



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-50-22 Peter Hunt

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: October 5, 2022.

CERTIFICATE OF SERVICE

This is to certify that on December 26, 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". Below the signature, the name "Barbara J. Stone" is printed in a smaller, sans-serif font, followed by the title "Administrator" in a smaller font.

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: Peter Hunt

Appeal No.: V-50-22

Subject Property: Lot 29, Townsend Subdivision, being 8609 Dangerfield Road, Clinton,
Prince George's County, Maryland

Witness: Richard Pegguea, Neighbor

Heard: July 20, 2022; Decided: October 5, 2022

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

Anastasia T. Johnson, Member

Board Member Absent: Vice Chair Seat, vacant

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, Petitioner requests that the Board approve a variance from Section 27-4202(c)(2) which prescribes that each lot shall have a side yard at least 8 feet in width. Section 27-4202(c)(2) prescribes that not more than 25% of the net lot area shall be covered by buildings and off-street parking. Petitioner proposes to obtain a building permit to construct two one-story additions and a covered porch. Variances of 4 feet side yard width and 5% net lot coverage are requested.

Evidence Presented

1. The property was subdivided in 1962, contains 22,271 square feet, is zoned R-R (Rural Residential) and is improved with a single-family dwelling, driveway, shed and garage. Exhibits (Exhs.) 2, 4, 7, 8 and 9 (A) through (G).

2. The subject property is rectangular in shape with the rear lot line being angled. Exhs. 2, 4, 10 and 11.

3. Petitioner would like to construct two one-story additions and a covered porch. Facing the house from the road, the left side yard setback is only 4 feet. Therefore, a variance of 4 feet side yard setback is required. In addition, the allowable net lot coverage for the subject property is 25%, but with the new development, will be 35%, which will require a 5% net lot variance. Exhs. 2, 3 (a) through (e), 5 and 9 (A) through (G).

4. Petitioner Peter Hunt testified that the dwelling was built in 1963 with two small 10' x 11' bedrooms. He stated that he has lived in the house since 2005. He is proposing, one on the front and one on the rear¹ of the dwelling. He stated that the house is a rambler and very small, so the only way to gain additional living space is to build out. Exhs. 2, 3 (a) through (e), 5 and 9 (A) through (G).

¹ He stated that the rear addition will be located from the left of back of the house and continue 28 feet in width and 24 feet in depth. Exh 2.

5. He stated that the property size is half-acre and believes that the proposed additions would not overwhelm the property, not "interfere" with any neighbor and would be good for the community. Exhs. 2 and 3 (a) through (e).

6. Mr. Hunt stated that there is a movable shed on the property which is not shown on the site plan Exh. 2.

7. He testified that house was rented for 5 years and then sat vacant for a while because of extreme damage caused to the house by the renter. He stated that he had to repair the inside of the house in order to make it livable. Exhs. 2 and 3 (a) through (e).

8. He stated that there is a walkway in front of the house and the proposed covered front porch (over the door) will extend 18 feet in length and connect with the proposed front addition. Exhs. 2, 3 (a) through (e).

9. Mr. Richard Pegguea (8611 Dangerfield Road) opined that what Mr. Hunt is proposing will only increase the value of the neighborhood, promote (housing) diversification in the neighborhood and would not be an eyesore.

10. Petitioner submitted a revised site plan demonstrating 10' x 15' shed, which will increase the net lot coverage from 5% to 5.7%. As a result, the existing appeal for variances was readvertised. Exhs. 12 and 17.

11. A detached garage in the rear had been torn down and replaced with a larger garage under approved building permit 33974-2017. Exh 2.

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

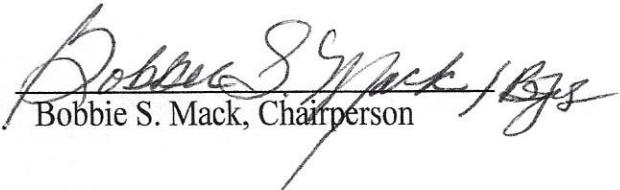
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variance complies with the applicable standards set forth in Section 27-230, more specifically:

Due to the home being built in 1963, as a rambler with very small rooms, the preexisting dwelling is situated on the left side yard with a setback of only 4 feet, the need for additional living space, 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, Vice Chair seat vacant, that a variances of 4 feet side yard width and 5.7% net lot coverage in order to obtain a building permit to construct two one-story additions and a covered porch. on the property located at 8609 Dangerfield Road, Clinton, 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, Exhibits 17 and approved elevation plans, Exhibits 3 (a) through (e).

