



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-60-20 Theresa Edmonds

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: April 14, 2021.

CERTIFICATE OF SERVICE

This is to certify that on May 20, 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: Theresa Edmonds

Appeal No.: V-60-20

Subject Property: Lot 39, Block I, Glenn Estates Subdivision, being 10312 Halton Terrace Lanham, Prince George's County, Maryland

Witnesses: Kirk Douglas, Architect

Christopher Seymour, Contractor, Nehemiah Construction LLC

Heard and Decided: April 14, 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 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(c)(Table II) which prescribes that not more than 25% of the net lot area shall be covered by buildings and off-street parking. Petitioner proposes to obtain a building permit to construct a deck addition with roof. A variance of 7.2% net lot coverage is requested.

Evidence Presented

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

1. The property was subdivided in 1995, contains 10,780 square feet, is zoned R-R (Rural-Residential) and is improved with a single-family dwelling, driveway and deck. Exhibits (Exhs.) 3, 5, 8, 9 and 11 (A) thru (G).
2. The property is irregular in shape with the rear yard slanted and being shorter on the left property line than the right. Exhs. 3, 5, 8, 9 and 11 (A) thru (G).
3. Petitioner proposes to obtain a building permit to construct a deck addition with roof. Maximum allowable lot coverage of 25% is exceeded by 7.2%; therefore, a variance of net lot coverage is required. Exhs. 3, 5, 8, 9 and 11 (A) thru (G).
4. The existing deck covers the entire length of the house in the rear. Exh 2.
5. Petitioner Theresa Edmonds testified that the proposed roof portion (25' x 11' 8 ") will cover only the center of the deck to provide weather protection to her 90-year-old mother who is wheelchair bound. She stated that the covered deck will be the only area where her mother can be protected to access the outdoors for fresh air during the Covid-19 crisis. Exhs. 2, 3, 4 (a) thru (g), 6 (A) thru (F) and 16 (A) thru (F).
6. Ms. Edmonds further stated that most of her neighbors have either extensions or sunrooms, so the roof will not be out of character for the neighborhood.
7. Glenn Estates Community Construction, LLC supported the variance request. Exh. 7.

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.

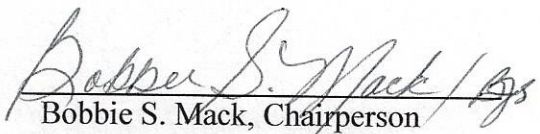
Findings of the Board

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

Due to the property being irregular in shape in the rear, the roof will be placed over only a small center portion and same footprint of the deck, the Petitioner's elderly parent is wheelchair bound is in need of access to the outdoors in a sheltered environment, there is not excessive development on the subject property, the proposed roof is a minimal improvement 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 7.2% net lot coverage in order to obtain a building permit to construct a deck addition with roof on the property located at 10312 Halton Terrace Lanham, Prince George's County, Maryland, be and are hereby APPROVED. Approval of the variance is contingent upon development in compliance with the approved revised site plan, Exhibit 3 and approved elevation plans, Exhibits 4 (a) thru (g).

