



# 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*

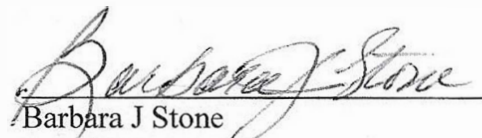
### *OF BOARD OF APPEALS*

RE: Case No. V-10-22 James Stevens

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: April 6, 2022.

## **CERTIFICATE OF SERVICE**

This is to certify that on May 10, 2022, the above notice and attached Order of the Board were mailed, postage prepaid, to all persons of record.

  
Barbara J Stone  
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: James Stevens

Appeal No.: V-10-22

Subject Property: Lot 4, Block H, Woodlawn-Feldman's Addition Subdivision, 5138 Flintridge Drive,  
Lanham, Prince George's County, Maryland

Witness: Trey Tucker, Sonny's Renovations, LLC

Heard: March 25, 2022; Decided: April 6, 2022

Board Members Present and Voting: Bobbie S. Mack, Chairperson  
Albert C. Scott, Vice Chairman

Board Member Absent: 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, Petitioners request 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 side yard at least 8 feet in width. Petitioners propose to validate existing conditions (side yard width, rear yard depth/width, accessory building (sheds)) and obtain a building permit for the construction of a covered carport over existing driveway. Variances of 9 feet side yard width, 1-foot rear yard depth/width, 2 feet side lot line setback and 1.5 feet rear lot line setback for accessory buildings are requested.

**Evidence Presented**

1. The property was subdivided in 1950, contains 3,794 square feet, is zoned R-35 (One-Family Semidetached, Residential) and is improved with a single-family dwelling, two connected parts to the driveways deck and two sheds. Exhibits (Exhs.) 2, 3, 6, 7 and 8 (A) thru (G).
2. The subject lot is an unusual shape with the side yard lines angling to the back. Exhs. 2 and 3.
3. Petitioner proposes to validate existing conditions (side yard width, rear yard depth/width, and accessory building (sheds)) and obtain a building permit for the construction of a covered carport over the existing driveway. A variance of 9 feet for the side yard setback is needed because the carport will extend to the property line. A variance of 1-foot rear yard setback for the location of the deck because it is only 19 feet from the property line. Variances of 2 feet side lot line setback for the larger shed and 1.5-foot for the rear lot lined small shed are necessary. Exhs. 2, 3, 6, 7 and 8 (A) thru (G).
4. Mr. Trey Tucker testified that the Petitioner would like to build a 21' x 10' carport located over the second part of the driveway next to the dwelling. He explained that because the width of the that part of the driveway falls directly on the left property line, he is requesting a variance because of the extreme narrowness. The driveway has an extension at the midpoint of the driveway that connects to the carport. Currently, the original driveway is brick with the second part extension being concrete. The carport will have gutters to direct the water. Exhs. 2, 4 (A) thru (F) and 13 (a) thru (d).
5. Mr. Stevens explained that he has resided on the subject lot since 1992 and the neighbors' trees have been located right along the fence line, where the extended driveway is located. He explained that branches in the fall and snow in the winter fall on his vehicles in the driveway extension. He explained that

he is 77 years old, and it is very difficult for him to remove the branches and snow off the vehicles. Exhs. 2, 4 (A) thru (F) and 13 (a) thru (d).

6. Mr. Tucker has submitted an elevation of the finished carport with dimensions of the carport, the affective part of the driveway, and gutter placement. Exhs. 13 (a) thru (d).

#### 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 property being semi-detached offering no space to place a driveway on the right side, the already close proximity of the extended driveway to the left side line, the need to protect vehicles from falling branches and snow from the neighbors' trees, the inability to clean and protect the vehicles without the proposed carport 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 variances of 9 feet side yard width, 1-foot rear yard depth/width, 2 feet side lot line setback and 1.5 feet rear lot line setback for accessory buildings (two sheds) are requested in order to validate existing conditions (side yard width, rear yard depth/width, accessory building (sheds)) and obtain a building permit for the construction of a covered carport over existing driveway. on the property located at 5138 Flintridge Drive, Lanham, Prince George's County, Maryland, be and is hereby APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plans, Exhibits 13 (a) thru (d).

BOARD OF ZONING APPEALS

By:

  
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.

