

FEBRUARY 26, 2014
BOARD OF APPEALS
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:14 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:

Jared M. McCarthy, Deputy County Attorney
Matthew M. Gordon, Associate County Attorney
William K. Edelen, Code Enforcement Officer, DPIE
Roger Albright, Construction Standards Inspector, DPIE

CASES FOR HEARING

NEW CASES

OTHER ZONING APPEAL

V-96-13 Ameritech Auto, Inc.

An appeal from the determination of the Enforcement Inspector, Department of Permitting, Inspections and Enforcement, Enforcement Division, to issue Zoning Violation Notice Z-535-5-14, dated October 9, 2013, 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) which states that Use and Occupancy Permit No. 3325-2013-1 and the accompanying site plans do not permit the installation or outdoor storage of tires and auto accessories at the subject property, and requires that Petitioner revert the subject property's use in conformance with Use and Occupancy Permit No. 3325-2013-1 and the accompanying site plans, for C-S-C (Commercial Shopping Center) zoned property at 3505 Maryland Avenue, Hyattsville.

At 6:40 p.m. the Board recessed for Executive Session for legal advice and reconvened at 6:49 p.m.

Petitioner's request to reschedule the hearing and repost the property was granted. Hearing on the matter is rescheduled to 4/2/14 at 6:00 P.M. Counsel for Petitioner stated that he will be responsible for assuring that all posting requirements are met and that Petitioner will operate within the limits of the use and occupancy permit.

VARIANCES

NEW HEARING

V-120-13 Elias Quintanilla

Request for a variance of 7 feet front street line setback for an accessory building to validate and obtain a building permit for a detached shed/garage and gazebo with deck at 12715 Old Fort Road, Fort Washington. **The Board resolved, unanimously, that a variance of 7 feet front street line setback for an accessory building be APPROVED. Approval of the variance is contingent upon development in compliance**

APPROVED

with the approved site plan, Exhibit 2, and the approved elevation plans for the detached garage/shed, Exhibits 3(a) through (d), and gazebo with deck, Exhibits 4(a) through (c).

NEW CASES (CONT'D)

V-4-14 Thomas Poulos

Request for a variance of 7.2% net lot coverage to validate an existing condition and replace an existing driveway at 6710 44th Avenue, Hyattsville. **The Board resolved, unanimously, that a variance of 7.2% net lot coverage be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2.**

V-5-14 Virginia Nabinett

Request for variances of 4 feet front yard depth and 3.9% net lot coverage to construct a covered front porch and one-story addition at 6940 Halleck Street, District Heights. **The Board resolved, unanimously, that variances of 4 feet front yard depth and 3.9% 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) and (b).**

V-6-14 Juan Perez & Norma Ramirez

Request for a variance of 10 feet front yard depth to validate an existing condition and obtain a building permit for a new two-story addition and proposed open wood porch with steps at 5005 Oglethorpe Street, Riverdale. **The record was held open to allow the Town of Riverdale Park the opportunity to submit comments.**

V-7-14 Karl Walls

Request for a waiver of the rear yard location requirement for an accessory building to construct a detached shed/garage and driveway extension at 15000 Brandywine Road, Brandywine. **The Board resolved, unanimously, that a waiver of the rear yard location requirement for an accessory building 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.**

V-8-14 Marc & Brook Simpson

Request for waivers of the fence location and height requirements to construct a 6-foot vinyl fence with lattice in the front yard at 13201 Old Fletchertown Road, Bowie. **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 19, and the approved elevation plans, Exhibit 3(a) and (b).**

DISCUSSION/DECISION

VARIANCES

V-117-13 Gregoria Israel

Request for a variance of 13.3% net lot coverage to construct a detached two-car garage and extend the existing driveway at 4516 Allies Road, Morningside. **The Board resolved, unanimously, that a variance of 13.3% net lot coverage be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2, and the approved elevation plans, Exhibits 3(a) through (d).**

APPROVED

MINUTES FOR APPROVAL FROM FEBRUARY 19, 2014 – The Board resolved, by majority vote, Mr. Scott abstaining, that the minutes be APPROVED.

THE MEETING ADJOURNED AT 8:25 P.M.

Prepared and submitted by:

(Original Signed)
Anne F. Carter
Administrator

APPROVED