



# 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.

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: 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.

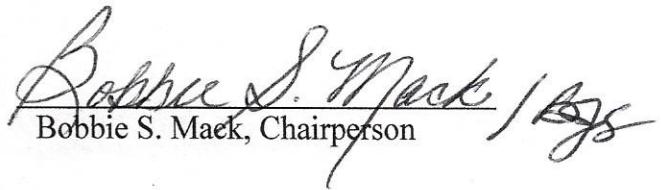
#### Findings of the Board

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.

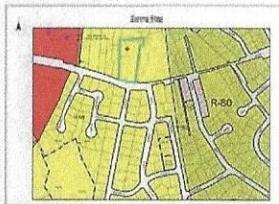
# Garage at 7017 Allentown Road

Temple Hills, MD 20748, USA

## 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-60

## 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 = 98010 SF

Provided

Gross Floor Building Area: 2512 SF

Percentage of Coverage: (2512 SF / 98010 SF) X 100 = 2.56%

## Parking Calculation

Car parking spaces

Required: Provided  
3 standard parking spaces

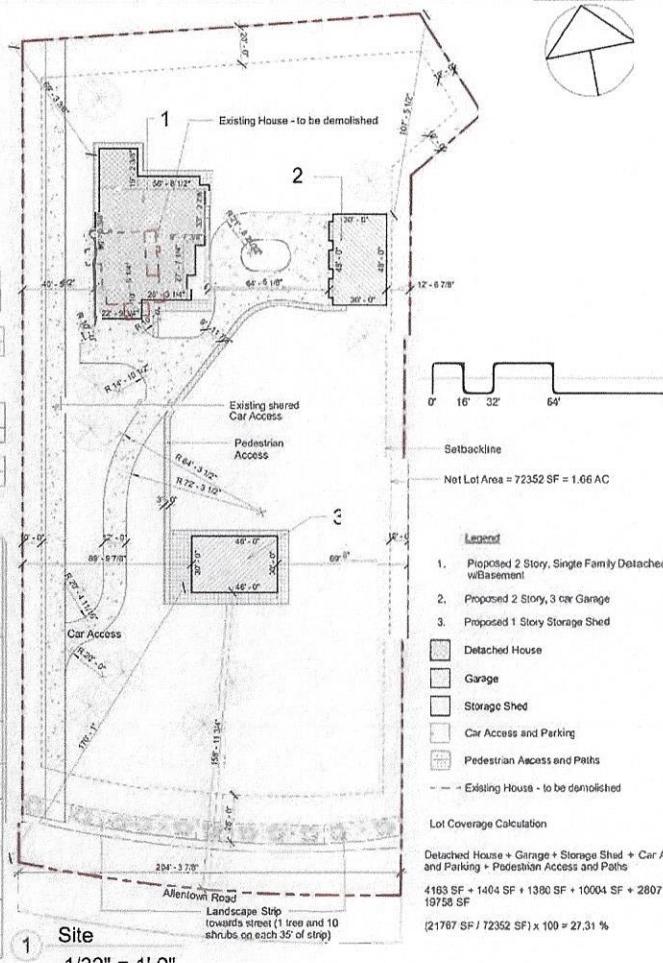
## Setbacks

Orientation	Minimum	Provided
South - Front	25'	28' 1"
East	10'	12' 6"
West	10'	10' 7"
North - Rear	20'	10' 9"

- 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 to the interior.
- Use R-10 when applied directly against the wall; use R-13 when applied between studs or furring 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.

