

NOVEMBER 5, 2014
BOARD OF APPEALS
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:13 p.m. the Chairperson convened the meeting and the following members were present:

Bobbie S. Mack, Chairperson
Albert C. Scott, Vice Chairman
Emerson S. Davis, Sr., Attorney
Anne F. Carter, Administrator
Michael J. Royer, Communications Specialist

DISCUSSION/DECISION - 6:00 P.M.

OTHER ZONING APPEAL

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. **The Board resolved, by majority vote, Ms. Johnson absent, that an additional sixty (60) day continuance be GRANTED and the public hearing be rescheduled to 1/7/15.**

CASES FOR HEARING

NEW CASES

VARIANCES

V-74-14 Jose Guardado

Request for variances of 1 foot front yard depth, 7 feet side yard width, 10 feet rear yard depth/width and 8.8% net lot coverage to validate existing conditions and construct a second-floor deck at 5515 Carters Lane, Riverdale. **Spanish language translation services were provided by Ernesto Luna.**

At 6:58 p.m. the Board recessed for Executive Session for legal advice and reconvened at 7:05 p.m.

The Board resolved, by majority vote, Ms. Johnson absent, that variances of 1 foot front yard depth, 7 feet side yard width, 10 feet rear yard depth/width and 8.8% net lot coverage be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 26, and the approved elevation plan, Exhibit 3.

V-70-14 Thuc, Tam & Dung Nguyen

Request for variances of 5.4 feet front yard depth, 6 feet side yard width, 4.9% net lot coverage and a waiver of the parking area location requirement to validate existing conditions and construct an attached carport at 2421 Hannon Street, Hyattsville. **Petitioner chose to go forward without translation services which were not available. The Board resolved, by majority vote, Ms. Johnson absent, that**

APPROVED

variances of 5.4 feet front yard depth, 6 feet side yard width, 4.9% net lot coverage and a waiver of the parking area 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 plan, Exhibit 3.

V-75-14 Argbah Momolu

Request for a variance of 7.8% net lot coverage to validate an existing condition and obtain a building permit for a new shed at 6308 Carters Lane, Riverdale. **The Board resolved, by majority vote, Ms. Johnson absent, that a variance of 7.8% 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 plans, Exhibits 3(a) and (b).**

V-76-14 Anand Devadas

Request for a variance of 2.2 feet front yard depth to validate an existing condition and construct a one-story addition at 1202 Dunbar Oaks Drive, Capitol Heights. **The Board resolved, by majority vote, Ms. Johnson absent, that a variance of 2.2 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.**

V-77-14 Gloria Peralta

Request for a waiver of the parking area location requirement to construct a driveway in the front yard at 6942 Emerson Street, Hyattsville. **The Board resolved, by majority vote, Ms. Johnson absent, that a waiver of the parking area location requirement be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2.**

V-79-14 Catherine Bussie

Request for a variance of 2 feet side yard width to construct a deck at 8913 Crandall Road, Lanham. **The Board resolved, by majority vote, Ms. Johnson absent, that a variance of 2 feet side yard width be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2, and the approved elevation plans, Exhibits 3(a) and (b).**

MINUTES FOR APPROVAL FROM OCTOBER 22, 2014 -- Held for consideration at the Board's next regular meeting.

THE MEETING ADJOURNED AT 8:32 P.M.

Prepared and submitted by:

(Original Signed)
Anne F. Carter
Administrator

APPROVED