



# 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-46-22 Agustin Roman

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: July 20, 2022.

## **CERTIFICATE OF SERVICE**

This is to certify that on October 19, 2022, the above notice and attached Order of the Board were mailed, postage prepaid, to all persons o 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***

Petitioner: Agustin Roman

Appeal No.: V-46-22

Subject Property: Lot 25, Block 27, Section B, Dupont Heights Re-subdivision, being 1824 Porter Avenue,  
Suitland, Prince George's County, Maryland

Witnesses: Johnathan Campbell, Architect

Moya Young, Neighbor

Jill Mitchell, Neighbor

Martha Taggert, Neighbor

Heard and Decided: July 20, 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 27-3303 of the Zoning Ordinance, Petitioner requests that the Board approve variances from Section 27-4202 (e) (2) which prescribes that each lot shall have a front yard at least 25 feet, a minimum width of 65 feet measured along the front setback and 52 feet measured along the front street line. Petitioner proposes to obtain a building permit for the new construction of a porch. Variances of 8 feet front yard depth, 15 feet lot width and 2 feet front street line width were requested.

Evidence Presented

1. The property was subdivided in 1937, contains 6,000 square feet, is zoned RSF-65 Zoned (Residential, Single-Family-65), is improved with a single-family dwelling, shed and rear porch. Exhibits (Exhs.) 2, 4, 7, 8 and 9 (A) thru (F).

2. The subject property is rectangle in shape being long (120 feet) and somewhat narrow (50 feet). Exhs. 2 and 4.

3. Petitioner proposes to obtain a building permit for a replacement porch. Due the addition of the front porch, the front yard setback of 17 feet is not meeting the required 25 feet and a variance of 8 feet is required. Because the property was subdivided in 1937 and the dwelling was constructed in 1968, the required front 65-foot lot width is not being met. A variance of 15 feet will be required. In addition, the front street line width requirement of 50 feet is short by 2 feet, therefore, a variance of 2 feet front street line width is also requested. Exhs. 2, 4, 7, 8 and 9 (A) thru (F).

4. Petitioner Agustin Roman testified that has owned the property for 15 years. He stated that there was an existing porch that was damaged by storms, became a safety hazard, and was demolished. A building permit was applied to replace the porch but was advised that variances were needed. Exhs. 2, 3 (a) thru (b), and 5 (A) thru (D).

5. Mr. Johnathan Campbell testified that the original porch was a canvas type cover that was pulled over by a metal frame, but the cover had deteriorated and was removed for safety. The existing porch was constructed with a brick frame which is partial deteriorated as well. Exhs. 9 (A) thru (F)

6. He stated that the replacement porch will be a covered open porch and will not be enclosed. The brick frame portion will be removed and replaced with a wood frame deck, with a wood framed cover and a shingled roof. The proposed deck will allow the occupants to use the front porch for leisure, as well as access to the front door in a safe manner under cover and out of the elements. Exhs. 2, 3 (a) thru (b), and 5 (A) thru (D).

7. He further stated that the dimensions of the proposed porch will be 19 feet in length x 8 feet deep. The proposed front porch will be a bit wider than the original porch because the new front porch will enclose two front windows. Exhs. 2, 3 (a) thru (b), and 5 (A) thru (D).

8. Mr. Campbell explained that the prior front porch already encroached the current setback requirement, and the proposed porch will do the same. He stated that in order to have access to the front door, they proposed structure of the new porch will be necessary to access the dwelling. Exhs. 2, 3 (a) thru (b), and 5 (A) thru (D).

9. Mr. Campbell stated that several other homes in the area that have the covered porches. Exhs. 2, 3 (a) thru (b), and 5 (A) thru (D).

10. Moya Young (1827 Porter Avenue), stated that Petitioner's house was the second or third house to be built on Porter Avenue. She agreed, like Mr. Campbell, that the porch is falling down and needs replacement. She further stated that she moved into her house in 1967 and appreciated that Mr. Roman desires to keep his property looking nice. She supported the request for the variances.

11. Ms. Jill Mitchell (1903 Porter Avenue) wanted assurance that the proposed porch will not extend out any further than the current steps. In response, Mr. Campbell confirmed that the new porch will be wider but not increase in depth. Exh. 2.

12. Ms. Martha Taggart (1822 Porter Avenue), who moved into her property in 1976, had no objections to the proposed covered front porch.

#### 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

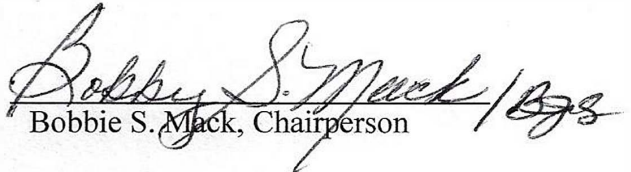
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variance complies with the applicable standards set forth in Section 27-230, more specifically:

Due to the subject property being subdivided in 1937 and the dwelling being built in 1968 and does not comply with the current zoning requirements, the prior porch had deteriorated and was removed for safety reasons, the new porch will be built on essentially the same foot print as the prior porch but will not meet the current code standard, the porch is needed as the front door is above grade, 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, by majority vote, Mr. Albert Scott absent, that variances of 8 feet front yard depth, 15 feet lot width and 2 feet front street line width order to obtain a building permit for the new construction of a porch. on the property located at 1824 Porter Avenue, Suitland, 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 plan, Exhibit 3.