Project: Proposed 2 story garage with storage

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



Detached House + Garage + Storage Shed + Car Access and Parking + Pedestrian Access and Paths

4163 SF + 1404 SF + 1380 SF + 10004 SF + 2807 SF = 19758 SF

(21787 SF / 72352 SF) x 100 = 27.31 %

## BOARD OF APPEALS

APPROVED OCT 05 2022

  
Administrator

DRAWINGS PRODUCED BY:

Kitchenetal Design Plus  
4111 Maureen Lane,  
Fairfax VA 22033  
(571) 501-5941  
design@kitchenetal.com

[www.kitchenetal.com](http://www.kitchenetal.com)

Consultant  
Address  
Address  
Phone  
Fax  
e-mail

Consultant  
Address  
Address  
Phone  
Fax  
e-mail

Consultant  
Address  
Address  
Phone  
Fax  
e-mail

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
Scale	

A000

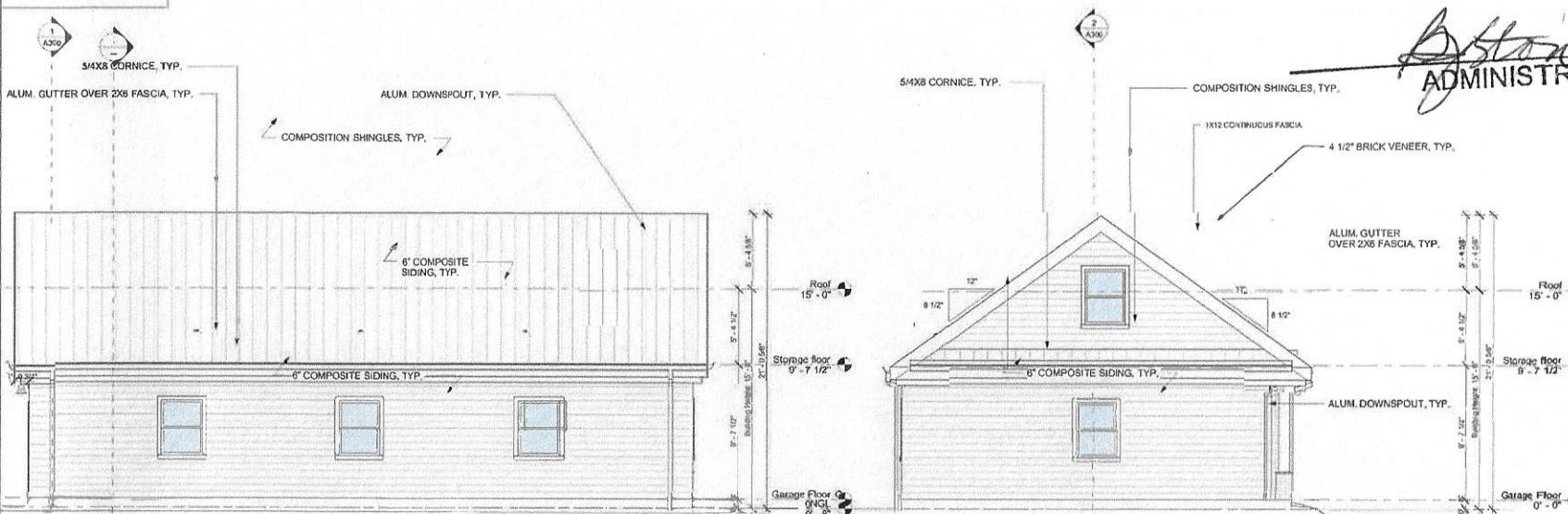
18  
V-55-22

# BOARD OF APPEALS

**APPROVED**

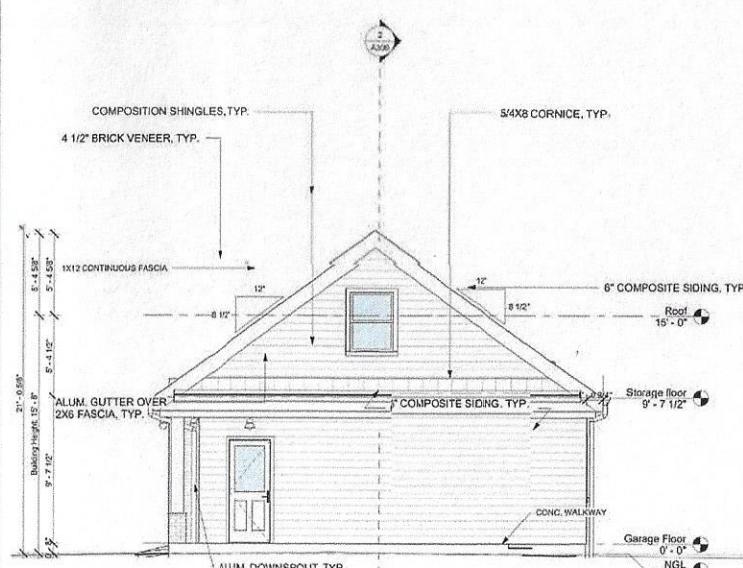
OCT 05 2022

~~B. Stone~~  
ADMINISTRATOR



1 — East  
1/4" = 1'-0"

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



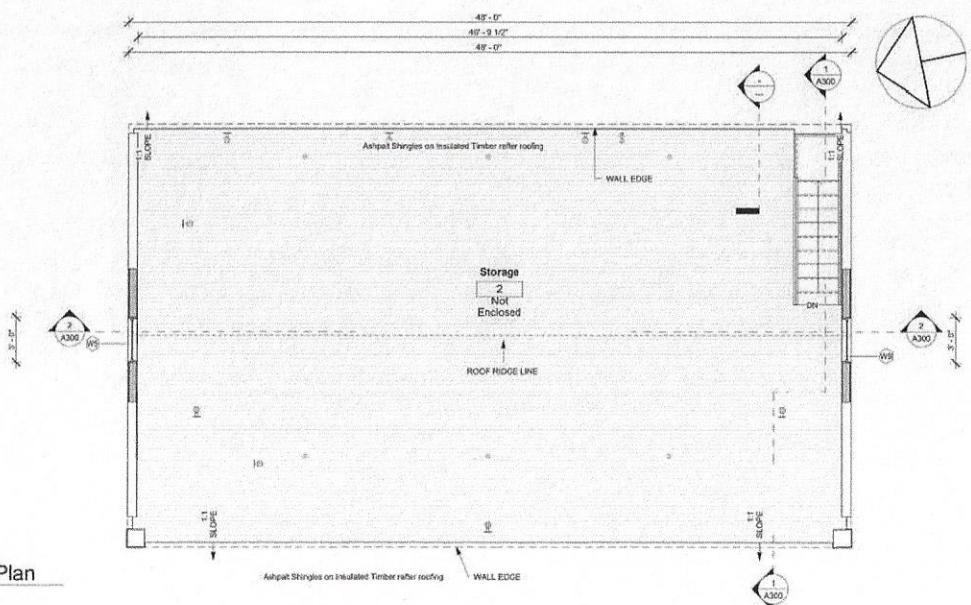
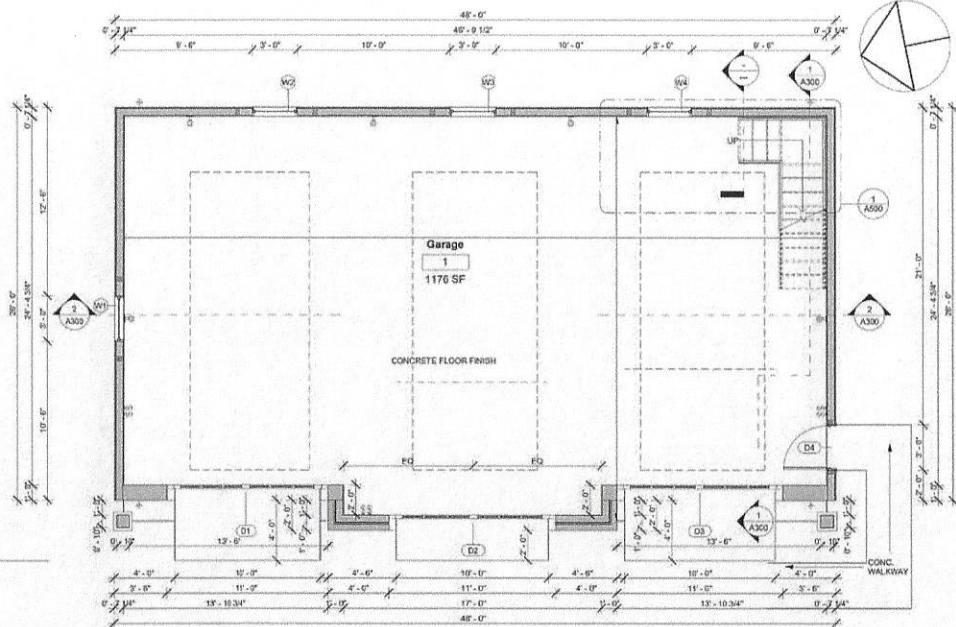
3 South  
1/4" = 1'-0"

