

*NOTICE OF FINAL DECISION*

*OF BOARD OF APPEALS*

RE: Case No. V-180-07 Deloria Shaffer

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: December 12, 2007 .

**CERTIFICATE OF SERVICE**

This is to certify that on January 17, 2008 , the above notice and attached Order of the Board were mailed, postage prepaid, to all persons of record.

(Original Signed) \_\_\_\_\_

Anne F. Carter  
Administrator

cc: Petitioner  
Adjoining Property Owners  
DER, Building Code Official, Permit & Review Div.  
DER, Licenses & Inspections Div.  
M-NCPPC, Permit Review Section  
Other Interested Parties

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

Petitioner: Deloria Shaffer

Appeal No.: V-180-07

Subject Property: Lot 18, Chris Mar Manor Subdivision, being 6014 Chris Mar Avenue, Clinton,  
Prince George's County, Maryland

Witness: Donald Williams

Heard: November 28, 2007; Decided: December 12, 2007

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 side yard at least 8 feet in width. Petitioner proposes to validate an existing condition and obtain a building permit for a new one-story addition. A variance of 2.5 feet side yard width is requested.

Evidence Presented

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

1. The property was subdivided in 1954, contains 20,360 square feet, is zoned R-80 (One-Family Detached Residential) and is improved with a single-family dwelling, attached garage, driveway and shed.
2. The existing house was built in 1955 (Exhibit 6).
3. Construction of a 20' x 21.80' one-story addition, behind the existing attached garage, was begun without obtaining a building permit. See Exhibits 2 & 10. Petitioner received Violation Notice No. 34433-2007-1 from the Department of Environmental Resources (Exhibit 11) and proceeded to apply for a building permit. Since the garage and addition are located 5.5 feet from the side lot line, a variance of 2.5 feet side yard width was requested to validate the garage and obtain a permit for the addition.
4. Petitioner testified that the garage, breezeway and driveway existed when she moved to the property four and a half years ago. She stated that since the addition is no closer to the property line than the existing garage, and the garage is being renovated, she thought the garage could be extended without obtaining a building permit. She explained that rotting wood is being replaced on the original garage structure and she decided to add on the back of the garage for additional storage space and recreational area. She further stated that she did not add onto the back of the main part of the house because there is an existing deck and basement entrance in that location.

