

NOTICE OF FINAL DECISION

OF BOARD OF APPEALS

RE: Case No. V-3-17 Housing Initiative Partnership

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 8, 2017.

CERTIFICATE OF SERVICE

This is to certify that on March 15, 2017, the above notice and attached Order of the Board were mailed, postage prepaid, to all persons of record.

(Original Signed)

Barbara J. Stone
Acting 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: Housing Initiative Partnership

Appeal No.: V-3-17

Subject Property: Lot 5, Block V, Kentland Subdivision, being 7008 Lombard Street, Landover,
Prince George's County, Maryland

Counsel for Petitioner: Kayann Chambers, Esq., Meyers, Rodbell & Rosenbaum
Michelle LaRocca, Esq., Meyers, Rodbell & Rosenbaum

Witnesses: Stephanie Prostel, Housing Initiative Partnership
Jocelyn Harris, Housing Initiative Partnership

Heard and Decided: March 8, 2017

Board Members Present and Voting: Bobbie S. Mack, Chairperson
Albert C. Scott, Vice Chairman
Anastasia T. Johnson, 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 27-229 of the Zoning Ordinance, Petitioner requests that the Board approve a variance from Section 27-442(e)(Table IV) of the Zoning Ordinance, which prescribes that each lot shall have a front yard at least 25 feet in depth. Petitioner proposes to construct a covered front porch. A variance of 2.5 feet front yard depth is requested.

Evidence Presented

1. The property was subdivided in 1951, contains 3,530 square feet, is zoned R-35 (One-Family Semi-Detached Residential) and is improved with a semi-detached single-family dwelling. Exhibits (Exhs.) 2, 4, 8 and 12.
2. Petitioner would like to construct a 3' x 5'6" canopy over an existing stoop. The covered porch would be located 22.5 feet from the front street line. A variance of 2.5 feet front yard depth was requested. Exhs. 2, 3, 5, and 12.
3. Kayann Chambers explained that the canopy is needed for shelter from the weather, will modernize the front appearance of the dwelling and promote community security and interaction. Exhs. 2, 3 and 18.

Applicable Code Section and Authority

Section 27-230 of the Zoning Ordinance authorizes the Board to grant variances when, by reason of exceptional narrowness, shallowness, shape, topography, or other extraordinary situation or condition of specific parcels of property, the strict application of the Zoning Ordinance would result in peculiar and unusual practical difficulties or an exceptional or undue hardship upon the owner of the property, provided such relief can be granted without substantial impairment of the intent, purpose and integrity of the General Plan or Master Plan.

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 27-230, more specifically:

Due to the need for shelter from the weather, the Housing Initiative Partnership improving the appearance of older homes, promoting community security and interaction, and the character of the neighborhood, granting the relief requested would not substantially impair the intent, purpose and integrity of the General Plan or Master Plan, and denying the request would result in a peculiar and unusual practical difficulty upon the owner of the property.

BE IT THEREFORE RESOLVED, unanimously, that a variance of 2.5 feet front yard depth in order to construct a 3' x 5'6" covered front porch on the property located at Lot 5, Block V, Kentland Subdivision, being 7008 Lombard Street, Landover, 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 2, and approved elevation plan, Exhibit 3.

BOARD OF ZONING APPEALS

By: (Original Signed)
Bobbie S. Mack, Chairperson

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 27-233(a) 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.