



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

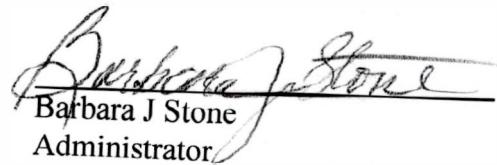
OF BOARD OF APPEALS

RE: Case No. V-15-22 David and Karen Miles

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 July 28, 2022, the above notice and attached Order of the Board were mailed, postage prepaid, to all persons of record.



The signature is handwritten in black ink, appearing to read "Barbara J. Stone". Below the signature, the name is printed in a smaller, sans-serif font: "Barbara J. Stone" and "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: David and Karen Miles

Appeal No.: V-15-22

Subject Property: Parcel 19-B, Map 150, Grid E2, Moyaone Reserve-Bonds Retreat Subdivision, being 2407
Rockwood Road, Accokeek, Prince George's County, Maryland

Heard and Decided: April 6, 2022

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 variances 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 variances from Section 27-442(i)(Table VIII), which prescribes that accessory buildings shall be set back 60 feet from the front street line, 2 feet from any side or rear lot line, shall not exceed 15 feet in height and generally be located only in the rear yard, or in the yard opposite the designated front of the main building on lots having no rear yard (through lots) and on corner lots where the designated front of the main building faces the side street. Petitioners propose to obtain a building permit for the construction of a carport with an attached shed. A variance of 8 feet front street line setback and a waiver of the rear yard location requirement for an accessory building (shed) and a waiver of the parking area location requirement are requested.

Evidence Presented

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

1. The property was subdivided in 1977, contains 5.056 Acres, is Zoned O-S (Open Space) and is improved with a single-family dwelling and a circular gravel driveway. Exhibits (Exhs.) 2 (A) thru (C), 6, 7, 8 (A) thru (H) and 9.
2. The subject property is a large heavily wooded 5.056-acre property which is very irregular in shape. The property as shown on the photos and topographic map has severe contours and a ravine. Exhs. 2 (A) thru (C), 6, 7, 8 (A) thru (H) and 9.
3. Petitioners propose to obtain a building permit for the construction of a carport with an attached shed which will be located in the front right of the dwelling. A variance of 8 feet front street line setback and a waiver of the rear yard location requirement for an accessory building (shed) and a waiver of the parking area location requirement is required. The front yard setback for the carport should be 60 feet, but the setback is currently shown is 52 feet. Therefore, a variance of 8 feet is required. As the accessory building (shed) will be located in the front yard, a waiver of the rear yard location is required. Due to the driveway being located in front of the dwelling, a waiver of the parking area location is also required. Exhs. 2 (A) thru (C), 3 (a) thru (I), 4 (A) thru (H).
4. Ms. Miles testified because of the topography, including ravines, steep slopes and septic field, in the rear yard, the proposed carport cannot be located to the rear of the dwelling. The carport will be located

on flat land in the front but shy of the required 60 front yard feet from the road. She noted that another reason for the proposed location of the carport is due to the main electrical line running under the driveway area. Exhs. 2 (A) thru (C), 3 (a) thru (l), 4 (A) thru (H).

5. She testified that their cars are being damaged by falling branches, bird and insect droppings.

6. She stated that the new shed will be used for tools, as the old shed was obliterated from a large tree that fell on it.

7. The carport dimensions are 20 feet x 22 feet, and the shed dimensions are 4 feet x 7'. Exhs. 2 (A) thru (C), 3 (a) thru (l), 4 (A) thru (H).

8. Petitioner has spoken to neighbors who have no objections to the proposed carport with shed.

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 comply with the applicable standards set forth in Section 27-230, more specifically:

Due to the severe topographic conditions of the property (specifically the rear yard), the septic field being located in the rear yard, the need to protect the cars from falling branches, snow and ice, the old shed was obliterated by a large tree, the main electrical line is running under the driveway in the right front yard area, 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 owners of the property.

BE IT THEREFORE RESOLVED, unanimously, that variances of 8 feet front street line setback and a waiver of the rear yard location requirement for an accessory building (shed) and a waiver of the parking area location requirement in order to propose to obtain a building permit for the construction of a carport with an attached shed. on the property located at being 2407 Rockwood Road, Accokeek, Prince George's County, Maryland, be and are hereby APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2 (A) and approved elevation plans, Exhibits 3 (a) thru (l).

