



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

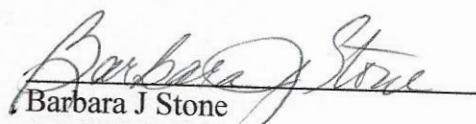
OF BOARD OF APPEALS

RE: Case No. V-75-20 Adriana Romero

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 August 24, 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: Adriana Romero

Appeal No.: V-75-20

Subject Property: Lot 3, Block BB, Calverton Subdivision, being 3122 Chapel View Drive, Beltsville,
Prince George's County, Maryland

Witness: Juan Perara, Friend

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 27-420(a) prescribes that fences and walls more than 6 feet high shall not be located in any required yard, and shall meet the setback requirements for main buildings; on lots consisting of one (1) acre or less, fences and walls in the front yard shall not be more than four (4) feet high without the approval of a variance; on a corner lot consisting of one (1) acre or less, fences and walls in the front yard or side yard shall not be more than four (4) feet high without the approval of a variance. Petitioner proposes to obtain a building permit for the construction of a 6-foot wooden fence. A waiver of the fence location requirement and height requirements for a fence over 4 feet in height in the front yard (abutting Calverton Boulevard) is requested.

Evidence Presented

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

1. The property was subdivided in 1963, contains 12,751 square feet, is zoned R-80 (One-Family Detached Residential) and is improved with a single-family dwelling, driveway, carport, patio and shed. Exhibits (Exhs.) 2, 4, 7, 8 and 9 (A) thru (H).
2. The property is a corner lot with the dwelling facing the legal side street (Chapel View Drive). Exhs. 2, 4, 7, 8 and 9 (A) thru (H).
3. Petitioner would like to obtain a building permit for the construction of a 6-foot wooden fence. Because the fence is located along Calverton Boulevard, which is the legal front property line, a waiver of the fence location and height requirement is required. Exhs. 2, 4, 7, 8 and 9 (A) thru (H).
4. Petitioner Adriana Romero testified that she would like to replace the existing 4-foot chain link fence with a 6-foot wooden fence for containment of her large dog and privacy from busy pedestrian and vehicular traffic along Calverton Boulevard. The proposed fence would start at the front side of the house around the back yard, along Calverton Boulevard and then wrap around the back yard ending at the back corner of the house on the other side. She stated that the new fence would be installed exactly where the existing chain link fence is now located. Exhs. 2, 3 (a) thru (b) and 5 (A) thru (D).

5. She testified that adjoining neighbors on Lot 4 have a fence that runs from their back yard to Chapel View Drive.

6. Juan Perera stated that a revised site plan was submitted that demonstrates in color the location of the new fence. Exh. 12.

7. Calverton Citizen Association has no objections to the request for a waiver. 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.

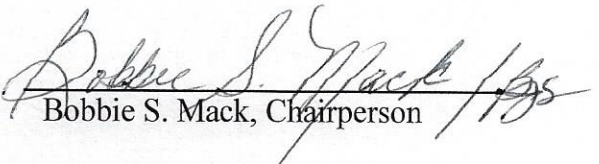
Findings of the Board

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 the subject property being a corner lot, the dwelling facing the legal side street (Chapel View Drive), the need to replace the existing 4-foot chain link fence which cannot restrain her large dog, the need for family privacy from traffic and pedestrians, plus enjoyment in the 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 a waiver of the fence location requirement and height requirements for a fence over 4 feet in height in the front yard (abutting Calverton Boulevard) in order to obtain a building permit for the construction of a 6-foot wooden fence on the property located at 3122 Chapel View Drive, Beltsville, 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 12 and approved elevation plans, Exhibits 3 (a) thru(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:

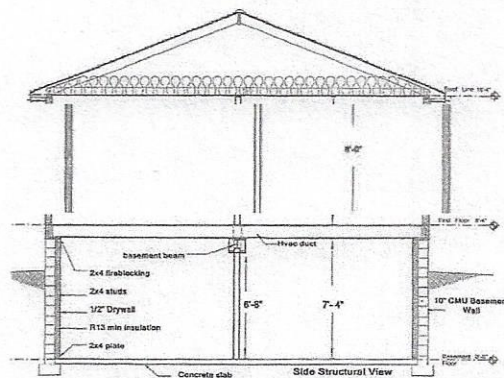
A decision of the Board, permitting the erection of a building or structure, shall not be valid for more than two (2) years, unless a building permit for the erection is obtained within this period and the construction is started and proceeds to completion in accordance with the terms of the decision and the permit.

BOARD OF APPEALS

APPROVED APR 14 2021

[Signature]
ADMINISTRATOR

Back of House



Front of House

BASEMENT PLAN

SCALE: 1/4"=1'-0"

General Note:

Existing 16"x32" windows to be replaced with New Egress windows 36"x42" Casement Window White to convert into Basement Bedrooms

Window wells will either be metal round, plastic round, or Wood square.

Beam is in partition wall

Simplistic Design

By:

Wm. J. (A. B.) Howard
Tel: 240-383-8122
Email: ekbmandade@gmail.com

Project Address

3122 Chapel View Dr.
Beltsville MD 20705

Proposal Date
12/10/15

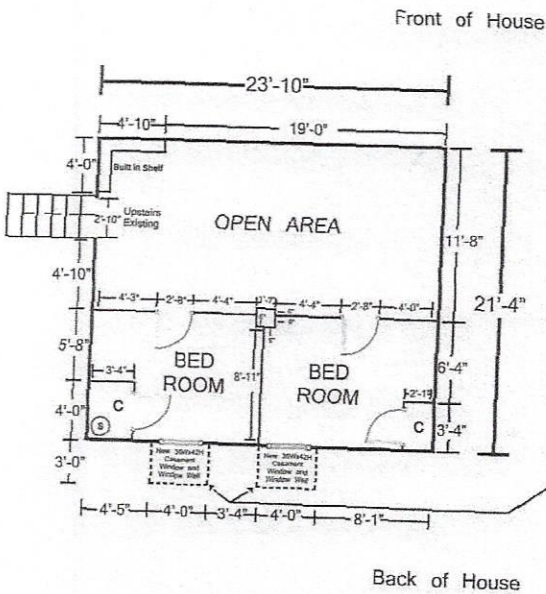
Basement Plan A 1.1

EXH. # 3(a-b)
V-75-20

BOARD OF APPEALS

APPROVED APR 14 2021

ADMINISTRATOR



BASEMENT PLAN
SCALE: 1/4"=1'-0"

