



# 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*

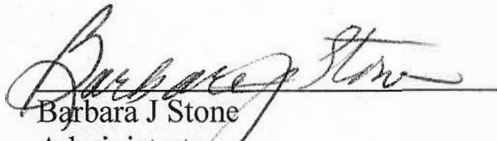
### *OF BOARD OF APPEALS*

RE: Case No. V-73-22 Jawanza Yero and Cheryl B. Jones

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: January 25, 2023.

## **CERTIFICATE OF SERVICE**

This is to certify that on March 7, 2023, 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***

Petitioners: Jawanza Yero and Cheryl B. Jones

Appeal No.: V-73-22

Subject Property: Lot 23, Block A, Westwood-Plat One Subdivision, being 12604 Woodmore North Boulevard, Bowie, Prince George's County, Maryland

Heard and Decided: November 30, 2022 and January 25, 2023

Board Members Present and Voting: Bobbie Mack, Chair - Present  
Anastasia Johnson, Member - Present  
Wm. Carl Isler, Member - Present.  
Renee Alston, Member - Present  
Teia Hill, Member - Absent

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, Petitioners request that the Board approve variances from the requirements in Section 27-4202(b) that each lot have a minimum net lot area of 40,000 square feet and minimum side yard width of 17 feet. Variances of 9,826 square feet from net lot area and 16 feet from side yard width are requested.

Evidence Presented

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

1. The property was subdivided in 1996, contains 30,174 square feet, and is zoned RE (Residential Estate). (Exhibits 2, 7 and 12) It is improved with a 5,298-square-foot single-family detached dwelling. (Exhibit 9) Petitioners wish to erect a two-story garage attached to the dwelling via a covered breezeway and a 96-square-foot deck. Petitioners stated that the variances are needed "to improve security of personal property (i.e. vehicles) [due to] an increase of property crimes using weapons/firearms" and noted that the "immediate neighbor is not opposed." (Exhibit 16)
2. The property is rectangular in shape and different from the adjacent parcels. (Exhibits 4 and 11 (a)-(b))
3. Petitioners submitted a Site Plan and architectural elevations for the proposed construction. (Exhibits 2 and 3(a)-(b)). Petitioners also submitted additional photographs of other properties in the area that were granted variances to construct similar detached garages. (Exhibit 6(a)-(b))
4. The Woodmore North Homeowners Association (HOA) noted its approval of the request after review by the HOA's Architectural Review Committee. (Exhibit 6)
5. An issue arose at the first hearing as to whether the subdivision approval precluded the construction of an open breezeway, and the record was left open to seek clarification from staff with the Maryland-National Capital Park and Planning Commission (MNCPPC). MNCPPC staff informed the Board prior to the second hearing that there is nothing precluding the construction of the covered breezeway requested in the instant application.

The Board voted unanimously to approve the request at its January 25, 2023, meeting.

#### Applicable Code Section and Authority

The Board is authorized to grant the requested variances if it finds that the following provisions of Section 27-3613 (d) of the Prince George's County Zoning Ordinance are satisfied:

#### **(d) General Variance Decision Standards**

A variance may only be granted when the review board or official, as appropriate, finds that:

- (1) 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);
- (2) 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;
- (3) Such variance is the minimum reasonably necessary to overcome the exceptional physical conditions;
- (4) Such variance can be granted without substantial impairment to the intent, purpose and integrity of the General Plan or any Functional Master Plan, Area Master Plan, or Sector Plan affecting the subject property;
- (5) Such variance will not substantially impair the use and enjoyment of adjacent properties; and
- (6) 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 variances comply with the applicable standards set forth in Section 27-3613, more specifically:

Due to the property being subdivided in 2003 and developed in conformance with the Zoning Ordinance in effect at that time, the existing lot does not meet the minimum lot area of 40,000 square feet or the minimum side yard requirement of 17 feet. Petitioners have requested the variances to validate existing conditions and to house all of their vehicles in order to deter crime in the neighborhood and protect their property. All of the neighboring lots do not appear to be the same shape and smaller size as the subject property. Other nearby homes were granted variances to construct similar detached garages and approval would not substantially impair the use and enjoyment of adjacent properties. The elevations indicate that the new garage and deck will complement the existing home, and attached garages and decks are common additions for single-family residential areas. Thus, granting the relief requested would not substantially impair the intent, purpose and integrity of the General Plan or Master Plan. Denying the request would result in a peculiar and unusual practical difficulty upon the owner of the property to not be able to house their vehicles in a safe manner, and not have the existing home and lot size validated. Finally, the practical difficulty is not self-inflicted but results from the approved platting of the lot and the zoning provisions disproportionate impact on the property.