BOARD OF ZONING APPEALS

By:

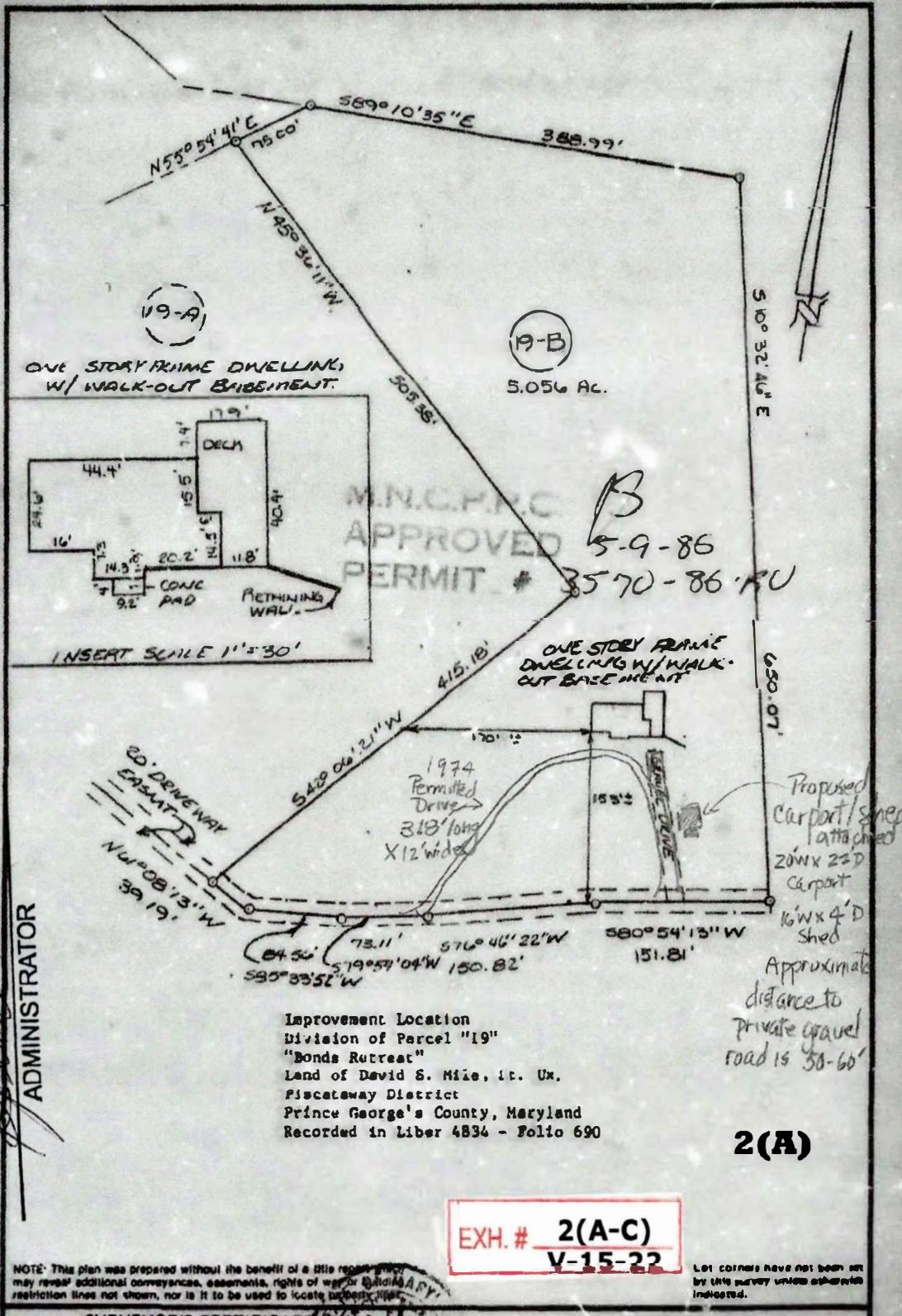

Bobbie S. Mack, Chairperson

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.



