

JANUARY 29, 2014
BOARD OF APPEALS
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:17 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
Manda C. Fordyce, Administrative Aide

Also Present:
Janssen Evelyn, Associate County Attorney
Patricia Taylor, Property Standards Inspector, DPIE
Keith Goodhue, Construction Standards Inspector, DPIE

CASES FOR HEARING

NEW CASES

VARIANCES

V-117-13 Gregoria Israel

Request for a variance of 13.3% net lot coverage to construct a detached two-car garage and extend the existing driveway at 4516 Allies Road, Morningside. **The record was held open to allow the Town of Morningside the opportunity to submit comments.**

V-118-13 Samuel & Lisa Watkins

Request for a variance of 4.7% net lot coverage to construct a sunroom at 11406 Bayard Drive, Bowie. **The Board resolved, unanimously, that a variance of 4.7% net lot coverage be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2, and the approved elevation plan, Exhibit 3.**

V-120-13 Elias Quintanilla

Request for a variance of 7 feet front street line setback for an accessory building to validate and obtain a building permit for a shed and gazebo with deck at 12715 Old Fort Road, Fort Washington. **Determined that readvertisement is needed and a new hearing was scheduled for 2/26/14.**

At 7:09 p.m. the Board recessed and reconvened at 7:17 p.m.

V-121-13 Mirtha Guzman

Request for a variance of 15 feet front yard depth to validate an existing condition and construct a two-story addition at 708 60th Place, Capitol Heights. **The Board resolved, unanimously, that a variance of 15 feet front yard depth be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2, and the approved elevation plan, Exhibit 3.**

APPROVED

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

At 7:35 p.m. the Board recessed and reconvened at 7:36 p.m.

ADMINISTRATIVE APPEAL

AA-1660 Mark & Mechelle Myers

An appeal from the determination of the Department of Environmental Resources, Property Standards Division, to issue Violation Notice No. CSD Case No. 0202689, dated November 1, 2013, citing Petitioners with violating County Code Section 13-118(f) (Premises has the unlawful storage of wrecked, dismantled, inoperable, and/or unlicensed motor vehicle(s)) and requiring Petitioners to remove and maintain premises free of any wrecked, dismantled, inoperable, and/or unlicensed motor vehicle(s) (does not apply to any one (1) such vehicle kept in a wholly enclosed garage), on R-E (Residential-Estate) zoned property located at Parcel 23, Tax Map 83, Grid E3, being 2708 Brown Station Road, Largo, Prince George's County, Maryland. A request was also made for an extension of the grace period should the Board determine that a violation exists.

At 8:37 p.m. the Board recessed for Executive Session for legal advice and reconvened at 8:48 p.m.

The record was held open for 60 days to allow Petitioners the opportunity to correct the violation. At the end of the 60-day period, the County shall provide the Board with a progress report. The matter shall be added to the agenda for the next regular meeting of the Board as a discussion/decision item. If the Board determines that satisfactory progress has been made, a further extension may be granted. If the Board determines that progress is unsatisfactory, the Board shall affirm the determination to issue the violation notice and allow immediate enforcement by the Department of Permitting, Inspections and Enforcement.

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

DISCUSSION/DECISION

VARIANCES

V-97-13 Christopher Brown & Nataka Wilson

Request for a waiver of the location requirements for an accessory building used to house animals to validate an existing dog kennel at 18005 Sappling Court, Accokeek. **The Board resolved, unanimously, that a waiver of the location requirements for an accessory building used to house animals be APPROVED. Approval of the variance is contingent upon development in compliance with the approved revised site plan, Exhibit 2, and the approved elevation plans, Exhibits 3(a) and (b).**

V-102-13 Franco Fresco

Request for variances of 2 feet side yard width, 12 feet rear yard depth/width, 7.1% net lot coverage; and 3 feet side street line setback, 4 feet 8 inches accessory building height and a 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 detached garage at 9100 Armstrong Lane, Upper Marlboro. **The Board resolved, by majority vote, Ms. Mack in the minority, that variances of 2 feet side yard width, 12 feet rear yard depth/width, 7.1% net lot coverage and 3 feet side street**

APPROVED

line setback, 4 feet 8 inches accessory building height and a waiver of the rear yard location requirement 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) through (c).

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. **The record was held open for approval from the homeowners association of the plan submitted with the variance application.**

V-111-13 Milton & Darlene Harrison

Request for variances of 6.5 feet side yard width, .3% net lot coverage and a waiver of the dog kennel location requirements to validate existing conditions and obtain a building permit to complete construction of an attached carport at 7518 Blanford Drive, Fort Washington. **The Board resolved, unanimously, that variances of 6.5 feet side yard width, .3% net lot coverage and a waiver of the dog kennel location requirements be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2, and the approved elevation plan, Exhibit 3.**

MINUTES FOR APPROVAL FROM JANUARY 15, 2014 -- The Board resolved, unanimously, that the minutes be APPROVED.

THE MEETING ADJOURNED AT 9:09 P.M.

Prepared and submitted by:

(Original Signed)
Anne F. Carter
Administrator

APPROVED