

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

Petitioner: Tonya Gravely  
Appeal No.: V-65-19  
Subject Property: Lot 1, Block T, Crestview Manor Subdivision, being 11420 Hermit Street, Clinton,  
Prince George's County, Maryland  
Witness: Lawrence Jennings, Contractor  
Heard and Decided: August 7, 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 a variance 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 variances from Section 27-442(e)(Table IV) of the Zoning Ordinance which prescribes that each lot shall have a rear yard at least 20 feet in depth/width. Petitioner proposes to validate an existing condition (dwelling), construct a 2-car garage, a covered walkway, and enclose an existing carport. A variance of 12 feet rear yard depth/width are requested.

**Evidence Presented**

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

1. The property was subdivided in 1966, contains 10,371 square feet, is zoned R-80 (One-Family Detached Residential) and is improved with a single-family dwelling, carport and extended driveway and 4-foot fence. The property is a corner lot with the dwelling facing the legal side yard (Hermit Street). Exhibits (Exhs.) 2, 4, 8, 9 and 10 (A) thru (F).
2. Petitioner Tonya Gravely would like to validate an existing condition (dwelling), construct a 2-car garage, a covered walkway and enclose an existing carport. Because the property is a corner lot with the legal front yard being Groveton Drive, the rear property line being 8 feet from the proposed garage, a variance of 12 feet rear yard setback is required. Exhs. 2, 3 (a) thru (c) and 5 (A) thru (F).
3. Petitioner testified that her elderly father, who resides with her, has mobility issues. She would like to convert the carport into a bedroom for her father as well as construct an attached 2-car garage. She would also like to cover the back walkway that leads to the basement steps and existing carport to shelter her father from the weather. She reported that currently there are steep stairs within the house, which make it very difficult and dangerous for her father to navigate his movements. Exhs. 2, 3 (a) thru (c) and 5 (A) thru (F).
4. Ms. Gravely stated that the existing shed will be removed to accommodate the proposed garage. Exhs. 2 and 5 (A) thru (F).

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 location of the existing dwelling, the need to provide a safe and accessible living area for an elderly parent, the need for covered access to the proposed garage for the parent, 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 12 feet rear yard depth/width in order to validate an existing condition (dwelling), construct a 2-car garage, a covered walkway and enclose an existing carport on the property located at 11420 Hermitt Street, Clinton, Prince George's County, Maryland, be and is hereby APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plans, Exhibits 3 (a) thru (c).

## BOARD OF ZONING APPEALS

By: \_\_\_\_\_

(ORIGINAL SIGNED)

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.