NOTE: This plan was prepared without the benefit of a title search and may reveal additional conveyances, easements, rights of way or building restriction lines not shown, nor is it to be used to locate property lines.

SURVEYOR'S CERTIFICATE

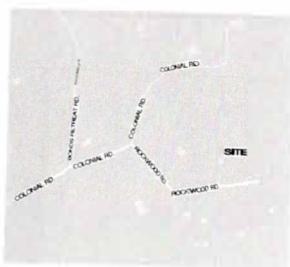
I hereby certify that the position of all existing improvements on the above described property have been carefully established by a transit-tape surveyor, and that unless otherwise shown, there are no other surveys.



DH Steffens Co

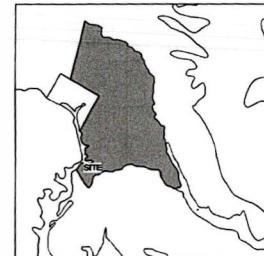
ENGINEERS
LAND SURVEYORS
LAND PLANNERS

DRAWN BY D. SIDNE	DATE 5/2/86	RECORD NO. 2647/7
CHECKED BY	SCALE 1" = 100'	

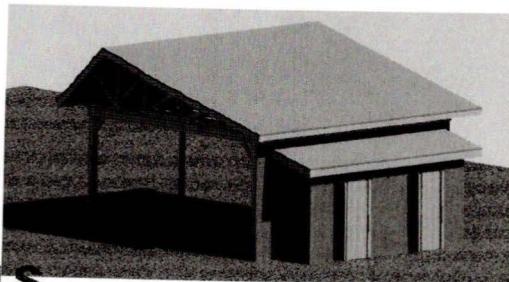


VICINITY MAP

**PROPOSED CARPORT
AT THE
KAREN AND DAVID MILES RESIDENCE**



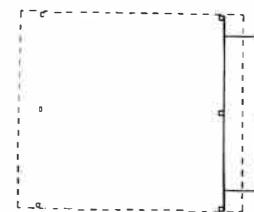
COUNTY MAP



BOARD OF APPEALS

APPROVED APR 06 2022


ADMINISTRATOR



③ KEY PLANS

(a)

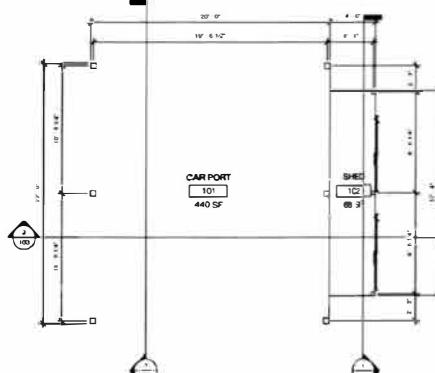
EXH. # 3(a-l)
V-15-22

XH. # 3(a-I)
V-15-22

KAREN AND
DAVID MILES
MILES CARPORT
COVER SHEET

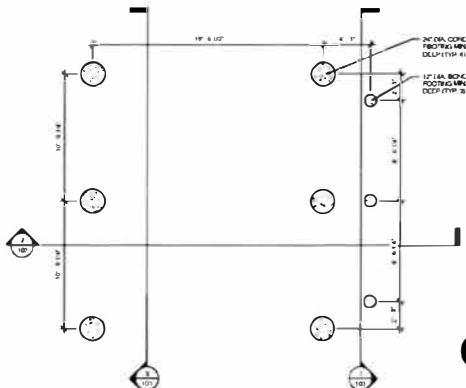
Project Number	0001
Date	
Drawn By	A.H.
Checked By	
CS	

CS



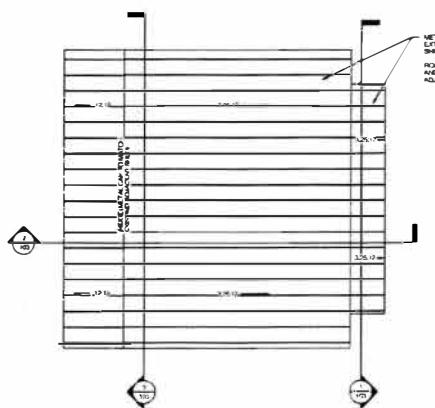
(b)