BOARD OF ZONING APPEALS

By: 
Bobbie S. Mack, Chairperson

NOTICE

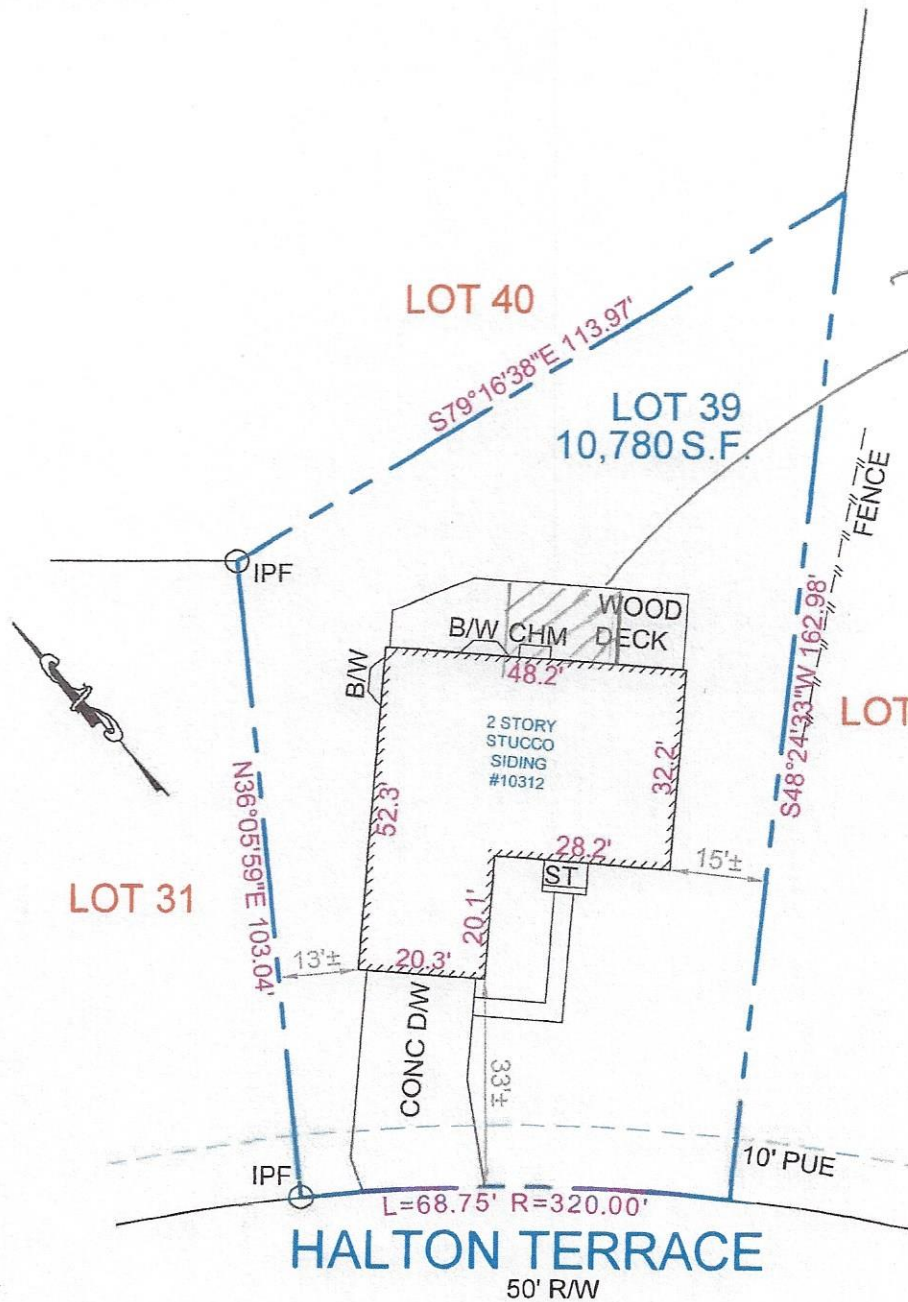
Within thirty (30) days from the date of this decision, any person, firm, corporation, or governmental agency who was a party to the Board's proceedings and is aggrieved by its decision may file an appeal to the Circuit Court of Prince George's County.

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.

LOCATION DRAWING

ADDRESS: 10312 HALTON TERRACE



NOTES:
 1. THIS LOCATION DRAWING IS OF BENEFIT TO A CONSUMER ONLY IN SO FAR AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENT IN CONNECTION WITH CONTEMPLATED TRANSFER, FINANCING OR REFINANCING.
 2. THIS LOCATION DRAWING IS NOT TO BE RELIED UPON FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING.
 3. LEVEL OF ACCURACY IS 1'±.

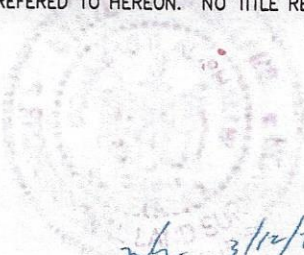
BOARD OF APPEALS

APPROVED APR 14 2021

[Signature]
 ADMINISTRATOR

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY SHOWN HEREON FOR THE PURPOSE OF LOCATING THE IMPROVEMENTS ONLY, AND THE PROPERTY CORNERS HAVE NOT BEEN ESTABLISHED OR SET, UNLESS OTHERWISE NOTED. WE ASSUME NO RESPONSIBILITY, OR LIABILITY FOR ANY RIGHT-OF-WAYS ON THE RECORD OR EASEMENTS RECORDED OR UNRECORDED NOT APPEARING ON THE RECORDED PLAT OR MENTIONED IN THE DEED REFERED TO HEREON. NO TITLE REPORT WAS FURNISHED.



