



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-53-22 Jacqueline Francis

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: September 14, 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 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 standard font, followed by the title "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: Jacqueline Francis

Appeal No.: V-53-22

Subject Property: Lot 3, Block 4, Dillon Park Subdivision, being 1904 Arcadia Avenue, Capitol Heights,
Prince George's County, Maryland

Witness: Ashley Gallagher, 7th State Builder, Contractor

Heard and Decided: September 14, 2022

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

Vacant, Vice Chair

Anastasia T. Johnson, Member

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 variances 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 minimum net lot area of 5,382 square feet. Section 27-4202(e)(2)(2) which prescribes that each lot shall have a front yard at least 25 feet in depth. Petitioner proposes to validate an existing condition (net lot area) and obtain a building permit for the construction of a front screened porch with landing. Variances of 157 square feet net lot area and 7 feet front yard depth are requested.

Evidence Presented

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

1. The property was subdivided in 1940, contains 7,182 square feet, is Zoned RSF-65 (Residential, Single-Family-65), and is improved with a single-family dwelling, driveway and shed. Exhibits (Exhs.) 2, 4, 8, 9 and 10 (A) thru (F).

2. Petitioner proposes to validate an existing condition (net lot area) and obtain a building permit for the construction of a front screened porch with landing. Exhs. 2, 4, 8, 9 and 10 (A) thru (F).

3. Petitioner Jacqueline Francis testified that she is requesting a covered screened front porch which would be sufficiently more comfortable for her to enjoy the outside as she is getting older. She stated that the porch has a stoop that is deteriorating and is a fall risk. The new porch will provide a cover when going in and out of the house under cover of the elements. Exhs. 2, 3 and 5 (A) thru (D).

4. She testified that most of the neighbors have screened-in front porches and her property is the only one that does not have a front porch. Exhs. 2, 3 and 5 (A) thru (D).

5. Ashley Gallagher testified that neighbors on Petitioner's street have front porch that is either screened or covered. Photographs and associated addresses of porches of some of the neighbors were provided. Exh. 6.

6. She stated that the replacement porch will not extend the length of the entire front; the dimensions will be 20' wide x 8' in depth; and the landing/steps will be a 3' x 5'. She stated that the existing front stoop is brick and mortar which is completely deteriorating (bricks are falling off and starting to sink). Exhs. 2, 3, 5 (A) thru (D) and 6 (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

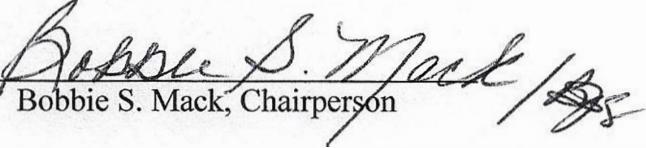
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variances comply with the applicable standards set forth in Section 27-4202, more specifically:

Due to the need to replace the existing porch, which is in disrepair, the existing brick-and-mortar front stoop is in disrepair with bricks falling and sinking causing a safety hazard 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, Vice Chair seat vacant, variances of 157 square feet net lot area and 7 feet front yard depth in order to permission to validate an existing condition (net lot area) and obtain a building permit for the construction of a screened front porch with landing and stairs on the property located at 1904 Arcadia Avenue, Capitol Heights, Prince George's County, Maryland, be and are 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, ChairpersonNOTICE

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.

SCALE: 1" = 20'

HOUSE LOCATION SURVEY

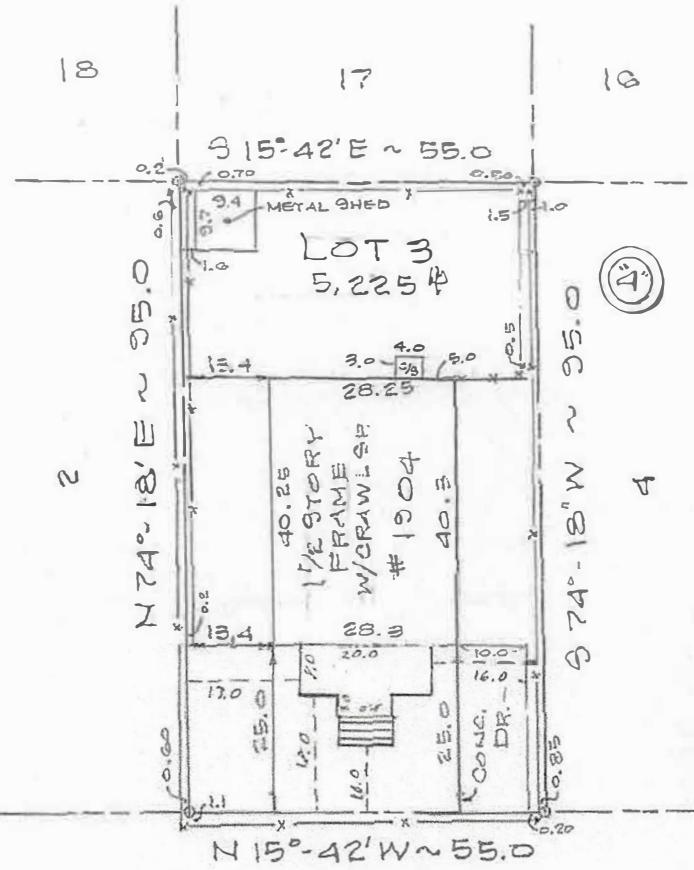
LOT 3, BLOCK "4"

DILLON PARK

88.7 @ 88

6th ELECTION DISTRICT

PRINCE GEORGE'S CO., MARYLAND



Arcadia (50'w) Avenue

SURVEYOR'S CERTIFICATE

I hereby certify that the position of the existing improvements on the above described property has been carefully established by a transit-tape survey and that unless otherwise shown, there are no visible encroachments.

Date: 9th October 2013

I hereby certify that I have carefully surveyed the property as shown by this plan and iron pipes are in place as shown.

Date:

Note: House location surveys do not include setting iron pipes on property corners.

EXH. # 2
V-53-22

NO TITLE REPORT FURNISHED.
PLAT SUBJECT TO RESTRICTIONS & EASEMENTS
OF RECORD OR OTHERWISE.

W.L. MEEKINS, INC.
3101 Ritchie Road
Forestville MD 20747-4434
301-736-6387/5366

REGISTRATIONS
MD # 2134 & # 10833
VA # 576 D.C. L.S. # 900860
www.mEEKINS.net



BOARD OF APPEALS

APPROVED SEP 14 2012

B. Stone
ADMINISTRATOR

