



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

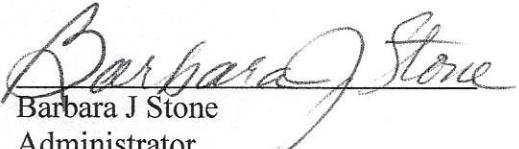
OF BOARD OF APPEALS

RE: Case No. V-55-22 Gregoria Isreal

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 October 24, 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

Petitioner: Gregoria Israel

Appeal No.: V-55-22

Subject Property: Parcel 130, Map 106, Grid F2, being 7017 Allentown Road, Temple Hill, Prince George's County, Maryland

Heard: September 14, 2022; Decided: October 5, 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 (d) prescribes those accessory buildings shall generally be located only in the rear yard, or in the yard opposite the designated front of the main building on lots having no rear yard (through lots) and on corner lots where the designated front of the main building faces the side street. Petitioner proposes to obtain a building permit for a shed located in the front yard. A waiver of the rear yard location requirement for an accessory building (shed) is requested.

Evidence Presented

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

1. The property was subdivided in 1991, contains 98,010 square feet, is Zoned RSF-95 (Residential, Single-Family-95), and is vacant by demolished original house. Exhibits (Exhs.) 2, 4, 8, 9 and 10 (A) thru (G).

2. The subject property is mostly rectangular in shape with the right side and rear property lines projecting out of the rectangle by 1,820.34 sq. ft. Exhs. 2, 4, 8, 9 and 10 (A) thru (G).

3. Petitioner proposes to obtain a building permit for the construction of a shed. A waiver is requested as the shed is located in the front yard. Exhs. 2, 4, 8, 9 and 10 (A) thru (G).

4. Petitioner Gregoria Israel testified that because the house and the three-car garage are located towards the rear of the property, the shed must be located in the front yard. She added that a well house and the dry wells take up area in the rear yard affecting where the shed could have been located. Exhs. 2, 3 (a) thru (c), 5 (A) thru (E) and 6.

5. Ms. Israel further testified that she has almost one acre in the front yard and the shed and will sit 160 feet back from the street. Exh. 2

6. She stated that the shed will be used as storage space for items for her children and grandchildren, material from her previous job, two rental sea containers, equipment for the property and personal belongings. She emphasized that the shed is not for the use of cars, as there are no garage doors. Exhs. 2, 3 (a) thru (c), 5 (A) thru (E) and 6.

6. The proposed two-story three car garage is currently at 23 feet in height. It was explained to the Petitioner that a detached accessory building can only be 15 feet in height at mid-peak of the roof and the

Board does not have the authority to grant a variance for accessory building height. Exhs. 2, 3 (a) thru (c), 5 (A) thru (E), 6 and 7.

7. The architect, Anthony Johnson, revised the site plan and elevation plans demonstrating the reduced height of the three-car garage to be 15 feet. Exh. 19.

Applicable Code Section and Authority

CB-16-21 authorizes the Board to grant variances when, by reason of a specific parcel of land is physically unique and unusual in a manner different from the nature of surrounding properties with respect to exceptional narrowness, shallowness, shape, exceptional topographic conditions, or other extraordinary conditions peculiar to the specific parcel (such as historical significance or environmentally sensitive features). The particular uniqueness and peculiarity of the specific property causes a zoning provision to impact disproportionately upon that property. Such that strict application of the provision will result in peculiar and unusual practical difficulties to the owner of the property; such variance is the minimum reasonably necessary to overcome the exceptional physical conditions. Such variance can be granted without substantial impairment to the intent, purpose and integrity of the general plan or any area of the master plan, sector plan, or Transit District Development plan affecting the subject property and, such variance will not substantially impair the use and enjoyment of adjacent properties. Notwithstanding any other provision of this section, a variance may not be granted if the practical difficulty is self-inflicted by the owner of the property.

