

PETITION OPPOSING SPECIAL EXCEPTION APPLICATION PRE-APP-2026-0080

Property Address: 6008 Quebec Street, Berwyn Heights, MD 20740

Zone: RSF-65 (Residential, Single-Family) | **Lot Size:** 0.138 Acres / ~6,011 Sq. Ft. (Lot 17, Block 31)

Applicant: Eunyoung Hwang

To the Prince George's County Planning Department, the District Council, and the Zoning Hearing Examiner:

We, the undersigned residents and property owners of the Town of Berwyn Heights, formally oppose Special Exception Pre-Application PRE-APP-2026-0080, which seeks to convert and legalize the single-family dwelling at 6008 Quebec Street into a two-family dwelling unit.

The applicant's Statement of Justification fails to meet the statutory criteria for Special Exception approval under the Prince George's County Zoning Ordinance (Subtitle 27) and the legal standards established in *Schultz v. Pritts*. We respectfully request that the County deny this application based on the following technical and legal grounds:

1. RSF-65 District Purpose & Single-Family Character (Section 27-4202(e))

The subject property is located in the RSF-65 (Residential, Single-Family-65) Zone, established under Section 27-4202(e) to preserve low-density, single-family detached residential communities.

- **Substandard Lot Constraints:** The parcel contains only 0.138 acres (approx. 6,011 sq. ft.), which is below the RSF-65 district's standard minimum lot size requirement of 6,500 sq. ft., making the site inherently unsuitable for increased residential density.
- **Incompatibility with District Intent:** The legislative intent of RSF-65 is to protect owner-occupied investment, home values, and neighborhood stability. Converting a single-family home into a permanent multi-dwelling rental facility directly contradicts the purpose of the district and destabilizes the residential fabric of the Charlton Heights subdivision.

2. Inapplicability of Nonconforming Use Protections (Section 27-2400)

The applicant claims that eight years of municipal rental license fee payments to the Town of Berwyn Heights reflect "long-standing administrative recognition" and justify protection under Section 27-2400.

- **Lack of County Authorization:** Operating with a Town rental license since 2018 without a County Use & Occupancy (U&O) Permit or Special Exception means the two-unit configuration has been operating illegally at the County level.

- **Legal Incompatibility:** Municipal business licenses do not confer zoning authorization, nor can a municipal fee override County land-use authority. A lawful nonconforming use requires proof that the use was legally established under County zoning rules at its inception. Unpermitted structural conversions cannot be grandfathered under Section 27-2400.

3. Cumulative Impact, Neighborhood Precedent, and Infrastructure Strain (Section 27-3606)

While each application is evaluated on its site plan, the Zoning Hearing Examiner must consider whether granting a Special Exception harms the harmony of the local Master Plan and overburdens surrounding infrastructure.

- **Preservation vs. Incremental Conversion:** Approving a multi-unit conversion on a restricted 0.138-acre lot sets a precedent for incremental multi-family conversions across the RSF-65 district, undermining the low-density vision of the Berwyn Heights Master Plan.
- **Cumulative Infrastructure Load:** Granting exceptions to single-family mandates creates a cumulative compounding effect on local infrastructure—specifically increasing on-street parking congestion, vehicle turnover, stormwater runoff, and municipal services strain along Quebec Street.

4. Rooming House Characteristics & Unpermitted Partitioning (Section 27-5100)

The applicant states that the structure has been altered to eliminate all internal connectivity between the upper and lower levels.

- **Improper Use Classification:** Operating separate bedroom leases for multiple unrelated tenants across partitioned levels without internal access exceeds the legal definition of a standard Two-Family Dwelling under Section 27-5100 and constitutes an unpermitted Rooming/Boarding House.
- **Building & Life Safety Codes:** Severing internal access between floor levels in a single-family structure without County permits creates unverified fire separation and emergency egress conditions that jeopardize tenant and neighborhood safety.

5. Failure to Provide Compliant Off-Street Parking (Sections 27-6200 & 27-6300)

The applicant represents that the site provides a "parking pad for one car and five off-street parking spaces." This claim is physically unfeasible and fails County dimensional standards:

- **Dimensional Non-Compliance:** Standard off-street parking spaces in Prince George's County must measure at least 9.5 feet by 19 feet with independent, unblocked maneuvering room.

- **Impermissible Layout:** On a restricted 6,011 sq. ft. lot, fitting five distinct vehicles requires tandem/stacked parking that blocks egress, encroachment into required yard setbacks, or parking on unpaved surfaces—violating both Town anti-paving ordinances and County Subtitle 27 maneuvering requirements.

6. School, Children, and Pedestrian Safety (Schultz v. Pritts & Section 27-61200)

Under Maryland land-use law (Schultz v. Pritts), a Special Exception must be denied if its adverse local impacts at the proposed site are greater than would routinely occur elsewhere in the zone.

- **Child & Pedestrian Safety:** The subject property is located directly across Quebec Street from Berwyn Heights Elementary School and near a high-use community recreational park.
- **Traffic & Sightline Hazards:** Concentrating high-density rental operations and illegal stacked driveway parking directly across from school bus stops, pedestrian crosswalks, and elementary school drop-off zones creates unique, acute traffic and sightline hazards that adversely affect public safety under Section 27-61200.

CONCLUSION & REQUESTED ACTION

The applicant has not demonstrated compatibility with the RSF-65 district, nor compliance with Prince George's County dimensional parking standards, zoning definitions, or life safety requirements. Unpermitted historical operation cannot serve as a substitute for zoning approval.

We, the undersigned, respectfully request that the Prince George's County Planning Department and Zoning Hearing Examiner recommend **DENIAL** of Special Exception Application PRE-APP-2026-0080.