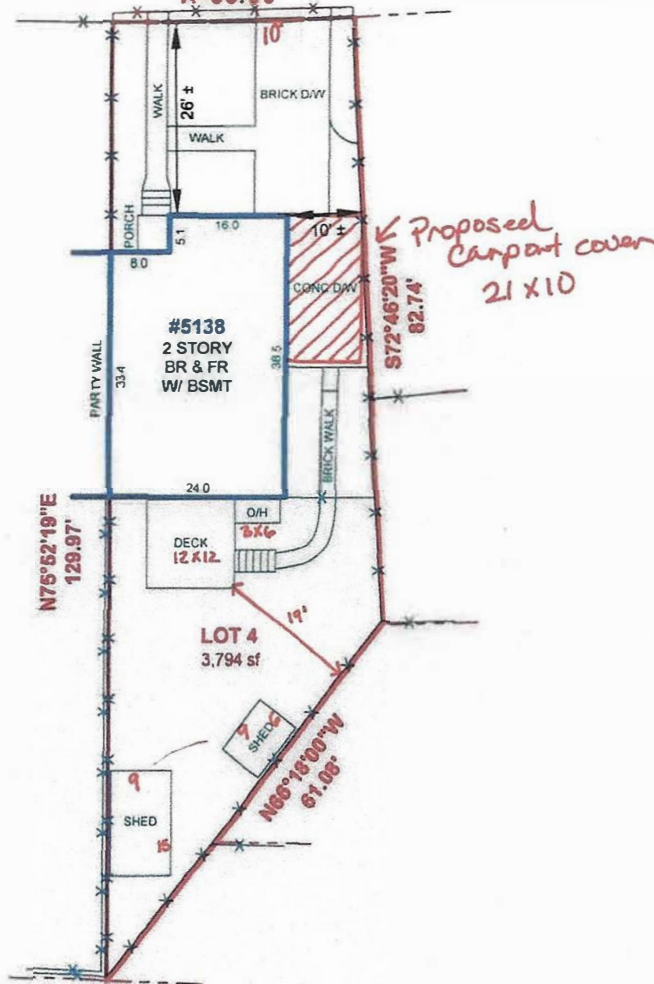
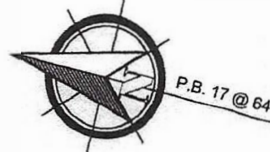
# BOARD OF APPEALS

APPROVED APR 06 2022

*[Signature]*  
ADMINISTRATOR

## FLINTRIDGE DRIVE

R=610.00'  
A=33.00'



EXH. # 2  
V-10-22

### LOCATION DRAWING OF:

**#5138 FLINTRIDGE DRIVE  
LOT 4**

**BLOCK H**

**WOODLAWN**

**PLAT BOOK 17, PLAT 64**

**PRINCE GEORGE'S COUNTY, MARYLAND**

SCALE: 1"=20' DATE: 01-11-2022

DRAWN BY: WW FILE #: 220238-200

### LEGEND:

- FENCE
  - BE - BASEMENT ENTRANCE
  - BW - BAY WINDOW
  - BR - BRICK
  - BRL - BLDG. RESTRICTION LINE
  - BSMT - BASEMENT
  - C/S - CONCRETE STOOP
  - CONC - CONCRETE
  - D/W - DRIVEWAY
  - EX - EXISTING
  - FR - FRAME
  - NAC - MACADAM
  - G - GATE
  - OH - OVERHANG
  - PUE - PUBLIC UTILITY ESMT
  - PIE - PUBLIC IMPROVEMENT ESMT
- COLOR KEY:**
- (RED) - RECORD INFORMATION
  - (BLUE) - IMPROVEMENTS
  - (GREEN) - ESMTS & RESTRICTION LINES

A Land Surveying Company



**DULEY  
and  
Associates, Inc.**



Serving D.C. and MD.

14604 Elm Street, Upper Marlboro, MD 20772

Phone: 301-888-1111

Fax: 301-888-1114

Email: orders@duley.biz

On the web: www.duley.biz



### 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 SET FORTH 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 CONTINGENT TRANSFER, FINANCING OR REFINANCING. THE LEVEL OF ACCURACY FOR THIS DRAWING IS 1/2". 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 ENCROACHMENTS MAY EXIST, A BOUNDARY SURVEY IS RECOMMENDED.

### DULEY & ASSOC.

WE WILL GIVE YOU A 100% FULL CREDIT TOWARDS UPGRADING THIS SURVEY TO A "BOUNDARY/STAKE" SURVEY FOR ONE YEAR FROM THE DATE OF THIS SURVEY.