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.

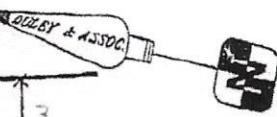
BOARD OF APPEALS

APPROVED OCT 05 2002

John Doe
ADMINISTRATOR

DANGERFIELD ROAD

S 11°05'00" E R - 805.48
48.00 L - 52.23

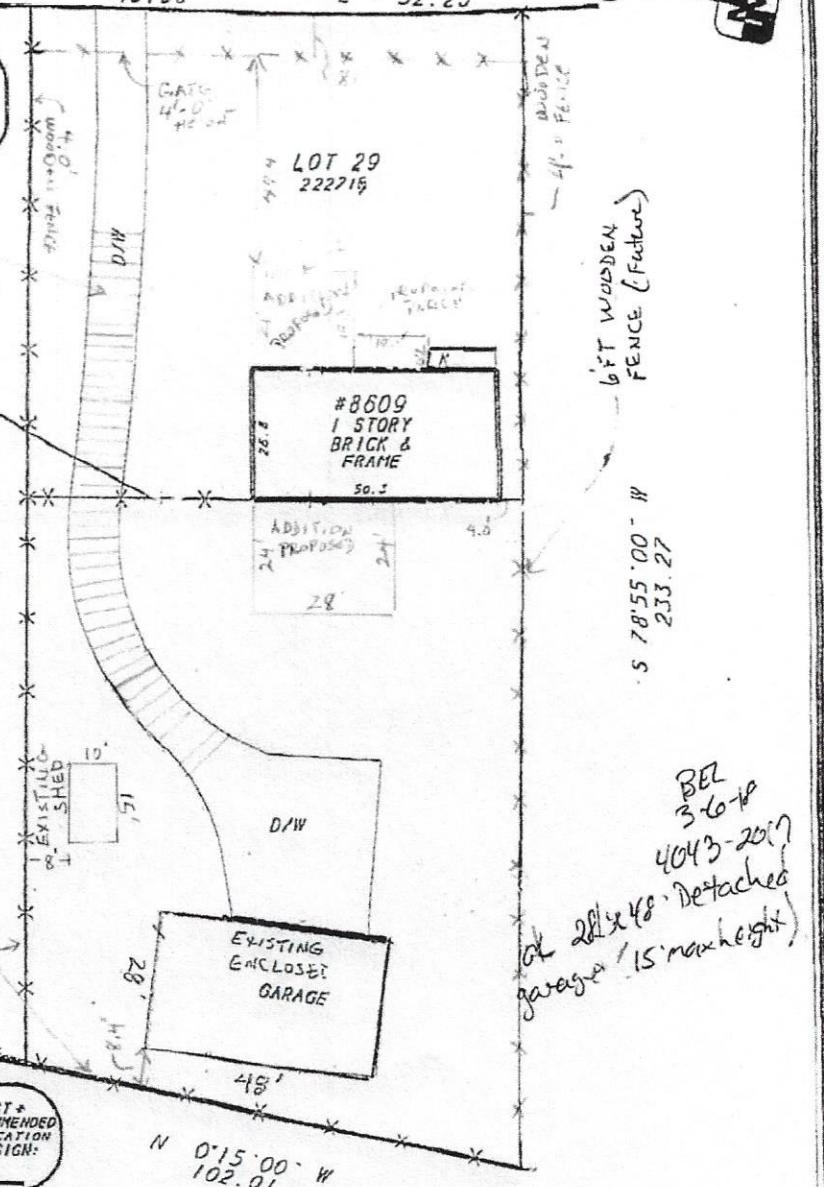


NOTE:
PROPERTY WAS
NOT COVERED ON DATE
OF SURVEY. THIS DRAWING
REFLECTS THE EXISTING
VISIBLE IMPROVEMENTS.

