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-27-22 Carla and Robert Goodwin

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 23, 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: Carla and Robert Goodwin
Appeal No.: V-27-22
Subject Property: Lot 88, Block B, Villages of Savannah Subdivision, being 6117 Savannah Drive, Brandywine, Prince George's County, Maryland
Witness: Sheila Smith, Representative, Medallion Security Door and Window Co.
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(e)(Table IV) of the Zoning Ordinance which 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 25% of the net lot area shall be covered by buildings and off-street parking. Petitioners propose to construct a gazebo, deck, and patio. Variances of 5 feet rear yard depth and 1.4% lot coverage were requested.

Evidence Presented

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

1. The subject property (Lot 88) was subdivided in 2007, contains 23,450 square feet, is zoned R-R (Rural Residential) and is improved with a single-family dwelling, garage, and driveway. Exhibit (Exhs.) 2, 4, 7, 8 and 9 (A) thru (F).
2. The subject lot is irregular in shape. The lot has a flag stem access from Savanna Drive, although, the lot was not developed as a formal "flag lot." Off the flag stem, the lot is an elongated pie shape. Exhs. 2, 4, 7, 8 and 9 (A) thru (F).
3. Petitioners propose to obtain a building permit for the construction of a gazebo, open deck, and patio. A variance of 5 feet rear yard depth is required as the Zoning Ordinance requires a 20-foot rear yard setback. With the addition of the gazebo and deck, the lot coverage will increase for which a variance of 1.4% lot coverage is required. Exhs. 2, 4, 7, 8 and 9 (A) thru (F).
4. Petitioner Robert Goodwin testified that the deck is needed because his mother has a mobility issue as she cannot attempt stairs. He explained that the reason the property was purchased because the bedroom is on the first floor. He believed that with the proposed deck and gazebo, his mother will be able to safely join the family gatherings outside, which will be on the same level as her bedroom. He emphasized that the gazebo will be built on the deck for easy access and convenience. He stated that she uses the 4-point walker. Exhs. 2, 3 (a) thru (c) and 5 (A) thru (E).

5. Ms. Sheila Smith stated that the open deck will be projected 13 feet deep x 25 feet wide from the rear of the house. The gazebo dimensions are 8'x 8'. Because the deck will be 5 feet into the rear yard setback, the requested variance will be needed. Exhs. 2, 3 (a) thru (c) and 5 (A) thru (E).

6. The Villages of Savannah Homeowners Association stated that the Petitioners meet the guidelines of its Architectural Rules and Regulations and therefore the requested two variances are approved. Exh. 16.

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 owners 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 exceptional irregular shape of the lot, the existing location of the dwelling, the proposed deck and gazebo will be on the same level as the bedroom of his mother, providing a safe and accessible access to outdoor family gathering, the net lot overage is *de minimis,* and the residential 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 5 feet rear yard depth and 1.4% lot coverage in order to obtain a building permit for the construction of a gazebo, deck, and patio on the property located at 6117 Savannah Drive, Brandywine, 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 3 (a) thru (e).

BOARD OF ZONING APPEALS

By: Bobbie S. Mack /BJS
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 MAY 25 2022

