



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

CORRECTION

NOTICE OF FINAL DECISION

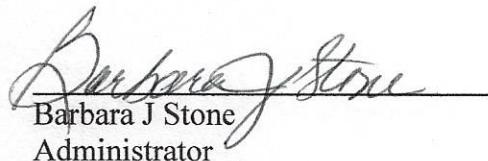
OF BOARD OF APPEALS

RE: Case No. V-68-20 Bounds Appraisal Services, Inc.

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 28, 2021

CERTIFICATE OF SERVICE

This is to certify that on _____ the above notice and attached Order of the Board were mailed, postage prepaid, to all persons of record.



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

Petitioner: Bounds Appraisal Services, Inc.

Appeal No.: V-68-20

Subject Property: Lot 20, Block A, Hariclf Subdivision, being 3405 Newton Street, Mount Rainier,
Prince George's County, Maryland

Municipality: City of Mount Rainier

Counsel for Petitioner: Abdullah Hijazi, Hijazi Law Group, LLC

Witness: Sean Bounds, Owner, Bounds Appraisal Services, LLC

Heard: March 24, 2021; Decided: April 28, 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 Ordinance Section 27-442(b)(Table I) prescribes that each lot shall have a minimum net lot area of 5,000 square feet. Section 27-442(d)(Table III) prescribes that each lot shall have a minimum width of 45 feet measured along the front building line and 65 feet measured along the front street line. Section 27-442(e)(Table IV) prescribes that each lot shall have a front yard at least 25 feet in depth. Section 27-442(e)(Table IV) prescribes that each lot shall have a side yard at least 5 feet in width. 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. Petitioner proposes to validate the existing conditions (front yard depth, side yard width, net lot area, front building line, front street line and net lot coverage) and obtain a building permit for a second-floor addition. Variances of 568 square feet net lot area, 2 feet front building line width and 20.55 feet front street line width, 9 feet front yard depth, 1.5 feet side yard width and 9.6% net lot coverage were requested.

Evidence Presented

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

1. The property was subdivided in 1923, contains 4,432 square feet, is R-55 zoned (One-Family Detached Residential), and is improved with a one-story single-family dwelling. Exhibits (Exhs.) 4, 9, 10, 11 (A) thru (G), 21 (a) thru (i) and 26.

2. Attorney Abdullah Hijazi stated that on the subject property is a single-family dwelling for which Petitioner is requesting to construct a second story addition on the structure's footprint. Petitioner is requesting the second-floor addition because of the minimum square footage of the house. He stated that Petitioner is, therefore, requesting validation of certain existing conditions on the property that is required prior to commencing construction.

3. Because the property was subdivided in 1923 and the house was built in the same year, the following property conditions do not meet current zoning standards for the property:

- a. The front yard depth requires a depth of 25 feet, requiring a variance of 9 feet and side yard width requiring 5 feet, requesting a variance of 2 feet.
- b. The net lot area is deficient the required 5,000 square feet, requiring a variance of 568 square feet.
- c. The front building line width is deficient of the required 45 feet, requiring a variance of 2 feet.
- d. The front street line width requires a width of 65 feet requiring a variance of 20.55 feet.
- e. The net lot area maximum allowable percentage being 30%, requiring a variance of 9.6%.

See Exhs. 4, 9, 10, 11 (A) thru (G), 21 (a) thru (i) and 26.

4. Counsel stated that because the lot and single-family dwelling were created and built in 1923, respectively, prior to the enactment of the Zoning Ordinances, the conditions of the property would be ordinarily be grandfathered from the current zoning requirements, but because of the need for the proposed new construction of the second story addition, the preexisting conditions associated with the property must be addressed and satisfied with the requested variances.

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

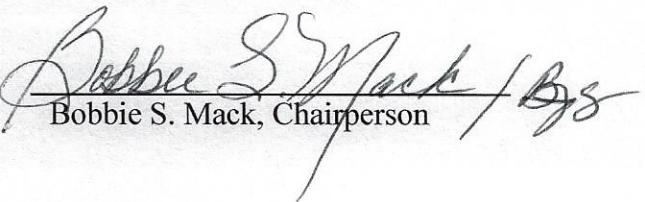
After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variance complies with the applicable standards set forth in Section 27-230, more specifically:

Due to the property being subdivided and the dwelling being created prior to the enactment of the current zoning requirements, the proposed second-story addition will have the exact footprint of the first floor of the dwelling, the addition will be used for additional living space 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 568 square feet net lot area, 2 feet front building line width and 20.55 feet front street line width, 9 feet front yard depth, 1.5 feet side yard width and 9.6% net lot coverage require validation of the existing to obtain a building permit for a second-floor addition on the property located at 3405 Newton Street, Mount Rainier, Prince George's County, Maryland, be and are hereby APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exh. 26 and approved revised elevation plans, Exh. 31 (a) thru (n).

