

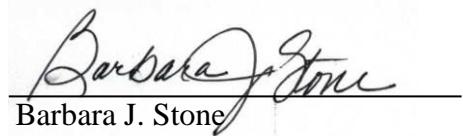
NOTICE OF FINAL DECISION
OF BOARD OF APPEALS

RE: Case No. V-124-17 Julio Quintanilla and Elody Quintanilla-Vicente

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 25, 2017.

CERTIFICATE OF SERVICE

This is to certify that on November 2, 2017, the above notice and attached Order of the Board were mailed, postage prepaid, to all persons of record.



Barbara J. Stone
Administrator

cc: Petitioners
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: Julio Quintanilla and Elody Quintanilla-Vicente

Appeal No.: V-124-17

Subject Property: Lot 4, Block A, Squire's Hill Subdivision, being 7705 Bock Road, Fort Washington, Prince George's County, Maryland

Witness: Silvia Quintanilla, family member

Heard: October 11, 2017; Decided: October 25, 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(c)(Table II), which prescribes that not more than 25% of the net lot area shall be covered by buildings and off-street parking. Petitioners propose to construct a driveway. A variance of 1.1% net lot coverage is requested.

Evidence Presented

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

1. The property was subdivided in 1967, contains 11,954 square feet, is zoned R-R (Rural Residential) and is improved with a single-family dwelling, driveway, carport and shed. Exhibits (Exhs.) 2, 3, 6 and 8 (A) thru (F).

2. Petitioners would like to construct a new 10' x 31' driveway on the right side of the property. Construction of the driveway would exceed the amount of lot coverage allowed. A variance of 1.1% net lot coverage was requested. Exhs. 2 and 4 (A) thru (B).

3. Petitioner Elody Quintanilla testified that they are requesting permission to construct a second driveway because they are located on a main road (Bock Road) on a hill which she considers very dangerous. She stated that currently a car and boat are parked on the main road because of insufficient space in the existing driveway. Petitioner explained that they own eight (8) cars that need to be parked on the property. Exhs. 2, 4 (A) thru (B) and 8 (A) thru (F).

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 variances does not comply with the applicable standards set forth in Section 27-230, more specifically:

1. No evidence of exceptional narrowness, shallowness, shape, topography, or other extraordinary situation or condition of the subject property was presented.
2. Because the conditions of the property are ordinary, the Board does not deem it necessary to consider the other requirements of Section 27-230.
3. The Board notes that the property currently provides an extended 50-foot driveway as well as a 24' x 12' carport that may be used for parking vehicles.

BE IT THEREFORE RESOLVED, unanimously, that a variance of 1.1% net lot coverage to construct a second 10' x 31' driveway on the property located at Lot 4, Block A, Squire's Hill Subdivision, being 7705 Bock Road, Fort Washington, Prince George's County, Maryland, be and is hereby DENIED.

BOARD OF ZONING APPEALS

By: _____ (Original Signed)

Bobbie S. Mack, Chairperson

NOTICE

Further, Section 27-234 of the Prince George's County Code states:

If the Board denies an appeal involving a variance, no further appeal covering the same specific subject on the same property shall be filed within the following twelve (12) month period. If the second appeal is also denied, no other subsequent appeals covering the same specific subject on the same property shall be filed within each eighteen (18) month period following the respective denial.