

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

Petitioners: Robert and Christine Davis

Appeal No.: V-78-18

Subject Property: Lots 12 & 13, Block 25, Columbia Park Subdivision, being 2204 Columbia Avenue,  
Landover, Prince George's County, Maryland

Heard and Decided: August 29, 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, Petitioners request 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. Petitioners propose to validate an existing condition (dwelling) and construct a driveway extension in the front yard. A variance of .07-foot front yard depth and a waiver of the parking area location requirement are requested.

**Evidence Presented**

1. The property was subdivided in 1894, contains 5,800 square feet, is zoned R-55 (One-Family Detached Residential) and is improved with a single-family dwelling, driveway and shed. Exhibits (Exhs.) 2, 3, 7, 8, 9 (A) thru (F).

2. Petitioners would like to construct a 10' x 24' driveway extension, which would be located in front of the dwelling. Since 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, a waiver of the parking area location requirement was requested. Exhibits (Exhs.) 2, 7, 8, 9 (A) thru (F) and 10.

3. The existing dwelling is located 24.93 feet from the front street line. A variance of .07-foot front yard depth was requested. Exhibits (Exhs.) 2, 7, 8, 9 (A) thru (F) and 10.

4. Petitioner Christine Davis testified that the expansion of the driveway in the front yard is requested to accommodate their two cars. Exhibits (Exhs.) 2, 4, (A) thru (J) and 9 (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 pre-existence of the original driveway in the front yard, the expansion being attached to the original driveway, the need for additional parking accommodations 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 .07-foot front yard depth and a waiver of the parking area location requirement in order to validate an existing condition (dwelling) and construct a 10' x 24' driveway extension in the front yard on the property located at Lots 12 & 13, Block 25, Columbia Park Subdivision, being 2204 Columbia Avenue, Landover, 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, Exhibit 2.

## BOARD OF ZONING APPEALS

By: (ORIGINAL SIGNED)

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Bobbie S. Mack, ChairpersonNOTICE

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.