③ FLOOR PLAN



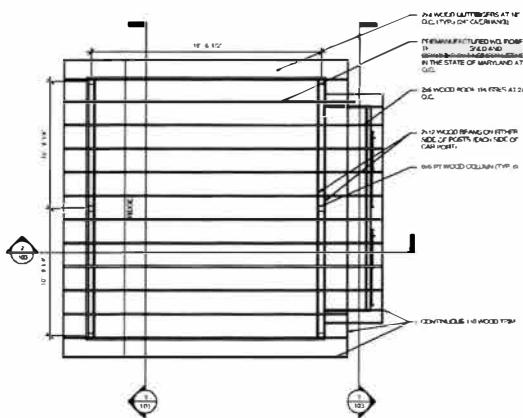
(c)

④ FOUNDATION PLAN
1/8" = 1'-0"



(d)

1 ROOF PLAN
1'-4" = 1'-0"



(e)

② ROOF FRAMING PLATE

Owner: KAREN AND DAVID MILES
Address: 2407 ROCKWOOD RD.
ACCOKEEK, MD. 20607
Phone: 301-751-0543

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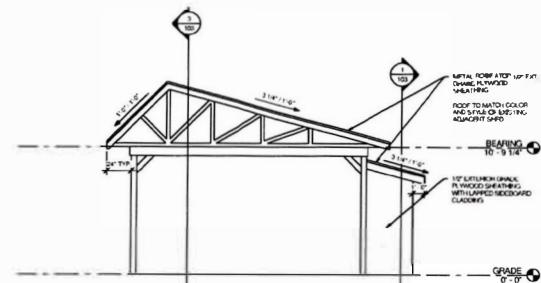
APPROVED APR 06 2022

Administrator

KAREN AND
DAVID MILES
MILES CARPORT
FLOOR PLANS

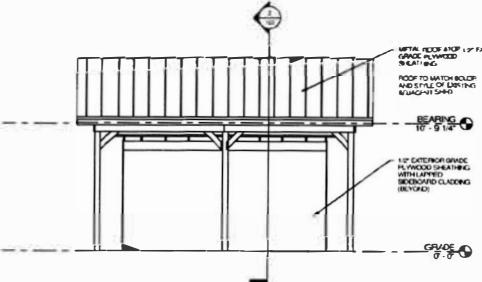
Printed Number 0001
Date
Drawn By A.H.
Checked By

101



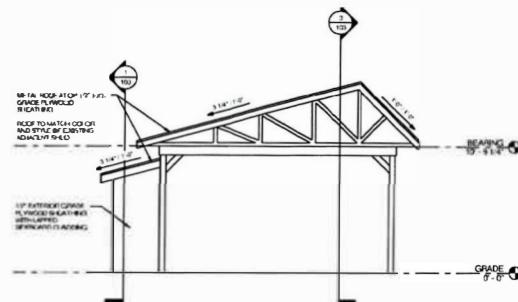
① FRONT ELEV.
1/8" = 1'-0"

1



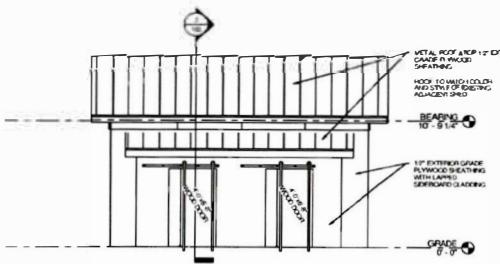
② LEFT SIDE ELEV.
1/4" = 1'-0"

(g)



③ REAR ELEV.
14'-0"

(h)



4 RIGHT SIDE ELEV

(i)

