

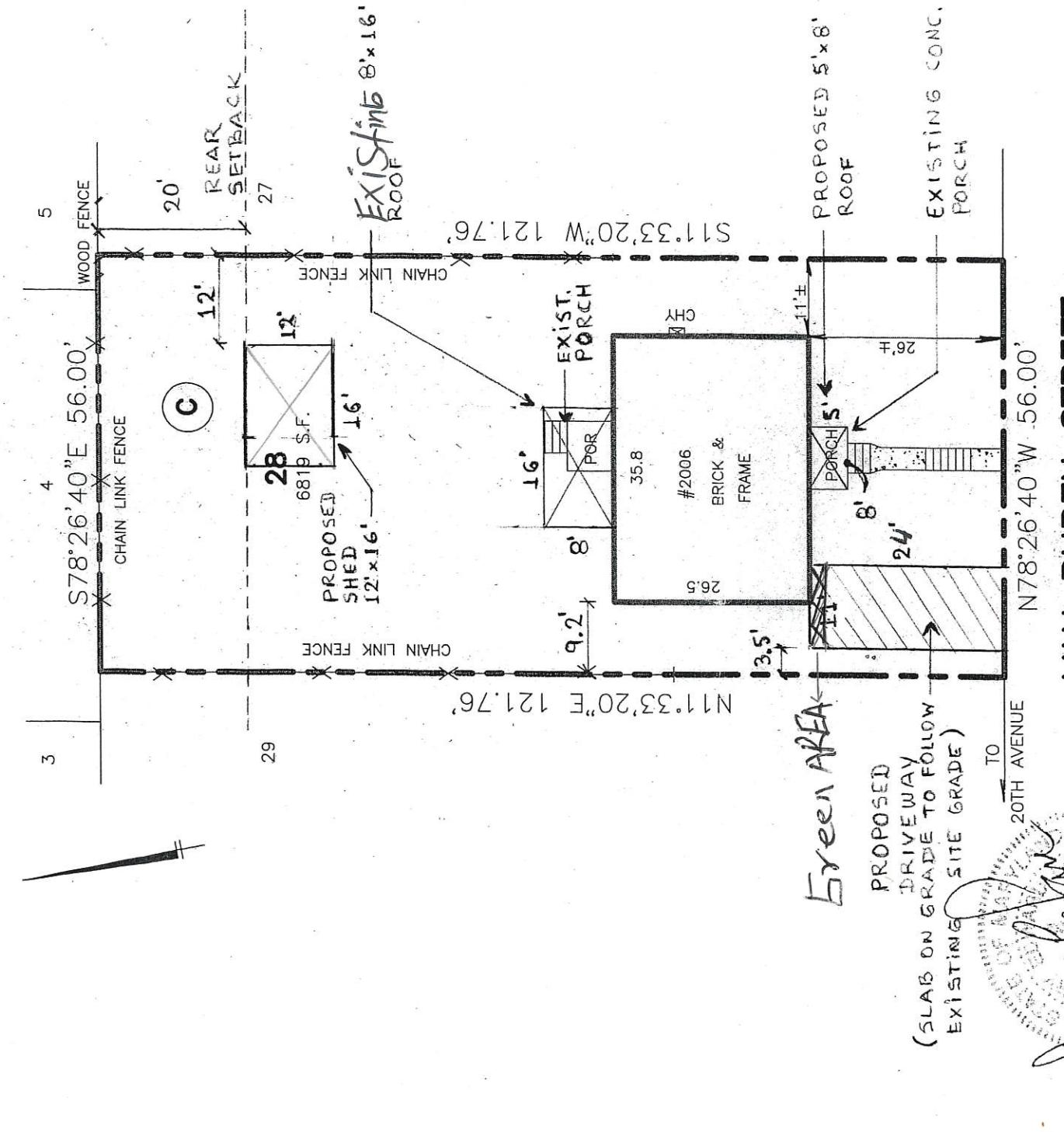


JUN 12 2018

Revised

MILLENNIAL ENGINEERING, LLC
5825 ALLENTOWN ROAD CAMP SPRINGS, MARYLAND 20746
301-433-0888 301-433-0897 FAX

Email: surveyorders@millenniumengineering-llc.com
Website: millenniumengineering-llc.com



SURVEYOR'S CERTIFICATE

LICENSE EXPIRATION DATE: 03-21-2015
I hereby certify that this drawing is based on field survey made on 4/03/2014
by me or directly under my supervision and to the best of my knowledge
information & belief correctly represents the facts found at the time of survey.

