



# 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-75-22 Idongesit Ebeute

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: November 9, 2022.

## **CERTIFICATE OF SERVICE**

This is to certify that on February 22, 2023, 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 black 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: Idongesit Ebeute

Appeal No.: V-75-22

Subject Property: Lots 19-20, Block 20, Riverdale Hills Subdivision, being 6409 63<sup>rd</sup> Place, Riverdale, Prince George's County, Maryland

Counsel for Petitioner: Brian Gormley, Esq.

Witness: Shane Umstead, Builder / Architectural / Engineering Team

Heard and Decided: November 9, 2022

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

Anastasia T. Johnson, Member

Renee Alston, Member

Carl Isler, Member

Teia Hill, 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 27-229 of the Zoning Ordinance, Petitioner requests that the Board approve a variance from Section 27-4202(e) which prescribes that each lot shall have a minimum net lot area of 6,500 square feet. Section 27-4202(e)(1) prescribes that each lot shall have a minimum width of 65 feet measured along the front building line and 52 feet measured along the front street line. Section 27-4202(e)(2) prescribes that each lot shall have a front yard at least 25 feet in depth. Section 27-4202(e)(3) prescribes that each lot shall have a side yard at least 8 feet in width. Petitioner proposes to validate existing conditions (net lot area, lot width, lot frontage width at front street line, front yard depth and side yard width) and obtain a building permit to construct a covered front porch. Variances of 1,139 square feet net lot area, 15 feet front building line width, 2 feet front street line width, 2 feet front yard depth and 1-foot side yard width were requested.

**Evidence Presented**

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

1. The property was subdivided in 1925, contains 5,876 square feet, is zoned RSF-65 (Single-Family-65), and is improved with a single-family dwelling, driveway, rear deck and shed. Exhibits (Exhs.) 2, 4, 6, 7 and 8 (A) thru (F).
2. The subject property is rectangular in shape (50 feet in width and 117 feet in length). Exhs. 2, 4, 6, 7 and 8 (A) thru (F).
3. Petitioner proposes to validate existing conditions (net lot area, lot width, lot frontage width at front street line, front yard depth and side yard width) and obtain a building permit to construct a covered front porch. Variances of 1,139 square feet net lot area, 15 feet front building line width, 2 feet front street line width, 2 feet front yard depth and 1-foot side yard width were requested, respectively. Exhs. 2, 4, 6, 7 and 8 (A) thru (F).

4. Attorney Gormley stated Petitioner's request constitutes a rebuilding project resulting from damage caused by a tree falling into the middle of the house. Currently, the property is vacant but has the existing foundation. There will be no changes to the existing footprint with the rebuilding of the home (including the covered front porch). The idea is just to restore the dwelling to its prior existing dimensions before the tree fell. Exhs. 2, 3 (a) thru (d), and 5 (A) thru (Q).

5. Shane Umstead explained that a tree (5 feet in circumference and 60-foot-tall) located on the public right-of-way damaged dwelling when it fell into it. He stated that the intent is to maintain overall appeal as shown on the elevation plans. Exhs. 3, (a) thru (d) and 5 (A) thru (Q).

6. He further stated that the covered front porch was reduced from 7 feet 7 inches to 6 feet. He noted that Section 27-422 speaks to projections and extensions which may extend upon the front building restriction (as in this case) up to 9 feet and that the proposed front porch will be only 6 feet, if approved by the Board pursuant to RSF-65 (Residential -Single Family-65) of the Zoning Ordinance. He continued that the there is also a slight modification in the dimensions of the proposed driveway. Exhs. 2, 3 (a) thru (d), and 5 (A) thru (Q).

6. Mr. Umstead continued that the gravel driveway will be converted to a concrete driveway.

#### 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 a tree located on the public right-of-way falling on the subject property, the complete destruction of the dwelling occurred, the reconstruction of the dwelling will be on the existing footprint, the front yard depth of the proposed new front porch will be reduced, 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, unanimously, that variances of 1,139 square feet net lot area, 15 feet front building line width, 2 feet front street line width, 2 feet front yard depth and 1-foot side yard width in order to validate existing conditions (net lot area, lot width, lot frontage width at front street line, front yard depth and side yard width) and obtain a building permit to construct a covered front porch on the property located at 6409 63<sup>rd</sup> Place, Riverdale, 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 plans, Exhibits 3 (a) thru (d).