LAND PRO ASSOCIATES, LLC.

8843 GREENBELT ROAD SUITE 334
 LANHAM, MD 20770
 PHONE 301-388-1944
 FAX 301-794-8751
 LANDPRO@MAIL.COM

LOC. EXH. # 3
 GL V-60-20
 LOT 39 BLOCK 1
 BOOK 12453 PAGE 71
 PLAT 173@38

PRINCE GEORGE'S COUNTY, MARYLAND
 SCALE: 1" = 30' DATE: 3/15/21

1	Section A	17.01.20
No.	Provisional/Status	Date

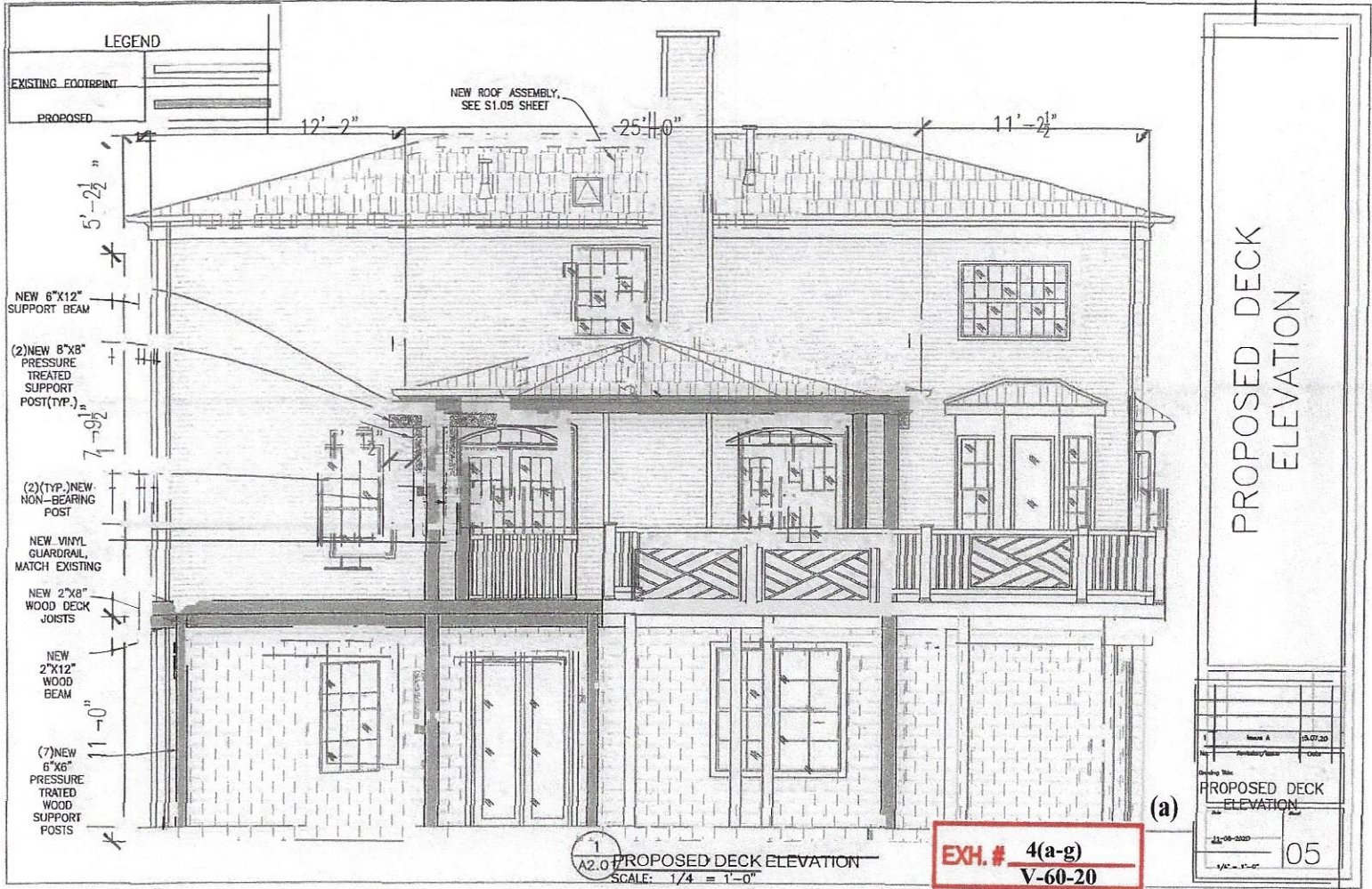
Drawing Title	
PROPOSED SITE PLAN	

Date	Sheet
11-08-2020	01
Scale	
1" = 20'	