BE IT THEREFORE RESOLVED, unanimously, that variances of 9,826-square-feet from the minimum net lot area of 40,000 square feet and 16 feet from the minimum side yard width of 17 feet requirements found in Section 27-4202 (b) of the Zoning Ordinance in order to validate existing conditions and to obtain a building permit to construct a two-story attached garage with a deck on the property located at 12604 Woodmore North Boulevard, Bowie, 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 the elevations, Exhibit 3(a)-(b).

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 27-3613 (c)(10) (B) of the Prince George's County Code states:

A decision of the Board, permitting the construction of a building or structure, shall not be valid for more than two (2) years, unless a building permit for the construction 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.

ADMINISTRATOR

THIS DOCUMENT IS CERTIFIED TO:



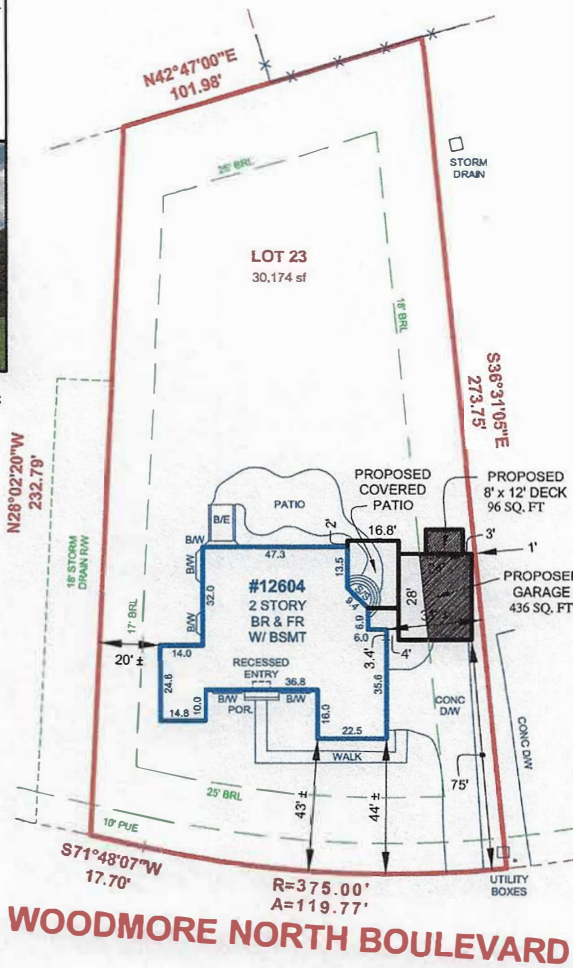
METROPOLITAN  
TITLE LLC

CASE #: 2203535



JAWANZA YERO ETAL AND CHERYL B. JONES  
MAP 46 GRID A2 BLOCK A LOT 23

PROPOSE VARIANCE FOR 532 SQ. FT.  
INTO THE RIGHT SIDE OF THE  
BUILDING RESTRICTION LINE



NOTE:  
BRL'S SHOWN HEREON ARE BASED ON CURRENT  
ZONING REGULATIONS FOR "ZONE R-S" TAKEN FROM  
PRINCE GEORGE'S COUNTY CODE 2019 EDITION.

\*\*\* PROPOSED ADDITIONS ADDED 09-09-2022 (NO NEW FIELD INSPECTION)

THE LEVEL OF ACCURACY OF  
DISTANCES TO APPARENT  
PROPERTY LINES IS: 1'±

LOCATION DRAWING OF:

#12604 WOODMORE NORTH BLVD  
LOT 23 BLOCK A

PLAT ONE

WESTWOOD

PLAT BOOK 179, PLAT 75

PRINCE GEORGE'S COUNTY, MARYLAND

SCALE: 1"=40' DATE: 04-27-2022 \*\*\*

DRAWN BY: SM FILE #: 224333-780

LEGEND:

- FENCE
- BE - BASEMENT ENTRANCE
- BW - BAY WINDOW
- BR - BRICK
- BRL - BLDG. RESTRICTION LINE
- BSMT - BASEMENT
- SS - SLATE STOOP
- CONC - CONCRETE
- DW - DRIVEWAY
- EX - EXISTING
- FR - FRAME
- NAC - NARACADAM
- NSF - NOW OR FORMERLY
- OSH - OVERHANG
- PUE - PUBLIC UTILITY ESMT.
- PIE - PUBLIC IMPROVEMENT ESMT.

COLOR KEY:

- (RED) - RECORD OF OBSERVATION
- (BLUE) - IMPROVEMENTS
- (GREEN) - ESMTS & RESTRICTION LINES

A Land Surveying Company

DULEY

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Serving D.C. and MD.

