

JANUARY 7, 2015
BOARD OF APPEALS
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:16 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 J. Royer, Communications Specialist

CASES FOR HEARING

NEW CASES

OTHER ZONING APPEALS

V-115-13 The Chem-Met Company

An appeal from the determination of the Property Standards Inspector, Department of Permitting, Inspections and Enforcement, Enforcement Division, to issue Zoning Violation Notice Z-1064-9-14, dated December 4, 2013, for violation of Zoning Ordinance Section 27-253(a)(1) and County Code Section 4-118(c) (Use of a building, structure or land without a use and occupancy permit for MVK Enterprises LTD Partnership) and requiring occupant to cease use of the premises and remove all vehicles, equipment, materials, and items related to the use until a valid use and occupancy permit, including final approval of the permit, is granted by the Department of Environmental Resources, on I-2 (Heavy Industrial) zoned property, located at Lot 17, Yochelson Subdivision, and Part of an Abandoned Street, being 6419 Yochelson Place, Clinton. **Petitioner withdrew the appeal. The Board resolved, unanimously, that the appeal be DISMISSED.**

V-54-14 Sun Services, LLC

An appeal from the determination of the Property Standards Inspector, Department of Permitting, Inspections and Enforcement, Enforcement Division, to issue Zoning Violation Notice Z-131-1-15, dated July 21, 2014, citing Petitioner with violation of Zoning Ordinance Section 27-353(a)(1) and County Code Section 4-118(c) (Use of a building, structure or land without a use and occupancy permit for Sun Services) and requiring Petitioner to cease use of the premises and remove all vehicles, equipment, materials, and items related to the use until a valid use and occupancy permit, including final approval of the permit, is granted by the Department of Permitting, Inspections and Enforcement, on I-2 (Heavy Industrial) zoned property located at Lots 17, 18, 19, 28 & 29, Block 57, Beltsville Subdivision, being 11209 Somerset Avenue, Beltsville. **Petitioner withdrew the appeal. The Board resolved, unanimously, that the appeal be DISMISSED.**

DISCUSSION/DECISION

VARIANCES

V-107-13 Juanita Batiste

Request for variances of 1 foot side yard width and .2% net lot coverage to construct a sunroom, landing and steps at 7803 New Ascot Lane, Clinton. **On 12/4/13, the record was held open for approval from the homeowners association of the plan submitted with the variance application.**

APPROVED

On 12/17/14, Petitioner withdrew the variance request. The Board resolved, unanimously, that the appeal be DISMISSED.

V-43-14 Ceasar Hay & JoAnn Tillery

Request for a variance of 1.4% net lot coverage and waivers of the fence location and height requirements for a fence in the front yard to validate an existing condition and construct a 5-foot rod iron picket fence in the front yard at 5404 Center Avenue, Glendale. **On 7/16/14, the record was held open for Petitioners to submit a new site plan showing the second driveway on the property and indicating that the proposed fence will also extend along a portion of the right side lot line. On 12/17/14, Petitioners withdrew the variance request. The Board resolved, unanimously, that the appeal be DISMISSED.**

V-83-14 Paul Oriaifo

Request for variances of 18.4% net lot coverage, 9 feet rear lot line setback for one accessory building and 1 foot rear lot line setback for a second accessory building to validate and obtain a building permit for a deck, driveway area and two detached carports at 8714 Fort Foote Road, Fort Washington. **The Board resolved, unanimously, that variances of 13.8% net lot coverage, 9 feet rear lot line setback for one accessory building and 1 foot rear lot line setback for a second accessory building be APPROVED. Approval of the variances is contingent upon development in conformance with the approved revised site plan, Exhibit 34, and the approved elevation plan, Exhibit 3.**

V-90-14 Connie Swanson

Request for a variance of 6 feet rear yard depth/width to construct a deck at 5902 Kaveh Court, Upper Marlboro. **The Board resolved, unanimously, that a variance of 6 feet rear yard depth/width be APPROVED. Approval of the variance is contingent upon development in conformance with the approved site plan, Exhibit 2, and the approved elevation plans, Exhibits 3(a) and (b).**

MINUTES FOR APPROVAL FROM DECEMBER 3, 2014 -- The Board resolved, unanimously, that the minutes be APPROVED.

CASES FOR HEARING (Cont'd)

NEW CASES

VARIANCES

V-93-14 Christopher Carson

Request for variances of 12.4% net lot coverage, .3 foot side lot line setback for an accessory building and a waiver of the parking area location requirement to validate existing conditions and obtain a building permit for a new detached garage and driveway extension at 7008 Redmiles Road, Laurel. **The record was held open for Petitioner to submit a revised site plan reflecting an acceptable barrier to prevent parking on the concrete pad in front of the house.**

V-96-14 Pedro Rodriguez & Maria Flores-Batres

Request for variances of 19.5% net lot coverage and 1 foot side and 1.5 feet rear lot line setbacks for an accessory building to validate existing conditions and construct a second-story addition on a semi-detached single-family dwelling at 2303 Rittenhouse Street, Hyattsville. **The Board resolved, unanimously, that variances of 19.5% net lot coverage and 1 foot side and 1.5 feet rear lot line**

APPROVED

setbacks for an accessory building be APPROVED. Approval of the variances is contingent upon development in conformance with the approved revised site plan, Exhibit 19, and the approved elevation plan, Exhibit 3.

V-94-14 Godfrey & Hilda Stephens

Request for a variance of .9% net lot coverage to construct a sunroom over an existing patio at 9216 Alcona Street, Lanham. **The Board resolved, unanimously, that a variance of .9% net lot coverage be APPROVED. Approval of the variance is contingent upon development in conformance with the approved site plan, Exhibit 2, and the approved elevation plans, Exhibits 3(a) and (b).**

V-97-14 Roman Catholic Archbishop of Washington

Request for variances of 6.25 feet front building line width, 15 feet front yard depth and 8 feet side yard width to validate existing conditions and construct a two-story addition, pergola and parking area at 14920 Main Street, Upper Marlboro. **The Board resolved, unanimously, that variances of 6.25 feet front building line width, 15 feet front yard depth and 8 feet side yard width be APPROVED. Approval of the variances is contingent upon development in conformance with the approved site plan, Exhibit 3, and the approved elevation plan, Exhibit 4.**

V-98-14 Devin & Amanda Chesney

Request for variances of 2 feet 6 inches front yard depth and 2 feet 2 inches side yard width to construct a two-story addition with basement garage, a one-story addition with basement, a covered front porch and a driveway at 7223 15th Avenue, Takoma Park. **The record was held open for technical assistance and for Petitioner to submit revised site and elevation plans.**

THE MEETING ADJOURNED AT 8:41 P.M.

Prepared and submitted by:

(Original Signed)

Anne F. Carter

Administrator

APPROVED