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[Signature]
ADMINISTRATOR



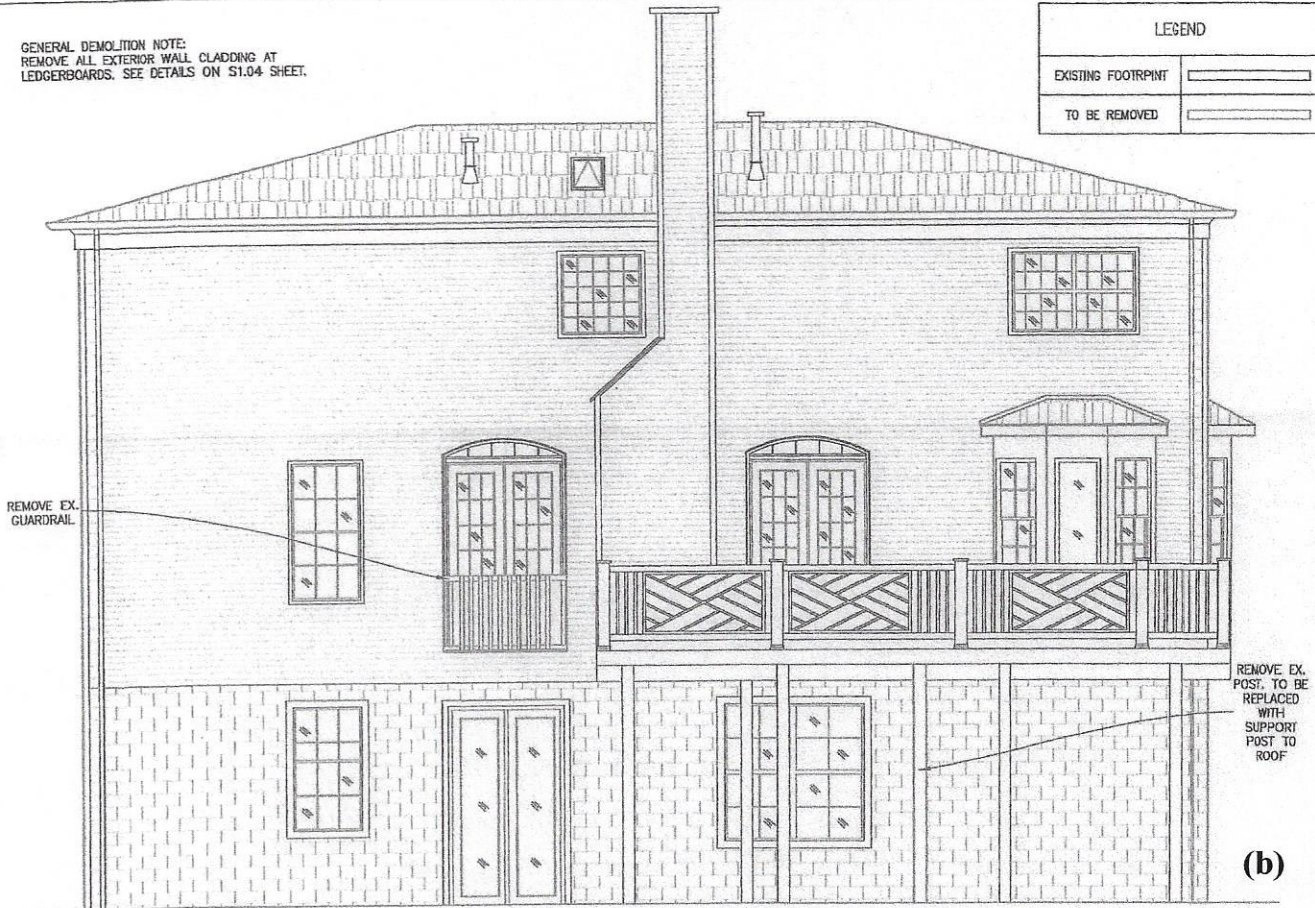
BOARD OF APPEALS

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[Signature]
ADMINISTRATOR

GENERAL DEMOLITION NOTE:
REMOVE ALL EXTERIOR WALL CLADDING AT
LEDGERBOARDS. SEE DETAILS ON S1.04 SHEET.

