

MARCH 27, 2013
BOARD OF APPEALS
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:20 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:

Thomas Mitchell, Associate County Attorney
Brian Bregman, Counsel for Accokeek VFD
Glenn Sherman, Acting President, Accokeek VFD
Kathryn Fortgang, Vice President, Accokeek VFD
Adam Ortiz, Acting Director, DER
Gary Cunningham, Deputy Director, DER
Behdad Kashanian, Acting Associate Director, DER
William Edelen, DER, Property Standards Division
Bradley Goshen, DER, Section Head
Raymond Gordon, Police Department

MINUTES FOR APPROVAL FROM MARCH 13, 2013 – The Board resolved, by majority vote, Ms. Mack abstaining, that the minutes be APPROVED.

CASES FOR HEARING

NEW CASES

VARIANCES

V-9-13 Charli Jackson

Request for variances of 1,000 square feet net lot area, 10 feet front building line width, 2.4 feet front yard depth and 19.3% net lot coverage to validate existing conditions and construct a second-floor addition and deck at 3911 Lawrence Street, Brentwood. **Rescheduled to 4/24/13.**

V-10-13 Par Management, LLC

Request for variances of 1,000 square feet net lot area, 10 feet front building line width, 7 feet front yard depth and 17 feet side street yard depth to validate existing conditions and construct a covered wrap-around porch at 3909 Newton Street, Colmar Manor. **Rescheduled to 4/24/13.**

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

APPROVED

ADMINISTRATIVE APPEALAA-1654 Accokeek Volunteer Fire Department, Inc.

An appeal from the determination of the Acting Director, Department of Environmental Resources, by letter dated December 4, 2012, to refuse the request for a permit to hold a gun raffle, per County Code Section 5-112(a)(1)(2) and (3) (Except as provided in Section 5-112.01 for charitable gaming events, the Department may refuse to grant the permit if it finds that the proposed benefit performance will cause a traffic problem detrimental to the use of the general public, the noise created by the benefit performance will be an unreasonable invasion on the adjoining property owner, or for other reasons that might jeopardize the health, safety, or welfare of the area or the County), on R-R (Rural Residential) zoned property located at 16111 Livingston Road, Accokeek.

At 7:32 p.m. the Board recessed and reconvened at 7:40 p.m.

At 9:29 p.m. the Board recessed and reconvened at 9:41 p.m.

The Board resolved, unanimously, that the determination of the Acting Director, Department of Environmental Resources, to refuse the request for the permit be AFFIRMED.

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

DISCUSSION/DECISION**VARIANCES**V-78-12 George Buckmon

Request for variances of 2.5 feet left side yard width, 8 feet right side yard width and 19% net lot coverage to validate existing conditions and obtain a building permit for an attached carport and detached garage at 4709 Iverson Place, Temple Hills. **The Board resolved, unanimously, that variances of 2.5 feet left side yard width, 8 feet right side yard width and 19% net lot coverage 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)-(c) (deck), 4(a)-(c) (sunroom), 5(a)-(d) (carport) and 6 (garage). Prior to the issuance of any building permit, an agreement shall be signed by Petitioner and the County which includes, but is not limited to, the terms and conditions set forth in the Board's written decision and Exh. 28. Prior to the issuance of any building permit, this agreement shall be recorded against the property in the land records of the County for future reference.**

V-1-13 Stephen & Sheree Haughton

Request for variances of 5.9% net lot coverage and 1.5 feet side lot line setback for one shed and .5 foot side lot line setback for a second shed to validate existing conditions and obtain a building permit for a detached garage addition and driveway extension at 8604 Dunbar Avenue, Hyattsville. **The Board resolved, by majority vote, Mr. Scott abstaining, that a variance of 4.9% net lot coverage be APPROVED. Approval of the variance is contingent upon development in compliance with the approved revised (2) site plan, Exhibit 25, and the approved elevation plan, Exhibit 3.**

APPROVED

THE MEETING ADJOURNED AT 10:18 P.M.

Prepared and submitted by:

(Original Signed)
Anne F. Carter
Administrator

APPROVED