

SEPTEMBER 25, 2013  
BOARD OF APPEALS  
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:16 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

**MINUTES FOR APPROVAL FROM SEPTEMBER 11, 2013 -- The Board resolved, unanimously, that the minutes be APPROVED.**

**CASES FOR HEARING**

**NEW CASES**

**VARIANCES**

V-81-13 Darrin Brown

Request for a variance of 8.5 feet rear yard depth/width to validate an existing condition and construct a deck at 2806 White Pine Court, Temple Hills. **Hearing rescheduled to 10/9/13.**

V-82-13 Angel Serrano

Request for waivers of the fence location and height requirements to construct a 6-foot wooden privacy fence in the front yard at 8800 Clayton Lane, Clinton. **The Board resolved, unanimously, that waivers of the fence location and height requirements be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 20, and the approved elevation plans, Exhibits 4(a) and 4(b).**

V-83-13 Henry & Paula Graves

Request for a variance of 5 feet front yard depth and a height variance of 11 inches for an accessory building to validate existing conditions and obtain final inspection of an enclosed porch, deck, attached garage, driveway extension and shed with deck at 9219 Sherry Lane, Clinton. **The record was held open for a legal opinion regarding the authority of the Board to grant a variance to maximum accessory building height.**

**DISCUSSION/DECISION**

**VARIANCES**

V-45-13 Vincent & Angelina Chukwuocha

Request for variances of 15 feet rear yard depth/width and 6.4% net lot coverage to construct a one-story addition with second-floor deck at 4608 Holmehurst Way, Bowie. **The matter was taken under advisement until 10/23/13.**

V-72-13 SM Waterford Estates LLC

Request for a variance of .8% net lot coverage to construct a new single-family dwelling and driveway at 12902 Halls Purchase Lane, Bowie. **The Board resolved, unanimously, that a variance of .8% net lot**

**APPROVED**

coverage be **APPROVED**. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 3, and the approved elevation plan, Exhibit 4.

V-79-13 LaShawn Eley

Request for variances of 1 foot side yard width, 32.9% net lot coverage and a waiver of the parking area location requirement to validate existing conditions and obtain a building permit for a driveway in the front, side and rear yards and a 6-foot privacy fence at 9125 Lanham Severn Road, Lanham.

At 7:16 p.m. the Board recessed for Executive Session for legal advice and reconvened at 7:19 p.m.

**The record was held open until 10/23/13 for technical assistance.**

**OTHER ZONING APPEAL**

V-31-12 Iglesia Christiana Rios De Agua Viva Inc.

An appeal from the determination of the Property Standards Inspector, Department of Environmental Resources, to issue Zoning Violation Notice Z-1620-6-12, dated April 18, 2012, citing Petitioner with violation of Zoning Ordinance Section 27-441(b)(1) (Operation of a business, including the practice of having employees report to the property for work and/or storage of equipment and materials) and requiring Petitioner to cease use of the premises for said purpose and remove all vehicles, trailers, equipment, materials and supplies associated with the use from the site, which is R-80 (One-Family Detached Residential) zoned property located at Tax Map 73, Grid E3, Parcel 255, being 7222 Walker Mill Road, Capitol Heights. **Hearing postponed until 11/20/13.**

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

**ADMINISTRATIVE APPEAL**

AA-1657 Agubuzo/Ameritech Automotive, Inc.

An appeal from the determination of the Building Code Official, Department of Environmental Resources, dated May 24, 2013, to revoke Use & Occupancy Permit No. 32082-2009-U pursuant to Prince George's County Code, Part II, Title 17, Subtitle 4, Section 4-112(c), amending International Building Code (2012 Ed.) Section 105.6, and International Building Code (2012 Ed.) Section 111.4, for the property located at 3501 Maryland Avenue, Hyattsville. **The Board resolved, unanimously, that the appeal be DISMISSED.**

THE MEETING ADJOURNED AT 7:47 P.M.

Prepared and submitted by:

(Original Signed)  
Anne F. Carter  
Administrator

**APPROVED**