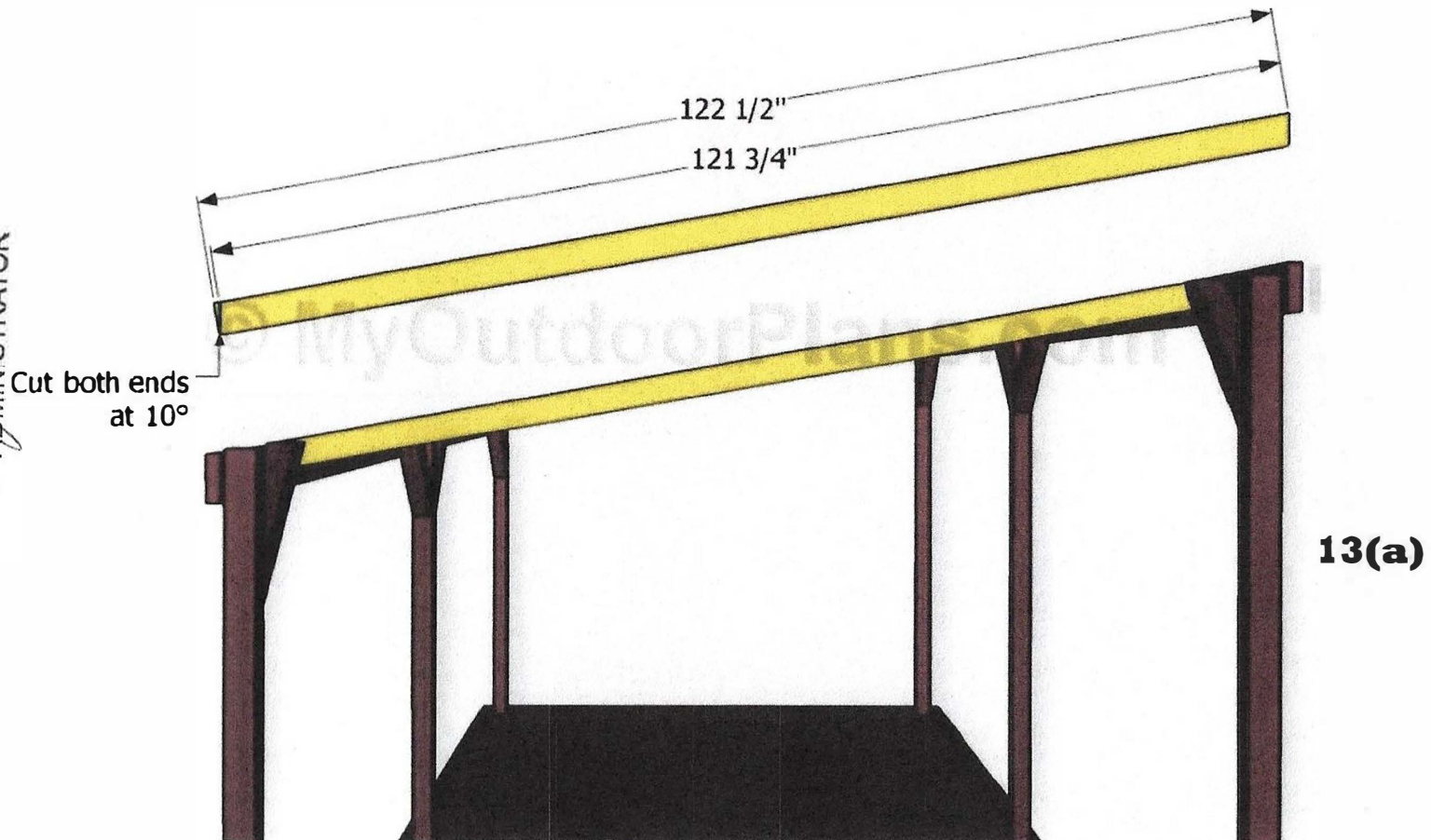
(EXCLUDING D.C. & BALT. CITY)

## BOARD OF APPEALS

APPROVED APR 06 2022

*[Signature]*  
ADMINISTRATOR

Always drill pilot holes before inserting the galvanized screws, to prevent the wood from splitting. In addition, add waterproof glue to enhance the rigidity of the joints.



