



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

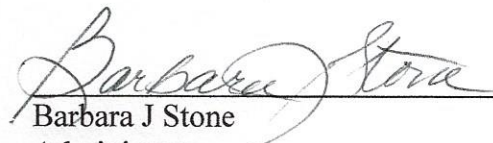
OF BOARD OF APPEALS

RE: Case No. V-39-20 Felicia and John Anna

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 January 4, 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

56BEFORE THE BOARD OF APPEALS FOR PRINCE GEORGE'S COUNTY, MARYLAND
Sitting as the Board of Zoning Appeals

Petitioners: Felicia and John Anna

Appeal No.: V-39-20

Subject Property: Lot 2, Block E, Beltsville Heights-Elijah E Knotts Addition Re-subdivision, being 11808
Macon Street, Beltsville, Prince George's County, Maryland

Witnesses: Karen Pitsley, Architect, Transforming Architecture

Grace Collins, Architect, Transforming Architecture

Heard and 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 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 27-442(e)(Table IV) prescribes that each lot shall have a front yard at least 25 feet in depth and shall have a side yard at least 8 feet in width. Section 27-442(c)(Table II) prescribes that not more than 25% of the net lot area shall be covered by buildings and off-street parking. Section 27-442(i)(Table VIII) prescribes that accessory buildings shall be set back 2 feet from any side or rear lot line. Petitioners propose to validate existing conditions (front yard depth, side yard width and accessory building, shed) and obtain a building permit for the proposed front covered wooden porch. Variances of 3.64 feet front yard depth, 2 feet right side setback, 5.9% net lot coverage and 1.3 feet side lot line setback for an accessory building (frame shed).

Evidence Presented

1. The property was subdivided in 1960, contains 11,828 square feet, is zoned R-R (Rural Residential) and is improved with a single-family dwelling, driveway, covered rear deck, vinyl shed, wooden shed, gazebo, covered bar and an in-ground swimming pool. Exhibits (Exhs.) 2, 4, 7, 8, and 9 (A) thru (F).
2. The property is rectangle in overall shape with a slanted rear yard. Exhs. 2 and 4.
3. Petitioners would like to obtain a permit to construct a covered front porch. Petitioners must validate pre-existing conditions of front yard depth, side yard width and an accessory building (shed). With the addition of the proposed covered front porch, a variance for the front yard setback of 3.64 feet is also required. The right-side yard setback is from an enclosed carport.¹ The wooden shed that is located in the rear of the property was existing when the subject property was purchased. Exhs. 2, 3 (a) thru (c) and 5 (A) thru (G).
4. Petitioner John Anna stated that there is an existing front porch over which they would like to add a roof because during the summer the uncovered porch is extremely hot and is unbearable for family use. Exhs. 2, 3 (a) thru (c) and 5 (A) thru (G).

¹ See building permit 31967-2003/01. Exh. 6.

5. Grace Collins, Transforming Architecture, testified that an 8-foot-wide covered porch extending the length of the house has been designed based on the footprint of the existing front porch. She stated that the design is in keeping with the style, size and scale of the neighborhood and will increase the value of the home.

6. She stated that the covered porch will provide shelter for an "aging-in-place 20-year veteran," his wife and family. She further stated that the porch will be equipped with proper handrails and stair heights, provide cover from severe weather and have a safe space when entering and leaving the home. She emphasized that the unsheltered entrance is currently dangerous for use by the Petitioners. She testified that other houses in the immediate area also have covered porches. Exhs. 2, 3 (a) thru (c), 5 (A) thru (G) and 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

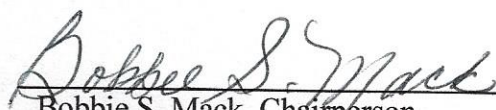
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variance complies with the applicable standards set forth in Section 27-230, more specifically:

Due to the current dangerous condition of the porch, the need for protection from the weather, the need for safety devices to navigate entering and leaving the dwelling for Petitioners 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 3.64 feet front yard depth, 2 feet right side, 5.9% net lot coverage and 1.3 feet side lot line setback for an accessory building (frame shed) in order to validate existing conditions (front yard depth, side yard width and accessory building, shed) and obtain a building permit for the proposed covered wooden porch on the property located at 11808 Macon Street, Beltsville, 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 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.



