



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

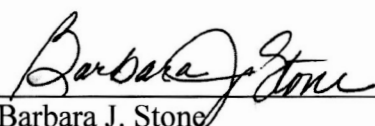
OF BOARD OF APPEALS

RE: Case No. V-54-19 Parris Homes, LLC / Duckling Properties, LLC

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: July 17, 2019.

CERTIFICATE OF SERVICE

This is to certify that on August 19, 2019, 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
Park and Planning Commission
DPIE/Building Code Official, Permitting

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

Petitioner: Parris Homes LLC/Duckling Properties LLC
Appeal No.: V-54-19
Subject Property: Parcel P-265, Liber 41803, Folio 347, being 8813 Sterling Street, Landover,
Prince George's County, Maryland
Counsel for Petitioner: Joseph Thomas, Esq., The Thomas Law Firm
Witnesses: Stefan Swan, Co-owner
Donna Kenley, Neighbor
Heard: July 3, 2019; Decided: July 17, 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(d)(Table III) which prescribes that each lot shall have a minimum width of 65 feet measured along the front building line. Petitioner proposes to validate an existing condition (property) and obtain a building permit to construct a proposed two-story single-family dwelling. A variance of 15 feet front building line width is requested.

Evidence Presented

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

1. The property was subdivided in 1968, contains 15,000 square feet, is zoned R-55 (One-Family Detached Residential) and is improved by a single-family dwelling. Exhibits (Exhs.) 3, 5, 6, 7, 10, 11 and 12 (A) thru (J)
2. Petitioner would like to construct a two-story dwelling with attached two-car garage and driveway. The property was subdivided by deed in 1968, the minimum width of 65 feet front street line width for current front building line requirements is not being met. A variance of 15 feet front street line width is requested. Exhs. 3, 4 (a) thru (c), 8 (A) thru (F) and 19 (A) thru (B).
3. Attorney Joseph Thomas stated that the subject property was purchased February 2019 by Petitioner with the intention of rehabbing the property for sale. An engineer determined, however, that the current dwelling was structurally unsound and advised that the dwelling be demolished and rebuilt. The proposed dwelling will be constructed using essentially the same footprint as the existing dwelling with additional square footage. Counsel argued that the hardship is that the existing dwelling must be demolished, and any new rebuilding cannot occur because the lot width does not meet current standards for a buildable lot and the lot would be considered worthless. The proposed dwelling will consist of basement, first and second floors, attic, attached 2-car garage and driveway. A deck will also be constructed. Exhs. 2, 3, 4 (a) thru (e), 8 (A) thru (F) and 19 (A) thru (B).

4. Counsel further stated that the lot is 300 feet deep and only 50 feet wide. It is very long and narrow. Exhs. 3.

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.

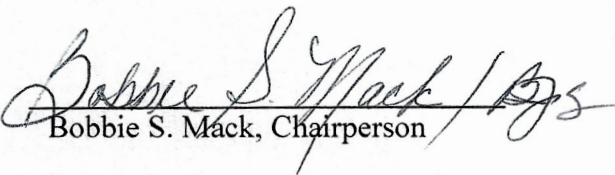
Findings of the Board

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 shape of the lot being an elongated rectangle, due to the conditions of the current structure, which must now be demolished, without the approval of a variance the property would be unbuildable being worthless to the property owners 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 15 feet front building line width in order to validate an existing condition (property) and obtain a building permit to construct a two-story single-family dwelling on the property located at 8813 Sterling Street, Landover, Prince George's County, Maryland, be and are hereby APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 3 and approved elevation plans, Exhibits 4 (a) thru (e).

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.

SUBMISSION FOR ZONING DEPARTMENT VARIANCE

8311 STERLING STREET
LANDOVER MARYLAND, 20785

INDEX:

SK-0.1	COVER SHEET
SK-1.1	MAPS
SK-1.2	PROPOSED ARCHITECTURAL SITE PLAN
SK-2.1	EXISTING HOUSE PHOTOGRAPHS
SK-2.2	ADJACENT HOUSES PHOTOGRAPHS
SK-3.1	PROPOSED FRONT (NORTH) ELEVATION
SK-3.2	PROPOSED RIGHT (WEST) SIDE ELEVATION
SK-3.3	PROPOSED LEFT (EAST) SIDE ELEVATION
SK-3.4	PROPOSED REAR (SOUTH) ELEVATION
SK-4.1	PROPOSED FRONT (NORTH) ELEVATION COLOR RENDERING

