

NOVEMBER 14, 2012  
BOARD OF APPEALS  
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:15 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

**DISCUSSION/DECISION**

**VARIANCE**

V-76-12 Jeffrey & Suzanne Baldwin-Bott

Request for a variance of 17 feet front yard depth to validate an existing condition, enclose an existing front porch and construct a new covered front porch and steps at 5714 Berwyn Road, Berwyn Heights. **The Board resolved, unanimously, that a variance of 17 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.**

**OTHER ZONING APPEAL**

V-6-11 Cerrito Management LLC

An appeal from the determination of the Property Standards Inspector, Department of Environmental Resources, to issue Zoning Violation Notice Z-809-8-11, dated December 7, 2010, citing Petitioner with violation of Zoning Ordinance Section 441(b)(6) and requiring Petitioner to cease maintenance of a two or three-family dwelling and to revert the structure to a one-family dwelling on R-55 (One-Family Detached Residential) zoned property located at Lot 29, Block A, Harwood Subdivision, being 5210 Brinkley Road, Temple Hills. **The Board resolved, unanimously, that the appeal be DISMISSED and that a fifty percent (50%) refund of Petitioner's filing fee be GRANTED.**

**MINUTES FOR APPROVAL FROM OCTOBER 17, 2012 -- The Board resolved, unanimously, that the minutes be APPROVED.**

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

**CASES FOR HEARING**

**NEW CASES**

**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

**APPROVED**

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 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. **Rescheduled for hearing on 12/12/12.**

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

### **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 record was held open for technical assistance regarding the recorded 20-foot storm drain/sanitary sewer right-of-way on the right side of the property.**

#### V-79-12 Felicia Buadoo

Request for a waiver of the fence height requirement to construct a 6-foot steel fence in the front yard at 2018 Shadyside Avenue, Suitland. **The record was held open until 11/28/12 to allow Petitioner the opportunity to submit a revised site plan.**

At 7:56 p.m. the Board recessed and reconvened at 8:08 p.m.

#### V-80-12 4820 Lexington Avenue LLC

Request for variances of 9 feet front yard depth, 1 foot right side yard width, 5 feet left side yard width and a waiver of the parking area location requirement to validate existing conditions and construct a driveway in the front yard at 4820 Lexington Avenue, Beltsville. **The Board resolved, unanimously, that variances of 9 feet front yard depth, 1 foot right side yard width and a waiver of the parking area location requirement be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 18.**

#### V-81-12 Joseph Acqui, Jr.

Request for a waiver of the parking area location requirement to construct a circular driveway in front of a single-family dwelling under construction at 1003 Colleen Court, Fort Washington. **The Board resolved, unanimously, that a waiver of the parking area location requirement**

**APPROVED**

**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.**

THE MEETING ADJOURNED AT 8:53 P.M.

Prepared and submitted by:

(Original Signed)  
Anne F. Carter  
Administrator

**APPROVED**