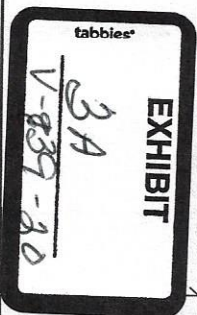
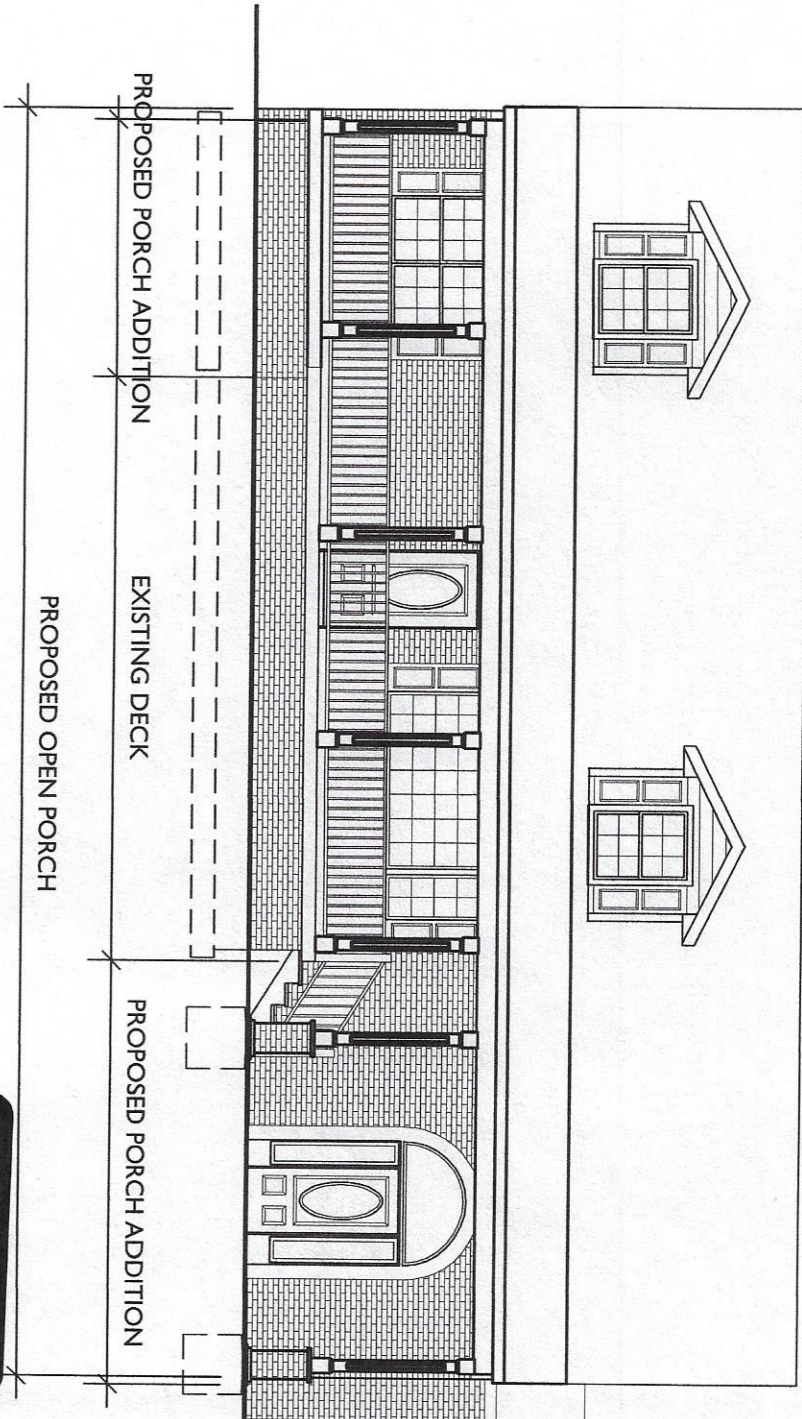
7612 Browns Bridge Rd
Highland, MD 20777
301-776-2666
301-776-2886 fax
info@TransformingArchitecture.com
www.TransformingArchitecture.com