BOARD OF ZONING APPEALS

By:


Bobbie S. Mack, Chairperson

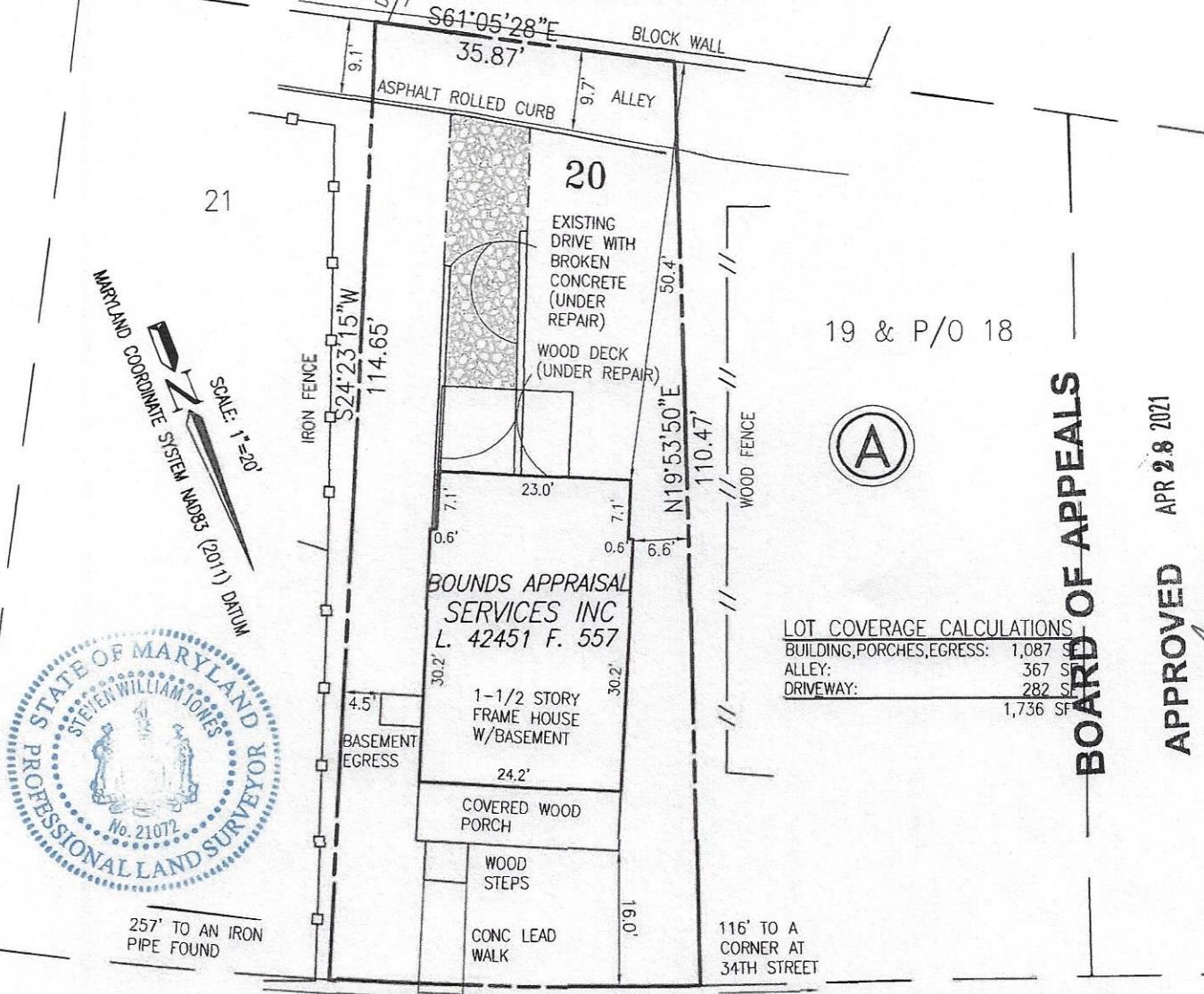
NOTICE

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.

ROBERT FUNKHOUSER'S RESUBDIVISION
OF
HARICLIF
PLAT BOOK RNR 2 P 67



APPROVED APR 28 2021

ADMINISTRATOR

BOARD OF APPEALS

GRAPHIC SCALE
20 0 10 20

SCALE: 1" = 20'

Special Purpose Survey
3405 NEWTON STREET
MOUNT RAINIER
LOT 20, BLOCK A
HARICLIF
CHILLUM (17TH) ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND

NOTES:

1. THE FIELDWORK FOR THIS SURVEY WAS PERFORMED ON FEBRUARY 4, 2021
2. THE TOTAL AREA OF THE SUBJECT PROPERTY IS 4,515 SQUARE FEET OR 0.1037 ACRES OF LAND.
3. PERPENDICULAR DISTANCE TIES FROM THE BUILDING TO THE PROPERTY LINES ARE PLUS OR MINUS TWO-TENTHS OF A FOOT ($\pm 0.2'$).
4. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.

EXH. # 26

V-68-20

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON WAS OBTAINED USING ACCEPTED LAND SURVEYING PRACTICES; THAT THE BOUNDARY INFORMATION SHOWN HEREON IS TAKEN FROM AVAILABLE DEEDS AND RECORDS AND A FIELD SURVEY; THAT THIS PLAT AND THE SURVEY IN WHICH IT IS BASED WERE PREPARED UNDER MY RESPONSIBLE CHARGE AND ARE IN COMPLIANCE WITH COMAR REGULATION 09.13.06.12.