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

19(a)

19(a-f)

A200



DRAWINGS PRODUCED BY:

Kitchenetal Design Plus  
4111 Maureen Lane,  
Fairfax VA 22033  
(571) 501-5941  
design@kitchenetal.com

[www.kitchenetal.com](http://www.kitchenetal.com)

Consultant  
Address  
Address  
Phone  
Fax  
e-mail

Consultant  
Address  
Address  
Phone  
Fax  
e-mail

Consultant  
Address  
Address  
Phone  
Fax  
e-mail

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

## BOARD OF APPEALS

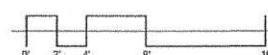
APPROVED OCT 05 2022

*B. Stone*  
ADMINISTRATOR

Gregoria Israel

7017 Allentown Road

Plans



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

A100

19(b)

## BOARD OF APPEALS

APPROVED OCT 05 2022

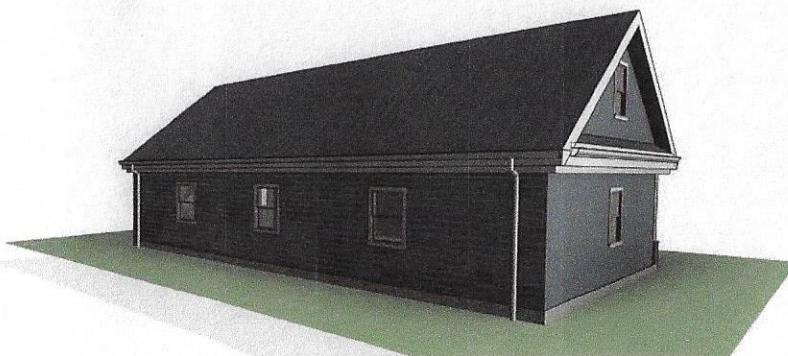
B. Stone  
ADMINISTRATOR



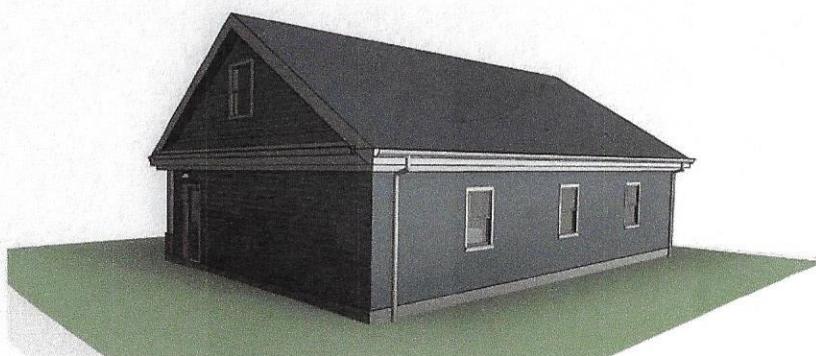
1 Perspective View - 1



### 2 Perspective View - 2



### 3 Perspective View - 3



#### 4 Perspective View - 4

**19(c)**

A600

DRAWINGS PRODUCED BY:  
Kitchenetal Design Plus  
4111 Maureen Lane,  
Fairfax VA 22033  
(571) 501-5941  
[design@kitchenetal.com](mailto:design@kitchenetal.com)