ADMINISTRATOR

LOCATION DRAWING

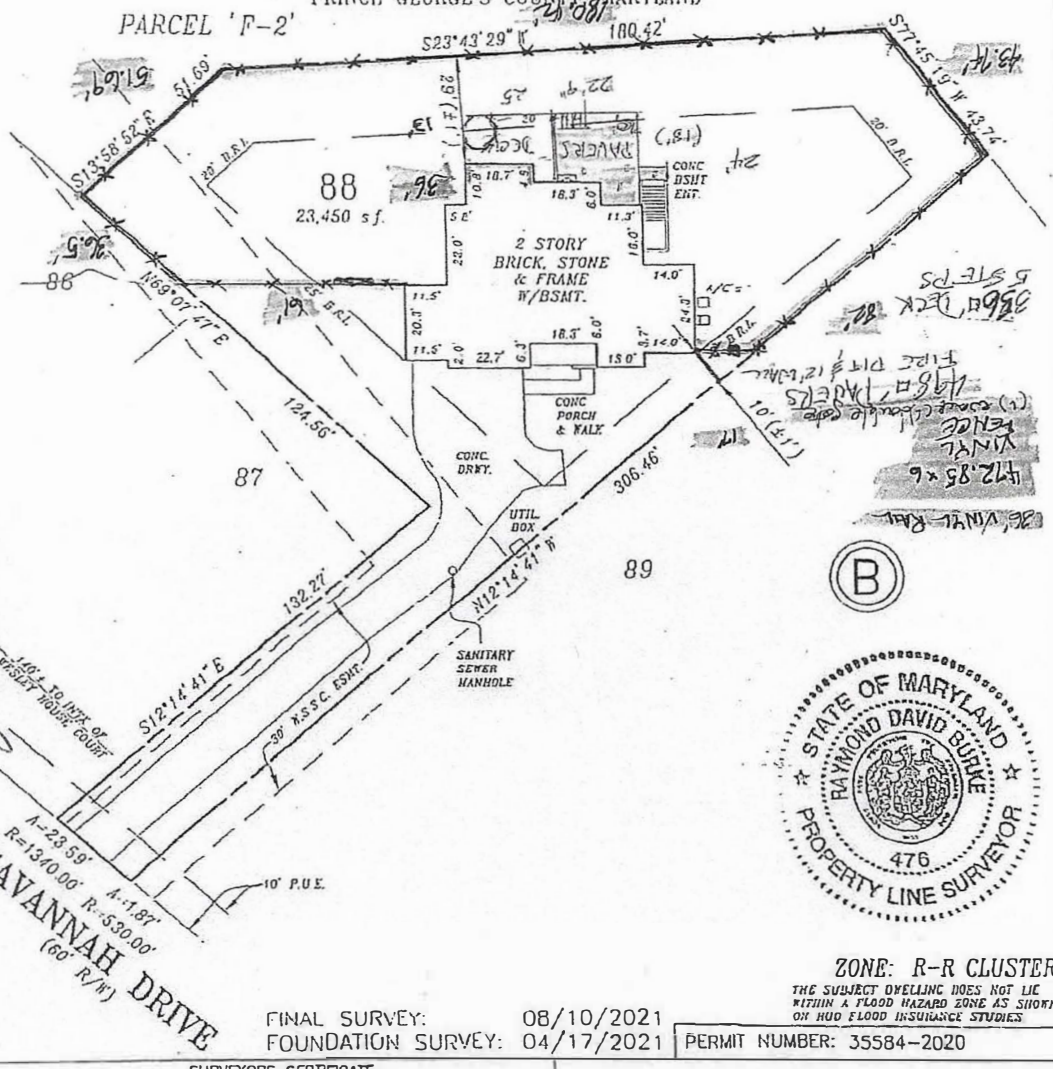
6117 SAVANNAH DRIVE

LOT 88, BLOCK B

VILLAGES OF SAVANNAH

BRANDYWINE (11th) ELECTION DISTRICT

PRINCE GEORGE'S COUNTY, MARYLAND



ZONE: R-R CLUSTER

THE SUBJECT DWELLING DOES NOT LIE WITHIN A FLOOD HAZARD ZONE AS SHOWN ON HUD FLOOD INSURANCE STUDIES

FINAL SURVEY: 08/10/2021

FOUNDATION SURVEY: 04/17/2021

PERMIT NUMBER: 35584-2020

SURVEYORS CERTIFICATE

I hereby certify that the position of the existing improvements shown hereon have been carefully established under my responsible charge using accepted land surveying practices. The plan is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or refinancing. The plan is not to be relied upon for the establishment or location of fences, garages, buildings, easements, or other existing or future improvements. The plan 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 drawing was prepared without the benefit of a title report. This drawing and the survey on which it is based are in compliance with COMAR Reg. 9.13.06.12.

8-16-21

RAYMOND D. BURKE
PROPERTY LINE SURVEYOR MD
NO. 476 EXP. 1/03/2023

CPJ Associates

Charles P. Johnson & Associates, Inc.

Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors

1751 Elton Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-9393

www.cpjinc.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

REFERENCE		Drawn by MSB	WCR	Checked by RDB
Plat Book	PM 224	Date 04/22/2021		Record No.
Plat No.	67	Scale 1"=40'		38-137-88.88 (B)

EXH. # 2
V-27-22

Lot Coverage Calculation

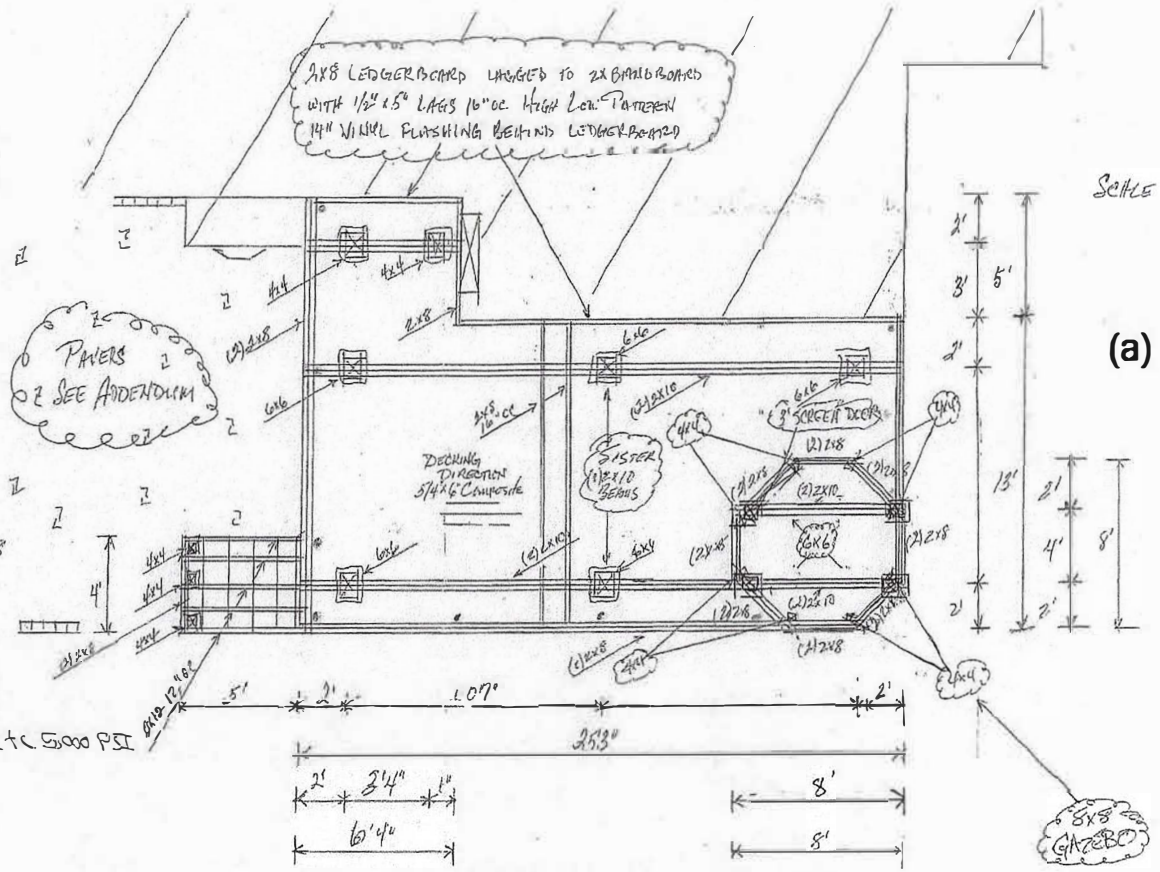
House = 4,232 =SF
Driveway = 2720 =SF
Deck = 356 =SF
Paver= 498 =SF
Total= 7806 =SF

Lot Coverage =(7806/23,450)x100
= 33%

Mr Geoghan & Ms Hennessy
6117 Savannah Dr
Brandywine, MD 20613
(202) 210-7261
(301) 379-8942
(301) 738-5776

13' x 25'3" / 5' x 6'4" Deck
361 sq' Island Mist
(5) 4' Steps
White Vinyl Rail w/ Black Pickets
4x4 Railing Post Locations
8x8 Gazebo