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.

## SITE DATA:

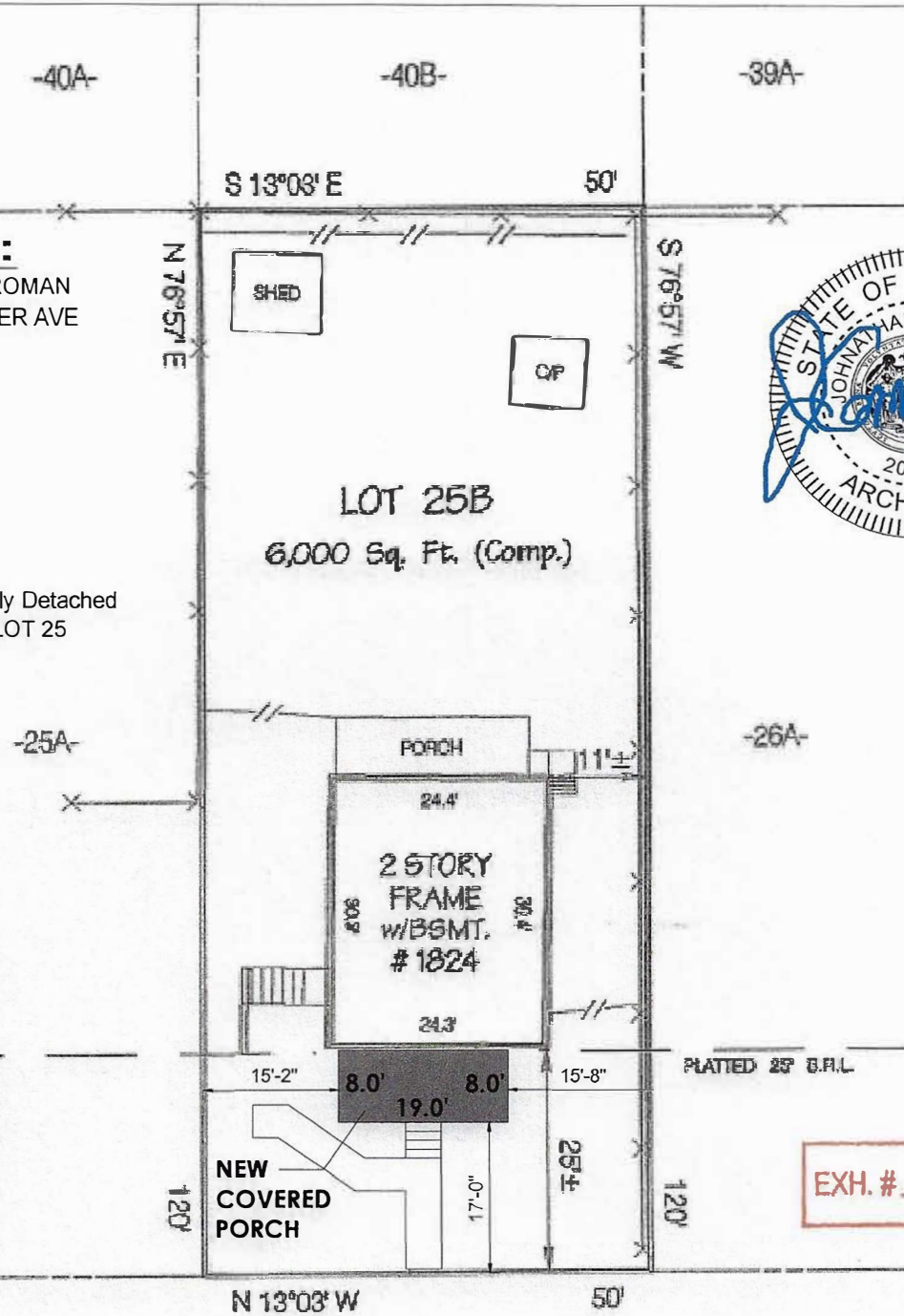
OWNERS AGUSTIN ROMAN  
 ADDRESS 1824 PORTER AVE  
 ACCT 0605238  
 DISTRICT 06  
 SUBDIVISION 2810  
 GRID 00E1  
 ZONE R  
 SDAT\_AREA 6,000  
 LOT 25  
 BLOCK 27  
 LANDUSE 111  
 CATEGORY Single Family Detached  
 LEGAL\_DESC SEC B OF LOT 25



BOARD OF APPEALS

APPROVED JUN 20 2022

*[Signature]*  
 ADMINISTRATOR



EXH. # 2  
 V-46-22

PORTER (30' R/W) AVENUE



## FRONT PORCH REPLACEMENT

AUGUSTIN ROMAN  
 1841 PORTER AVENUE  
 SUITLAND, MD 20746

## SITE PLAN

Project number	22.004	C1
Date	1 MARCH, 2022	
Drawn by	JC	
Checked by	JC	
SCALE 1" = 20'		

A002