Findings of the Board

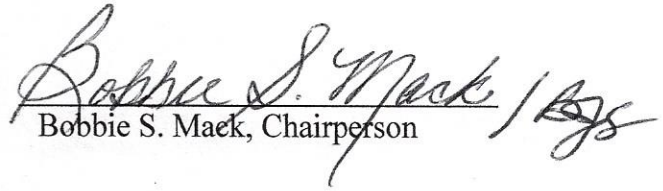
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variance complies with the applicable standards set forth in Section 27-230, more specifically:

Due to the preexisting location and configuration of the house on the property, garage, location of the drywells and well house limiting the only suitable area for the proposed shed to be in the front yard 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, that a waiver of the rear yard location requirement for an accessory building (shed) in order to obtain a building permit for the construction of the shed located in the front yard on the property located at 7017 Allentown Road, Temple Hills, Prince George's County, Maryland, be and are hereby APPROVED. Approval of the variance is contingent upon development in compliance with the approved revised site plan, Exhibit 18 and approved revised elevation plans, Exhibits 19 (A) thru (F).

BOARD OF ZONING APPEALS

By:


Bobbie S. Maek, 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.

Garage at 7017 Allentown Road

Temple Hills, MD 20748, USA

Project: Proposed 2 story garage with storage

Scope of work: Develop design for new 2 story garage with 3 standard parking spaces.

Perspective Illustration



Zoning Map



Vicinity Map



Project Data

Owner/Developer: Gregoria Israel
Property Address: 7017 Allentown Road, Temple Hills, MD 20748, USA
Parcel: 130
Zone: R-80
Legal Description:

APN:
Property Description:

Lot Frontage: 204' 4"
Lot Depth: 466' East / 435' West
Lot Area: 2.25 AC
Occupancy Group: R-3 = 2512 SF
Number of Stories: 2
Type of Construction:

Building Height: 15'-0" Height from Grade.
Grade Plane: Flat grade represented as 0' 0" in drawings.

Building Codes

2015 International Building Code for one and two family dwellings
2015 International Residential Code
2015 International Energy Conservation Code
2015 NFPA 101 Life Safety Code
2015 International Fuel Gas Code
2015 Mechanical Code
2015 Plumbing Code

Percentage of Coverage Calculation

Lot Area: 2.25 AC = 96010 SF

Gross Floor Building Area: 2512 SF
Percentage of Coverage: (2512 SF / 96010 SF) x 100 = 2.60%

Parking Calculation

Car parking spaces
Required **Provided**
3 standard parking spaces

Setbacks

Orientation	Minimum	Provided
South - Front	25'	281' 1"
East	10'	12' 6"
West	10'	165' 7"
North - Rear	20'	102' 9"

General Notes

1. ALL CONSTRUCTION SHALL CONFORM TO INTERNATIONAL RESIDENTIAL CODE (IRC) 2015 & INTERNATIONAL ENERGY CONSERVATION CODE (IECC) 2015. CONTRACTOR SHALL NOTIFY DESIGNER OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK.

THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL DIMENSIONS RELATED TO MANUFACTURED ITEMS AND COORDINATING THESE WITH ALL DIMENSIONS WITHIN THE CONSTRUCTION DOCUMENTS. THIS INCLUDES BUT IS NOT LIMITED TO CABINETS, MECHANICAL AND ELECTRICAL EQUIPMENT, ETC. CONTRACTOR SHALL NOTIFY OF ANY DISCREPANCIES TO ARCHITECT/DESIGNER BEFORE PROCEEDING WITH THE WORK.

ALL ELECTRICAL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE, NFPA ELECTRICAL CODE, ICC ELECTRICAL CODE AND ALL APPLICABLE LOCAL CODES.

ALL HVAC WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE IMC MECHANICAL CODE AND ALL APPLICABLE LOCAL CODES.

2. EXISTING CONDITIONS: ALL EXISTING CONDITIONS SHALL BE CHECKED AND VERIFIED IN EXISTING CONDITIONS. ALL EXISTING CONDITIONS SHALL BE CHECKED AND VERIFIED IN THE FIELD BEFORE EXCAVATION OR DEMOLITION IS BEGUN. EXISTING UTILITIES SHALL BE LOCATED AND PROTECTED AS REQUIRED BY NEW WORK. FIELD MEASUREMENTS SHALL BE MADE OF ADJOINING CONSTRUCTION RELATIVE TO THE PROPER INSTALLATION OF NEW WORK. ALL DISCREPANCIES SHALL BE REPORTED TO THE DESIGNER PRIOR TO PROCEEDING WITH THE WORK IN THE AREA OF DISCREPANCY.