SCALE: 1/8" = 1'-0"
DATE: 08-26-20 PROJECT: 20-508

FRONT ELEVATION

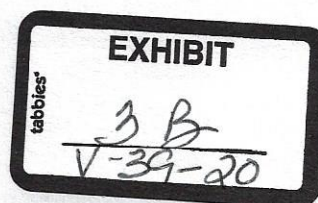
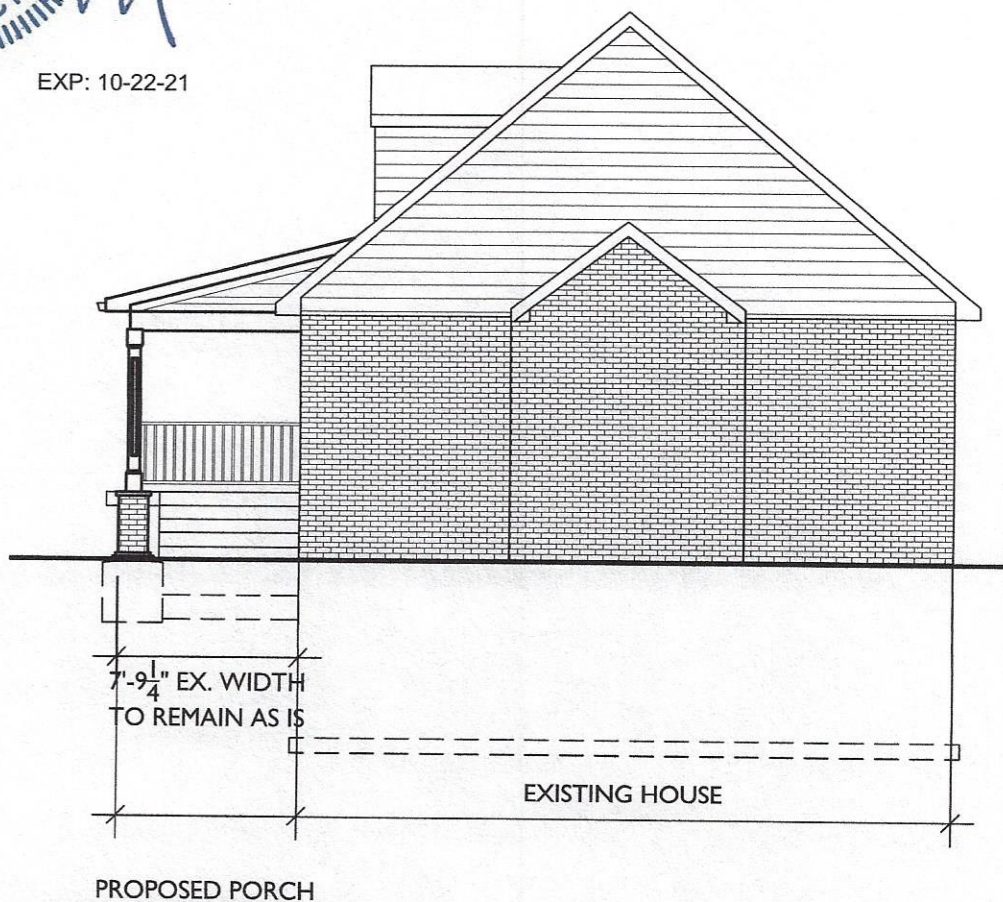
ANNA RESIDENCE
11808 MACON STREET
BELTSVILLE, MD 20705

EXP: 10-22-21





EXP: 10-22-21



7612 Browns Bridge Rd
Highland, MD 20777
301-776-2666
301-776-2886 fax
info@TransformingArchitecture.com
www.TransformingArchitecture.com