DATE: 2/10/21

STEVEN W. JONES
PROFESSIONAL LAND SURVEYOR
MD LIC. # 21072 EXP. 02/08/2023

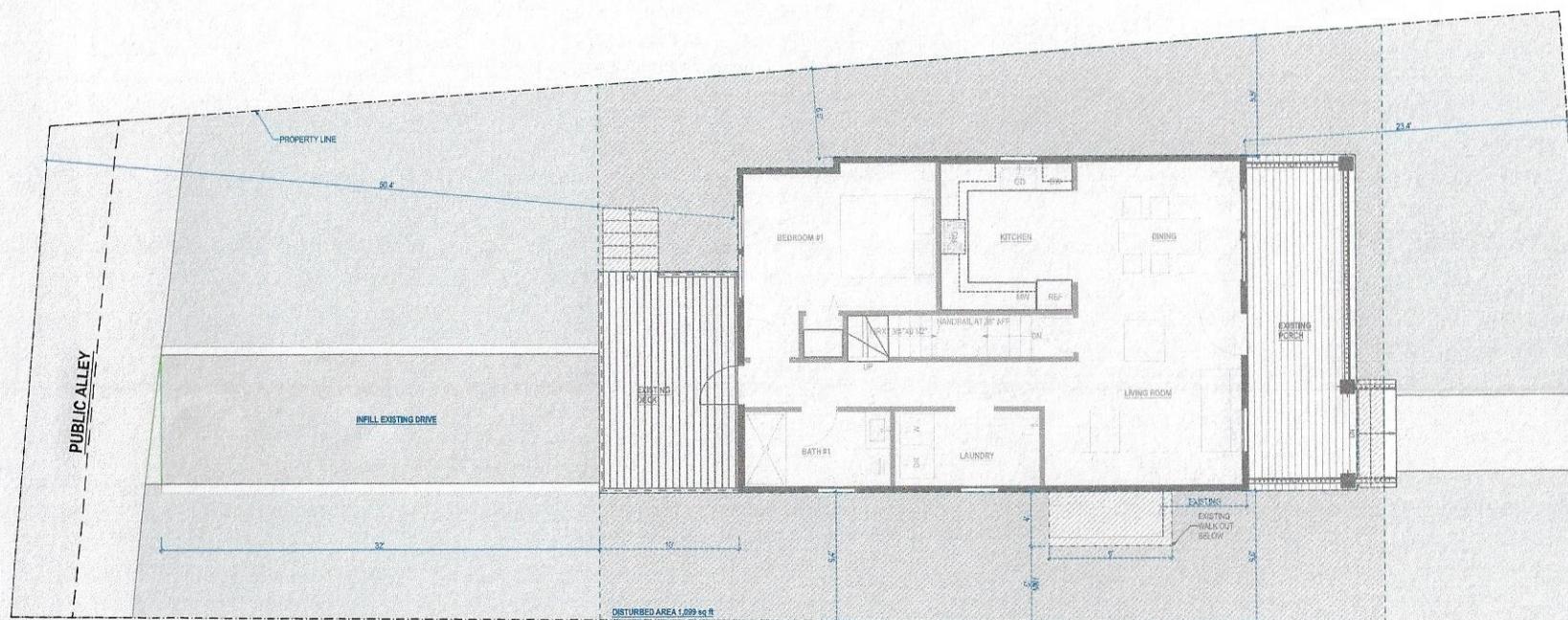
CLIENT: HJ LAW OFFICES	PRELIMINARY PLAT NO.:	SITE PLAT NO.:	
		1	1
DESIGN SWJ	SCALE:		
REV SWJ			
DATE: 2/5/2021			
SCALE: 1" - 20'			
FILE NO.: 2021-1050-003			

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BOARD OF APPEALS

APPROVED

ADMINISTRATOR



RELEASE DATE	
8/2021	PERMIT PLANS
REVISIONS	
3405 NEWTON ST - ADDITION	
3405 NEWTON ST, MT. RAINIER, MD 20712	
ARCHITECTURAL SITE PLAN	
SHAWN BOUNDS	
Email: cboundsbounds@gmail.com	
Tel: 202-505-3420	
I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A duly LICENSED PROFESSIONAL ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NUMBER 89711, EXPIRATION DATE 07/23/2023.	
 ALine Architecture <small>PLANNING ARCHITECTURE INTERIORS</small> <small>www.alinearchitecture.com</small> <small>202-505-3420</small>	
 STATE OF MARYLAND ARCHITECT 07/23/2023 A-001	

BOARD OF APPEALS

APPROVED APR 28 2021

B. Stone
ADMINISTRATOR

1 ARCHITECTURAL SITE PLAN
A-001
SCALE 1/4" = 10'

b

ID	TYPE	DOOR SCHEDULE			NOTE
		W	HT	GLZ	
D02	A	2'0"	6'8"		
D03	B	2'0"	8'6"		
D04	B	Z	6'8"		
D05	A	2'0"	6'8"		
D06	D	3'	7'		
D07	B	2'0"	6'8"		
D08	B	2'0"	6'8"		
D09	C	2'10"	6'8"		
D10	B	2'10"	6'8"		
D11	E	2'4"	6'8"		
D12	B	2'0"	6'8"		
D13	E	3'	6'8"		
D14	B	2'0"	6'8"		
D15	B	2'10"	6'8"		
D16	B	2'0"	6'8"		
D17	B	2'10"	6'8"		
D18	B	Z	6'8"		
D19	B	2'10"	6'8"		
D20	E	6'	6'8"		
D21	B	2'10"	6'8"		

DOOR TYPES					
TYPE	A	B	C	D	E
VIEW					
QUANTITY	2	13	1	1	3
NOTES					

WINDOW SCHEDULE				
ID	SIZE	TYPE	NOTES	
	WIDTH	HEIGHT		
W00	3'	3'		
W01	3'	3'		
W01	7'	6'-1 1/4"	B	
W02	3'-6 1/4"	6'-2"	A	
W03	3'	6'-4"	A	
W04	3'	6'-4"	A	BATH-TEMPERED GLASS
W05	7'	5'-1 1/4"	B	
W06	3'	7'	A	
W08	3'	5'-2"	A	BATH-TEMPERED GLASS
W09	7'	5'-2"	B	
W10	3'-6 1/4"	5'-2"	A	
W11	3'-6 1/4"	5'-2"	A	
W12	3'-6 1/4"	5'-2"	A	
W13	3'-6 1/4"	5'-2"	A	
W14	7'	5'-2"	WINDOW TYPES	
TYPE	A		B	
FRONT VIEW				
QUANTITY	9		4	