3. CONTRACTOR SHALL PROTECT ALL PORTIONS OF ADJACENT BUILDING DIRECTLY EXPOSED TO CONSTRUCTION WORK.

DIMENSIONS SHOWN ON THESE DRAWINGS ARE AS FOLLOWS: FOR INTERIOR WALLS: FACE OF FINISH TO FACE OF FINISH OR INTERIOR FINISH FACE OF EXTERIOR WALL TO THE NEXT FINISHED FACE OF INTERIOR WALL. FOR EXTERIOR WALLS: WALL THICKNESS DIMENSION INCLUDE FACE OF INTERIOR FINISH OR SUBSTRATE TO FACE OF EXTERIOR SUBSTRATE. DIMENSIONS FROM EXTERIOR WALL TO EXTERIOR WALL ARE FROM FACE OF EXTERIOR SHEATHING TO FACE OF EXTERIOR SHEATHING. VERTICAL INTERIOR DIMENSIONS ARE FROM TOP OF SUB-FLOORING TO UNDERSIDE OF FINISHED CEILING (UNLESS NOTED OTHERWISE). LEVELS ARE MEASURED FROM TOP OF SUB-FLOOR TO TOP OF NEXT LEVEL SUB-FLOOR OR TO TOP OF STRUCTURAL BEARING OR UNDERSIDE OF STRUCTURAL ELEMENT. FOR OTHER DIMENSIONS, REFER TO PLAN NOTES AND DETAILS.

Prescriptive method energy compliance chart

Element	New homes, additions	Sunrooms
U - Factors		
Windows	0.32	0.45
Doors	0.32	0.45
Skylight	0.55	0.70
R - Value		
Ceilings	49'	19
Walls (wood framed)	20	13
Walls (concrete, CMU)	8/13'	8/13'
Floors	19	19
Basement walls	10/13'	10/13'
Slab on grade	10	10
Crawl space walls	10/13'	10/13'

- Windows, doors and skylights shall have a maximum solar heat gain coefficient (SHGC) of 0.40.
- R-38 can be substituted for R-19 with a raised heel or energy truss where the full height of the insulation is maintained over the entire ceiling footprint and the exterior wall.
- Use R-8 when insulation is applied to the exterior, use R-13 when insulation is applied on the interior.
- Use R-10 when applied continuously against the wall; use R-13 when applied between studs or joist strips.
- Insulation must extend from the slab edge to a length of 24" vertically and/or horizontally.
- Use insulation on crawl space walls in unvented-conditioned crawl spaces with no floor insulation above.

Room Schedule			
Number	Name	Level	Area
1	Garage	Garage Floor	1176 SF
2	Storage	Storage floor	Not Enclosed
Total			1176 SF

Area Schedule (Gross Building)		
Name	Level	Area
Gross - Garage	Garage Floor	1176 SF
Gross - Storage	Storage floor	1124 SF
Total Gross		2512 SF

Symbol Legend

	North Arrow
	Elevation Mark
	Section Mark
	Grid Head
	Centerline
	Level Head
	Room Tag
	View Name
	View Title