LEGEND	
EXISTING FOOTPRINT	
TO BE REMOVED	



1 EXISTING ELEVATION
D2.01 SCALE: 1/4" = 1'-0"

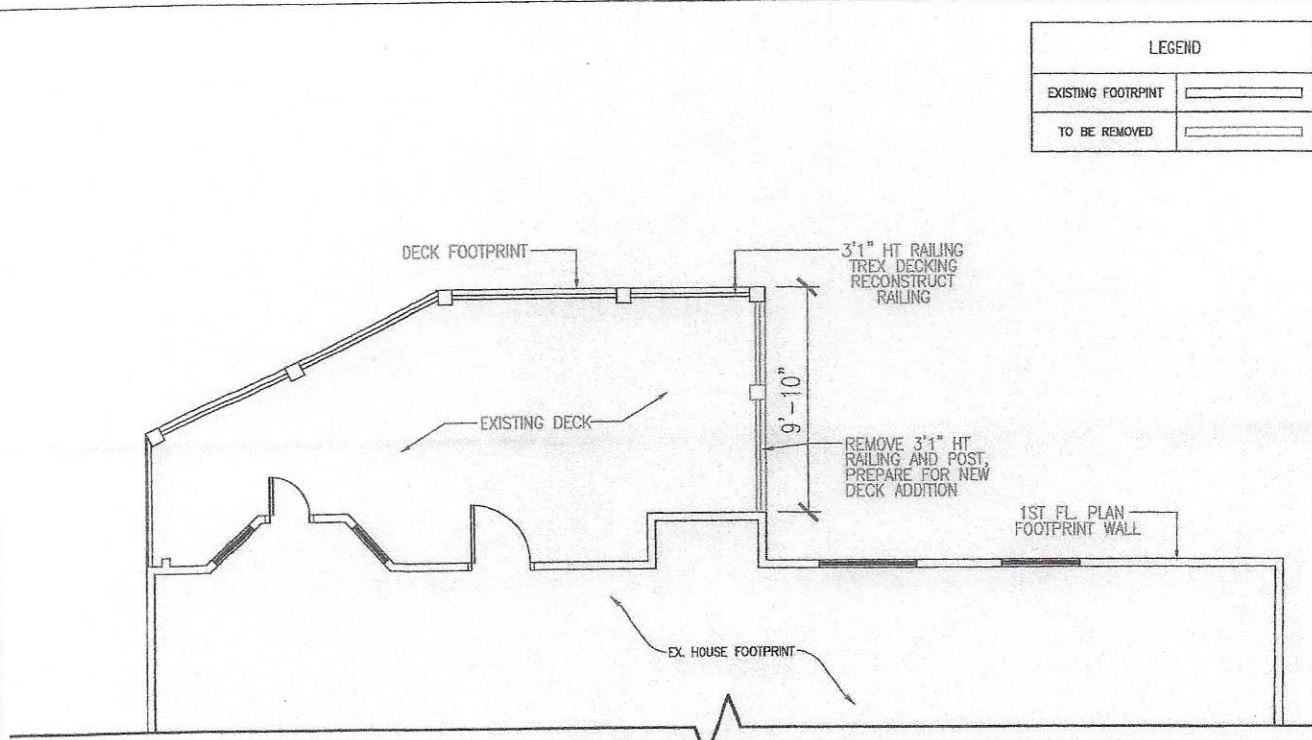
EXISTING ELEVATION
DEMOLITION

1	Issue A	12.07.20
No.	Revisions/Issues	Date
Drawn By: EXISTING/DEMO. ELEVATION		
Date:	11-06-2020	Sheet:
Scale:	1/4" = 1'-0"	03

