



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-21-22 Winston and Karen Burrows

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: May 25, 2022.

CERTIFICATE OF SERVICE

This is to certify that on June 29, 2022, the above notice and attached Order of the Board were mailed, postage prepaid, to all persons of record.

A handwritten signature in black ink, appearing to read "Barbara J. Stone".

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: Winston and Karen Burrows

Appeal No.: V-21-22

Subject Property: Lot 7, Block T, Aragona Village Subdivision, being 1804 Williamsburg Court, Fort Washington, Prince George's County, Maryland

Heard and Decided: May 25, 2022

Board Members Present and Voting: Bobbie S. Mack, Chairperson

Anastasia T. Johnson, Member

Board Member Absent: Albert C. Scott, Vice Chairman

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(d)(Table III) which prescribes that each lot shall have a minimum width of 120 feet measured along the front building line. Section 27-442(e)(Table IV) prescribes that each lot shall have a rear yard at least 20 feet in depth/width. Section 27-442(c)(Table II) prescribes that not more than 20% of the net lot area shall be covered by buildings and off-street parking. Petitioners propose to validate an existing condition (front building line) and obtain a building permit to replace existing wood deck with a new and expanded size deck. Variances of 12.6 feet front building line width, 8.6 feet rear yard depth/width and 6.2% 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 10,038 square feet, is zoned R-E (Residential Estates) and is improved with a single-family dwelling, driveway, and existing wood deck. Exhibits (Exhs.) 2, 4, 6, 7 and 9 (A) thru (F).
2. The subject property is within a cul-de-sac and trapezoidal in shape. Exhs. 2, 4, 6, 7 and 9 (A) thru (F).
3. Petitioners propose to validate an existing condition (front building line) and obtain a building permit to replace existing wood deck with a new and expanded size deck. Variances of 12.6 feet front building line width is necessary because of the existing insufficient length of the front building line width and 8.6 feet rear yard setback for the replacement deck is necessary because the current setback rear yard requires 20 feet. In addition, the 20% net lot coverage will require a variance of 6.2% because of the overall development. Exhs. 2, 4, 6, 7 and 9 (A) thru (F).
4. Potomac Mill Homeowners Association (HOA) has approved the variances requested. Exh. 11.
5. Ms. Karen Burrows testified that she is seeking to replace the aging 30-year-old wood deck with a composite deck.
6. She believed that the rear yard area is (already) exceptionally shallowness where the deck is located.

7. She testified that because the HOA guidelines prohibit building a deck on the side of the dwelling the only suitable area to replace the existing worn-out deck was at its current rear yard location.

8. The existing deck (20' x 14') is the larger square to the right rear corner of the dwelling which will be converted to composite decking. The expanded portion of the deck (11' length x 14' deep) will be to the left of the existing deck also with composite decking. The replacement deck will be, therefore, along the rear of the house, but not expanded to the rear yard line. Exhs. 2, 3 (a) thru (b), and 5 (A) thru (F).

9. Ms. Burrows further testified that in retirement they are utilizing the rear yard much more and the expanded deck will allow more space for family and friends social gatherings.

10. She stated that there will be steps coming off the right yard side of the deck. Exhs. 2, 3 (a) thru (b), and 5 (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

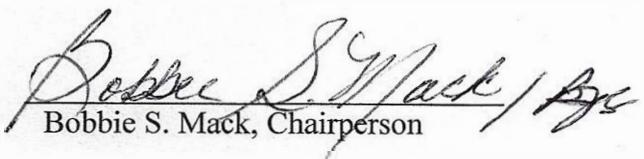
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variance complies with the applicable standards set forth in Section 27-230, more specifically:

Due to the trapezoidal shape of the property juxtaposed within a cul-de-sac, the restrictive guidelines of the HOA limiting the location of the replacement deck, the deterioration condition of the existing deck 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, by majority vote, Mr. Albert Scott absent, that variances of 12.6 feet front building line width, 8.6 feet rear yard depth/width and 6.2% net lot coverage in order to validate an existing condition (front building line) and obtain a building permit to replace existing wood deck with a new and expanded size deck on the property located at 1804 Williamsburg Court, Fort Washington, Prince George's County, Maryland, be and is hereby APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 14 and approved elevation plans, Exhibits 3 (a) thru (b).