BOARD OF APPEALS

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ADMINISTRATOR

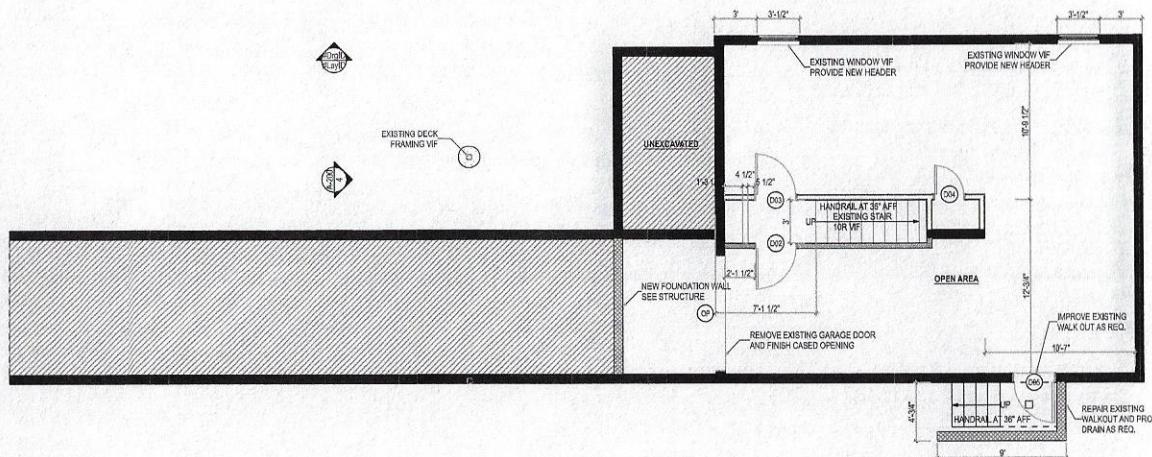
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A-080

207/5



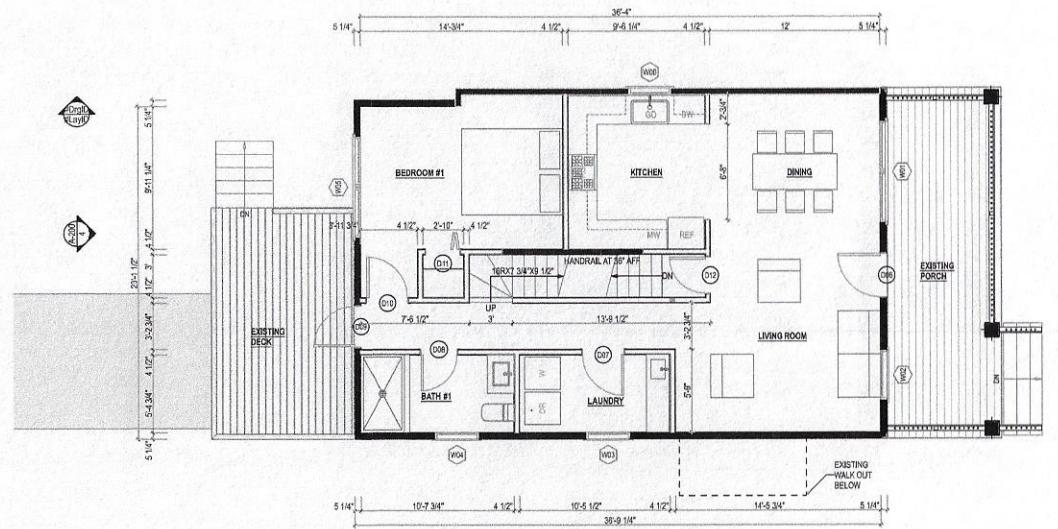
BOARD OF APPEALS

APPROVED APR 28 2021

B. Stover
ADMINISTRATOR

1 BASEMENT PLAN
A-100 SCALE 1/8" = 1'-0"

RELEASE DATE	
8/22/21	PERMIT PLANS
REVISIONS	
3405 NEWTON ST - ADDITION	
3405 NEWTON ST., MT. RAINER, MD 20712	BASEMENT PLAN
SHAWN BOUNDS	
Email: callshawbounds@gmail.com Tel: 240-655-3420	
I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NUMBER 84745, EXPIRATION DATE 05/31/2024.	
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 <small>STATE OF MARYLAND ARCHITECTURAL REGISTRATION BOARD REG. NO. 001684 ARCHITECT</small>	
A-100	



RELEASE DATE	
8/22/21	PERMIT PLANS
REVISIONS	
3405 NEWTON ST - ADDITION	
3405 NEWTON ST., MT. RAINIER, MD 20712	
1ST FLOOR	
SHAWN BOUNDS	
Email: cboundsbound@gmail.com	
Tel: 202-555-3420	
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 A-101	

