

NOVEMBER 4, 2015  
BOARD OF APPEALS  
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:20 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  
Michael Royer, Communications Specialist

**CASES FOR HEARING**

**NEW CASES**

**ADMINISTRATIVE APPEAL**

AA-1677 Francis & Ember DiSalvo

An appeal from the determination of the Department of Permitting, Inspections and Enforcement, Enforcement Division, to issue the Violation Notice dated June 9, 2015, in CSD Case No. 1183334, citing Petitioners with violating International Property Maintenance Code (2000), Sections 305.1, 305.2 and 305.2.1 (Exterior property area has an accumulation of trash, litter and debris), and County Code Section 13-118(a) (Exterior property area is being used for open storage of items to include but not limited to rubbish, garbage, building materials), and requiring Petitioners to remove items, including all trash, litter and debris, and maintain the premises in a clean and sanitary condition, on R-R (Rural Residential) zoned property at 9011 Rosaryville Road, Upper Marlboro. **On 11/3/15, the County filed a Motion to Dismiss based on the property being brought into compliance. On 11/4/15, Petitioner consented to dismissal. The Board resolved, unanimously, that the appeal be DISMISSED.**

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

**VARIANCES**

V-113-15 Fidel Hernandez

Request for variances of 1.5 feet side lot line setback and 2 feet rear lot line setback for an accessory building and a waiver of the parking area location requirement to validate existing conditions and construct a driveway, a portion of which would be located in the front yard, at 2203 Hannon Street, Hyattsville. **Spanish language translation services were provided. The Board resolved, unanimously, that variances of 1.5 feet side lot line setback and 2 feet rear lot line setback for an accessory building and a waiver of the parking area location requirement be DENIED.**

V-71-14 Cory Chase

Request for variances of 8 feet side yard width, 2.2% net lot coverage and a waiver of the rear yard location requirement for an accessory building to validate existing conditions, widen an existing gravel driveway and construct an enclosed breezeway, detached carport and shed at 13805 Old Indian Head Road, Brandywine. **The record was held open for technical assistance.**

At 8:20 p.m. the Board recessed and reconvened at 8:34 p.m.

**APPROVED**

V-102-15 John & Sabrina Frank

Request for waivers of the fence location and height requirements for a fence in the side yard on a corner lot to construct a 6-foot privacy fence at 7292 Finns Lane, Lanham. **The Board resolved, unanimously, that waivers of the fence location and height requirements for a fence in the side yard on a corner lot be APPROVED. Approval of the variances is contingent on development in conformance with the approved site plan, Exhibit 2, and the approved elevation plans, Exhibits 3(a) and (b).**

V-115-15 Espidia Vargas

Request for a waiver of the parking area location requirement to validate and obtain a building permit for a driveway extension in the front yard at 3311 Cool Spring Road, Adelphi. **The record was held open for technical assistance and to allow Cool Spring Terrace Civic Association the opportunity to submit comments.**

V-116-15 Michael Ferrell

Request for a waiver of the parking area location requirement to convert the attached garage into living space at 4210 Canyonview Drive, Upper Marlboro. **The record was held open for Petitioner to submit elevation plans.**

**MINUTES FOR APPROVAL FROM OCTOBER 28, 2015 -- The Board resolved, unanimously, that the minutes be APPROVED.**

THE MEETING ADJOURNED AT 9:47 P.M.

Prepared and submitted by:

(Original Signed)  
Anne F. Carter  
Administrator

**APPROVED**