

DECEMBER 12, 2012
BOARD OF APPEALS
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:23 p.m. the Chairperson convened the meeting and the following members were present:

Bobbie S. Mack, Chairperson
Albert C. Scott, Vice Chairman
Anastasia T. Johnson, Member
Emerson S. Davis, Sr., Attorney
Anne F. Carter, Administrator

Also Present:

Erin McCoy, Attorney, Office of Law
Michael Altieri, Acting Supervisor, DER, Property Standards Group
Keith Daye, DER, Property Standards Inspector

MINUTES FOR APPROVAL FROM NOVEMBER 28, 2012 -- The Board resolved, unanimously, that the minutes be APPROVED.

CASES FOR HEARING

NEW CASES

VARIANCES

V-65-12 Stacy Hawkins

Request for variances of 11 feet front yard depth, 1 foot side yard width, 4 feet rear yard depth/width, 19.6% net lot coverage and a variance of 34 feet front street line setback and waiver of the rear yard location requirement for an accessory building to validate existing conditions and obtain a building permit to complete construction of a one-story addition at 520 Dateleaf Avenue, Capitol Heights.

Petitioner agreed to remove the gazebo/covered patio structure. The Board resolved, unanimously, that variances of 11 feet front yard depth, 1 foot side yard width, 4 feet rear yard depth/width and 17.6% net lot coverage be APPROVED. Approval of the variance is contingent upon development in compliance with the approved revised site plan, Exhibit 24, and the approved elevation plan, Exhibit 3.

At 7:42 p.m. the Board recessed and reconvened at 7:56 p.m.

V-85-12 Verlette Gatlin

Request for a variance of .3 foot side yard width and waivers of the location requirements for an accessory building and parking area to validate an existing condition and construct an enclosed porch and deck at 8600 Chervil Road, Lanham. **The Board resolved, unanimously, that a variance of .3 foot side yard width and waivers of the location requirements for an accessory building and parking area be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2, and the approved elevation plans, Exhibits 3(a) & (b).**

APPROVED

V-86-12 Rudy Rojas

Request for a variance of 4 feet side yard width and a waiver of the parking area location requirement to construct a one-story addition to the rear of an existing driveway at 6133 58th Avenue, Riverdale. **The record was held open for Petitioner to submit revised elevation plans.**

The Board recessed as the Board of Zoning Appeals and reconvened as the Board of Administrative Appeals.

ADMINISTRATIVE APPEALAA-1652 Jan Daniels

An appeal from the determination of the Department of Environmental Resources, Property Standards Division, to issue Violation Notice CSD 156-012-033, dated March 13, 2012, citing Petitioner with violation of Housing Code Sections 13-118(a) (Exterior property area has/have dead tree(s) and is being used for open storage of items to include but not limited to rubbish, garbage and building materials); 13-118(d) (Exterior property area has an accumulation of tall grass and weeds); 13-118(f) (Premises has the unlawful storage of wrecked, dismantled, inoperable, and/or unlicensed motor vehicle(s)); and 13-118(g) (Firewood is stacked on the ground), and requiring Petitioner to remove dead tree(s), debris and stored items and maintain the premises in a clean and sanitary condition; maintain all premises and exterior property from weeds or plant growth in excess of twelve inches; remove and maintain the premises free of any wrecked, dismantled, inoperable, and/or unlicensed vehicle(s); and maintain cut firewood to lengths for final use neatly stacked at least eighteen (18) inches above the ground in open racks, or not less than six (6) inches above a weed free surface); at the subject premises, which is R-R (Rural Residential) zoned property located at Lot 3, Middleton Valley Subdivision, being 5907 Center Drive, Temple Hills.

At 9:34 p.m. the Board recessed for Executive Session for legal advice and reconvened at 9:50 p.m.

At 9:51 p.m. the Board recessed and reconvened at 9:52 p.m.

The matter was held open for 60 days to allow Petitioner the opportunity to correct the violations involving debris on the property (Violation #s 2-5). At the end of 60 days, the County shall provide the Board with a progress report. If Petitioner has satisfactorily complied regarding debris, Petitioner shall be given until 4/1/13 to remove vehicles from the property or have them properly tagged. If compliance regarding debris is not satisfactory after 60 days, the Board shall affirm the determination to issue the violation notice and allow immediate enforcement by the Department of Environmental Resources.

THE MEETING ADJOURNED AT 10:30 P.M.

Prepared and submitted by:

(Original Signed)
Anne F. Carter
Administrator

APPROVED