BOARD OF APPEALS

APPROVED APR 28 2021

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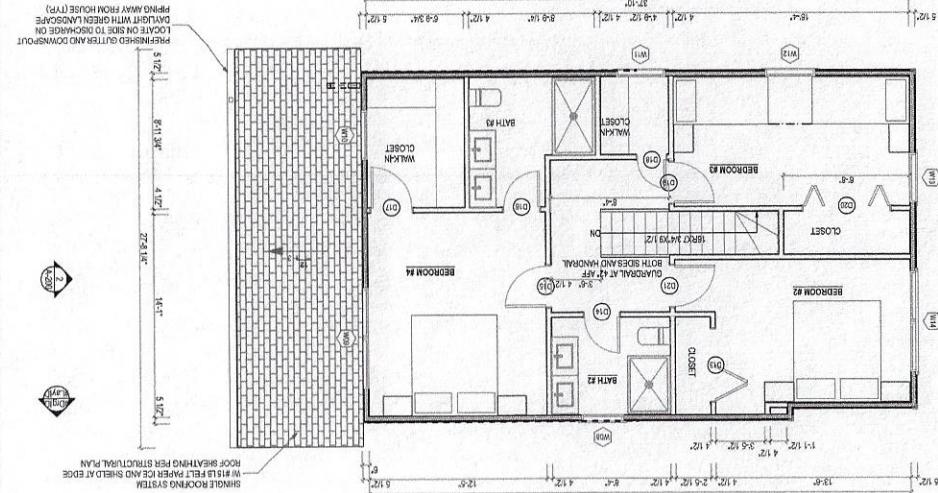
1ST FLOOR PLAN
SCALE 1/4" = 10'



A-102



Aline Architecture

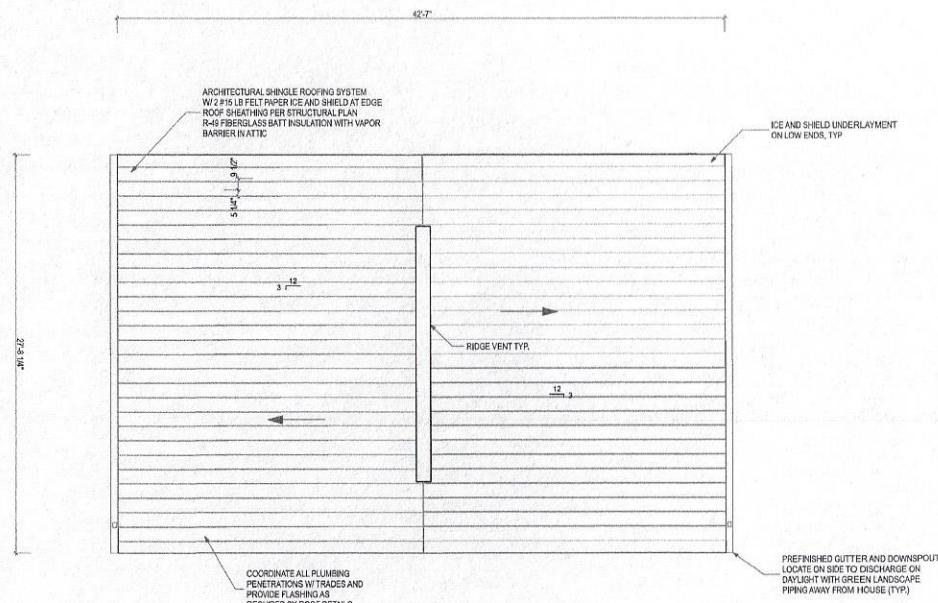


A-102 2ND FLOOR PLAN

APPROVED APR 28 2021

BOARD OF APPEALS

ADMINISTRATOR
[Signature]



RELEASE DATE	
6/22/21	PERMIT PLANS
REVISIONS	
3405 NEWTON ST - ADDITION	
3405 NEWTON ST, MT. RAINER, MD 20712	ROOF PLAN
SHAWN BOUNDS	
Email: cboundsbounds@gmail.com Tel: 202-655-3400	

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02/2021.



