



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 on 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

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 Taggart, 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

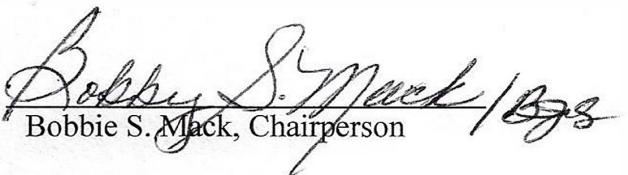
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variance complies with the applicable standards set forth in Section 27-230, more specifically:

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.

BOARD OF APPEALS

APPROVED *Johnathan Campbell* JUN 20 2022

ADMINISTRATOR

PORTER (30' R/W) AVENUE

FRONT PORCH REPLACEMENT
AUGUSTIN ROMAN
1841 PORTER AVENUE
SUITLAND, MD 20746

SITE PLAN

Project number	22.004
Date	1 MARCH, 2022
Drawn by	JC
Checked by	JC

C1

SCALE 1" = 20'

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

-40A-

-40B-

-39A-

S 13°03' E

50'

N 13°03' S

N 13°03' S

SHED

QP

LOT 25B

6,000 Sq. Ft. (Comp.)

-25A-

-26A-

PORCH

24.4'
24.3'
24.3'
24.4'
24.3'

2 STORY
FRAME
w/BSMT.
1824

15'-2" 8.0' 8.0' 19.0' 17'-0" 25'-4" 15'-8"

NEW
COVERED
PORCH

PLATTED 25' G.R.L.

EXH. # 2
V-46-22

120'

120'

N 13°03' W

50'





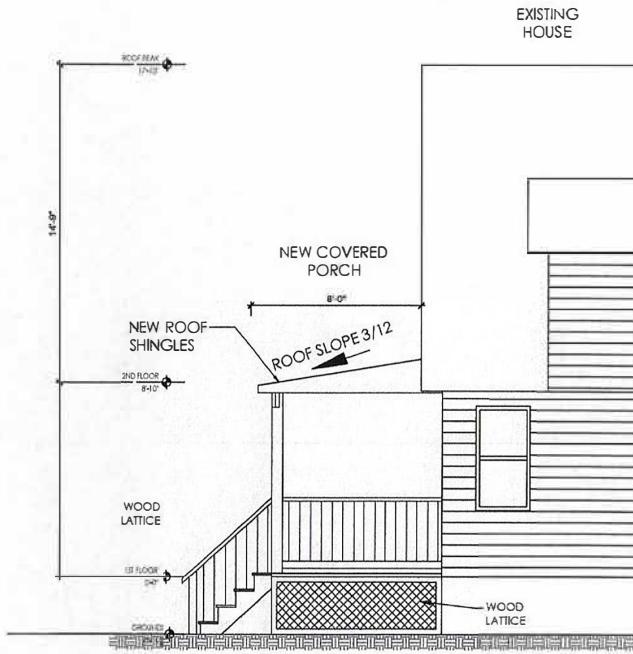
CA&DC
CAMPBELL ARCHITECTS
DESIGN CONSULTING

CAMPBELL ARCHITECTS, LLC
14000 MARLBORO TURNPIKE
UPPER MARLBORO, MARYLAND



PROFESSIONAL CERTIFICATION: I CERTIFY THAT THIS DOCUMENT
HAS BEEN APPROVED BY ME, AND THAT IT IS A TRUE AND
ACCURATE COPY OF THE ORIGINAL DRAWING.
LETHIE HUMPHRIES, REGISTRATION #20120002

FRONT PORCH REPLACEMENT
1824 PORTER AVENUE
SUITLAND, MD 20746



BOARD OF APPEALS

1 NORTH ELEVATION
A00 Scale: 36" = 1'-0"

2 EAST ELEVATION
A00 Scale: 36" = 1'-0"

APPROVED JUN 20 2022


Administrator

Exh. # 3(a-b)
V-16-22

A002

DRAWING TITLE:
PORCH ELEVATION PLAN

SCALE: AS NOTED
PROJECT NO.: 22.004
DRAWN BY: BSAON
CHECKED BY: JCAMPBELL
REAMING HUMMER

REV. 01/2022