14604 Elm Street, Upper Marlboro, MD 20772

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Fax: 301-888-1114

Email: orders@duley.biz

On the web: www.duley.biz

SURVEYOR'S CERTIFICATE

HEREBY STATE THAT I WAS RESPONSIBLE FOR THE PREPARATION OF THIS DRAWING AND THE SURVEY WORK REFLECTED HEREON AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 12 CHAPTER 08.13.05 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. THIS SURVEY IS NOT TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF FENCES, BUILDING, OR OTHER IMPROVEMENTS. THIS PLAT DOES NOT PROVIDE FOR THE ACCURATE Delineation OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING. THE LEVEL OF ACCURACY FOR THIS DRAWING IS 1". NO TITLE REPORT WAS FURNISHED TO NOR DONE BY THIS COMPANY. SAID PROPERTY IS 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. IF IT APPEARS ENOUGH TO EXIST, A BOUNDARY SURVEY IS RECOMMENDED.

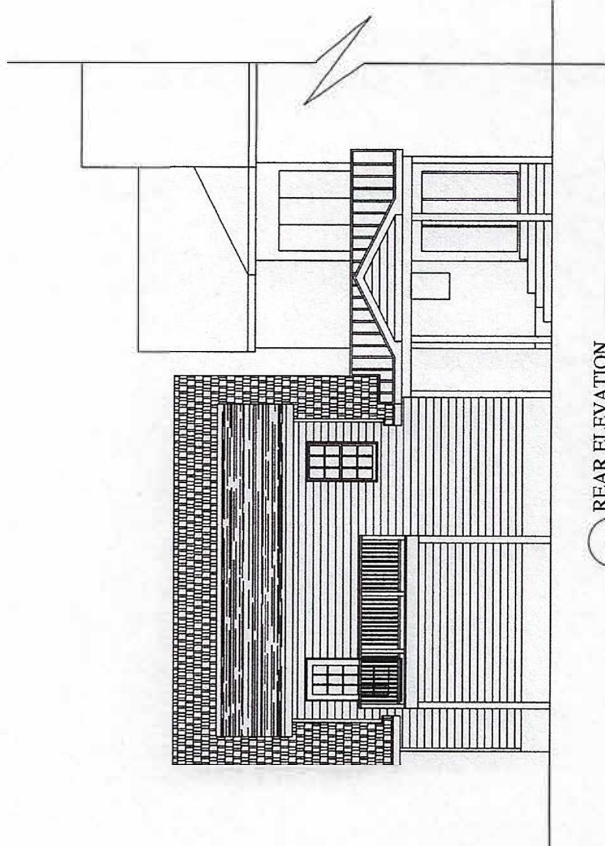
DULEY & ASSOC.

WILL GIVE YOU A 100%  
FULL CREDIT TOWARDS  
UPGRADING THIS  
SURVEY TO A  
"BOUNDARY/STAKE"  
SURVEY FOR ONE  
YEAR FROM THE DATE  
OF THIS SURVEY.

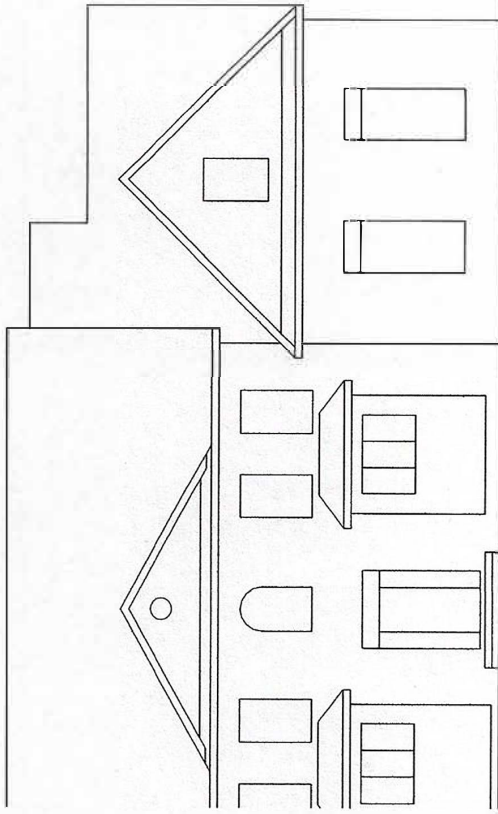
(EXCLUDING D.C. & BALT. CITY)