Building the rafters

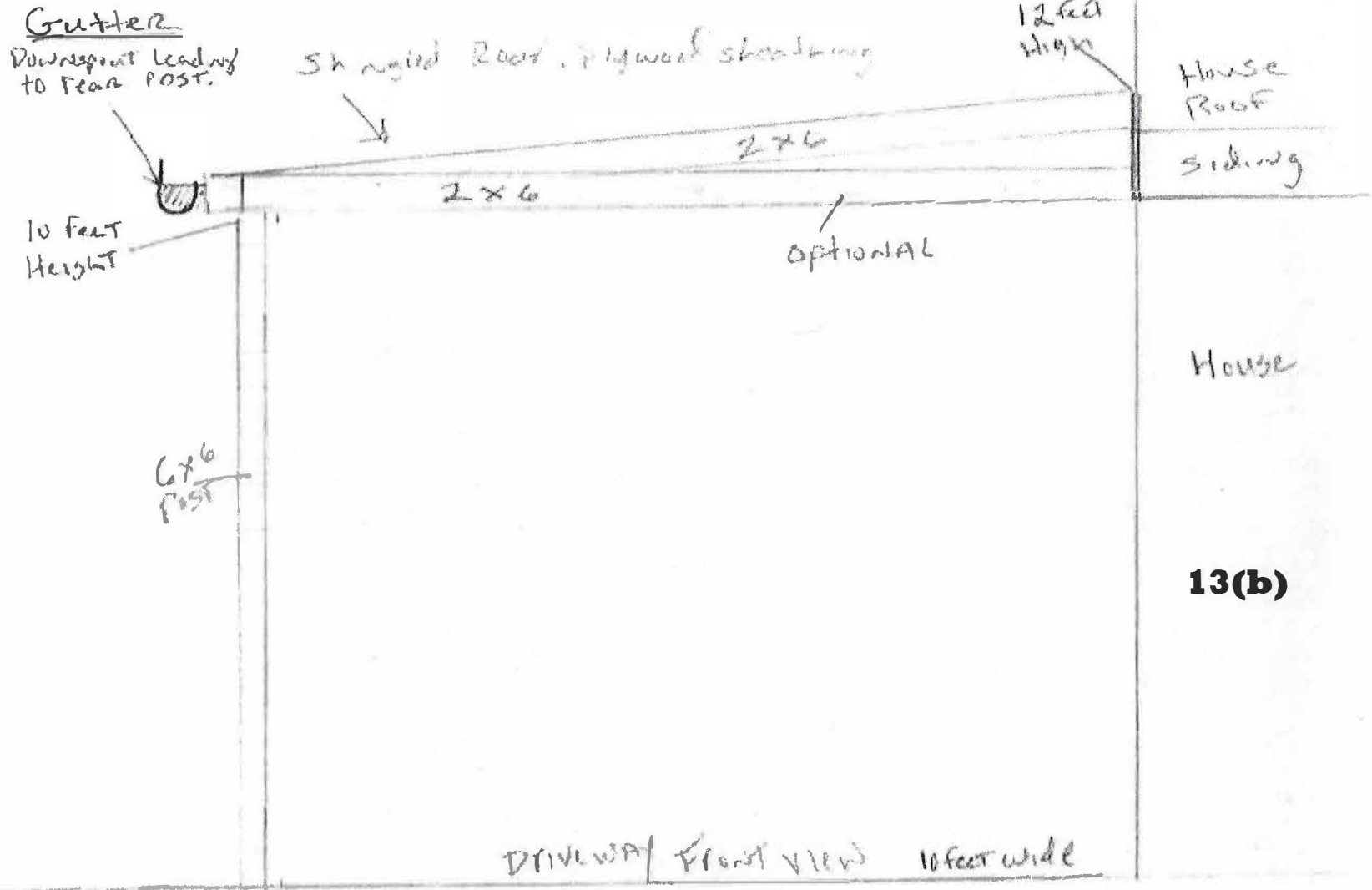
EXH. # 13(a-d)  
V-10-22

Attaching the rafters into place is a straight forward process, but you need first to cut their ends as in the plans. Use 2×4 lumber to build the rafters and cut their ends at about 10°.

BOARD OF APPEALS

APPROVED APR 06 2022

~~ADMINISTRATOR~~



13(b)

