

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

Petitioners: Housing Initiative Partnership, Inc.

Appeal No.: V-98-18

Subject Property: Lot 10, Block A3, Dupont Village Subdivision, being 2219 Gaylord Drive, Suitland,
Prince George's County, Maryland

Counsel for Petitioner: Michele LaRocca, Esq., Myers, Rodbell and Rosenbaum

Witnesses: Jocelyn Harris, Housing Initiative Partnership, Inc.

Bernard Gallaway, Neighbor

Heard and Decided: September 26, 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 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 a variance 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. Petitioner propose to construct a wrap-around covered front porch on a semi-detached dwelling. A variance of 7.5 feet front yard depth is requested.

Evidence Presented

1. The property was subdivided in 1950, contains 3,515 square feet, is zoned R-35 (One-Family Semi-Detached Residential) and is improved with a semi-detached single-family dwelling and shed. Exhibits (Exhs.) 2, 4, 7, 8 and 9 (A) thru (F).

2. Petitioner would like to construct an 8' x 18.2'/6.5' x 15' wrap around covered front porch. The porch would be located 17.5 feet from the front street line. A variance of 7.5 feet front yard depth was requested. Exhs. 2, 3, 5, 17, 18 (A) thru (B) and 10.¹

3. Counsel Michele LaRocca explained that the subject property is owned by the Housing Initiative Partnership, Inc. (HIP). She further explained that HIP proposes an innovative design for a wraparound porch because the entrance to the house is on the side of the dwelling. She stated that the construction requires a variance of 7.5 feet for the front yard depth. Exhs. 2, 3, 5, 17 and 18 (A) thru (B).

¹ Counsel for Petitioner stated that the shed is being removed and an existing concrete stoop at the rear of the dwelling will be replaced. She stated that there will be interior renovations as well as repairs/replacement to the retaining wall, concrete walkway and stairs. It was further stated that the chain link fence is being removed and a 6-foot vinyl fence is being proposed towards the rear of the property. Exhs. 2, 3, 5, 17, 18 (A) thru (B) and 10.

4. Ms. Jocelyn Harris stated that the wrap around porch will span the front of the house and approximately 5 feet to the right side of the house. She stated that HIP believes that the front porches enhances community interaction and provides neighborhood security. Exhs. 2, 3, 5, 17 and 18 (A) thru (B).

5. Mr. Bernard Gallaway explained that he owns the adjoining unit (2221 Gaylord Drive) and questioned the need for the porch. He believed that the proposed porch will take away from the original look of the house and also affect his property. Exhs. 3 and 9 (A) thru (F).

6. Counselor LaRocca explained the planning principle called "eyes on the street". If you give people usable space to sit, more community interaction between neighbors will occur. She explained that a front porch addition is a signature feature of development for HIP properties. Exhs. 2, 3, 5, 17 and 18 (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 need to improve the appearance of an older house, promoting community security and neighborhood interaction and the character of the neighborhood (with similar porch development on properties), 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 7.5 feet front yard depth in order to construct an 8' x 18.2'/6.5' x 15' wrap-around covered front porch on a semi-detached dwelling on the property located at Lot 10, Block A3, Dupont Village Subdivision, being 2219 Gaylord Drive, Suitland, Prince George's County, Maryland, be and is hereby APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plan, Exhibit 3.

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.