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[Signature]
ADMINISTRATOR



LEGEND	
EXISTING FOOTPRINT	
TO BE REMOVED	

1 EXISTING FLOOR PLAN
D1.01 SCALE: 1/4" = 1'-0"

(c)

FIRST FLOOR DECK DEMOLITION PLAN

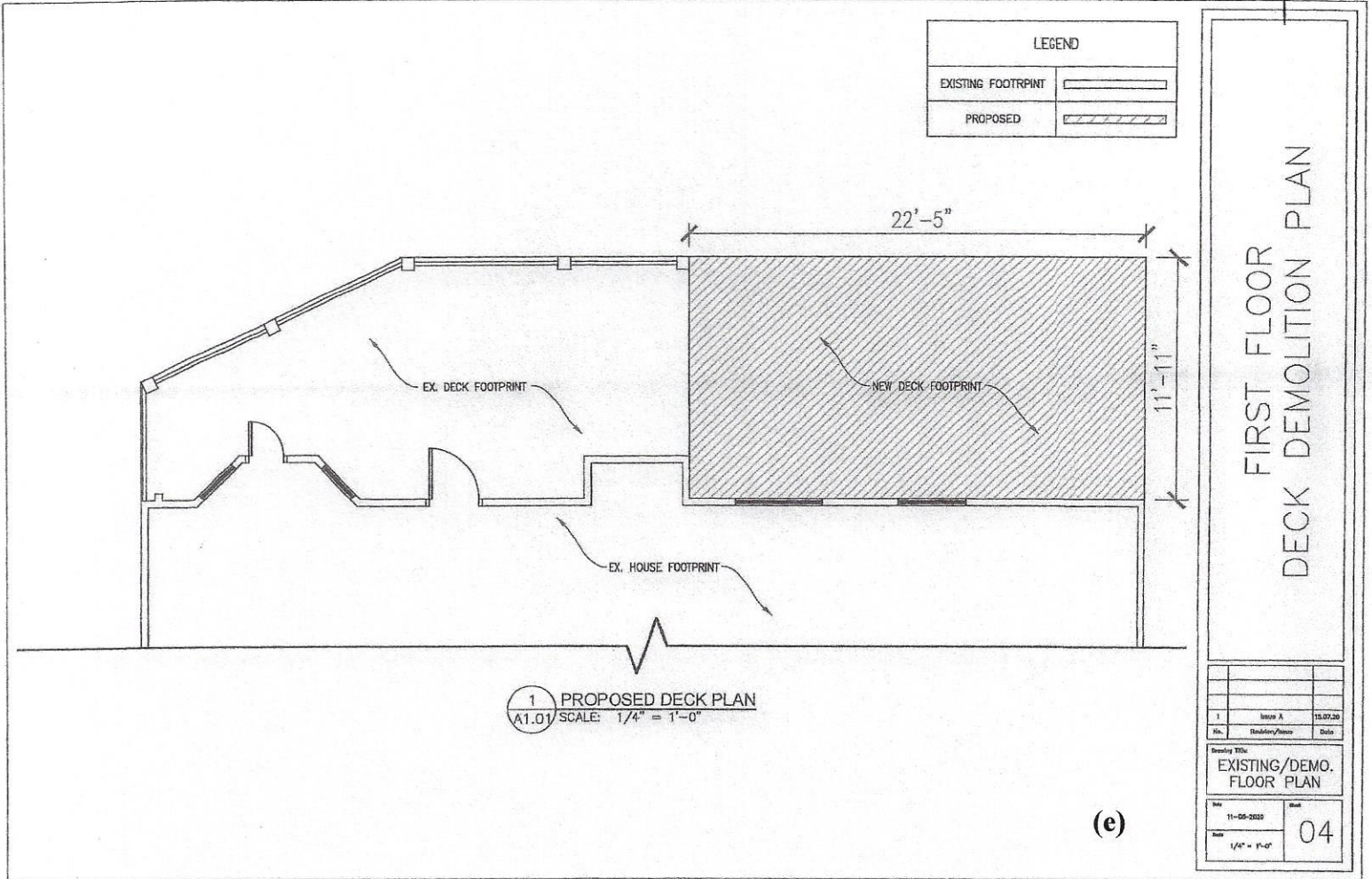
No.	Revision/Name	Date
1	Issue A	11/05/20
Drawing Title: EXISTING/DEMO. FLOOR PLAN		
Scale:	11-05-2020	Sheet
1/4" = 1'-0"		02

