

MARCH 25, 2015
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
Cody Cox, Communications Specialist

Also Present:
Janssen Evelyn, Associate County Attorney
Matthew Mills, The Maryland-National Capital Park and Planning Commission

CASES FOR HEARING

NEW CASES

VARIANCES

V-12-15 Esteban Cordova & Dina Fernandez

Request for variances of 10 feet front yard depth, 6.5 feet side yard width, 17 feet rear yard depth/width, 25.5% net lot coverage; variances of 3.5 feet front street line and 1.5 feet side lot line setbacks and a waiver of the rear yard location requirement for an accessory building; and waivers of the fence location and height requirements for a fence in the front yard to validate existing conditions and obtain a building permit for a covered front porch, covered rear porch, attached carport, driveway, shed, 6-foot black iron rail fence, 5-foot grey aluminum mesh fence and 4.5-foot black iron rail fence (with 5.4-foot and 6.5-foot stone columns) at 1216 Devonshire Drive, Oxon Hill. **Hearing rescheduled to 4/29/15.**

OTHER ZONING APPEAL

V-91-14 Joseph Skillman

An appeal from the determination of The Maryland-National Capital Park and Planning Commission, Permit Review Section, to deny prior Permit No. 40024-2012-U due to the subject site not having direct vehicular access to a public street, and its further decision to deny Permit No. 41630-2014-U because the issue of vehicular access has not been resolved, on I-2 (Heavy Industrial) zoned property located at Parcel 132, Tax Map 19, Grid B1, being 11407 Frederick Avenue, Beltsville. **The Maryland-National Capital Park and Planning Commission moved to dismiss the appeal and the motion was supported by the County and Paulen Industrial Center, Inc. (neighbor of subject property).**

At 6:47 p.m. the Board recessed for Executive Session for legal advice and reconvened at 7:11 p.m.

The record was held open for the parties to file briefs: The Maryland-National Capital Park and Planning Commission's brief by close of business April 8, 2015 and all other parties' briefs by close of business April 15, 2015.

At 7:20 p.m. the Board recessed and reconvened at 7:22 p.m.

APPROVED

VARIANCESV-15-15 Elmer & Maria Hernandez

Request for variances of 6 feet front yard depth and 25.1% net lot coverage; and variances of 4 feet front street line and 1 foot side lot line setbacks and a waiver of the rear yard location requirement for an accessory building to validate existing conditions and obtain a building permit for a covered front porch at 2209 Lewisdale Drive, Hyattsville. **Spanish language translation services were provided. The record was held open until 4/29/15 to allow Petitioners the opportunity to submit a revised elevation plan.**

At 8:06 p.m. the Board recessed and reconvened at 8:17 p.m.

V-92-14 Columbia Group Recap, LLC

Request for a variance of 2 feet accessory building height to validate and obtain a building permit for a detached 3-car garage and driveway extension at 14721 Dunbarton Drive, Upper Marlboro. **The record was held open for Petitioners to submit revised elevation plans (all four views) with building height shown.**

V-11-15 Diane Fogg

Request for a variance of 9 feet rear yard depth/width and a waiver of the parking area location requirement to validate an existing condition and construct a driveway in the front yard at 901 Irvington Street, Oxon Hill. **The Board resolved, unanimously, that a variance of 9 feet rear yard depth/width and a waiver of the parking area location requirement be APPROVED. Approval of the variances is contingent upon development in conformance with the approved site plan, Exhibit 2.**

V-16-15 Kurt Pluntke

Request for variances of 9 feet front yard depth for the dwelling and variances of 12 feet side street line and 10 feet rear lot line setbacks for the accessory garage to validate existing conditions and construct a two-story addition and sunroom at 3304 40th Avenue, Colmar Manor. **The Board resolved, unanimously, that variances of 9 feet front yard depth for the dwelling and variances of 12 feet side street line and 10 feet rear lot line setbacks for the accessory garage be APPROVED. Approval of the variances is contingent upon development in conformance with the approved site plan, Exhibit 2, and the approved elevation plan, Exhibit 3.**

V-18-15 Cheryl Atkinson

Request for variances of 4 feet front yard depth and 8 feet side yard width to validate existing conditions and obtain a building permit for an attached carport at 6911 Foster Street, District Heights. **The record was held open to allow the City of District Heights the opportunity to submit comments.**

V-17-15 Ross Gateretse

Request for variances of 10.85 feet front yard depth, 9.84 feet side street yard depth, 2.79 feet side yard width and 2.32 feet rear yard depth/width to validate existing conditions and construct a one-story addition at 2900 Lancer Drive, Hyattsville. **The Board resolved, unanimously, that variances of 10.85 feet front yard depth, 9.84 feet side street yard depth, 2.79 feet side yard width and 2.32 feet rear yard depth/width be APPROVED. Approval of the variances is contingent upon development in conformance with the approved site plan, Exhibit 2, and the approved elevation plans, Exhibits 3(a) through (c).**

APPROVED

MINUTES FOR APPROVAL FROM MARCH 11, 2015 -- The Board resolved, by majority vote, Ms. Mack abstaining, that the minutes be APPROVED.

THE MEETING ADJOURNED AT 10:21 P.M.

Prepared and submitted by:

(Original Signed)
Anne F. Carter
Administrator

APPROVED