[www.kitchenetal.com](http://www.kitchenetal.com)

Consultant  
Address  
Address  
Phone  
Fax  
e-mail

Consultant  
Address  
Address  
Phone  
Fax  
e-mail

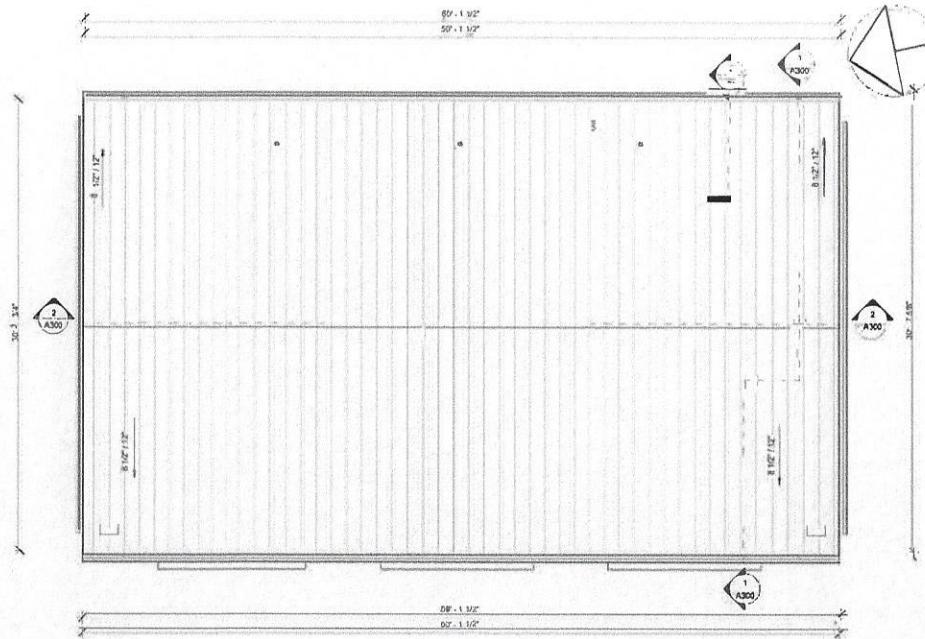
Consultant  
Address  
Address  
Phone  
Fax  
e-mail

Gregoria Israel

7017 Allentown Road

## Perspective Views

Project Number	20001
Date	05/18/20
Drawn By	Anthony Johnson
Checked By	Anthony Johnson
A600	
Scale	



02 Roof Plan

## BOARD OF APPEALS

APPROVED OCT 05 2022

*D. Stone*  
ADMINISTRATOR

Gregoria Israel

7017 Allentown Road

## Plans

**19(d)**

A101

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

**Scale**

## BOARD OF APPEALS

APPROVED OCT 05 2022

B. Stone  
ADMINISTRATOR

DRAWINGS PRODUCED BY:

Kitchenetal Design Plus  
4111 Maureen Lane,  
Fairfax VA 22033  
(571) 501-5941  
[design@kitchenetal.com](mailto:design@kitchenetal.com)

[www.kitchenetal.com](http://www.kitchenetal.com)