NOTES:

1. The drawing is not intended for the use in the establishment of property lines, but for the exclusive use of the property owner(s) of record and/or those who purchase, mortgage, or guarantee the title thereto within six months from the date hereof, and as to them I warrant this location drawing.
2. For title purposes only.
3. No title report furnished at this time, subject to all easements and right of way of record and as may be stated in deed(s) and noted on record plat.
4. Encroachments may exist. Property corners have not been set with this survey. Property information was taken from best available records.
5. This location drawing is not to be used for resubdivision purposes, construction of fences or other improvements. A boundary survey and lot stakeout would have to be performed to determine the location of all property lines shown.
6. Flood zone and certificates available upon request.
7. Boundary survey needed for accurate location of house, fences, sheds and all easements & rights-of-way.
8. Accuracy of this survey is ± 3 feet.

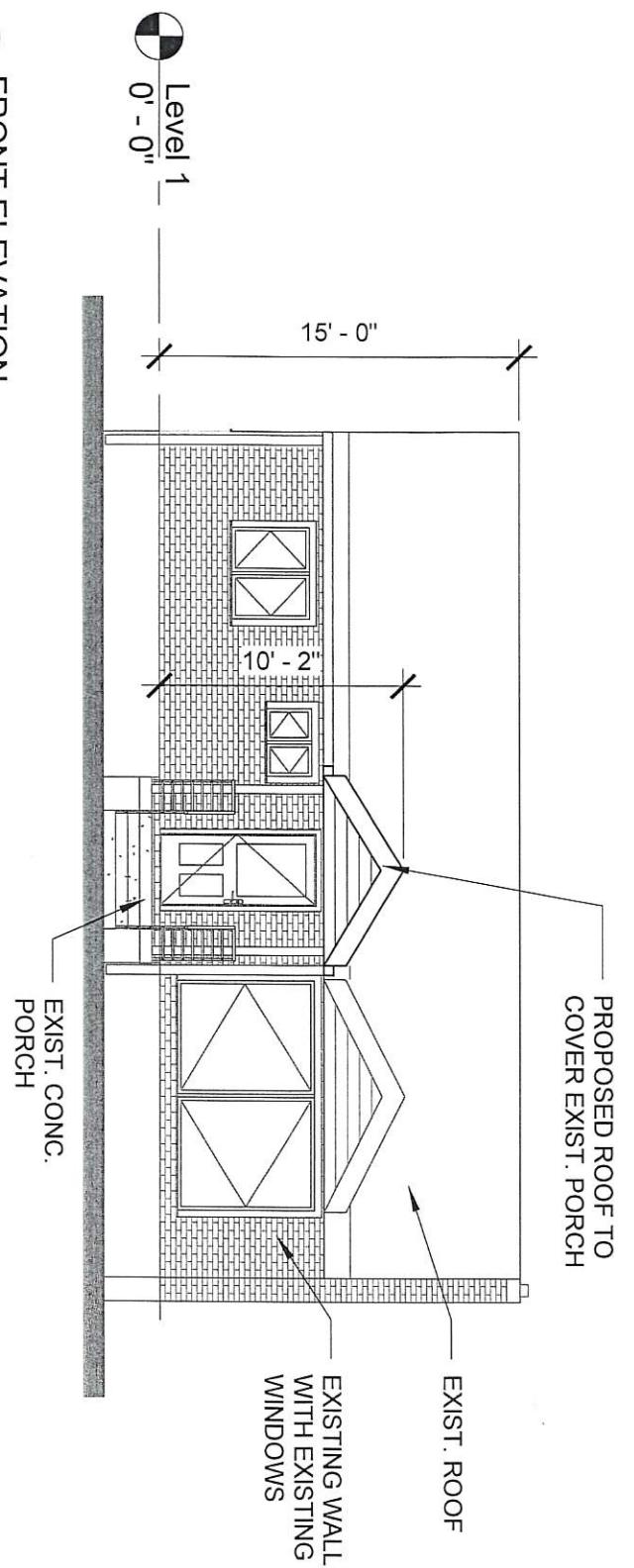
LOCATION DRAWING

2006 VAN BUREN STREET
LOT 28 BLOCK C

RIGGS TERRACE

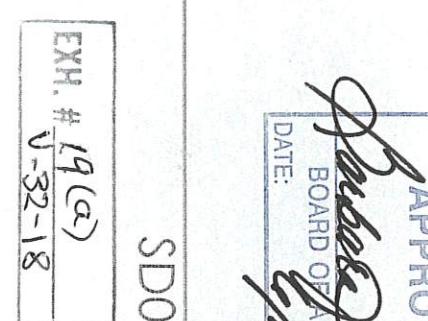
PLAT BOOK: 18 PLAT NO.: 18
17TH ELECTION DISTRICT.
PRINCE GEORGE'S COUNTY MARYLAND
DATE: 4/03/2014 SCALE: 1"=20' FILE: RTS SSMD13-301 DWG:41067

(a)



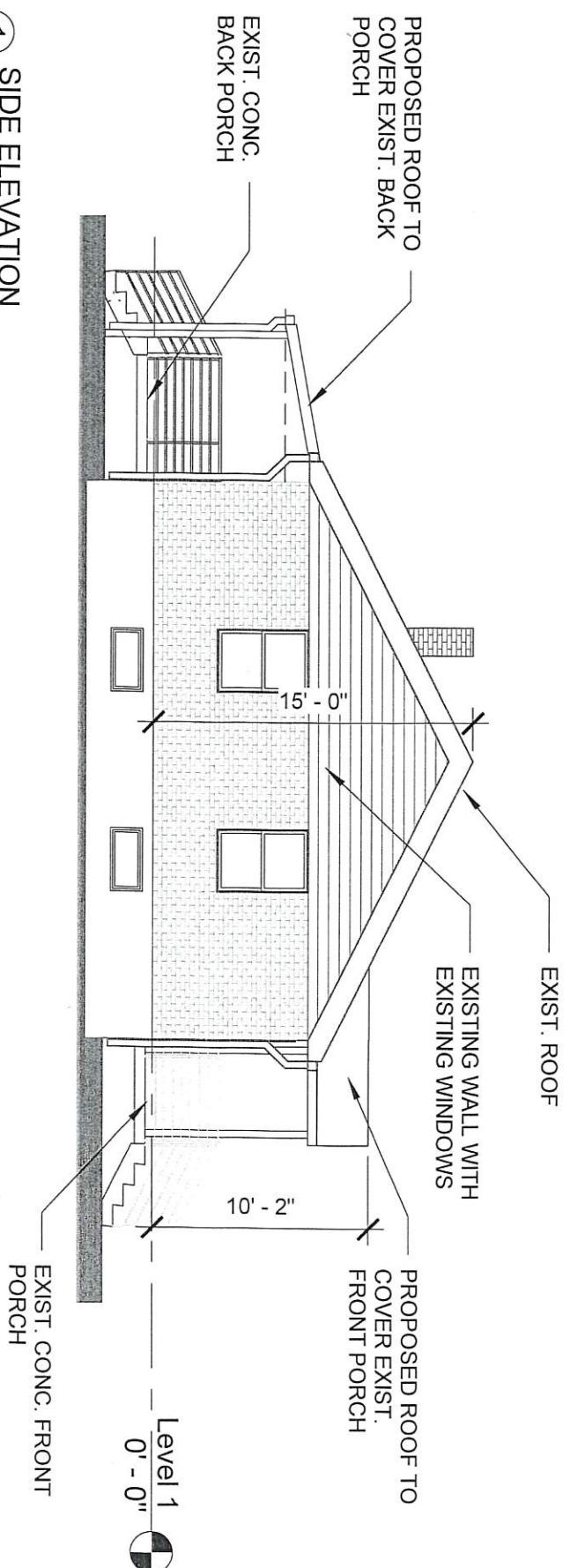
1 FRONT ELEVATION
1/8" = 1'-0"

JUAN REINA'S
Residence
AT Prince George's COUNTY, MD



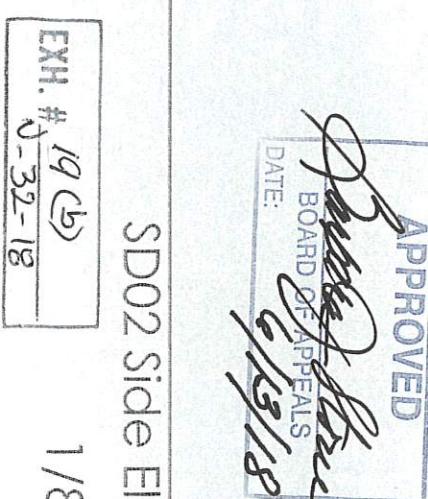
SD01 Front Elevation
1/8" = 1'-0"
SD

(b)



