



THE PRINCE GEORGE'S COUNTY GOVERNMENT

BOARD OF ZONING APPEALS

BOARD OF ADMINISTRATIVE APPEALS

COUNTY ADMINISTRATION BUILDING, UPPER MARLBORO, MARYLAND 20772
TELEPHONE (301) 952-3220

NOTICE OF FINAL DECISION

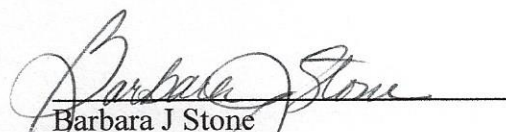
OF BOARD OF APPEALS

RE: Case No. V-8-20 Moses Yogaraj

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 4, 2020

CERTIFICATE OF SERVICE

This is to certify that on February 22, 2021, 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: Moses Yogaraj

Appeal No.: V-8-20

Subject Property: Lots 19 and 20, Oakmont Subdivision, being 5937 Addison Road, Capitol Heights,
Prince George's County, Maryland

Municipality: City of Seat Pleasant

Heard: October 28, 2020; Decided: November 4, 2020

Board Members Present and Voting: Bobbie S. Mack, Chairperson
Albert C. Scott, Vice Chairman
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 a variance 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 Section 27-442(e)(Table IV) which prescribes that each lot shall have a rear yard at least 20 feet in depth/width. Section 27-442(c)(Table II) which prescribes that not more than 30% of the net lot area shall be covered by buildings and off-street parking. Petitioner proposes to obtain a building permit for unauthorized construction of a deck. Variances of 13.5 feet rear yard depth/width and 7% net lot coverage are requested.

Evidence Presented

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

1. The property was subdivided in 2002, contains 15,400 square feet, is zoned R-35 (One-Family Semidetached Residential) and is improved with a single-family dwelling, driveway, front porch. Exhibits (Exhs.) 2, 4, 7, 8 and 9 (A) thru (F).
2. Petitioner proposes to obtain a building permit for unauthorized construction of a deck with steps. Because the deck encroaches in the required rear yard setback, a variance of 13.5 feet rear depth/width is required. In addition, the existing structures require a variance for the overage of net lot coverage by 7%. Exhs. 2, 3, 5 (A) thru (G).
3. Petitioner Moses Yogaraj testified the home has a rear door which is approximately 7 feet above grade. This would be an emergency exit as there is only one other entrance/exit from the main floor of the house. Exhs. 2, 3, 5 (A) thru (G).
4. The City of Seat Pleasant unanimously approved the variance without objection. Exh. 15.

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.

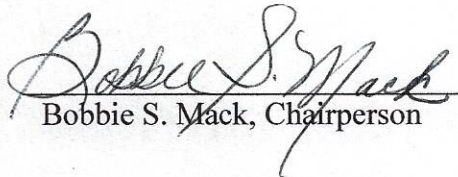

Findings of the Board

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 the need for an emergency exit/entrance on the rear of the home, 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 a variances of 13.5 feet rear yard depth/width and 7% net lot coverage in order to obtain a building permit for unauthorized construction of a deck on the property located at 5937 Addison Road, Capitol Heights, Prince George's County, Maryland, be and is 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