Carport Addition

To cover carport slab of 10 ft wide x 21 ft Length

Sonny's Renovations LLC  
Tee Tucker 301 647 3121

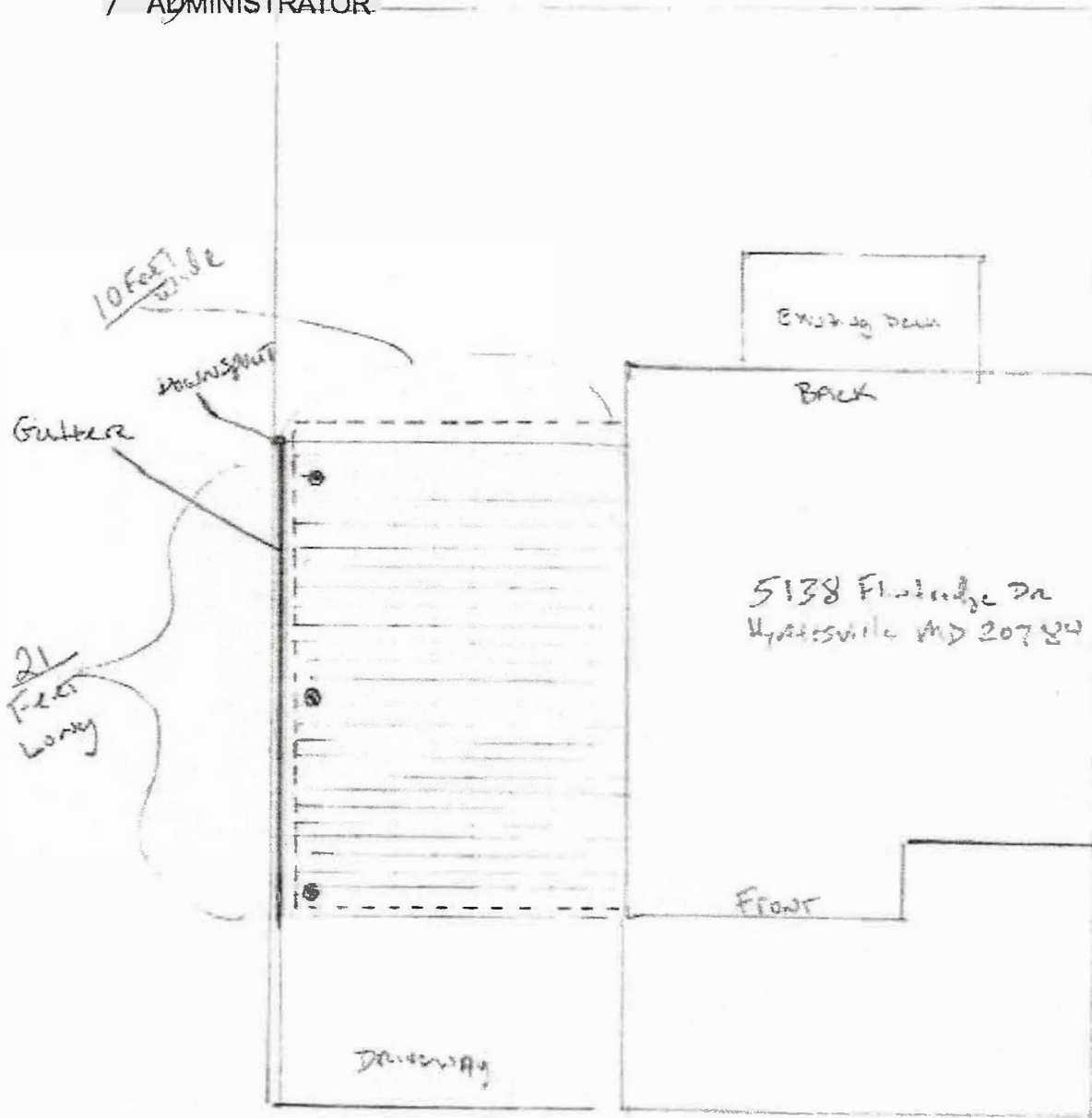
Sonny's Renovations LLC@gmail.com

5138 Flintridge DR  
Hyattsville MD 20784

# BOARD OF APPEALS

APPROVED APR 06 2022

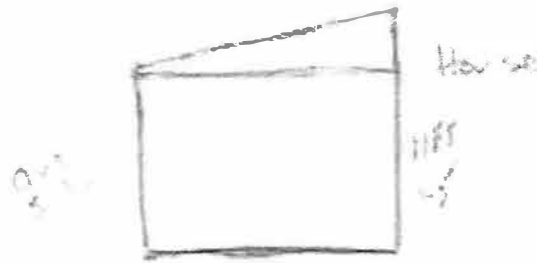
*[Signature]*  
ADMINISTRATOR



5138 Flatridge Dr  
Hyattsville MD 20784

Plan View Drawing Carport Roof  
Sonnys Renovations LLC @gmail.com  
Tie Tucker 301 6483181  
10-3-21

**13(c)**



ADD  
Gutter  
w/ Downspout

Post

Top View

own  
side

10'

Attached to  
House

**13(d)**

Post

Stained Wood

10 feet wide

Carport Addition

21X10 concrete slab

Roof will be shingled or corrugated material.

Donny's Renovation LLC  
The Truckee 301 648-3181

Donny's Renovation LLC @donny.com

5138 Flintridge Dr  
Hyattsville MD  
20784

**BOARD OF APPEALS**

**APPROVED**

APR 06 2022

*[Signature]*  
ADMINISTRATOR