1 SIDE ELEVATION
1/8" = 1'-0"

JUAN REINA'S
Residence



SD02 Side Elevation
1/8" = 1'-0"
SD



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

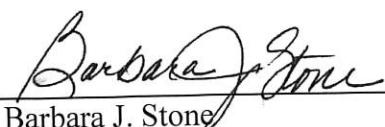
NOTICE OF FINAL DECISION OF BOARD OF APPEALS

RE: Case No. V-32-18 Juan Reina

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: June 13, 2018.

CERTIFICATE OF SERVICE

This is to certify that on June 26, 2018, 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
Ernesto Luna, Spanish Language Interpreter

BEFORE THE BOARD OF APPEALS FOR PRINCE GEORGE'S COUNTY, MARYLAND

Sitting as the Board of Zoning Appeals

Petitioner: Juan Reina

Appeal No.: V-32-18

Subject Property: Lot 28, Block C, Riggs Terrace Subdivision, being 2006 Van Buren Street, Hyattsville, Prince George's County, Maryland

Spanish Language Interpreter Services: Ernesto Luna

Heard: May 23, 2018; Decided: June 13, 2018

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 variances from Section 27-442(e)(Table IV) of the Zoning Ordinance, which prescribes that each lot shall have a front yard at least 25 feet in depth and Section 27-120.01(c), which prescribes that no parking space, parking area, or parking structure other than a driveway no wider than its associated garage, carport, or other parking structure may be built in the front yard of a dwelling in the area between the front street line and the sides of the dwelling. Petitioner proposes to construct a covered front porch, a driveway in the front yard and a shed. A variance of 4 feet front yard depth and a waiver of the parking area location requirement are requested.

Evidence Presented

1. The property was subdivided in 1950, contains 6,819 square feet, is zoned R-55 (One-Family Detached Residential) and is improved with a single-family dwelling. Exhibits (Exhs.) 2, 3, 7, 8 and 9 (A) thru (F).

2. The property shape is long and narrow with a slope in the front yard. Exhs. 2 and 3.

3. Petitioner would like to construct a canopy over the existing 5' x 8' front porch, which is located 21 feet from the front street line, and an 11' x 26' driveway, part of which will be in front of the dwelling.¹ Petitioner would also like to construct a 12' x 16' shed in the rear yard. Section 27-120.01(c) states that construction of driveways not leading to a carport or garage is not permitted in the area of the front yard between the front street line and the sides of the dwelling. Therefore, a variance of 4 feet front yard depth and a waiver of the parking area location requirement were requested. Exhs. 2, 4 (A) thru (C).

¹ The Board previously denied front yard setback and parking location requirements (Appeal No. V-187-17) for a covered front porch and driveway in the front yard. Petitioner has submitted a revised site plan reducing the size of the driveway to 11' x 24', with a 3' x 11' green area between the house and the driveway. Exh. 5 and 18.

4. Petitioner Juan Reina testified that he would like to build a driveway in the front yard. He further testified that there are many other homes in the area that have driveways in the front yard and only a few properties in the immediate area that do not have driveways. Exhs. 4 (A) thru (C) and 18.

6. Petitioner would also like to request permission to construct a roof over the front porch with dimensions of 8' x 5'. The roof will protect the door from the rain which has caused structural damage to the doorway. Exhs. 4 (A) thru (C) and 19 (a) thru (b).

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 topography of the front yard being on a slope, the lot being narrow, the need for a protective cover for the front door to prevent further weather damage to the structure 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 a variance of 4 feet front yard depth and a waiver of the parking area location requirement in order to construct a 5' x 8' covered front porch, an 11' x 24' driveway in the front yard and a 12' x 16' shed on the property located at Lot 28, Block C, Riggs Terrace Subdivision, being 2006 Van Buren Street, Hyattsville, Prince George's County, Maryland, be and are hereby APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 18 and approved revised elevation plans, Exhibits 19 (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.