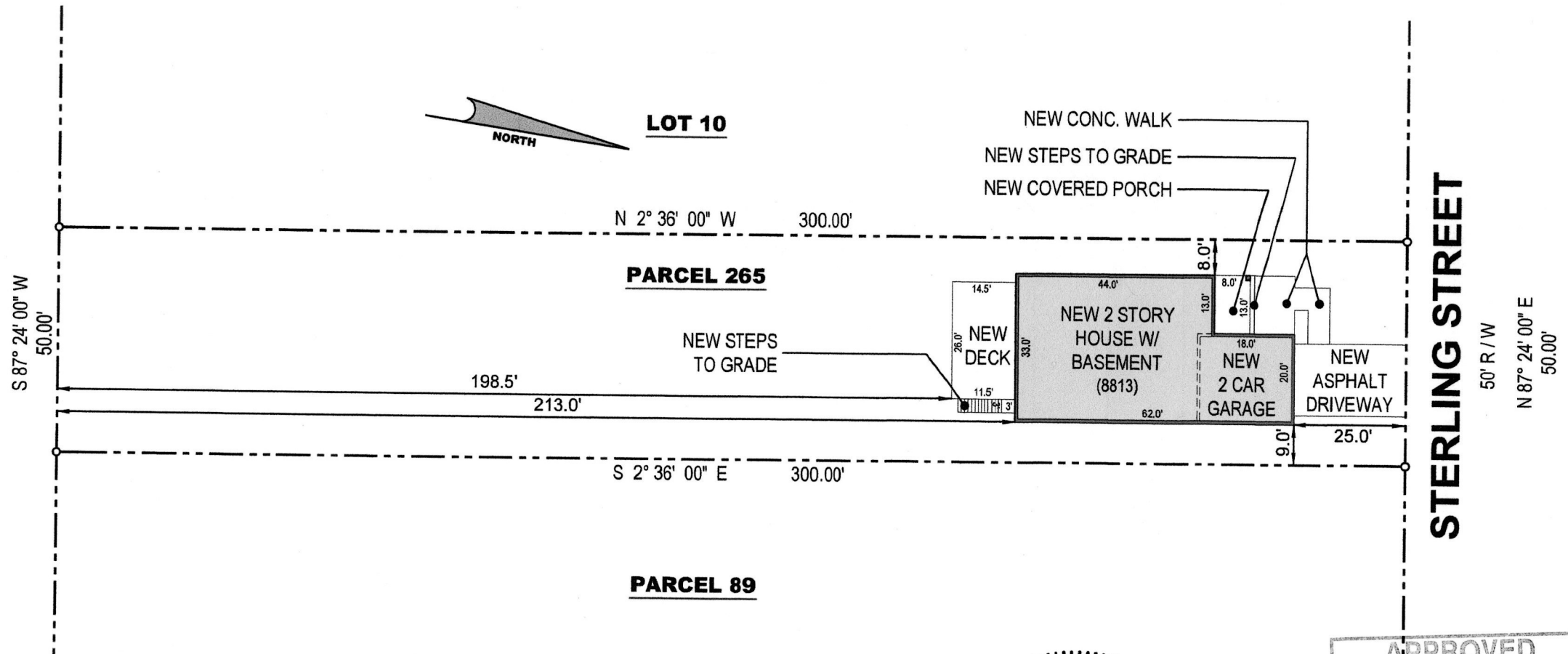


VICINITY MAP



SITE MAP

REFER TO SK-2.1 & SK-2.2 FOR EXISTING HOUSE AND
ADJACENT HOME PHOTOS



NOTES:

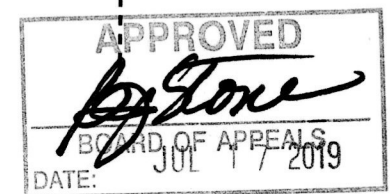
1. THE PROPERTY SHOWN HEREON IS IDENTIFIED AS TAX MAP #2201184 AMONG THE ASSESSMENT RECORDS OF PRINCE GEORGE'S COUNTY, MARYLAND.

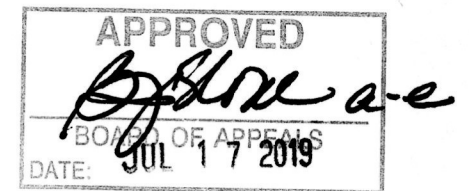
2. THE PROPERTY IS NOW IN THE NAME OF PARRIS HOMES LLC & DUCKLING PROPERTIES BY DEED, RECORDED IN D.B. 41803 P.G. 347 AMONG THE LAND RECORDS OF PRINCE GEORGE'S COUNTY, MARYLAND.

ARCHITECTURAL SITE PLAN NOTE:
PLAN BASED ON HOUSE LOCATION SURVEY PLOT CREATED BY EXACTA MARYLAND SURVEYORS DATED 03.20.2019

PROFESSIONAL CERTIFICATION:
I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND.

LICENSE NUMBER: 17148
EXPIRATION DATE: NOVEMBER 20, 2020





EXH. # 4 (a-e)
U-54-19

8813 STERLING STREET, LANDOVER MARYLAND 20785
PROPOSED FRONT (NORTH) ELEVATION

SK-3.1 RICH HOSTELLEY
ARCHITECT **rho**
SCALE: $\frac{1}{8}" = 1'-0"$ | 04.15.2019



FIBERGLASS / ARCHITECTURAL
SHINGLES

PAINTED PVC TRIM - TYPICAL

VINYL 6" EXPOSURE LAP SIDING

SEALED PRESSURE
TREATED LUMBER

PAINTED CONCRETE MASONRY
UNIT (CMU) FOUNDATION



FIBERGLASS / ARCHITECTURAL
SHINGLES

PAINTED PVC TRIM - TYPICAL

VINYL 6" EXPOSURE LAP SIDING

SEALED PRESSURE
TREATED LUMBER

PAINTED CONCRETE MASONRY
UNIT (CMU) FOUNDATION





(e)

THIS EXHIBIT IS A CONCEPTUAL ELEVATION TO ILLUSTRATE A POSSIBLE DESIGN CONCEPT. THE FINAL DESIGN IS SUBJECT TO POSSIBLE CHANGE; THEREFORE, COLORS SHOWN ARE ILLUSTRATIVE.

8813 STERLING STREET, LANDOVER MARYLAND 20785
PROPOSED COLOR RENDERING FRONT (NORTH) ELEVATION

SK-4.1 RICH HOSTELLEY
ARCHITECT **rh**
SCALE: N.T.S. | 04.15.2019