Medallion, Yard
16 – 4"x4" - 8' #2
38 – bag of Concrete 5000 PSI



Bird eye
elevation

EXH. # 3(a-I)
V-27-22

BOARD OF APPEALS

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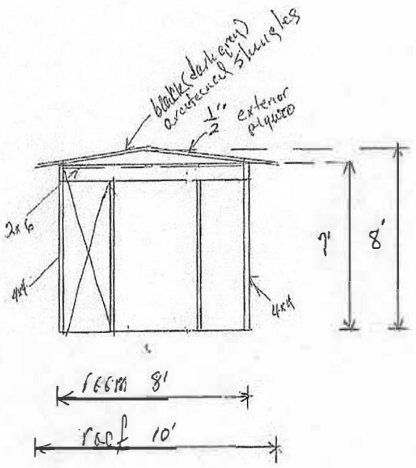
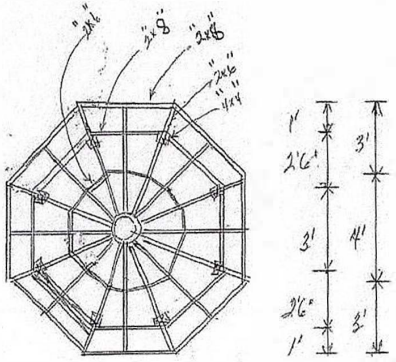
Goodwin & Honesty
6117 Savannah Dr
Brandywine, MD 20613
(301) 379-8942
(202) 210-7261

Scale 1" = 4'



(b)



8'x8' Gazebo
Roof 3' equal sides
1' overhang on roof
3/4" exterior plywood
Shingles - Dark Grey Architecture
Black Solar Screen
36" screen door

(c)

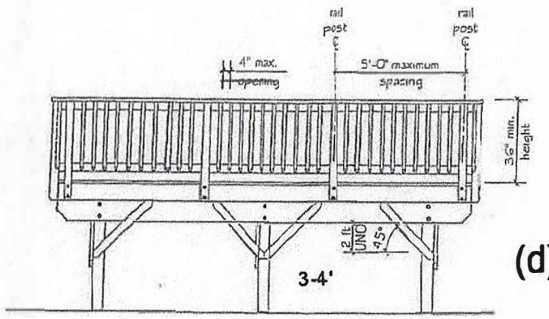
Front & Bird eye Elevation

BOARD OF APPEALS

APPROVED MAY 25 2022

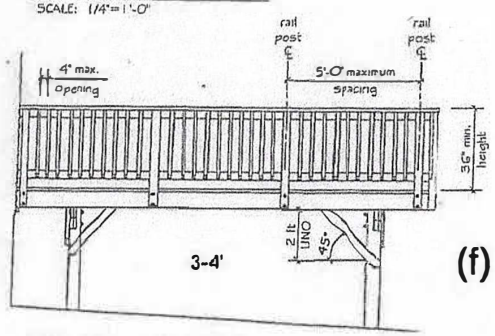
ADMINISTRATOR

Free-Standing and Totally Isolated Decks:
decks designed and constructed as totally isolated and completely freestanding structures (i.e. not attached to the house) must be diagonally braced in two perpendicular directions at every posts.



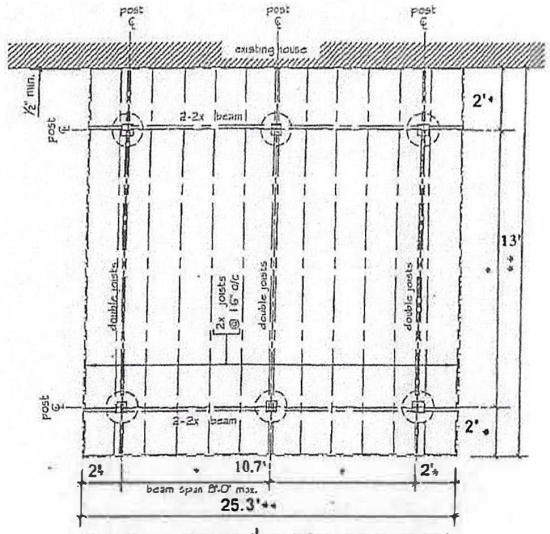
(d)

FRONT ELEVATION
SCALE: 1/4"= 1'-0"



(f)

LEFT SIDE ELEVATION



(e)

* beam spans, column centerlines and offsets must be dimensioned
** overall deck sizes must be shown

FRAMING / FOUNDATION PLAN
SCALE: 1/4"= 1'-0"

General Notes:

1. All lumber shall be ground contact preservative treated wood UC4A or higher.
2. All connectors, anchors and fasteners shall be either Zmax or post batch hot-dip galvanized steel.
3. Provide double joists at center of the post or where 1 side of joist flush with face of post below to facilitate diagonal bracing connection.
4. Where the 1 500 psi soil bearing pressure capacity of the footing is not obtained; usually near the house basement wall, extend the footing down until reach the bearing capacity.
5. A 3x3 wood placed under beam or double joists may be used in lieu of 2x4 diagonal bracing shown.
6. Beam splice at interior posts only.

