line, and a security exemption for a fence over 4 feet in height in the front yard (abutting Edge Avenue) are requested. Exhs. 1, 2, 3, 5 (A) thru (G), 9 (A) thru (F), 11, and 12.
3. The Petitioner, Ms. Adenuga, testified from her Statement of Justification that her property was physically unique from her surrounding neighbors, and this poses unique safety and security challenges that are different than those found on her neighbors' properties. Exhs. 2, 5 (A) thru (G), 9, (A) thru (F), and 10 (A) thru (D).
4. Further, Ms. Adenuga testified that the fence would be a 6-foot vinyl board-on-board fence and would fit into the character of the neighborhood. Exh. 3.
5. Vice Chair Johnston asked the Petitioners if their property resided in a Homeowners' Association (HOA) and if they received approval to construct the privacy fence. Ms. Adenuga answered in the affirmative and indicated they received approval in June. Exh. 17.
6. Chair Boulware stated that the Petitioners have satisfied the conditions for granting the variance request and security exemption review and called for a motion.

7. Vice Chair Johnston made the Motion to Approve V-49-24. 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) and Section 27-6610(b)(1)(2) 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.

#### **27-6610. Security Exemption Plan**

- (a) A landowner in need of heightened security may submit to the Planning Director, or, where delegated pursuant to Section 27-3308(b), the municipality in which the development application is located a security exemption plan proposing a fence or wall taller than those permitted by this Section, an electric fence, or proposing the use of barbed and/or razor wire atop a fence or wall for security reasons.
- (b) The Board of Appeals or municipality may approve or approve with conditions, the security exemption plan, upon finding all of the following:

**(1) Need for Safety or Security Reasons**

The condition, location, or use of the land, or the history of activity in the area, indicates the land or any materials stored or used on it are in significantly greater danger of theft or damage than surrounding land, or represent a significant hazard to public safety without:

- (A) A taller fence or wall;
- (B) An electric fence; or

(C) Use of barbed and/or razor wire atop a fence or wall.

**(2) No Adverse Effect**

The proposed fence or wall will not have a significant adverse effect on the security, functioning, appearance, or value of adjacent lands or the surrounding area as a whole.

(c) If the Board of Appeals or municipality finds the applicant fails to demonstrate compliance with Sections 27-6610(b)(1) and 27-6610(b)(2) above, the security plan shall be disapproved.

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) and Section 27-6610(b)(1)(2), more specifically:

Due to the subject property having a unique pie-shape that is different than her surrounding neighborhood, the particular uniqueness and peculiarity of the specific property would impede the Petitioners from validating existing conditions on their property and constructing a fence needed for safety. *See, North v. Saint Mary's County*, 99 Md. App. 502, 638 A.2d 1175 (1994). Additionally, the Board concluded that these variances are minimally necessary to overcome the exceptional physical conditions found on the property due to the subject property containing a W.S.S.C. sewer easement that would make it difficult to construct a fence needed for safety without a variance. 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 variance 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.

The Board determined that the Petitioners' property was located near a sewer easement that would put the Petitioners at a greater danger of damage than surrounding properties, and a taller fence was warranted. Additionally, the Board found that there would not be any significant adverse effect on the security, functioning, appearance, or value of adjacent properties or the surrounding area as a whole.

BE IT THEREFORE RESOLVED, by a 3-0 vote, that variances of 7,022 square feet net lot area, 18.56 feet lot width at the front street line, and a security exemption for a fence over 4 feet in height in the front yard (abutting Edge Avenue) on the property located at 11200 Lanette Lane, Glenn Dale, 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 11.

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.