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APPROVED APR 28 2021



ADMINISTRATOR

1 ROOF PLAN
A-103
SCALE: 1/8" = 1'-0"

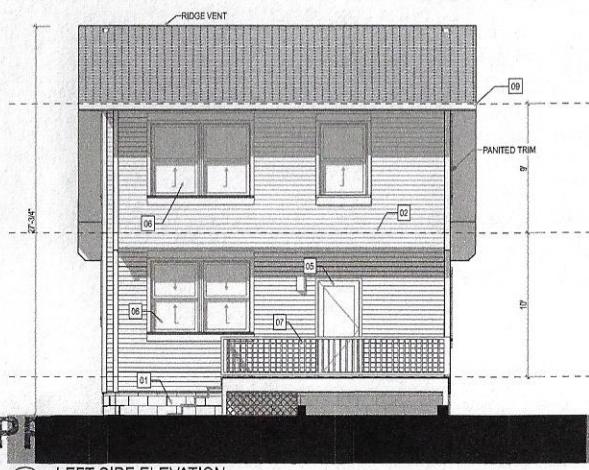
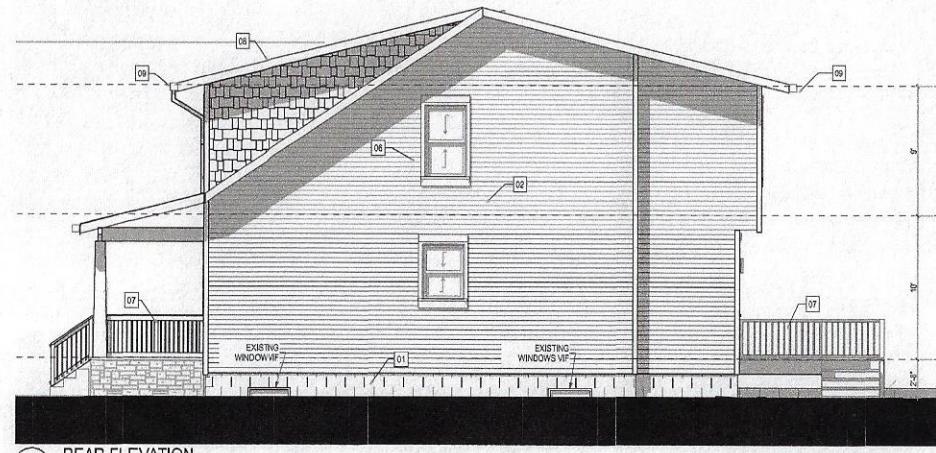
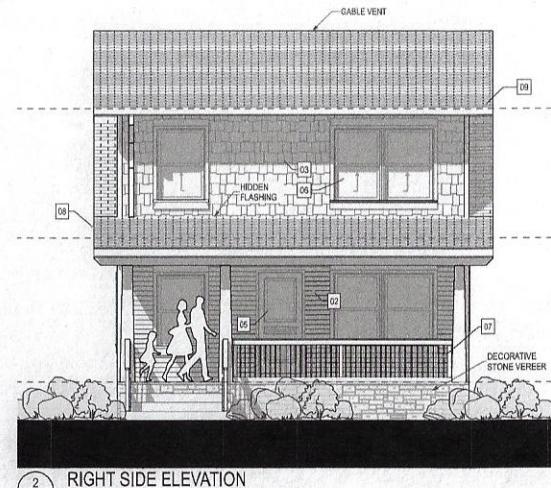
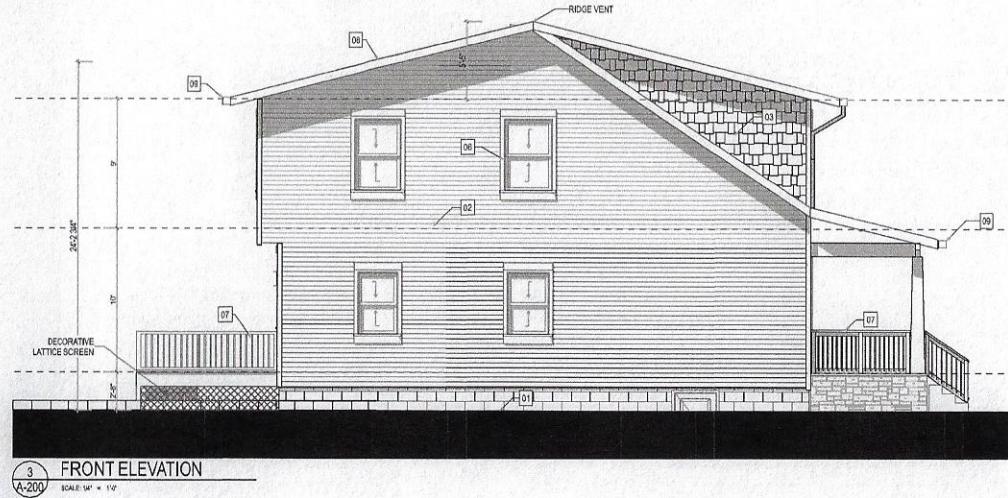
9

EXTERIOR MATERIAL SCHEDULE

- 1- PAINTED PAGED BLOCK WALL
- 2- SIDING 1
- 3- SIDING 2
- 4- NOT USED
- 5- DOOR
- 6- WINDOW
- 7- RAILING
- 8- ROOFING-ARCHITECTURAL SHINGLES
- 9- PREFINISHED GUTTER AND DOWNSPOUT

NOTE:

- ALL MORTAR TO MATCH ADJACENT BLOCK UNLESS NOTES OTHERWISE
- MANUFACTURER NAMES AND FINISHES ARE THE BASIS OF DESIGNS, EQUAL SUBSTITUTIONS ACCEPTABLE
- PROVIDE CJ IN BLOCKS AS REQUIRED BY MFR - NOT USED, FENESTRATIONS SHALL BE LABELED TO MEET AIA/WDMA/CSA 101.5 21A440 OR DOES NOT EXCEED CODE LIMITS PER NFRC 403.0.3 CFMFT2 & CAC X 0.25 TO MATCH ADJACENT SURFACE, TYP.
- GLAZING SHALL BE INSULATED, TEMPERED AS REQUIRED BY CODE AND U-VALUE = 0.35, GLAZING SHGC = 0.4, DXR IN U-FACTOR = 0.35



APPROVED

APR 28 2021


ADMINISTRATOR

h

RELEASE DATE	
8	6/22/21
PERMIT PLANS	
REVISIONS	
3405 NEWTON ST - ADDITION	
3405 NEWTON ST, MT. RAINIER, MD 20712	
ELEVATIONS	