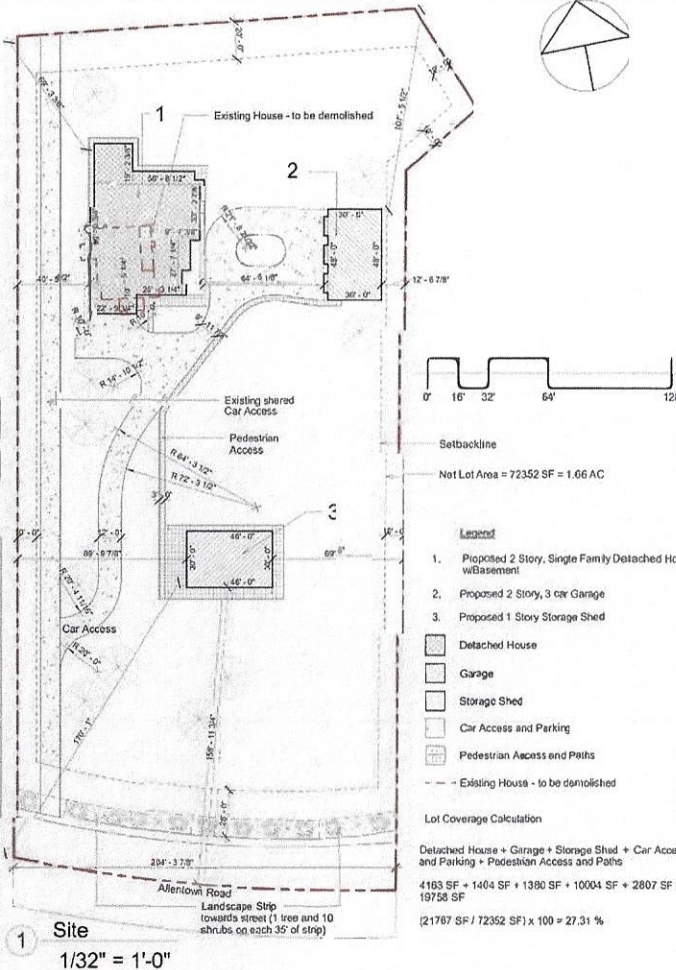
Sheet Index

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A120	Electrical Plans
A200	Elevations
A300	Sections
A400	Door and Window Schedule, Wall Types
A500	Stair Detail
A600	Perspective Views

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APPROVED OCT 05 2022

By Stone
ADMINISTRATOR



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No.	Description	Date
1	Revision 1 - Concept Design	03/30/20
2	Revision 2 - Concept Design	04/05/20
3	Revision 3 - Detailed Design	05/18/20
4	Revision 4 - Detailed Design	08/27/20

Gregoria Israel

7017 Allentown Road

Cover

Project Number 20001
Date 05/18/20
Drawn By Anthony Johnson
Checked By Anthony Johnson

A000

Scale

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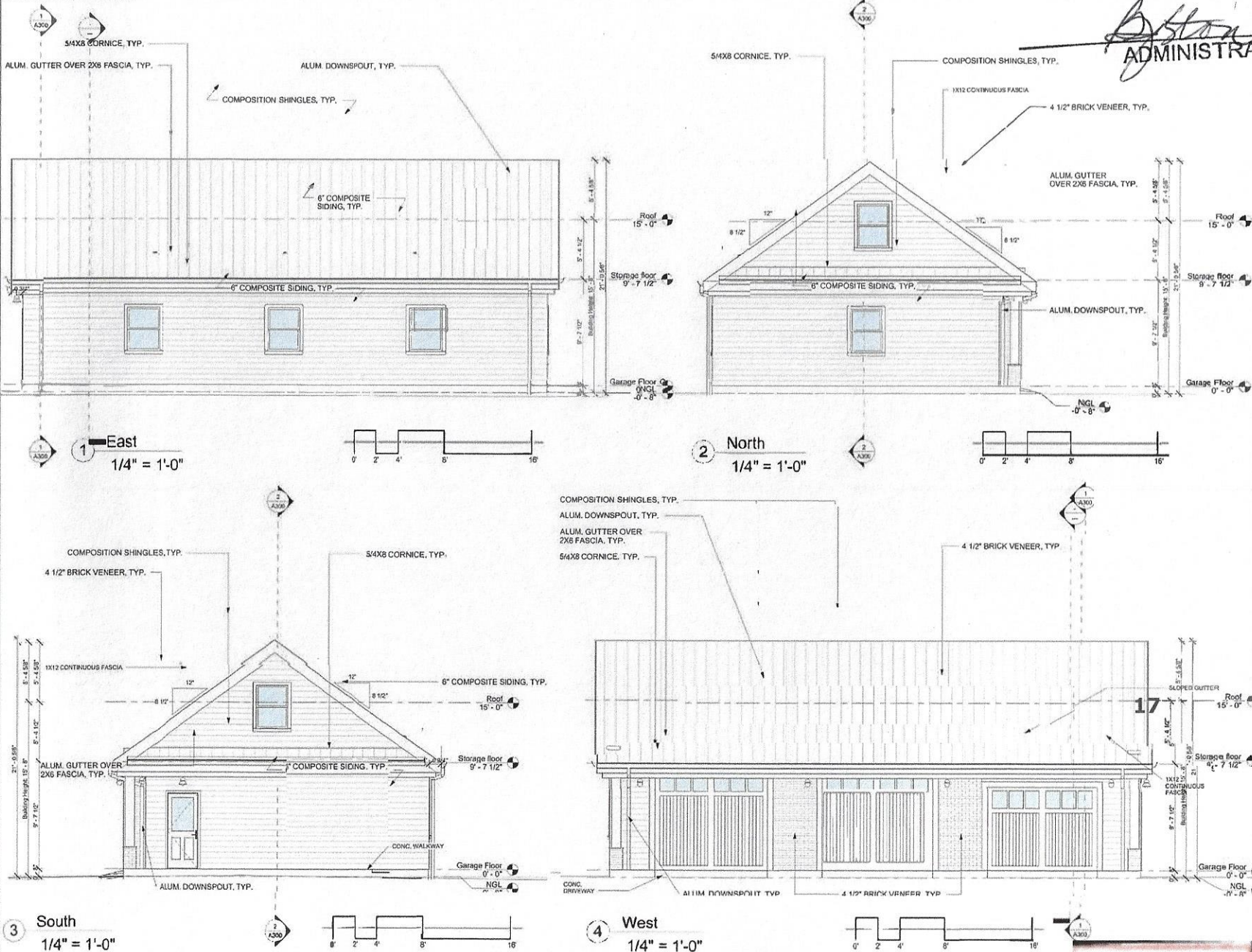
Gregoria Israel