Prince George's County, Maryland
Dept. of Permitting, Licensing and Inspections

WOOD DECK FRAMING
FOUNDATION PLAN AND
ELEVATIONS

Drawing No.
D-023

Sheet 1 of 1

BOARD OF APPEALS

APPROVED MAY 25 2022

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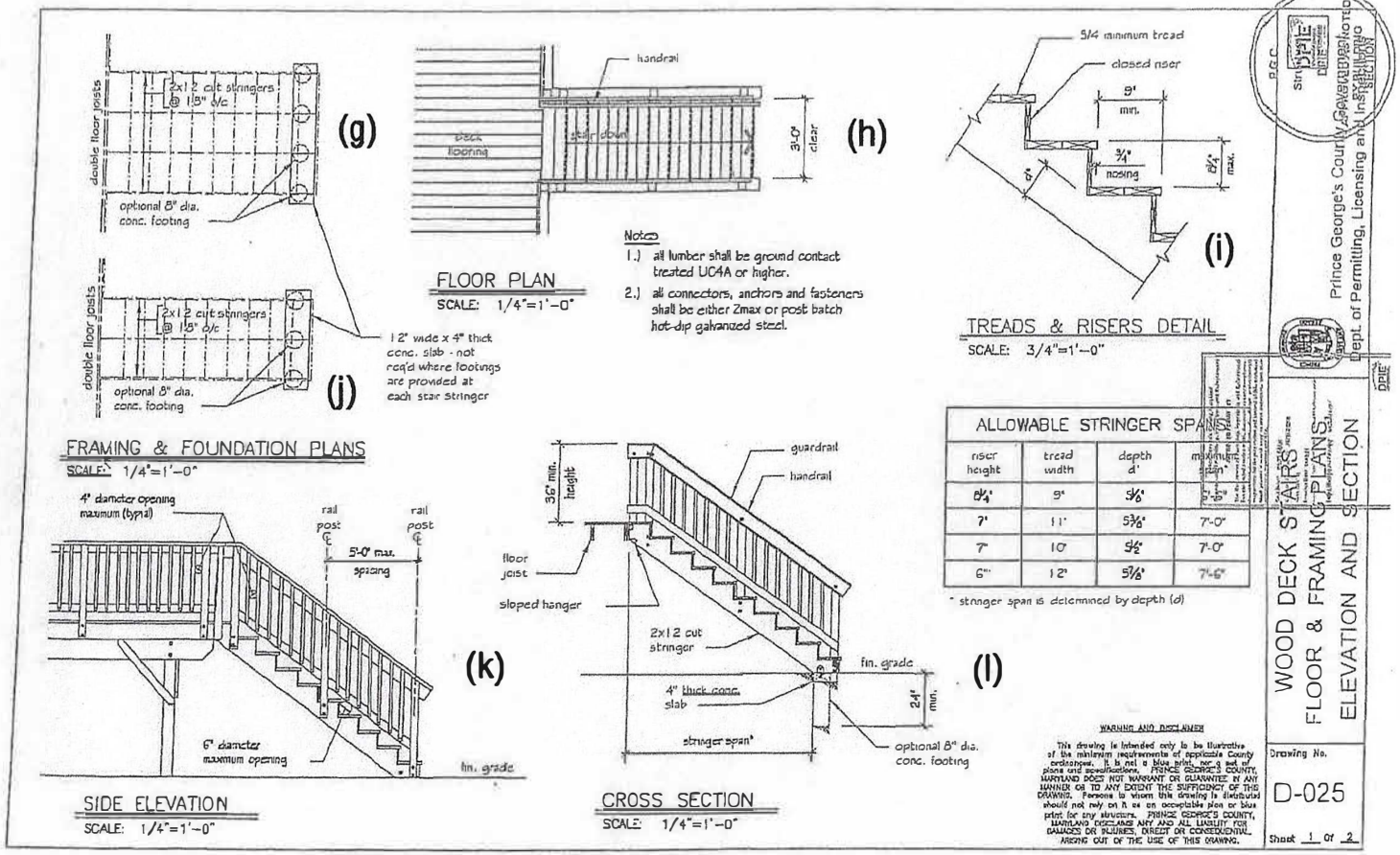

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