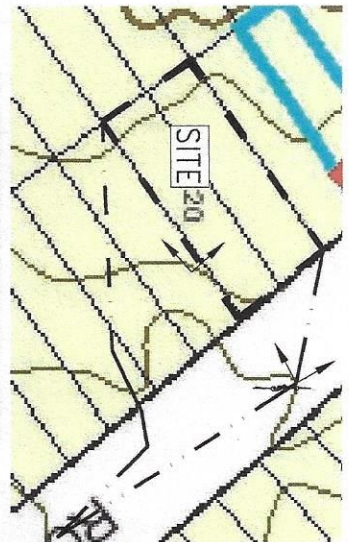
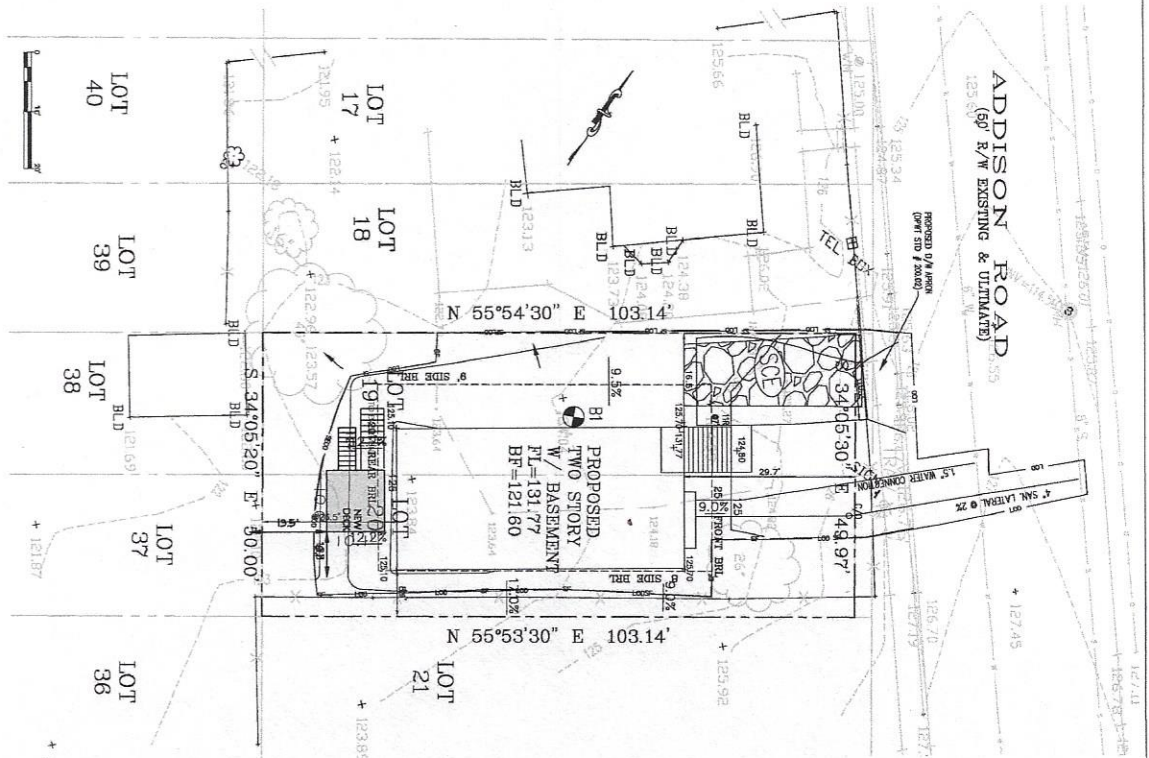
By: 
Bobbie S. Mack, Chairperson 

NOTICE

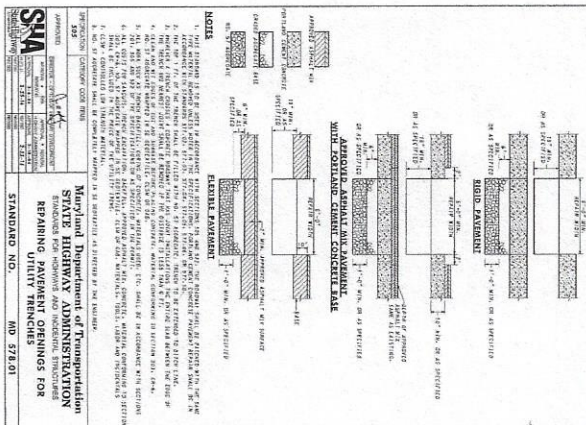
Within thirty (30) days from the date of this decision, any person, firm, corporation, or governmental agency who was a party to the Board's proceedings and is aggrieved by its decision may file an appeal to the Circuit Court of Prince George's County.