SHAWN BOUNDS
Email: cboundsnewbounds@gmail.com
Tel: 240-535-9120

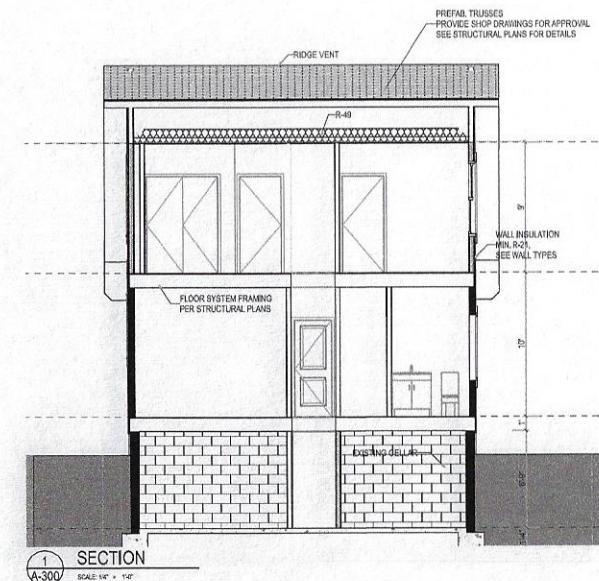
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AP
ALine Architecture
PLANNING ARCHITECTURE - INTERIORS
6200 Alameda Avenue, LLC



A-200

2021



RELEASE DATE	
8/2/21	PERMIT PLANS
REVISIONS	
3405 NEWTON ST - ADDITION	
3405 NEWTON ST, MT. RAINIER, MD 20712	
SECTIONS	
SHAWN BOUNDS	
Email: cbshawnbounds@gmail.com Tel: 240-505-3420	

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PROFESSIONAL ARCHITECT UNDER THE LAWS OF THE STATE
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07/2023.



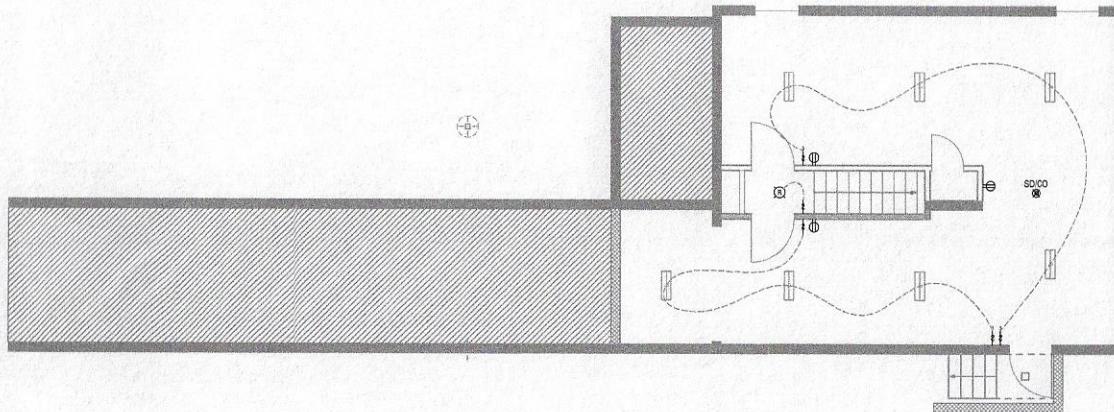
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BOARD OF APPEALS

APPROVED APR 28 2021

B. Stone
ADMINISTRATOR



ELECTRIC LEGEND



- Ⓐ 110 VOLT OUTLET
- Ⓑ WEATHERPROOF OUTLET
- Ⓒ GROUND FAULT PROTECTED OUTLET
- Ⓓ FLOOR OUTLET
- Ⓔ CEILING OUTLET
- Ⓕ SWITCH
- Ⓖ 3 WAY SWITCH
- Ⓗ 4 WAY SWITCH
- Ⓘ CEILING EXHAUST FAN
- SMICO** SMOKE/CARBON MONOXIDE DETECTOR
- Ⓛ CEILING HUNG FIXTURE
- Ⓜ VANITY LIGHT
- Ⓝ WALL MOUNT FIXTURE
- Ⓣ WEATHERPROOF WALL MOUNT FIXTURE
- Ⓤ RECESSED CEILING FIXTURE
- Ⓛ CEILING FIXTURE - OUTDOOR
- Ⓜ WEATHERPROOF FIXTURE
- Ⓛ UTILITY LIGHT
- Ⓛ FLUORESCENT LIGHT
- Ⓜ EMERGENCY LIGHT
- Ⓜ JUNCTION BOX

