



# 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*

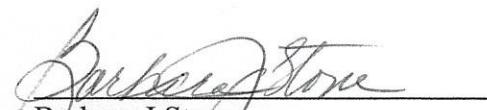
## *OF BOARD OF APPEALS*

RE: Case No. V-22-20 Manuel Colindres

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 28, 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-NCPBC, 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: Manuel Colindres

Appeal No.: V-22-20

Subject Property: Lot 12, Block R, University Gardens Subdivision, being 2423 Hannon Street, Hyattsville, Prince George's County, Maryland

Heard and Decided: October 28, 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 a variance from Section 27-442(e)(Table IV) which prescribes that each lot shall have a front yard at least 25 feet in depth. 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. Variances of 5.45 feet front yard depth and 26.5% net lot coverage<sup>1</sup> were initially requested.

**Evidence Presented**

1. The property was subdivided in 1947, contains 6,600 square feet, is zoned R-55 (One-Family Detached Residential) and is improved with a single-family dwelling, driveway and rear canopy. Exhibits (Exhs.) 2, 4, 7, 8 and 9 (A) thru (G).

2. Petitioner would like to erect a two-level porch on the front of the dwelling. Because the addition of the proposed covered front porch will encroach upon the front year setback, a variance of 5.45 feet front yard depth is required. Exhs. 2, 3 (A) thru (B) and 5 (A) thru (G).

3. Petitioner Manuel Colindres explained that he has rainwater penetrating the front door of the home. The door has been replaced twice from water damage with water seeping into the home. He would like to install a covered front porch to stop the water from constantly damaging the door. He stated that the covered front porch would not be out of character as most of the homes in the area have covered front porches. Exhs. 2, 3 (A) thru (B) and 5 (A) thru (G).

4. Petitioner Manuel Colindres previously applied for a variance (V-78-15) to install the covered porch but was denied. Exh. 10.

**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

<sup>1</sup> A variance of 26.5% net lot coverage was mistakenly requested but the existing net lot coverage actually constitutes the 26.5% which is allowable under Section 27-442(c)(Table II). Exh 2.

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.

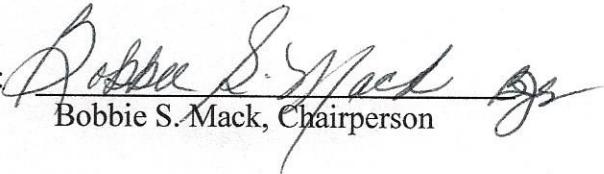
Findings of the Board

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 to protect the front façade of the dwelling from rainwater penetrating into the interior of the house 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 variance of 5.45 feet front yard depth in order to construct a covered front porch on the property located at 2423 Hannon Street, Hyattsville, Prince George's County, Maryland, be and is hereby APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibits. 2 and approved elevation plans, Exhibits. 3 (A) and (B).

BOARD OF ZONING APPEALS

By:   
Bobbie S. Mack, Chairperson

NOTICE

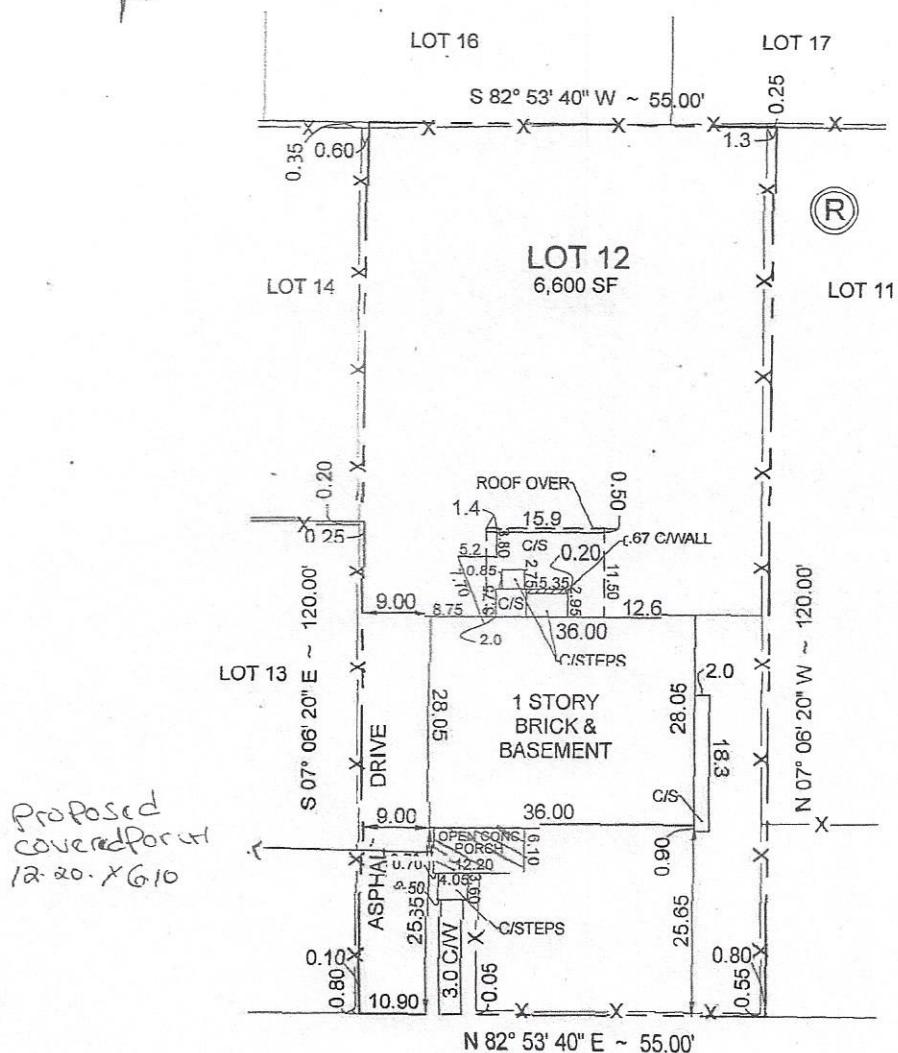
Within thirty (30) days from the date of this decision, any person, firm, corporation, or governmental agency who was a party to the Board's proceedings and is aggrieved by its decision may file an appeal to the Circuit Court of Prince George's County.

Further, Section 27-233(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.

HOUSE LOCATION  
LOT 12 BLOCK R  
**UNIVERSITY GARDENS**  
17TH ELECTION DISTRICT  
PLAT BOOK 12-62  
PRINCE GEORGE'S CO. MD

SCALE : 1" = 20'  
W.L.M.



**BOARD OF APPEALS**

APPROVED OCT 28 2020

ADMINISTRATOR

**EXH. #** 2  
V-22-20

SURVEYOR'S CERTIFICATES:

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

DATE: 9th May 2015 W.L.D.

NOTE: House location surveys do not include setting Iron Pipes on property corners.

NO TITLE REPORT FURNISHED  
PLAT SUBJECT TO RESTRICTIONS & EASEMENTS  
OF RECORD OR OTHERWISE.



The property shown hereon is not within Zone A-Special Flood Hazard Area per F.E.M.A. Flood Insurance Rate Maps.

W. L. MEEKINS, INC.  
3101 RITCHIE ROAD  
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MD # 10833  
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