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 NOV 09 2022

*Administrator*  
Administrator

LOCATION DRAWING

SCALE: 1" = 20'

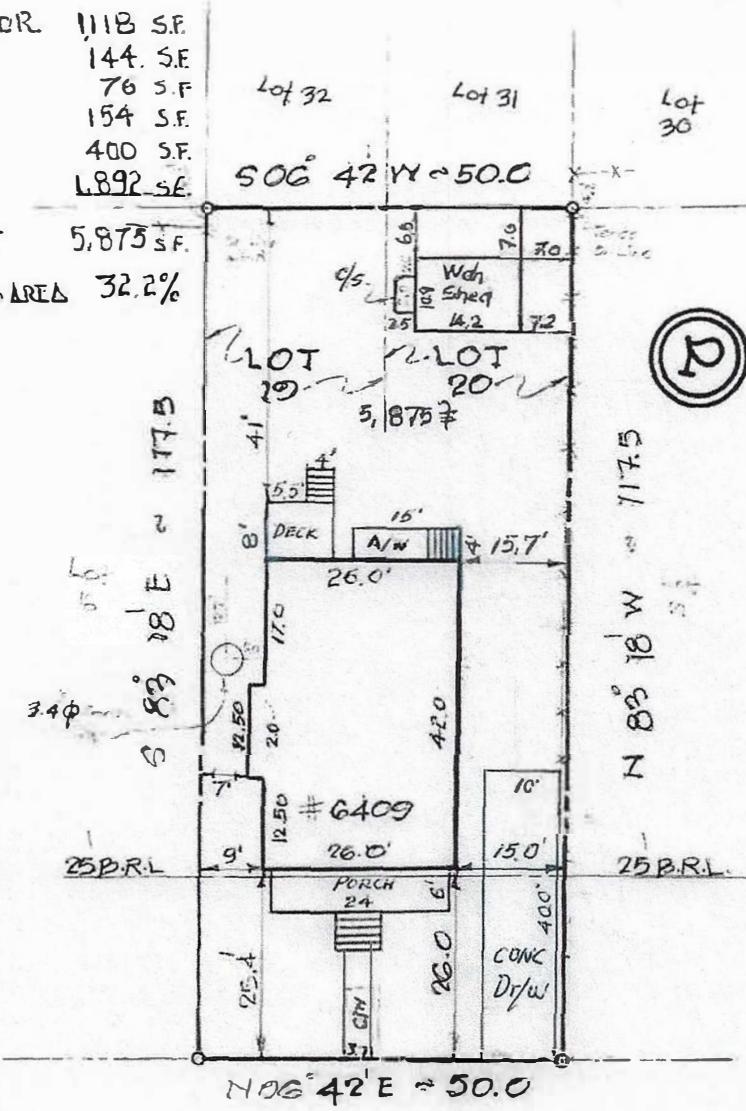
LOTS 19 & 20, BLOCK "P"  
SECTION NO. 2  
RIVERDALE HILLS

PLAT BOOK SDIT 3 PLAT NO. 24  
19TH ELECTION DISTRICT  
PRINCE GEORGE'S COUNTY, MD.

LOT COVERAGE

FIRST FLOOR 1118 S.F.  
PORCH 144. S.F.  
DECK 76 S.F.  
SHED 154 S.F.  
DRIVEWAY 400 S.F.  
TOTAL 1,892 S.F.

AREA LOT 5,875 S.F.  
BUILDING % AREA 32.2%



63<sup>RD</sup> (50W) PLACE

SURVEYOR'S CERTIFICATE:

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

This location drawing is not to be relied for establishing boundary lines.

DATE 19<sup>th</sup> August 2022

I hereby certify that I have carefully surveyed the property as shown by this plat and permanently survey markers are in place as shown.

DATE

NOTE Location drawing does NOT include setting permanent survey markers at property corners.

