



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-50-20 Maxine and Jassett Taylor

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: March 24, 2021.

CERTIFICATE OF SERVICE

This is to certify that on June 4, 2021, 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".

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

Petitioners: Maxine and Jassett Taylor

Appeal No.: V-50-20

Subject Property: Lot 31, Block 1, Riggs Manor Subdivision, being 2421 Sheridan Street, Hyattsville,
Prince George's County, Maryland

Heard: January 13, 2021; Decided: March 24, 2021

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, Petitioners request that the Board approve variances from Ordinance 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. Section 27-442(c)(Table II) prescribes that not more than 10% of the net lot area shall be covered by buildings and off-street parking. Petitioners propose to obtain a building permit for the proposed driveway in front of the house. Variances of 4.5% net lot coverage and a waiver of the parking area location requirement are requested.

Evidence Presented

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

1. The property was subdivided in 1951, contains 4,180 square feet, is zoned R-35(One-Family Semidetached Family Residential) and is improved with a single-family /semidetached dwelling. Exhibits (Exhs.) 2, 7, 8 and 9 (A) thru (G).
2. The property is 38 feet in width and 110 feet in length. The home was built in 1952. Exhs. 2, 7, 8 and 9 (A) thru (G).
3. Petitioners are requesting variances in order to obtain a building permit for the construction of the proposed driveway. A variance of 4.5% is required because the addition of the driveway will increase the overall lot coverage beyond the allowable maximum lot coverage. A waiver of the parking area location requirement is required as a portion of the driveway will be located in front of the dwelling. Exhs. 2 and 4 (A) thru (F).

4. Petitioner Maxine Taylor testified that a 10' x 20' driveway¹ is proposed for construction in her left front yard. Exhs. 4 (A) thru (F).

5. She stated that the driveway will be located on the left side of the house. She added that the Prince George's County Site Road Section precluded the driveway location on the right side of the property. Exhs. 2, 4 (A) thru (F) and 17.

¹ The revised site plan demonstrates the dimensions of the driveway. Exh. 17.

6. Petitioner stated that with osteoarthritis in both feet and needing a knee replacement, her mobility is very limited, and walking is very painful.

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

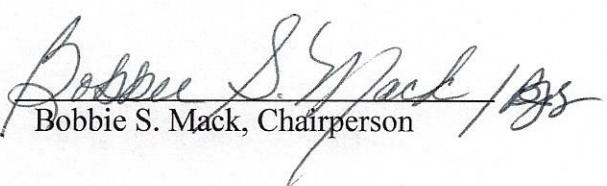
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variance complies with the applicable standards set forth in Section 27-230, more specifically:

Due to the narrowness of the lot, the dwelling is semi-detached and is situated on the entire left side of the property, the Prince George's County Site Road Section precluded the location of the proposed driveway on the right side of the property, the demonstrated need for the driveway because of Petitioner's lack of mobility 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 owners of the property.

BE IT THEREFORE RESOLVED, unanimously, that variances of 4.5% net lot coverage and a waiver of the parking area location requirement in order to obtain a building permit for a proposed driveway on the property located at 2421 Sheridan Street, Hyattsville, Prince George's County, Maryland, be and is hereby APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 17.

BOARD OF ZONING APPEALS

By:


Bobbie S. Mack, Chairperson

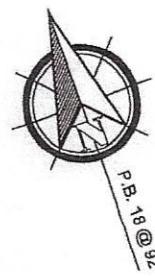
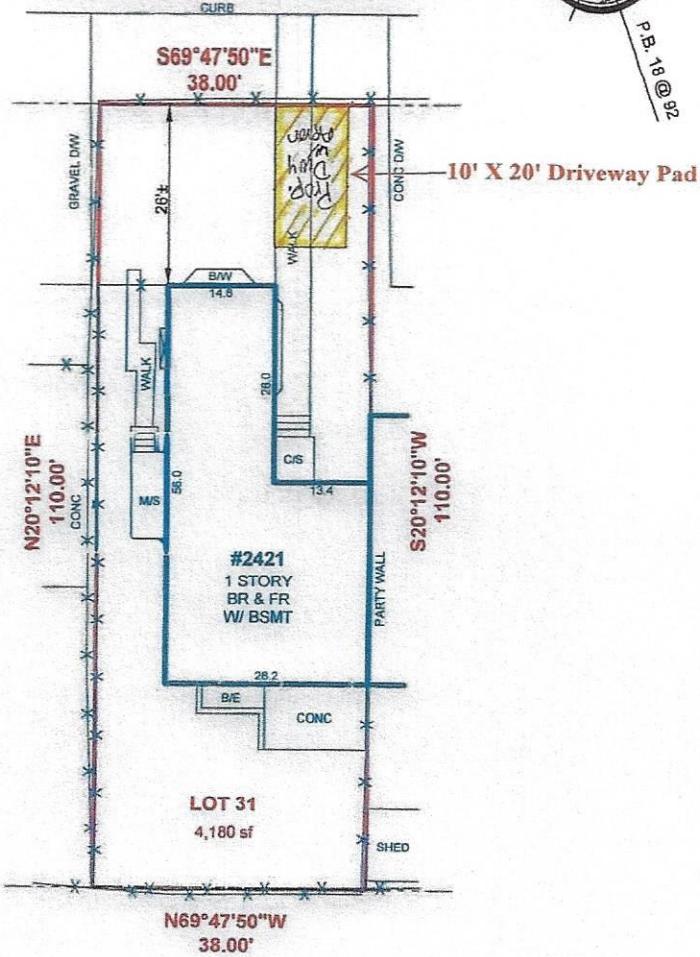
NOTICE

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.

SHERIDAN STREET



THE LEVEL OF ACCURACY OF
DISTANCES TO APPARENT
PROPERTY LINES IS:
1±

EXH. # 17
V-50-20

LOCATION DRAWING OF:

#2421 SHERIDAN STREET

LOT 31

BLOCK 1

RIGGS MANOR

PLAT BOOK 18, PLAT 92

PRINCE GEORGE'S COUNTY, MARYLAND

SCALE: 1"=20' DATE: 06-06-2020

DRAWN BY: AP FILE #: 204683-200

LEGEND:

- FENCE
- BLDG. ENTRANCE
- B/W - BAY WINDOW
- BR - BRICK
- BRL - BLDG. RESTRICTION LINE
- BSMT - BASEMENT
- C/S - CONCRETE STOOP
- CONC - CONCRETE
- EXIST. - EXISTING
- FR - FRAME
- MAC - MACADAM
- GATE
- GROWING
- PUE - PUBLIC UTILITY ESMT.
- PIE - PUBLIC IMPROVEMENT ESMT.
- COLOR KEY:
(RED) - RECORD INFORMATION
(BLUE) - IMPROVEMENTS
(GREEN) - ESMTS & RESTRICTION LINES

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SURVEYOR'S CERTIFICATE

I HEREBY STATE THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS DRAWING AND THE SURVEY WORK REFLECTED HEREIN AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SETFORTH IN REGULATION 12 CHAPTER 13.0 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. THIS SURVEY IS NOT TO BE USED OR RELIED UPON FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE PROVIDED BY THE SURVEYOR DUE TO LENDER FINANCING OR REFINANCING. THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY INSO FAR AS IT IS REQUIRED AS A LENDER REQUIREMENT. THE REPORT WAS FURNISHED TO THIS COMPANY. SAD PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS, ENCROACHMENTS OF RECORD. BUILDING RESTRICTION LINES AND EASEMENTS MAY NOT BE SHOWN ON THIS SURVEY. IMPROVEMENTS WHICH IN THE SURVEYOR'S OPINION APPEAR TO BE IN A STATE OF DISREPAIR OR MAY BE CONSIDERED "TEMPORARY" MAY NOT BE SHOWN. IF IT APPEARS ENCROACHMENTS MAY EXIST, A BOUNDARY SURVEY IS RECOMMENDED.

DULEY & ASSOC.

WILL GIVE YOU A 100%
FULL CREDIT TOWARDS
UPGRADING THIS
SURVEY TO A
"BOUNDARY/STAKE"
SURVEY FOR ONE
YEAR FROM THE DATE
OF THIS SURVEY.
(EXCLUDING D.C. & BALTIMORE CITY)

APPROVED MAR 24 2021

[Signature]
ADMINISTRATOR

BOARD OF APPEALS