7017 Allentown Road
Elevations

Project Number 20001
Date 05/18/20
Drawn By Anthony Johnson
Checked By Anthony Johnson

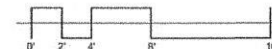
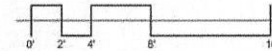
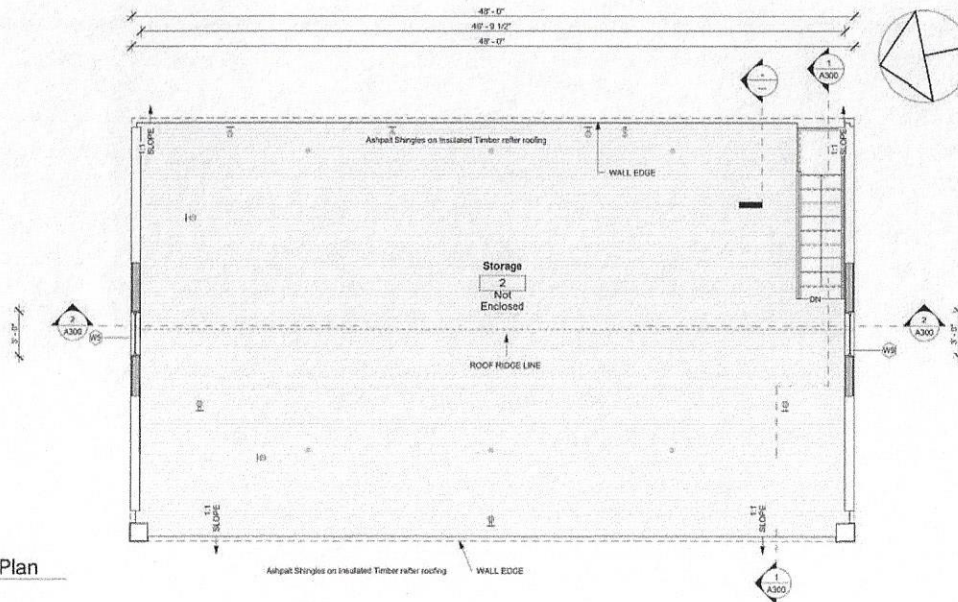
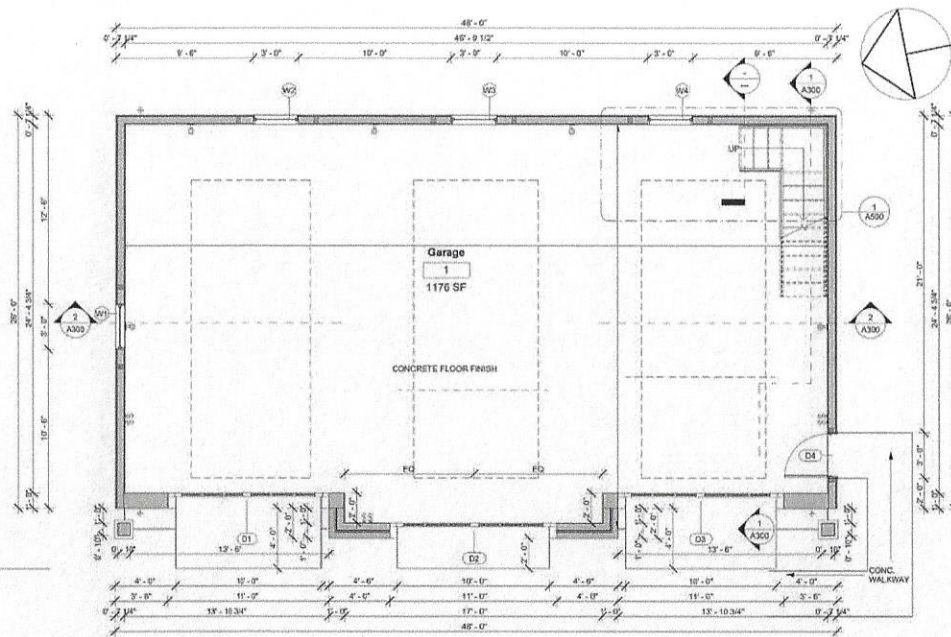
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19(a)