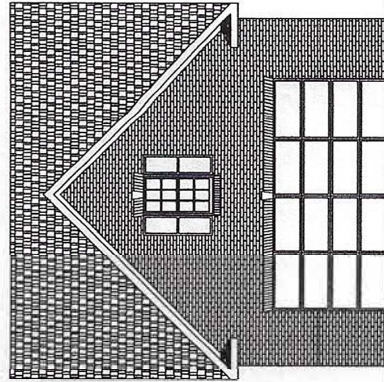
2  
V-73-22



2 REAR ELEVATION  
1/4" = 1'-0"



1 FRONT ELEVATION  
1/4" = 1'-0"



3(a)

DOH # 3(a-b)  
V-73-22

BOARD OF APPEALS

APPROVED JAN 25 2023

*[Signature]*  
ADMINISTRATOR

PROJECT: GARAGE AT JONES RESIDENCE  
PRINCE GEORGES COUNTY, MARYLAND

THIS IS A  
CONSTRUCTION  
DOCUMENT

DO NOT SCALE  
THESE DRAWINGS

KGL DRAFTING & DESIGN  
2720 SPRAGUE DR. WALDORF, MD 20601  
(301) 843-8483 E-MAIL: KGLDRAFTING@AOL.COM

DRAWN BY: KGL  
DATE: 1/24/23  
SCALE: AS SHOWN

D2

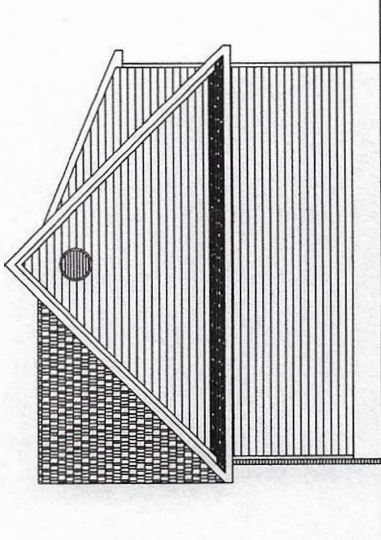
REVISIONS



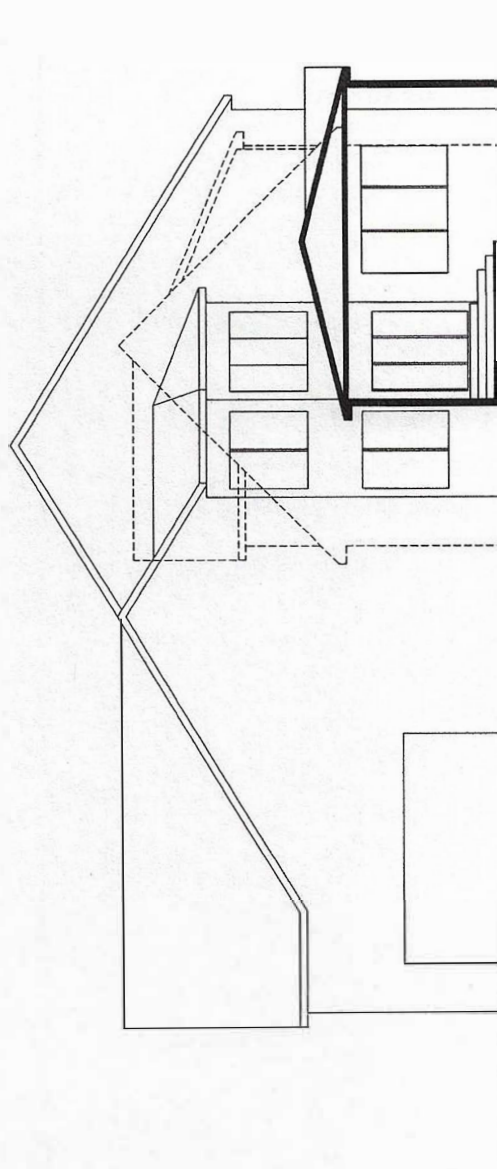
# BOARD OF APPEALS

APPROVED JAN 25 2023

*[Signature]*  
ADMINISTRATOR



2 SIDE ELEVATION  
1/4" = 1'-0"



1 PORCH SECTION  
1/4" = 1'-0"

3(b)

D3

TRANSMIT: MCL  
JOB: 2217  
DATE: 01/25/23  
SCALE: AS SHOWN

KGL DRAFTING & DESIGN  
2720 SPRAGUE DR, WALDORF, MD 20601  
(301) 843-8483 E-MAIL: KGLDRAFTING@AOL.COM

DONOT SCALE  
THESE DRAWINGS

TITLE:  
CONSTRUCTION  
DOCUMENTS

PROJECT:  
GARAGE AT JONES RESIDENCE  
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