NO TITLE REPORT FURNISHED

PLAT SUBJECT TO RESTRICTIONS & EASEMENTS  
OF RECORD OR OTHERWISE

EXH. # 2  
V-75-22

W. L. MEEKINS, INC.

3101 RITCHIE ROAD  
FORESTVILLE, MD 20747  
TEL 301 736 7115  
email info@meekekins.net  
web www.meekekins.net  
REGISTRATIONS  
MD # 10833  
OCIS # 900860



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APPROVED NOV 09 2022

  
Administrator



FRONT ELEVATION

1/4" = 1'- 0"

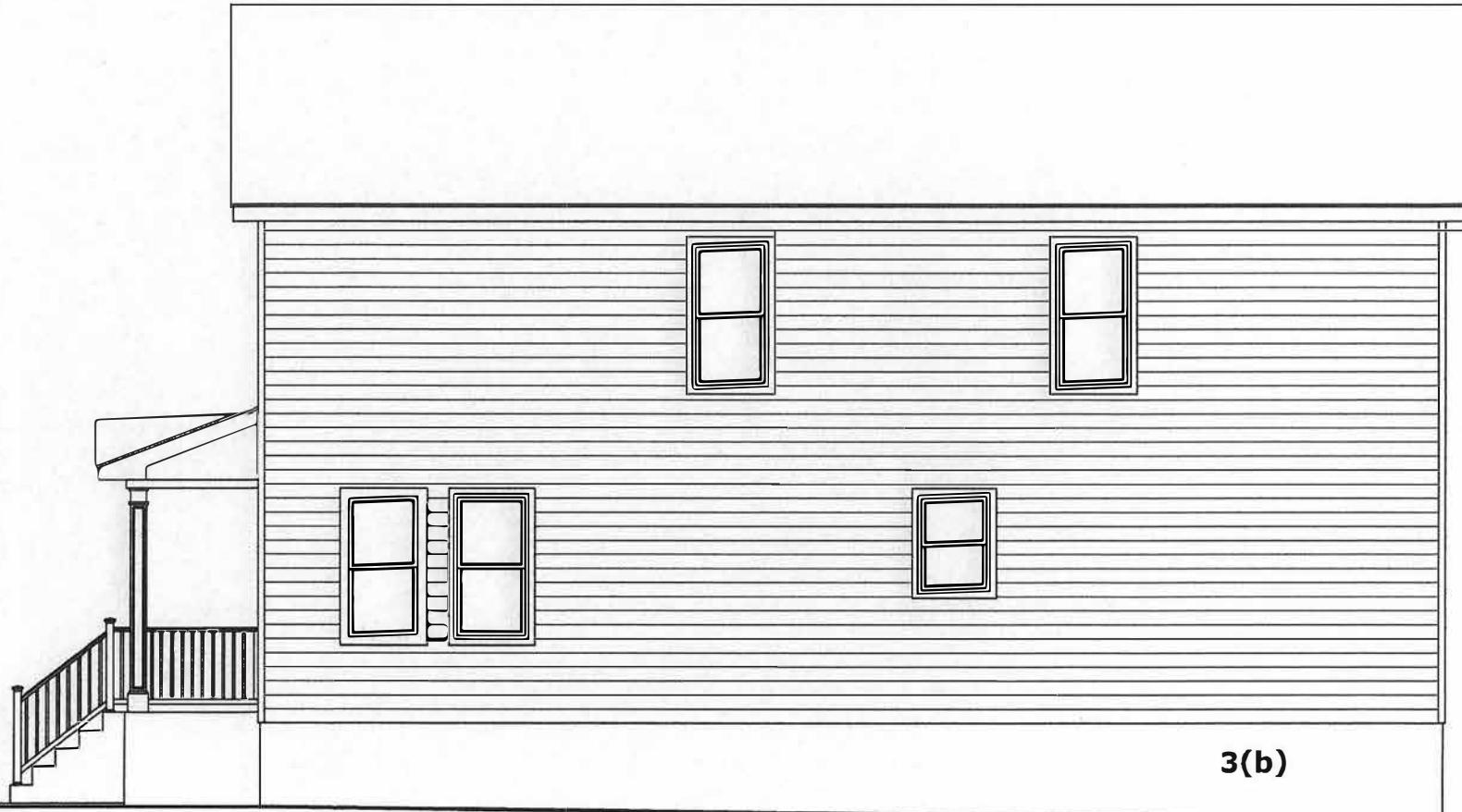
EXH. # 3(a-c)  
V-75-22

BOARD OF APPEALS

APPROVED NOV 09 2022



Administrator



RIGHT ELEVATION

1/4" = 1'- 0"

BOARD OF APPEALS

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LEFT ELEVATION

1/4" = 1'- 0"

3(c)

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Administrator



REAR ELEVATION #2

1/4" = 1'- 0"