EXH. 1 19(a-f)
V-55-22



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Gregoria Israel
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Gregoria Israel

7017 Allentown Road

Plans

Project Number 20001

Date 05/18/20

Drawn By Anthony Johnson

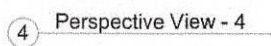
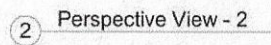
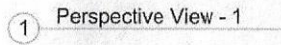
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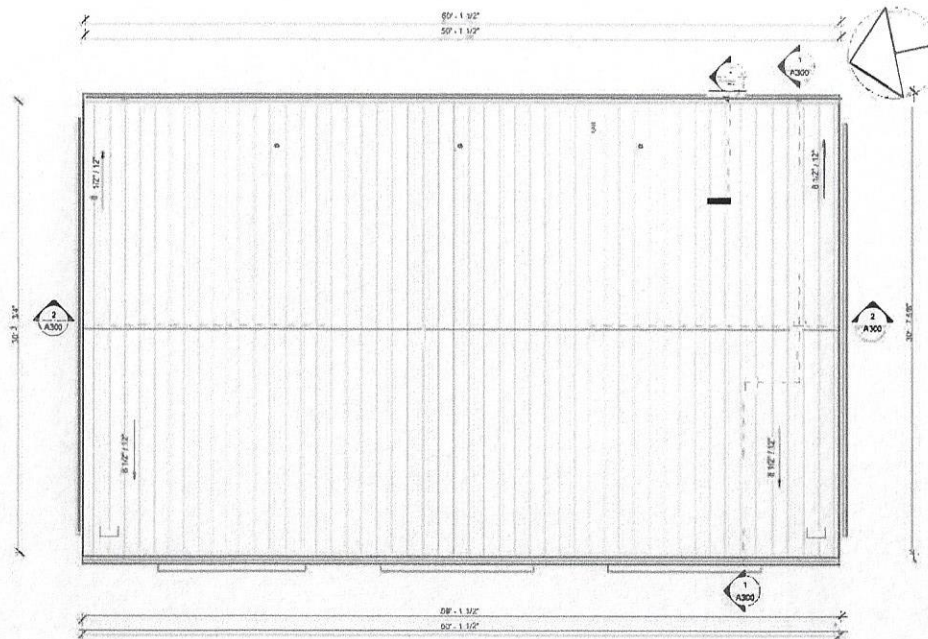
19(b)

B. Stone
ADMINISTRATOR



Scale

19(c)



① 02 Roof Plan
1/4" = 1'-0"

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APPROVED OCT 05 2022

[Signature]
ADMINISTRATOR

19(d)

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4	Revision 4 - Detailed Design	08/27/20

Gregoria Israel

7017 Allentown Road

Plans

Project Number 20001
Date 05/18/20
Drawn By Anthony Johnson
Checked By Anthony Johnson

A101

Scale

B. J. Stone
ADMINISTRATOR

Scale

1 Section 1
1/4" = 1'-0"

2 Section 2
1/4" = 1'-0"

19(e)