

APRIL 8, 2015
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
Cody Cox, Communications Specialist

Also Present:

Jared M. McCarthy, Deputy County Attorney
Bryon S. Bereano, Associate County Attorney
William Edelen, Code Enforcement Official, DPIE
Robert Gentry, Property Standards Inspector, DPIE
Jon Rasmussen, Property Standards Inspector, DPIE

CASES FOR HEARING

OTHER ZONING APPEAL

V-99-14 Sun Services, LLC

An appeal from the determination of the Property Standards Senior Inspector, Department of Permitting, Inspections and Enforcement, Enforcement Division, to issue Zoning Violation Notice Z-873-1-15, dated December 12, 2014, citing Petitioner with violation of Zoning Ordinance Section 27-253(c) (Use of the property not in conformance with the Use and Occupancy Permit and/or accompanying site plan) and requiring Petitioner to revert the property back to the approved use and site plan for the approved Use and Occupancy Certificate #44395-2013-00 (As listed under the "LIMITATIONS" of this Certificate, "OK for recycling facility per CR-65-2009," a Council Resolution approving this business, which states "all incoming debris will be weighted, inspected to insure that only acceptable materials are delivered and deposited inside of a wholly enclosed building for sorting." Corrective Action: Certificate of Occupancy Permit No. 44395-2013-00 and the accompanying plans require that the sorting of acceptable materials must be conducted within a wholly enclosed building. CR-65-2009 expressly imposes this requirement on the subject premises and this requirement is incorporated into the Certificate of Occupancy Permit No. 44385-2013-00. All doors at the subject premises must remain closed while sorting acceptable materials.) on I-2 (Heavy Industrial) zoned property located at Lots 25 thru 30, Block 56, Beltsville Subdivision, being 11210 Somerset Avenue, Beltsville.

At 8:31 p.m. the Board recessed and reconvened at 8:40 p.m.

The record was held open for an additional hearing on 6/17/15.

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

APPROVED

ADMINISTRATIVE APPEALSAA-1670 Gary Shipp

An appeal from the determination of the Department of Permitting, Inspections and Enforcement, Inspections Division, to issue Building Violation Notice No. 26890-14-00, dated July 22, 2014, citing Petitioner with violating 2012 IBC Sections 105.1 (as amended by Prince George's County Code Section 4-111) and 107.4 and Prince George's County Code Sections 32-126, 32-179, 4-352(i)24 and 9-112 requiring Petitioner to obtain the required permits for all work done including, but not limited to, placement of mobile office trailer, placement of steel conex boxes used for storage, construction of two story wooden office structure inside steel building, and additional parking area; install handicap parking in accordance with the approved site plan; obtain the required grading permit for all grading performed in excess of 5,000 square feet; install all bio-retention areas in accordance with the approved SWM plan; and obtain an electrical permit for electrical work in the two story office and mobile office trailer, on I-2 (Heavy Industrial) zoned property located at Lots 9 thru 30, Block 56, Beltsville Subdivision, being 11210 Somerset Avenue, Beltsville. **The appeal was withdrawn. The Board resolved, unanimously, that the appeal be DISMISSED.**

AA-1672 Sun Services, LLC

An appeal from the determination of the Department of Permitting, Inspections and Enforcement, Inspections Division, to issue a violation notice, dated July 22, 2014, citing Petitioner with violating County Code Sections 32-126 and 32-127 (Except as exempted in Section 32-127, no person shall do, nor shall the property owner permit any site development or grading of land for any purpose without the owner/permittee of the said land first having obtained a grading permit from the Director) and requiring Petitioner to remove asphalt millings or obtain a grading permit to install millings, on I-2 (Heavy Industrial) zoned property located at Lots 9 thru 30, Block 56, Beltsville Subdivision, being 11210 Somerset Avenue, Beltsville. **The appeal was withdrawn. 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.

DISCUSSION/DECISION**VARIANCES**V-92-14 Columbia Group Recap, LLC

Request for a variance of 2 feet accessory building height to validate and obtain a building permit for a detached 3-car garage and driveway extension at 14721 Dunbarton Drive, Upper Marlboro. **It was determined that the revised elevation plans indicate that a larger variance is needed, a new hearing shall be scheduled for 4/29/15 and Petitioner shall pay the costs to readvertise and repost.**

REQUEST FOR RECONSIDERATIONV-83-14 Paul Oriafio

Request for variances of 18.4% net lot coverage, 9 feet rear lot line setback for one accessory building and 1 foot rear lot line setback for a second accessory building to validate and obtain a building permit for a deck, driveway area and two detached carports at 8714 Fort Foote Road, Fort Washington.

At 8:59 p.m. the Board recessed for Executive Session for legal advice and reconvened at 9:05 p.m.

APPROVED

The Board resolved, unanimously, that the previous decision of the Board be AFFIRMED and the request for reconsideration be DENIED.

MINUTES FOR APPROVAL FROM MARCH 25, 2015 -- The Board resolved, unanimously, that the minutes be APPROVED.

THE MEETING ADJOURNED AT 9:06 P.M.

Prepared and submitted by:

(Original Signed)
Anne F. Carter
Administrator

APPROVED