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APPROVED APR 06 2022

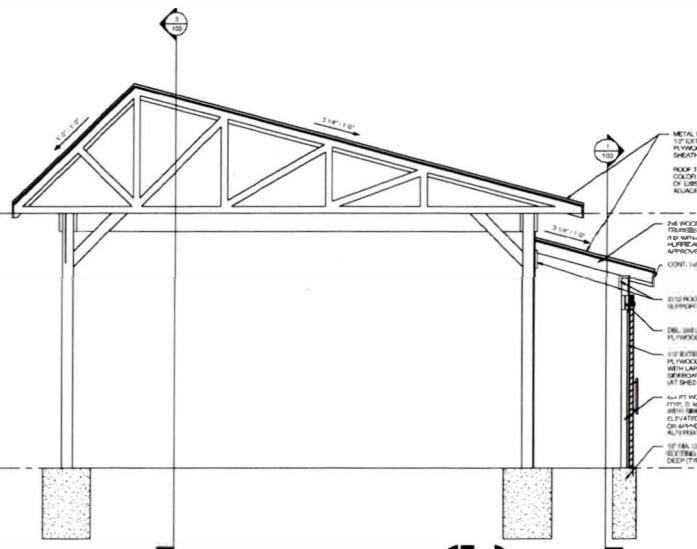
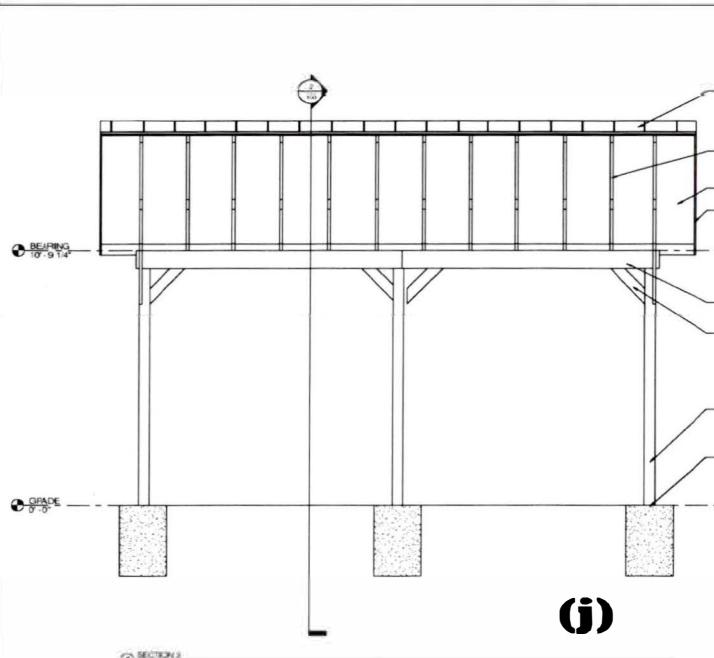
Johnnie ADMINISTRATOR

Owner KAREN AND DAVID MILES
Address: 2407 ROCKWOOD RD.
ACCOCKECK, MD. 20607
Phone 301-751-0543

KAREN AND
DAVID MILES
MILES CARPORT

ELEVATIONS

Project Number	0001
Date	
Drawn By	Author
Checked By	Checker
102	

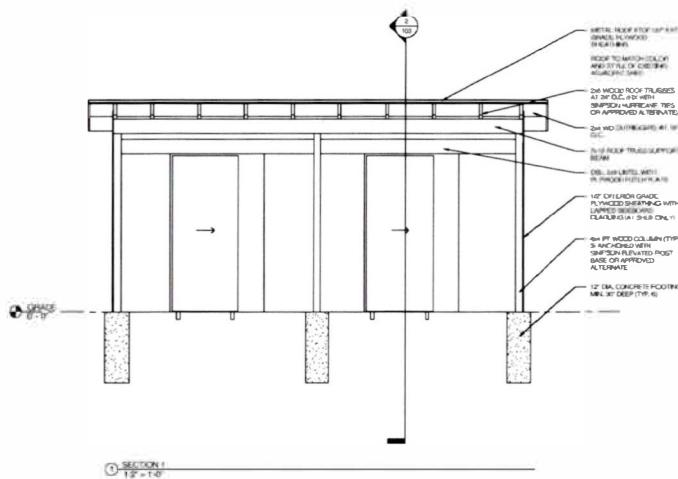


BOARD OF APPEALS

APPROVED APR 06 2022

B. Stone
ADMINISTRATOR

(1)



Owner: KAREN AND DAVID MILES
Address: 2407 RICKWOOD RD.
ACCOKEEK, MD. 20887
Phone: 301-751-0540

KAREN AND
DAVID MILES
MILES CARPORT
SECTIONS

Project Number	0001
Date	
Drawn By	Author
Checked By	Checker
103	

103