Consultar  
Address  
Address  
Phone  
Fax  
e-mail

Consultant  
Address  
Address  
Phone  
Fax  
e-mail

Consultant  
Address  
Address  
Phone  
Fax  
E-mail

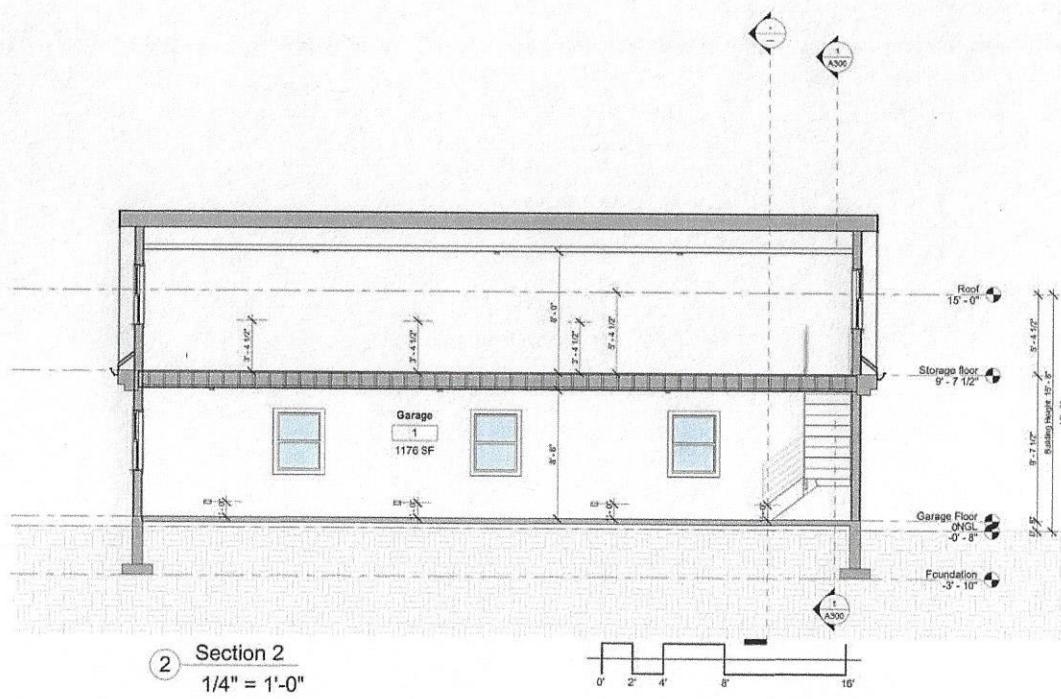
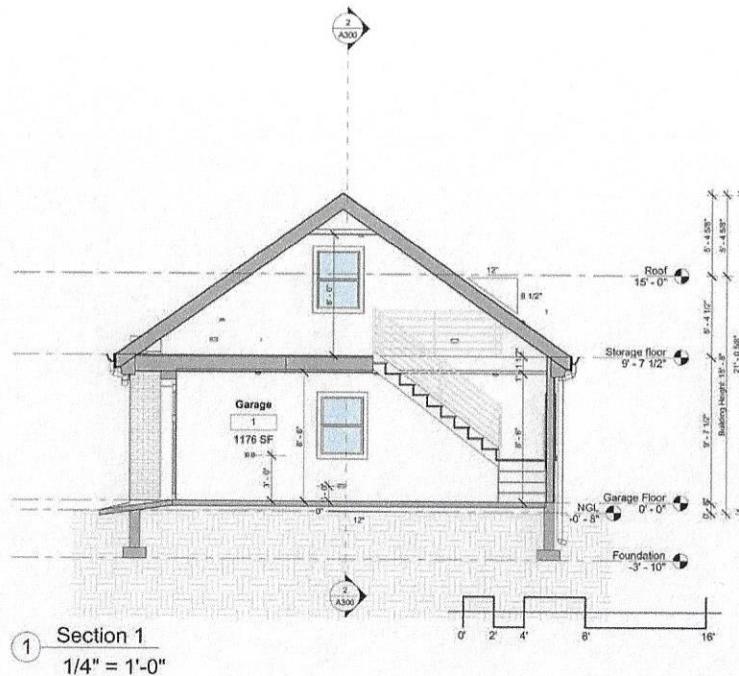
No.	Description	Date
1	Revision 1 - Concept Design	03/30/20
2	Revision 2 - Concept Design	04/05/20
3	Revision 3 - Detailed Design	05/18/20
4	Revision 4 - Detailed Design	06/27/20

Gregoria Israel

7017 Allentown Road

## Sections

Project Number	20001
Date	05/18/20
Drawn By	Anthony Johnson
Checked By	Anthony Johnson
A300	
Scale	



**19(e)**