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.



OFF-SITE DRAINAGE AREA TO SILT FENCE = 0.28 AC.
DRAINAGE AREA MAP
SCALE 1"=50'



BOARD OF APPEALS

APPROVED NOV 04 2020

[Signature]
ADMINISTRATOR



I HEREBY CERTIFY THAT THE ENGINEER HAS REVIEWED THE PROJECT AND THAT THE PROJECT HAS BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE BOARD OF APPEALS. I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF MARYLAND. NO. 17714. DATE: 09-23-16

EXHIBIT
2
V-8-20

Project No.
2/3

LAND DESIGN PROS.

1 Research Court, Suite 450
Rockville, MD, 20850
VOICE: 301-279-9990
www.LandDesignPros.com



DESIGN BY: MA
CHKD BY: MM
DATE: 09-23-16

MAP 66 GRID B3
ZONE R-55

5935 ADDISON ROAD
DISTRICT HEIGHTS, MD 20743
PRINCE GEORGE'S COUNTY

SITE, GRADING & SEDIMENT CONTROL

STORMWATER MANAGEMENT CONCEPT PLAN



Revisions	Description
No. Date	
1 09-23-16	Initial Design
2 10-01-16	Revised Design
3 10-10-16	Final Design
4 10-15-16	As Built

M.A. Designed
M.A. Drawn
M.M. Approved
09-23-16 Date

SYMETRIX
ARCHITECTURE by DESIGN

edvarkia@gmail.com

1. THIS BUILDING HAS BEEN DESIGNED IN ACCORDANCE WITH THE INTERNATIONAL BUILDING CODE 2015 WITH LOCAL AMENDMENTS AS APPROVED BY PRINCE GEORGES COUNTY

- ## 2. DESIGN LOADS (P57)

2. DESIGN LOADS [157]

LOCATION	LINE	DEPTH	TOTAL
FLOOR	10	10	50
ROOF	30	10	40
ROOF DRAINING ROOM	10	10	40
ROOF	25	15	40
DECK	40	10	50
BALCONIES	10	10	70
STAIRS	60	10	70
STAIRS	40	10	50
ATICO	20	10	30

* UNLESS OTHERWISE NOTED ON STRUCTURAL DETAILS

DEFS ON CRITICAL

DEFS AND CRITERIA:

- WIND SPEED:
SEISMIC CATEGORY:
WEATHERING:
90 MPH
BOND SEISMIC DATA REQUIRED
Average

- [illegible]

STANDARD ABBREVIATIONS

[illegible]

Location Map

N.T.S.



GRAPHIC SYMBOLS

-  BUILDING SECTION
DRAWING SHEET #
-  DETAIL SECTION
DRAWING SHEET #
-  INTERIOR ELEVATION
DRAWING SHEET #

SCOPE OF WORK

- 132 SQ. FT. REAR DECK ADDITION

DRAWING INDEX

C) GENERAL NOTES
A) PLANS AND ELEVATIONS - STRUCTURAL

BOARD OF APPEALS

APPROVED

NOV 04 2020

ADMINISTRATOR

Permit Set

Project Location
YOGARAJ
RESIDENCE

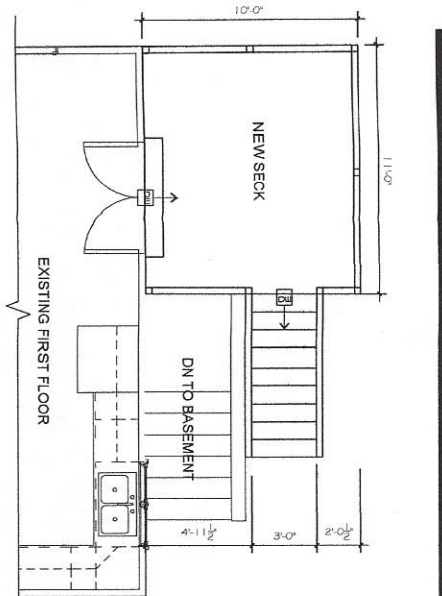
3827 ADDISON BLVD.
CAPITAL HEIGHTS, MO 2074