BOARD OF ZONING APPEALS

By:


Bobbie S. Mack, Chairperson

NOTICE

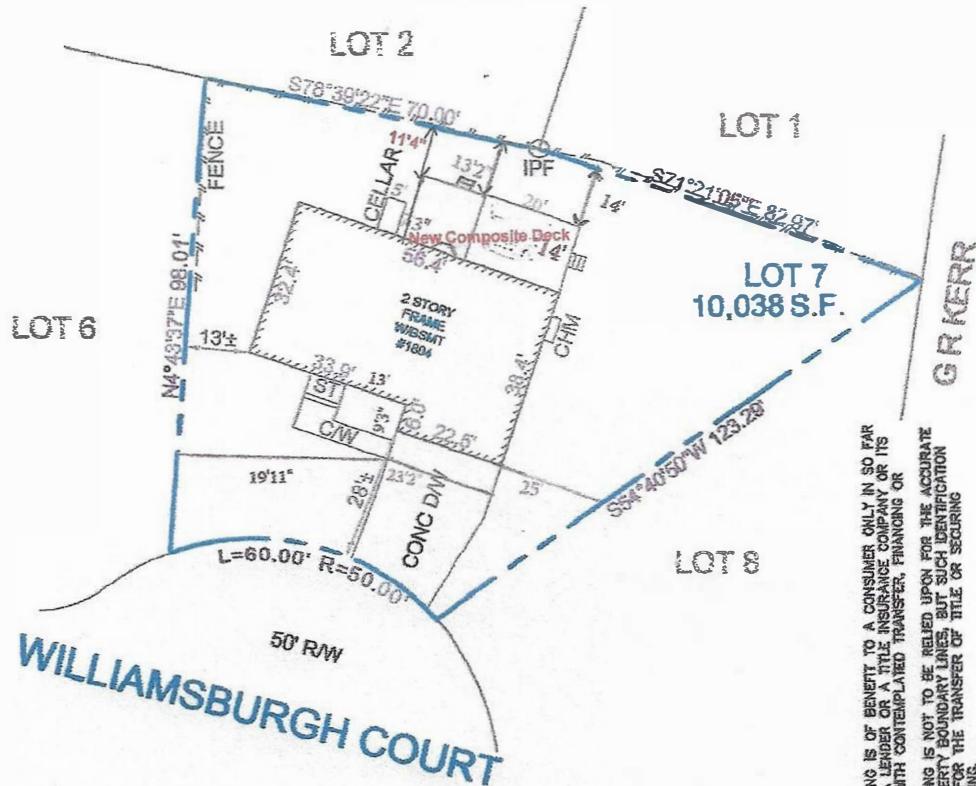
Within thirty (30) days from the date of this decision, any person, firm, corporation, or governmental agency who was a party to the Board's proceedings and is aggrieved by its decision may file an appeal to the Circuit Court of Prince George's County.

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.

LOCATION DRAWING

ADDRESS: 1804 WILLIAMSBURGH COURT



NOTES:
 1. THIS LOCATION DRAWING IS OF BENEFIT TO A CONSUMER ONLY IN SO FAR
 AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS
 AGENT IN CONNECTION WITH A CONTemplATED TRANSFER, FINANCING OR
 REFINANCING.
 2. THIS LOCATION DRAWING IS NOT TO BE RELIED UPON FOR THE ACCURATE
 IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION
 MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING
 A FINANCIAL INSTRUMENT.
 3. LEVEL OF ACCURACY IS 1/2.

DRAWN BY: BP

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY SHOWN HEREON FOR THE PURPOSE OF LOCATING THE IMPROVEMENTS ONLY, AND THE PROPERTY CORNERS HAVE NOT BEEN ESTABLISHED OR SET, UNLESS OTHERWISE NOTED. WE ASSUME NO RESPONSIBILITY, OR LIABILITY FOR ANY RIGHT-OF-WAYS ON THE RECORD OR EASEMENTS RECORDED OR UNRECORDED NOT APPEARING ON THE RECORDED PLAT OR MENTIONED IN THE DEED REFERRED TO HEREON. NO TITLE REPORT WAS FURNISHED.



PROFESSIONAL SEAL

DATE

EXH. # 2
V-21-22

LAND PRO ASSOCIATES, LLC.