ANNA RESIDENCE

11808 MACON STREET
BELTSVILLE, MD 20705

RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

DATE: 08-26-20

PROJECT: 20-508

LOT 2, BLOCK 'E'
ELIJAH E. KNOX'S ADDITION TO
BELTSVILLE HEIGHTS

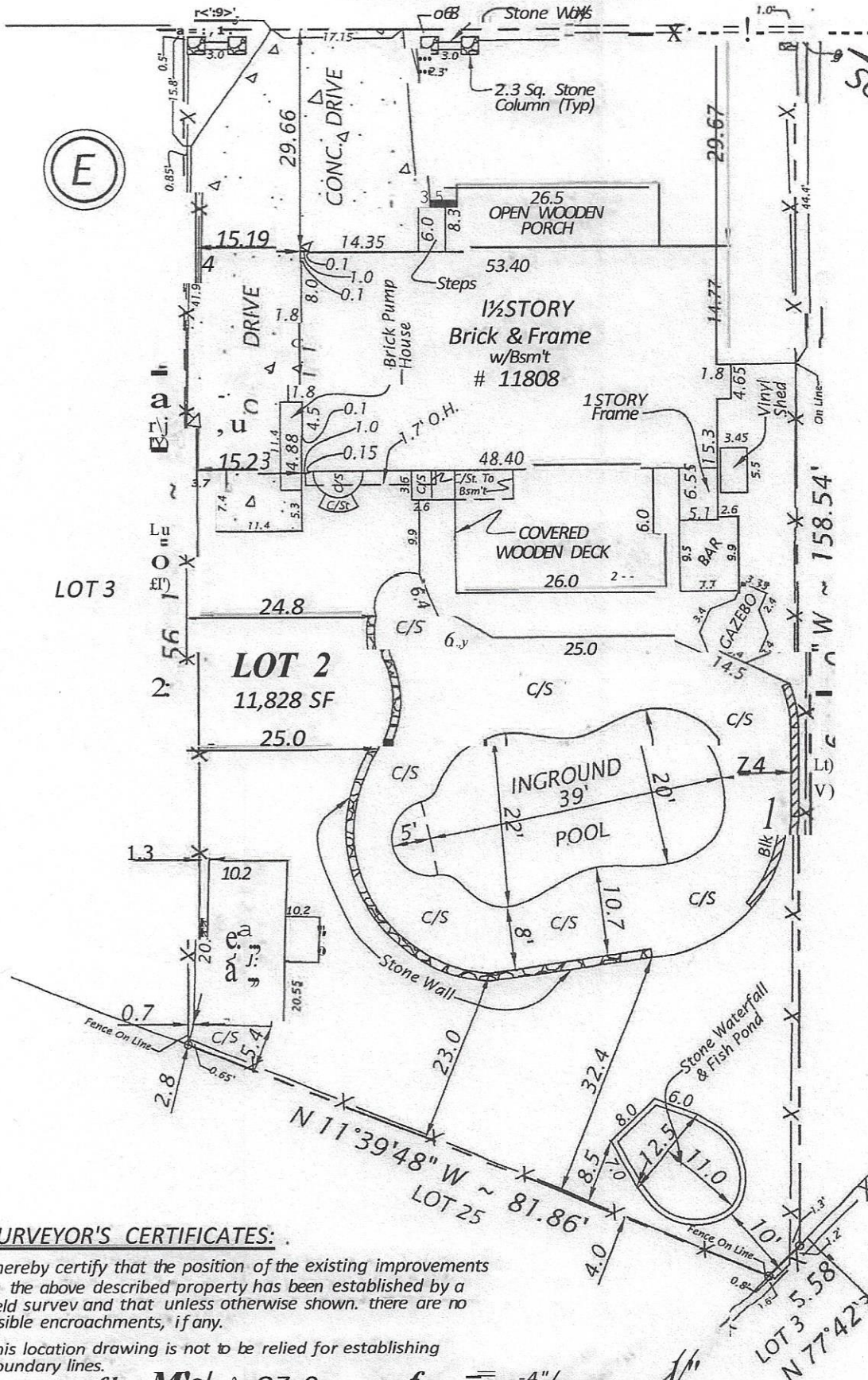
PLAT BOOK WWW 38 @ PLAT NO. 95

1ST ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MD



MACON (60'W) STREET

S 33° 28' 30" E ~ 80.00'



SCALE: 1" = 20'

BOARD OF APPEALS

APPROVED NOV 18 2020

ADMINISTRATOR

SURVEYOR'S CERTIFICATES:

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: 14-JUL-2020

I hereby certify that I have carefully reviewed the property as shown by this plat and Permanent Survey Markers are in place as shown.

DATE:

NOTE: Location drawing do 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-32-20

W. L. MEEKINS, INC.

3101 RITCHIE ROAD
FORESTVILLE, MD 20747

TEL: 301-136-7115

email: info@meekins.net

web: www.meekins.net

REGISTRATIONS

MD# 10833

DCLS# 900860

Rel. Lot No. 20th May 2020 W.L.M.