Cover Sheet

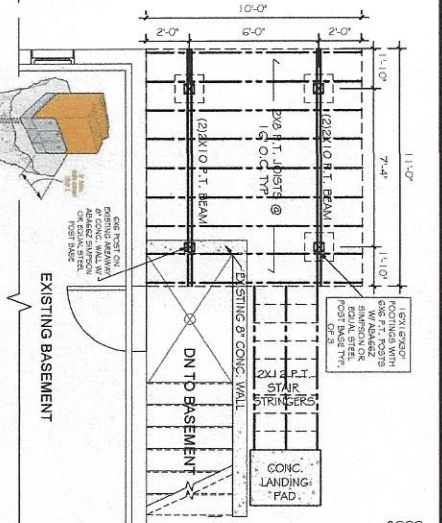
02/14/20

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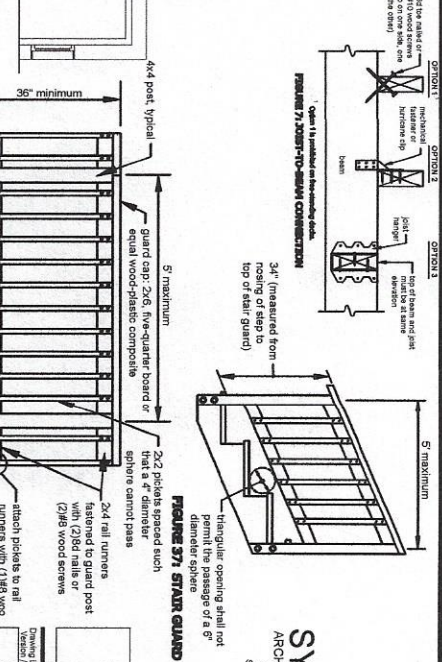




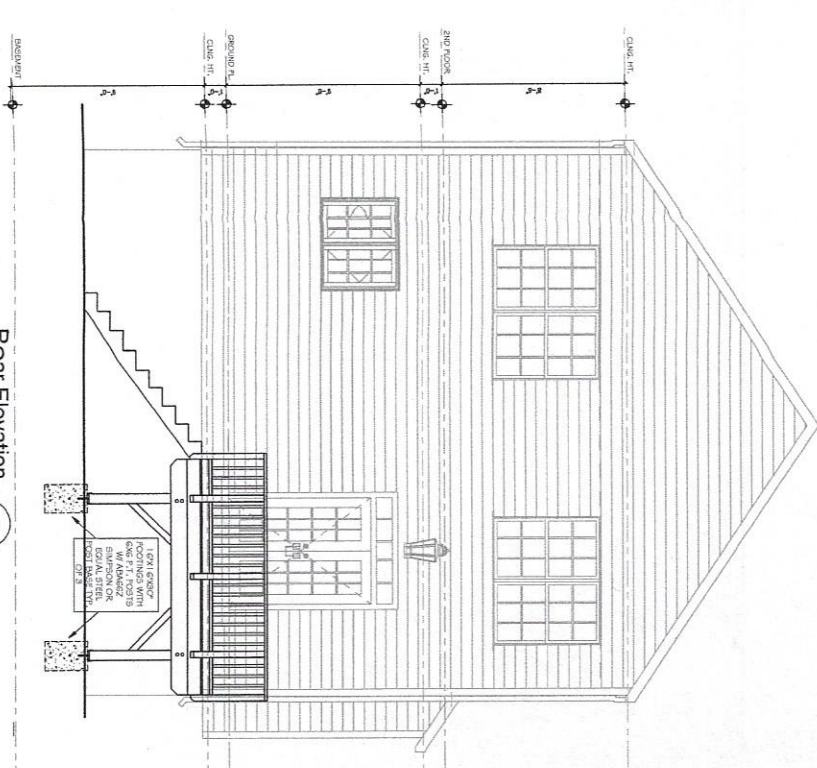
Deck Plan
1
1/4" = 1'-0"



