

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

Petitioners: Lucian Baker II and Linda Buchanan

Appeal No.: V-143-19

Subject Property: Lot 10, Block B, Prospect Knolls Subdivision, being 6708 Homestake Drive, Bowie,
Prince George's County, Maryland

Witness: Charles Harris, Patio Enclosures

Heard and Decided: January 8, 2020

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, Petitioners request that the Board approve variances from Section 27-442(d)(Table III) which prescribes that each lot shall have a minimum width of 100 feet measured along the front building line. 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. Petitioners propose to validate existing conditions (front building line and lot coverage) and obtain a building permit for a proposed enclosed deck. Variances of 15 feet front building line width and 1% net lot coverage are requested.

Evidence Presented

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

1. The property was subdivided in 1967, contains 10,350 square feet, and is R-R zoned (Rural Residential), and is improved with a single-family dwelling, driveway, shed and deck. Exhibits (Exhs.) 2, 4, 6, 7 and 8 (A) thru (F).
2. Petitioner would like to enclose the existing covered deck on the rear of the dwelling. Due to the need to validate the existing condition (front building line) not meeting the current zoning requirement, a variance of 15 feet front building line width is requested. In addition, current net lot coverage exceeds the maximum allowed at 25.9%, a variance of 1% lot coverage is requested. Exhs. 2, 3 (a) thru (b) and 5 (A) thru (P).
3. Petitioner Linda Buchanan stated that she is proposing to enclose and convert the rear covered deck into a four seasons room. Exhs. 2, 3 (a) thru (b) and 5 (A) thru (P).
4. Charles Harris added that steps from the proposed enclosed room to the back yard will allow for an emergency exit from the house. The enclosure will also have both glass and screen windows to allow summer protection (from mosquitos). Exhs. 2, 3 (a) thru (b) and 5 (A) thru (P).

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 need for an emergency rear exit, to be able to enjoy the deck area without hinderance from mosquitoes 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 owners of the property.

BE IT THEREFORE RESOLVED, unanimously, that variances of 15 feet front building line width and 1% net lot coverage in order to validate existing conditions (front building line and lot coverage) and obtain a building permit for a proposed enclosed deck on the property located at 6708 Homestake Drive, Bowie, Prince George's County, Maryland, be and are hereby APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exh. 2 and approved elevation plans, Exhs 3 (a) thru (b).

BOARD OF ZONING APPEALS

By: _____

ORIGINAL SIGNED)

Bobbie S. Mack, Chairperson

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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.

