

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

Petitioner: Balchand Pitamber

Appeal No.: V-9-19

Subject Property: Lot 2, Block M, Calverton Subdivision, being 3204 Dunnington Road, Beltsville,
Prince George's County, Maryland

Witness: Kevin Pitamber, Son

Heard: March 6, 2019 and Decided: June 26, 2019

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 construct an attached two-car garage and driveway. A variance of 10 % net lot coverage is requested

Evidence Presented

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

1. The property was subdivided in 1961, contains 11,841 square feet, is zoned R-R (Rural Residential) and is improved with a single-family dwelling, carport and existing driveway with an extension. Exhibits (Exhs.) 2, 3, 8, 9 and 10 (A) thru (F).

2. Petitioner would like to construct an attached 2-car garage (24' x 24') and driveway (20' x 38'). Although, with the existence of the current conditions, lot coverage is over the maximum allowable net lot coverage of 25% for the subject property. Exhs. 2, 3 and 4 (A) thru (E).

3. Petitioner's son, Kevin Pitamber, explained that because they own 4 vehicles and motorcycles, security of the garage for personal safety as well as securing their property is paramount. He shared an incident relating to the personal safety of his father and one of the motorcycles.

4. Kevin Pitamber further stated that the property is a corner lot and the garage access will be located on Ingleside Street, which is the legal front yard. Exhs. 2, 3 and 4 (A) thru (E).

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 need for secure storage of property and personal safety 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 10% net lot coverage in order to construct an attached two-car garage and driveway on the property located at 3204 Dunnington Road, 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 23 and approved elevation plan, Exhibit 3.

BOARD OF ZONING APPEALS

(ORIGINAL SIGNED)

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.