

MAY 7, 2014  
BOARD OF APPEALS  
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:21 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**

**ADMINISTRATIVE APPEAL**

AA-1664 RCCG Restoration Center

An appeal from the determination of the Department of Permitting, Inspections and Enforcement, Licenses and Inspections Division, to issue Building Violation Notice No. 5646-14-00, dated February 24, 2014, citing Petitioner with violating 2012 IBC Code Sections 105.1, 111.1 and 111.3 as amended by Prince George's County Code Section 4-117, and requiring Petitioner to obtain the required building permit(s) needed to get a valid Use and Occupancy Permit from the Prince George's County License & Inspection Division and informing Petitioner that it is unlawful to occupy the structure at this time, on C-S-C (Commercial Shopping Center) zoned property located at Parcel 5, Tax Map 26, Grid F4, being 121 (AKA 111) Centerway Road, Greenbelt. **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-16-14 Willie & Miyoshi Davis

Request for variances of 4 feet front yard depth for a covered front porch, 6.5 feet rear yard depth/width for an attached carport, 16.9% net lot coverage, 8 feet rear lot line setback for an accessory building; 25 feet side street yard depth, 8 feet side yard width and 20 feet rear yard depth/width for a brick wall/fence over 6 feet in height; and waivers of the fence/wall location and height requirements for fence/wall structures in the front and side yards and in the triangle area of a corner lot to validate existing conditions and obtain a building permit for an existing wrought iron fence (with brick columns) up to 52 inches in height and brick wall (topped with wrought iron fence) 76 inches in height at 1156 Booker Drive, Seat Pleasant. **The record was held open for technical assistance, to allow Petitioners the opportunity to submit documents regarding installation of the fence/wall and to allow the neighbors residing next door at 1158 Booker Drive (Lot 13) the opportunity to submit photographs.**

At 8:08 p.m. the Board recessed and reconvened at 8:22 p.m.

**APPROVED**

V-22-14 Derrick & Daria Bailey

Request for a variance of 7 feet side yard width to construct an attached garage at 11109 Pompey Drive, Upper Marlboro. **The Board resolved, unanimously, that a variance of 7 feet side yard 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).**

V-23-14 Ismael Tlapechco & Samuel Hernandez

Request for a variance of 10.7% net lot coverage and a waiver of the parking area location requirement to validate existing conditions and obtain a building permit for a covered patio at 5518 Duchaine Drive, Lanham. **The Board resolved, unanimously, that a variance of 10.7% net lot coverage 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, and the approved elevation plans, Exhibits 3(A) through (C).**

V-25-14 Zilly Myers-Spencer

Request for variances of 4 feet front yard depth, 4% net lot coverage and a waiver of the parking area location requirement to validate an existing condition and construct a driveway in the front yard at 824 Cox Avenue, Hyattsville. **The record was held open for Petitioner to submit a revised site plan indicating that a 10' x 20' driveway is proposed.**

V-26-14 Rahjan Murray

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 wooden privacy fence at 3508 Tyrol Drive, Glenarden. **The record was held open to allow Petitioner the opportunity to submit revised site and/or elevation plans and to allow the City of Glenarden the opportunity to submit comments.**

V-27-14 521 68th LLC

Request for a variance of 4.6% net lot coverage to construct a two-story single-family dwelling and driveway at 521 68th Place, Capitol Heights. **The Board resolved, unanimously, that a variance of 4.6% 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 plan, Exhibit 3.**

At 9:42 p.m. the Board recessed and reconvened at 9:49 p.m.

## **DISCUSSION/DECISION VARIANCES**

V-18-14 Barry & Roni Polisar, Trustees

Request for variances of 12.5 feet front yard depth, 13.4% net lot coverage, and 1 foot 6 inches side lot line and 1 foot 4 inches rear lot line setbacks for an accessory building to validate existing conditions and reconstruct/restore an existing covered front porch with steps at 4510 Riverdale Road, Riverdale Park. **The Board resolved, unanimously, that variances of 12.5 feet front yard depth, 13.4% net lot coverage, and 1 foot 6 inches side lot line and 1 foot 4 inches rear lot line setbacks for an accessory building be APPROVED. Approval of the variances is contingent upon development in conformance with the approved site plan, Exhibit 3, and the approved elevation plans, Exhibits 4(a) and (b).**

**APPROVED**

V-19-14 Lucille & Donald Hunter, Sr.

Request for a variance of 18 feet rear yard depth/width and a waiver of the fence location requirement to construct an 8-foot high chain link fence around a basketball court in the rear yard at 3311 Valley Forest Drive, Upper Marlboro. **The Board resolved, unanimously, that a variance of 18 feet rear yard depth/width and a waiver of the fence location requirement be APPROVED. Approval of the variances is contingent upon development in conformance with the approved site plan, Exhibit 2, and the approved revised elevation plan, Exhibit 19.**

V-21-14 Ralph Newell

Request for a variance of 6 feet side yard width to construct an attached garage and driveway extension at 3703 Spring Terrace, Temple Hills. **The Board resolved, unanimously, that a variance of 6 feet side yard width be DENIED.**

**MINUTES FOR APPROVAL FROM APRIL 23, 2014 -- The Board resolved, unanimously, that the minutes be APPROVED.**

THE MEETING ADJOURNED AT 9:59 P.M.

Prepared and submitted by:

(Original Signed)  
Anne F. Carter  
Administrator

**APPROVED**