A-1082
IMPERMEABLE
PAVEMENT

6' FT WOODEN FENCE
N 78°55'55" E
16.212' 16.000' 16.558' N

WOODEN FENCE
6' FT



LOCATION DRAWING OF:
#8609 DANGERFIELD ROAD

LOT 29
TOWNSEND SUBDIVISION

PLAT BOOK 45 PAGE 47
PRINCE GEORGE'S COUNTY, MD

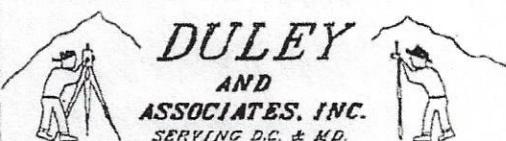
SCALE: 1"-30'

DATE: 1-21-05



CASE # 2439 CS
CRANEY
FILE # 050347-393
DRAWN BY: ZD

A LAND SURVEYING COMPANY



14604 ELM STREET
UPPER MARLBORO, MD 20778

PHONE: 301-888-1111 FAX: 301-888-1114
PHONE: 1-888-88-DULEY FAX: 1-888-55-DULEY

SURVEYOR'S CERTIFICATE

I HEREBY STATE THAT THE EXISTING VISIBLE IMPROVEMENTS ON THE ABOVE DESCRIBED PROPERTY HAS BEEN CAREFULLY ESTABLISHED BY ACCEPTED METHODS AND THAT THE IMPROVEMENTS APPEAR TO LIE WITHIN FLOOD ZONE C. A FLOOD CERTIFICATION IS RECOMMENDED TO DETERMINE THE EXACT FLOOD ELEVATION AND FLOOD ZONE. THIS SURVEY IS NOT TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF ANY FENCE, BUILDING, OR OTHER IMPROVEMENTS. THIS PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE PURPOSES OF TITLE INSURANCE, FINANCING, OR INSURANCE. THE PLAT IS OF RECORD AND IS MAINTAINED ON THE RECORDS OF THE SURVEYOR, THE SURVEYOR, OR THE INSURANCE COMPANY OR ITS AGENT IN CONNECTION WITH THE CONTINUED TRANSFER, FINANCING OR REFINANCING. THE LEVEL OF ACCURACY FOR THIS DRAWING IS 1". NO TITLE REPORT WAS FURNISHED TO NOR MADE BY THIS COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENTS OF RECORD. BUILDING RESTRICTION LINES AND EASEMENTS MAY NOT BE SHOWN ON THIS SURVEY. IMPROVEMENTS WHICH IN THE SURVEYOR'S OPINION APPEAR TO BE IN A STATE OF DISREPAIR OR MAY BE CONSIDERED "TEMPORARY" MAY NOT BE SHOWN.

BOARD OF APPEALS

APPROVED OCT 05 2022

B. Stone
ADMINISTRATOR



BOARD OF APPEALS

APPROVED OCT 05 2022


Bryan Stoeck
ADMINISTRATOR



PROPOSED REAR ELEVATION

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

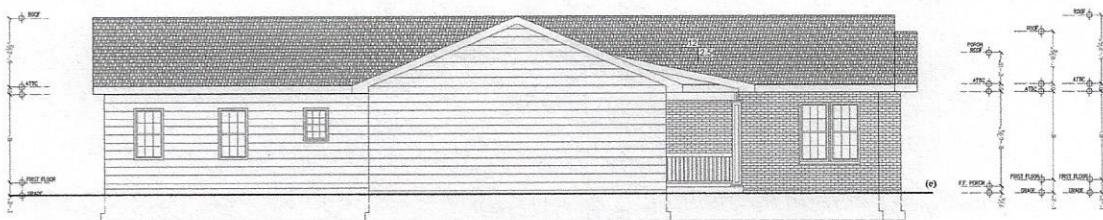
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angus@lellc.com

CLINTON, MD 20735

OWNER:
MR. PETER HUNT
HOUSE LOCATION:
8609 DANGERFIELD RD.

ELEVATIONS
DRAWING BY:
FERNANDO ANGULO

EDITION:
DATE:
ISSUE DATE:
04/17/2022
PROJECT NUMBER:
A004



PROPOSED LEFT SIDE ELEVATION

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