Date 11-08-2020	Sheet 06
Wells 1/4" = 1'-0"	

BOARD OF APPEALS

APPROVED APR 14 2021

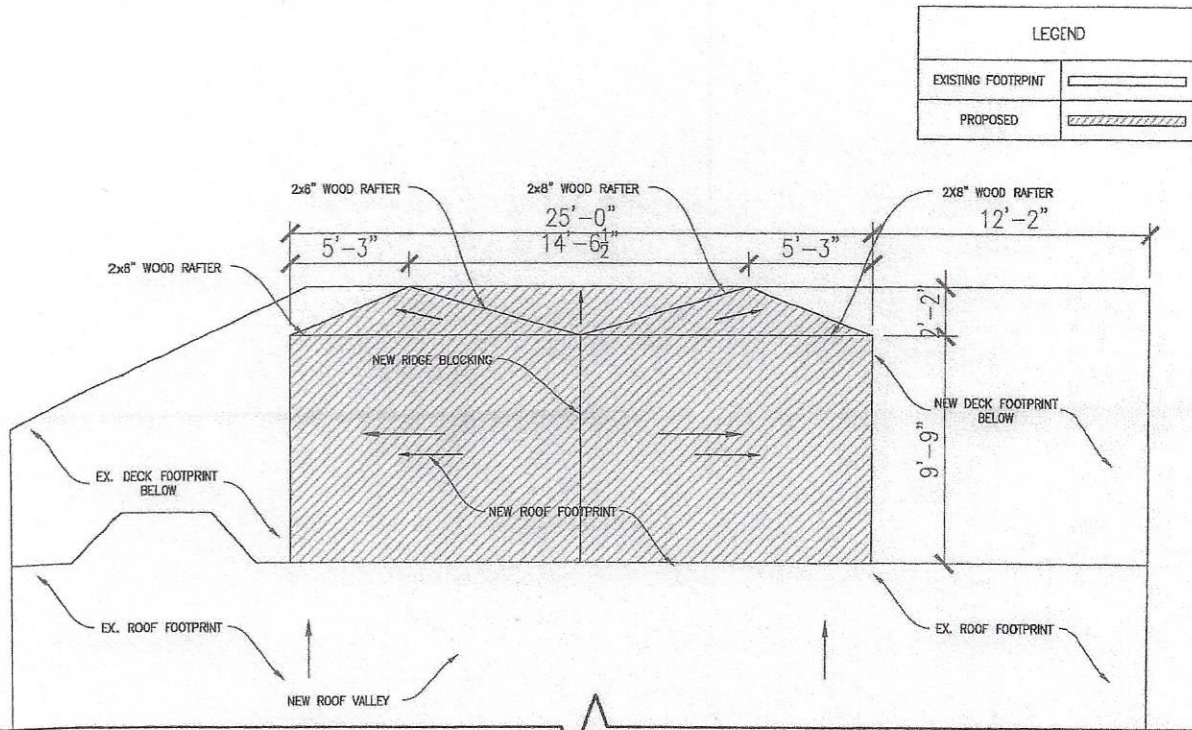
[Signature]
ADMINISTRATOR



BOARD OF APPEALS

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[Signature]
ADMINISTRATOR



LEGEND	
EXISTING FOOTPRINT	
PROPOSED	

1 PROPOSED ROOF PLAN
A1.02 SCALE: 1/4" = 1'-0"

(f)

PROPOSED ROOF
PLAN

1	Issue A	10.07.08
No.	Revisions/Issues	Date
Drawing Title		
PROPOSED ROOF PLAN		
Date	11-08-2020	Sheet
Scale	1/4" = 1'-0"	05