

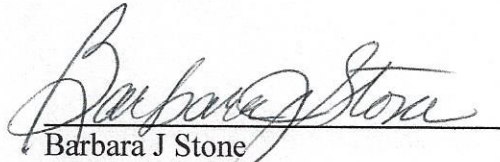
NOTICE OF FINAL DECISION
OF BOARD OF APPEALS

RE: Case No. V-35-20 Anuj Christian

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 18, 2020

CERTIFICATE OF SERVICE

This is to certify that on December 28th, 2020, 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: Anuj Christian

Appeal No.: V-35-20

Subject Property: Lot 19, Block F, Queens Chapel Manor Subdivision, being 3003 Lancer Place,
Hyattsville, Prince George's County, Maryland

Municipality: Hyattsville

Heard: November 4, 2020; Decided: November 18, 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 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 27-442(d)(Table III) which prescribes that each lot shall have a minimum width of 65 feet measured along the front building line. Section 27-442(c)(Table II) prescribes that not more than 30% of the net lot area shall be covered by buildings and off-street parking. Section 27-120.01(c) prescribes that no parking space, parking area, or parking structure other than a driveway no wider than its associated garage, carport, or other parking structure may be built in the front yard of a dwelling in the area between the front street line and the sides of the dwelling. Petitioner is requesting permission to validate an existing condition (front building line) and obtain a building permit for the proposed driveway. Variances of 5 feet front building line width, 3% net lot coverage and a waiver of the parking area location requirement were requested.

Evidence Presented

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

1. The property was subdivided in 1941, contains 5,400 square feet, is zoned R-55 (One-Family Detached Residential and is improved with a single-family dwelling, concrete patio and shed. Exhibits (Exhs.) 2, 3, 7, 8 and 9 (A) thru (G).

2. Petitioner is proposing to obtain a building permit for a proposed driveway. Validation of the front building line is required because the lot was created in 1941 and does not meet current zoning regulations. In addition, adding the driveway will increase the lot coverage with an overage of 3%. The proposed driveway is located in front of the dwelling and will also require a waiver of the parking area location. Exhs. 2 and 4 (A) thru (C).

3. Petitioner Anuj Christian testified that to obtain a rental license to rent a portion of his house (basement), the Housing Authority is requiring him to install a driveway. He has applied for a permit for the driveway, but because the driveway will be in front of the house, he will need a waiver of the parking area location requirement. Exh. 2.

4. Because of the locations of a mature tree and an adjoining neighbor's apron, he is unable to install the proposed driveway on the left side of the house. The same issue regarding a neighbor's apron is currently limiting the location of a driveway on the right side. The only viable location would be in front of the dwelling. Exhs. 2, 4 (A) thru (C) and 9 (A) thru (G).
5. There are many driveways in the community. Exhs. 4 (A) thru (C) and 9 (A) thru (G).
6. The City of Hyattsville has approved the driveway proposal. Exh. 13.

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.

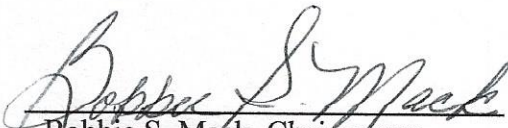
Findings of the Board

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 existing neighbors' driveway aprons, the location of a mature tree, the only viable location for the driveway is 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, unanimously, that variances of 5 feet front building line width and 3% net lot coverage, and a waiver of the parking area location requirement in order to validate an existing condition (front building line) and obtain a building permit for the proposed driveway on the property located at 3003 Lancer Place, Hyattsville., 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.

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.

ORDERED BY:



RTS

Realty Title Services, Inc.
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PROPERTY ADDRESS: 3003 LANCER PLACE

HYATTSVILLE, MARYLAND 20782

SURVEY NUMBER: MD1805.2840

FIELD WORK DATE: 5/21/2018

REVISION HISTORY: (REV.0 5/22/2018)

18052840

LOCATION DRAWING

LOT 19, BLOCK F

QUEENS CHAPEL MANOR

PRINCE GEORGE'S COUNTY, MARYLAND

05-22-2018 SCALE 1"=20'

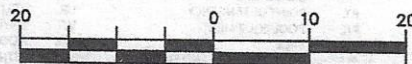


PLEASE NOTE

This House Location Drawing is for informational purposes only. Per Maryland State Code it may not be relied upon to determine property boundaries and may not be used for building permits or construction.



William J. Stone
EXPIRES 1-14-2019



GRAPHIC SCALE (In Feet)

1 inch = 20' ft.

ACCURACY=3"

LANCER PLACE
(MADISON STREET)
(50' R/W)

BOARD OF APPEALS

APPROVED NOV 18 2020

Barbara J. Stone
ADMINISTRATOR

POINTS OF INTEREST:
NONE VISIBLE

CLIENT NUMBER: SSMD18-277

DATE: 05/22/18

POWERED BY:

BUYER: ANUJ CHRISTIAN

SELLER: RODOLFO CRUZ

CERTIFIED TO:
ANUJ CHRISTIAN; RTS

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o: 443.819.3994 | 1220 E Churchville Road, Suite 100 | Bel Air, MD 21014

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