

APRIL 10, 2013
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
Anastasia T. Johnson, Member
Emerson S. Davis, Sr., Attorney
Anne F. Carter, Administrator
Manda C. Fordyce, Administrative Aide

CASES FOR HEARING

NEW CASES

VARIANCES

V-11-13 Keesha Morris

Request for a variance of 6 feet rear yard depth/width to validate and obtain a building permit for a deck at 3401 Forest Rose Court, District Heights. **The Board determined that since the Planning Board must review and approve any variance for the subject property in conjunction with a revision of the Detailed Site Plan, the Board does not have jurisdiction to hear the variance request. The Board resolved, unanimously, that the appeal be DISMISSED as filed in error; and the Board further resolved, unanimously, that a full refund of Petitioner's filing fee be GRANTED.**

V-12-13 Juan Ruiz & Rosa Yanez

Request for a variance of 8.9% net lot coverage and a waiver of the parking area location requirement to construct a driveway in the front yard of a semi-detached single-family dwelling at 2418 Kirston Street, Hyattsville. **The record was held open until 4/24/13 for Petitioners to submit a revised site plan showing a driveway reduced in size to 9.5' x 19'.**

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

DISCUSSION/DECISION
ADMINISTRATIVE APPEAL

AA-1652 Jan Daniels

An appeal from the determination of the Department of Environmental Resources, Property Standards Division, to issue Violation Notice CSD 156-012-033, dated March 13, 2012, citing Petitioner with violation of Housing Code Sections 13-118(a) (Exterior property area has/have dead tree(s) and is being used for open storage of items to include but not limited to rubbish, garbage and building materials); 13-118(d) (Exterior property area has an accumulation of tall grass and weeds); 13-118(f) (Premises has the unlawful storage of wrecked, dismantled, inoperable, and/or unlicensed motor vehicle(s)); and 13-118(g) (Firewood is stacked on the ground), and requiring Petitioner to remove dead tree(s), debris and stored items and maintain the premises in a clean and sanitary condition; maintain all premises and exterior property from weeds or plant growth in excess of twelve inches; remove and maintain the premises free of any wrecked, dismantled, inoperable, and/or unlicensed vehicle(s); and maintain cut firewood to

APPROVED

lengths for final use neatly stacked at least eighteen (18) inches above the ground in open racks, or not less than six (6) inches above a weed free surface); at the subject premises, which is R-R (Rural Residential) zoned property located at Lot 3, Middleton Valley Subdivision, being 5907 Center Drive, Temple Hills. **The Board resolved, unanimously, that the determination of the Department of Environmental Resources, Property Standards Division, to issue Violation Notice CSD 156-012-033, dated March 13, 2012, citing Petitioner with violation of Housing Code Section 13-118(f) (Premises has the unlawful storage of wrecked, dismantled, inoperable, and/or unlicensed motor vehicle(s)) be AFFIRMED.**

MINUTES FOR APPROVAL FROM MARCH 27, 2013 -- The Board resolved, unanimously, that the minutes be APPROVED.

THE MEETING ADJOURNED AT 6:54 P.M.

Prepared and submitted by:

(Original Signed)
Anne F. Carter
Administrator

APPROVED