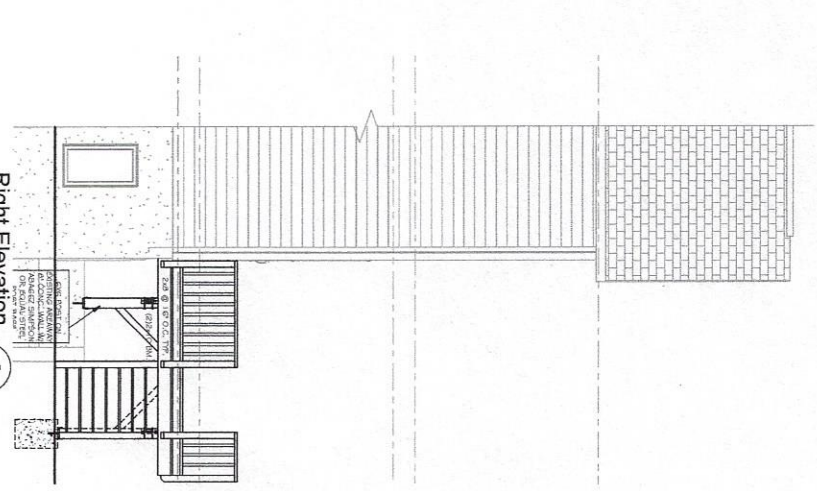
Deck Structural Plan
2
1/4" = 1'-0"



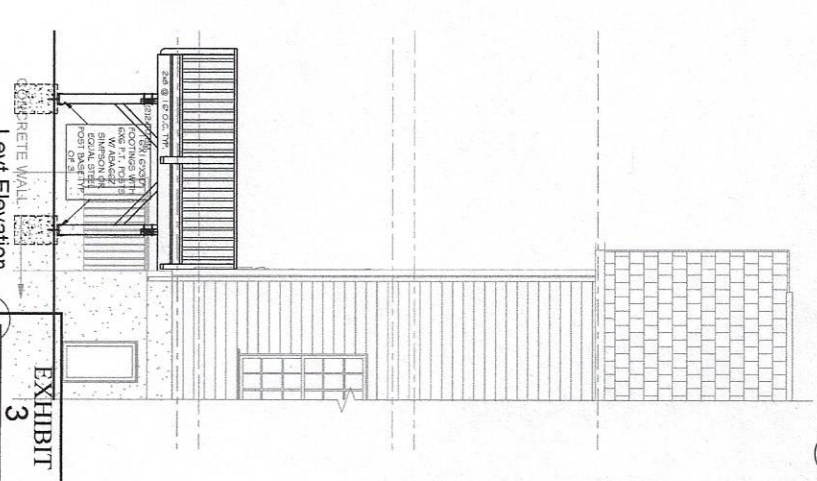
Deck Details
3
1/4" = 1'-0"



Rear Elevation
4
1/4" = 1'-0"



Right Elevation
5
1/4" = 1'-0"



Lev. Elevation
6
1/4" = 1'-0"

BOARD OF APPEALS

APPROVED

NOV 04 2020

Dr. Stone
ADMINISTRATOR

EXHIBIT
3

V-8-20
A-1

Floor Plan
Rear Elevation

YOGARAJ
RESIDENCE

Permit Set

Approach	Label	Date
Architect		
Engineer		
Inspector		
Permit		
Project		
Version		

Client and Project Location
YOGARAJ
RESIDENCE
837 WILSON BLVD
DALLAS, TEXAS 75241

Date: 10/20/19
Drawn: [Signature]
Checked: [Signature]

SYMETRIX
ARCHITECTURE BY DESIGN
2801 PARKWAY ROAD
SUITE 200
DALLAS, TEXAS 75241
www.symetrix.com