3405 NEWTON ST - ADDITION

3405 NEWTON ST MT RAINIER MD 20712

BASEMENT PLAN - RCP

SHAWN BOUNDS

E-mail: callahamboards@gmail.com
440-505-3420

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A-400

• 100

BOARD OF APPEALS

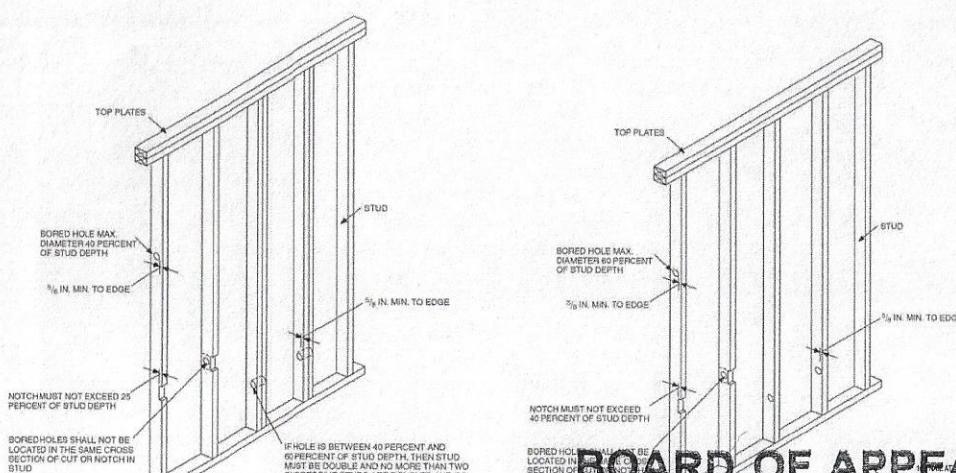
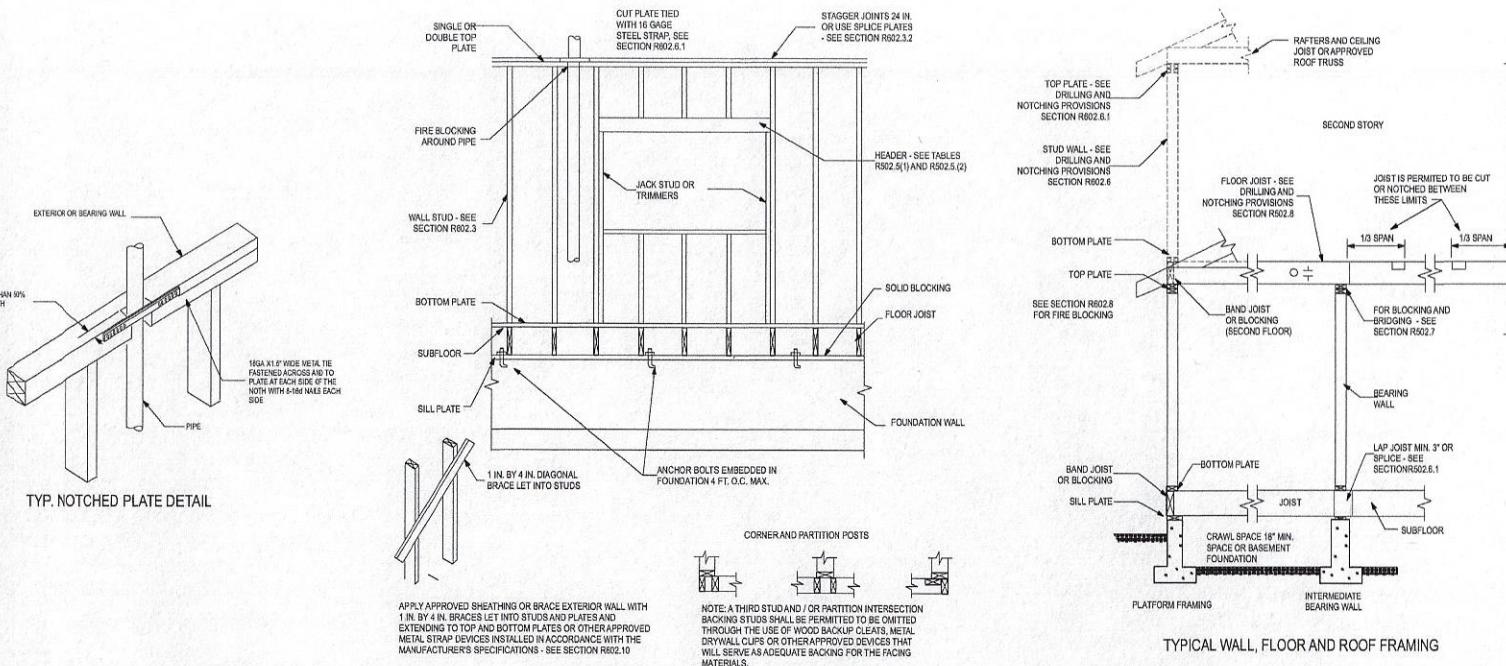
APPROVED APR 28 2021

ADMINISTRATOR

2 BASEMENT PLAN - RCP
A-400 SCALE: 1IN. = 10'-0"

2 BASEMENT

RELEASE DATE	
8/6/2021	PERMIT PLANS
REVISIONS	
3405 NEWTON ST - ADDITION	
3405 NEWTON ST, MT RAINER, MD 20712	
DETAILS	



NOTCHING AND BORED HOLE LIMITATIONS FOR EXTERIOR WALLS AND BEARING WALLS

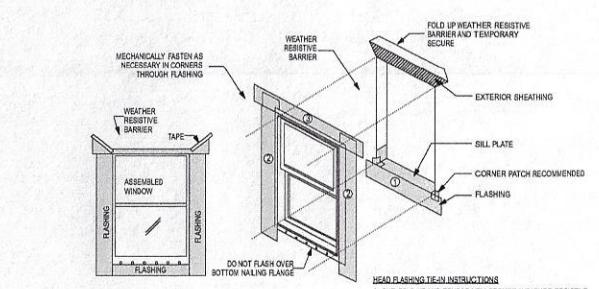
APPROVED

APR 28 2021

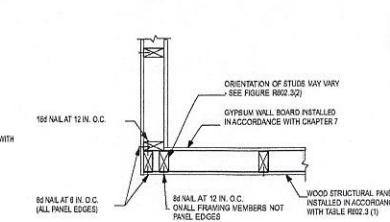
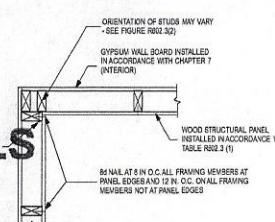
TYPICAL EXTERIOR CORNER FRAMING FOR CONTINUOUS STRUCTURAL PANEL SHEATHING; SHOWING REQUIRED STUD-TO-STUD NAILING

BOARD OF APPEALS

Administrator



NOT USED -
TYP. WINDOW FLASHING DETAIL - NTS



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ap
Aline Architecture
PLANNING + ARCHITECTURE + INTERIOR
DESIGN + CONSTRUCTION + LEAD



A-500

20015