APPROVED OCT - 9 2024

Ellis Watson  
ADMINISTRATOR



6 ft. High Lakeland Fence Style



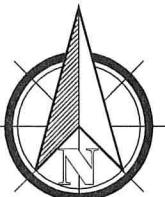
White and Gray 2 Tone Lakeland Style

# BOARD OF APPEALS

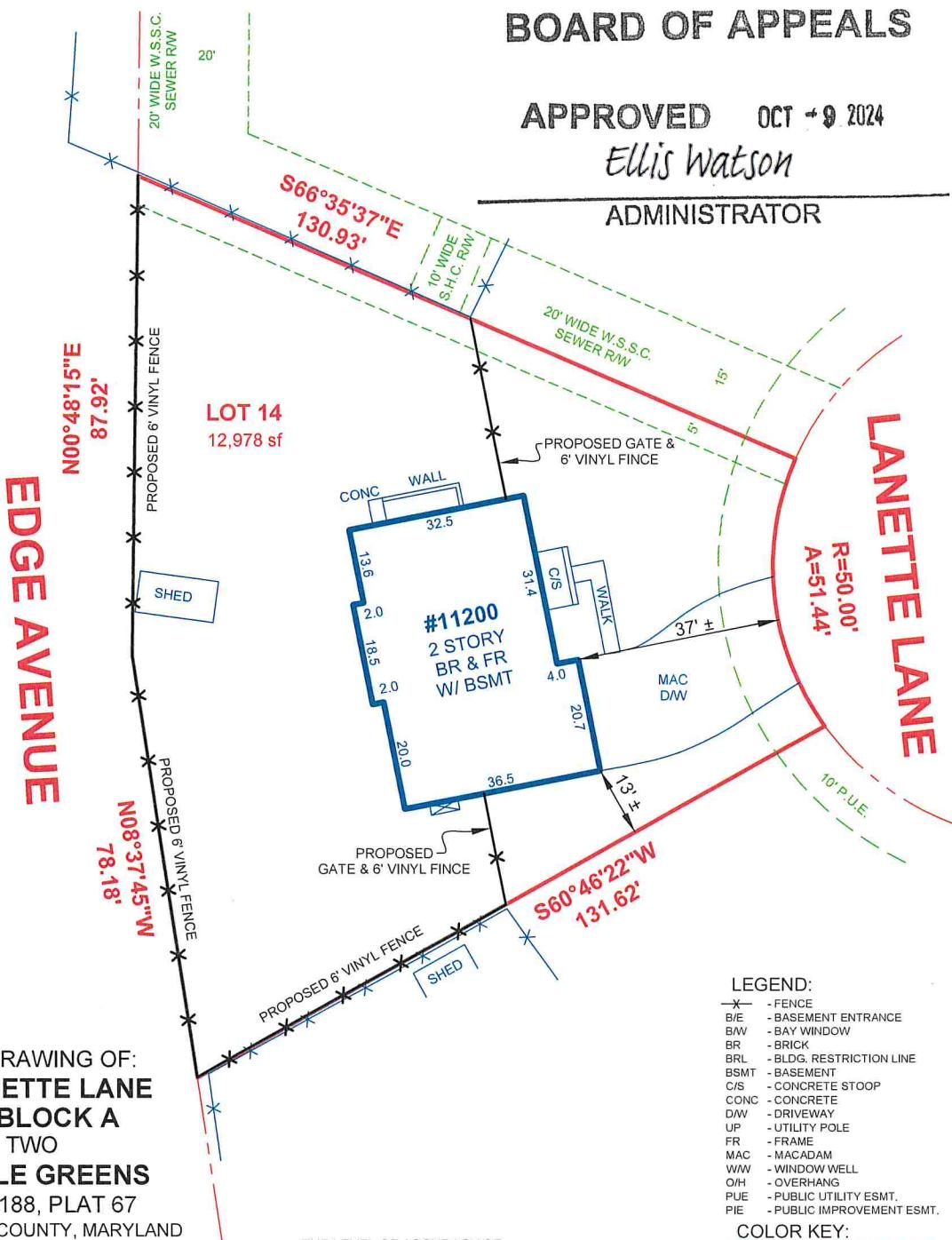
APPROVED OCT 9 2024

*Ellis Watson*

ADMINISTRATOR



P.B. 188 @ 67



## SURVEYOR'S CERTIFICATE

I HEREBY STATE THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS DRAWING AND THE SURVEY WORK REFLECTED HEREIN AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SETFORTH IN REGULATION 12 CHAPTER 09.13.06 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. THIS SURVEY IS NOT TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF FENCES, BUILDING, OR OTHER IMPROVEMENTS. THIS PLAT 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 REFINANCING. THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY INSOFAR AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENTS IN CONNECTION WITH THE CONTEMPLATED TRANSFER, FINANCING OR REFINANCING. THE LEVEL OF ACCURACY FOR THIS DRAWING IS  $1'\pm$ . NO TITLE REPORT WAS FURNISHED TO NOR DONE BY THIS COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENTS OF RECORD. BUILDING RESTRICTION LINES AND EASEMENTS MAY NOT BE SHOWN ON THIS SURVEY. IMPROVEMENTS WHICH IN THE SURVEYOR'S OPINION APPEAR TO BE IN A STATE OF DISREPAIR OR MAY BE CONSIDERED "TEMPORARY" MAY NOT BE SHOWN. IF IT APPEARS ENROACHMENTS MAY EXIST, A BOUNDARY SURVEY IS RECOMMENDED.

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EXH. # **3**  
**V49-24**