8849 GREENFIELD ROAD SUITE 334
LANHAM, MD 20706
PHONE 301-368-1944
FAX 301-724-0751
LANDPRO@MAIL.COM

LOCATION DRAWING
ARACONA VILLAGE
LOT 7 BLOCK T
BOOK 8567 PAGE 721
PLAT BOOK 6506
PRINCE GEORGE'S COUNTY, MARYLAND
SCALE 1" = 50'
DATE 2/3/22

FILE: # 1804 WILLIAMSBURGH COURT

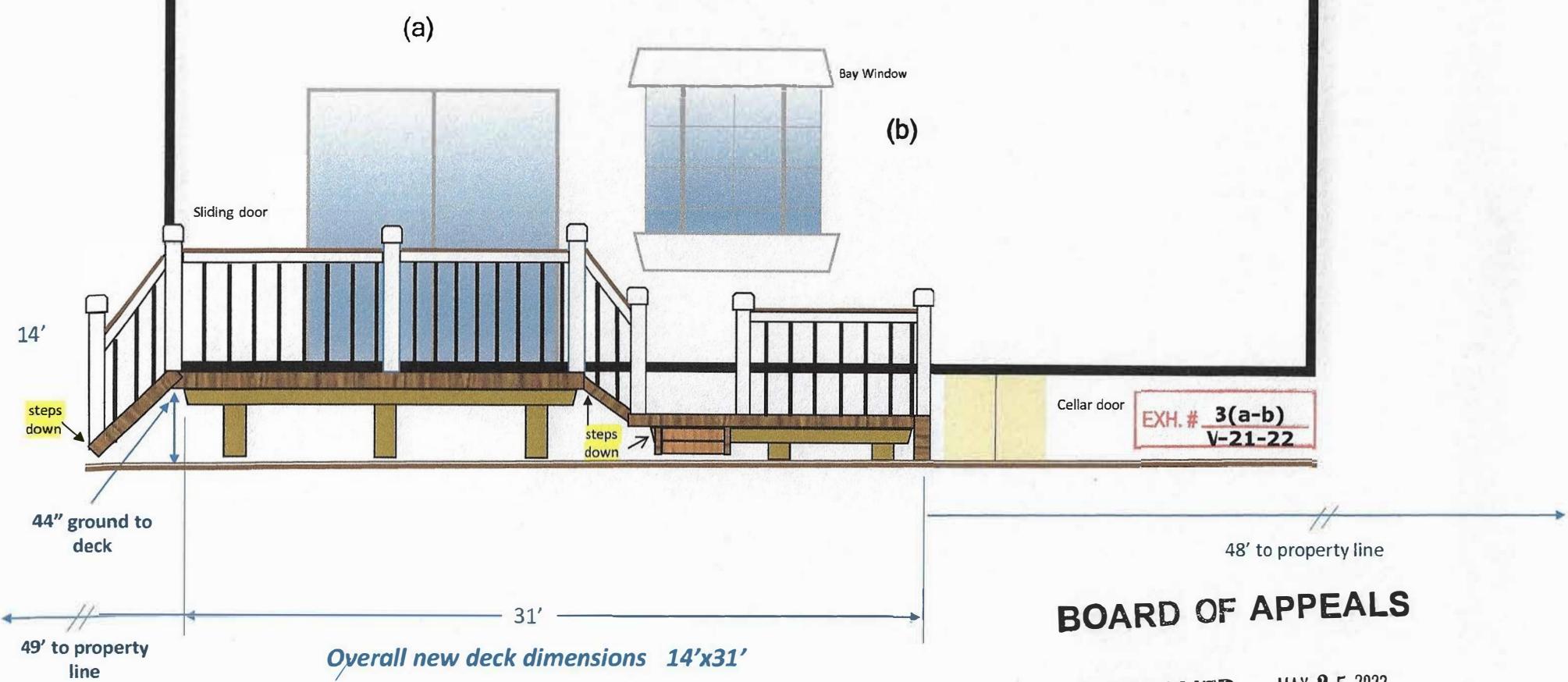
CASE: # 0

ADMINISTRATOR

APPROVED MAY 26 2022

BOARD OF APPEALS

1804 Williamsburgh Court
Fort Washington, MD 20744



BOARD OF APPEALS

APPROVED MAY 25 2022

B. J. Steele
ADMINISTRATOR