



THE PRINCE GEORGE'S COUNTY GOVERNMENT

BOARD OF ZONING APPEALS

BOARD OF ADMINISTRATIVE APPEALS

WAYNE K. CURRY COUNTY ADMINISTRATION BUILDING, LARGO, MARYLAND 20774
TELEPHONE (301) 952-3220

NOTICE OF FINAL DECISION

OF BOARD OF APPEALS

RE: Case No. AA-1769 Thomas Plummer and Kathleen Simmo

Enclosed herewith is a copy of the Board Order setting forth the action taken by the Board of Appeals in your case on the following date: November 8, 2023.

CERTIFICATE OF SERVICE

This is to certify that on January 24, 2024 , the above notice and attached Order of the Board were mailed, postage prepaid, to all persons of record.

A handwritten signature of Barbara J. Stone is written over a horizontal line.

Barbara J Stone
Administrator

cc: Petitioner
Adjoining Property Owners
M-NCPPC, Permit Review Section
DPIE/Building Code Official, Permitting

BEFORE THE BOARD OF APPEALS FOR PRINCE GEORGE'S COUNTY, MARYLAND
Sitting as the Board of Administrative Appeals

Petitioner: Thomas Plummer and Kathleen Simmo

Appeal No.: AA-1769

Subject Property: Lot 1, Block P, Subdivision Eastpines, located at 6401 Oliver Street, Riverdale, Prince George's County

Counsel for Prince George's County Department of Permitting, Inspections and Enforcement (DPIE):
Calisa Smith, Esq.

Action by the Board: November 8, 2023

Board Members Present and Voting: Bobbie S. Mack, Chairperson

Teia Hill, Member

Renee Alston, Member

Board Member Absent:
Carl Isler, Member
Anastasia Johnson

RESOLUTION

This appeal was filed with the Board of Appeals for Prince George's County, Maryland, sitting as the Board of Administrative Appeals, from the determination of the Department of Permitting, Inspections and Enforcement, Inspections Division, to issue Violation Notice CSD No. 23-00014007, dated May 30, 2023, citing Petitioner with violating County Code 1) Section 13-264, Section 13-265, Section 13-267 which prescribe that accumulation of litter and rubbish, high grass and weeds (Height great than 12 inches), and/or inoperable dismantled and unlicensed motor vehicles. 2) International Property Maintenance Code (2018), Section 108.1.1, Housing Code Section 13-113(c), Section 13-114, Section 13-113(d) which prescribe structures on premises is open, vacant, and not secured are declared a hazard to the public. Consequently, the owner of this dwelling on RSF-65 (Residential, Single-Family-65) Zoned, property known as Lot 1, Block P, Subdivision Eastpines, located at 6401 Oliver Street, Riverdale, MD 20737 must correct all the items applicable to prevent issues in detriment to the community. A request was also made for an extension of the grace period should the Board determine that a violation exists.

On November 6, 2023, a Motion to Dismiss was submitted to Board of Appeals by Counsel Calisa Smith, Esq. Associate County Attorney, Prince George's County Office of Law. It was determined that the dismissal of appeal is appropriate due to the lack of jurisdiction over the specified violations. It has also been determined that the appeal must be properly heard by the Prince George's County Administrative Hearing Unit.

BE IT THEREFORE RESOLVED, by majority vote, Mr. Isler and Ms. Johnson absent, that the determination made by the Prince George's County Office of Law be affirmed and therefore, be DISMISSED.

BOARD OF ADMINISTRATIVE APPEALS

By:

Bobbie S. Mack

Bobbie S. Mack, Chairperson

Approval of Legal Sufficiency

By: **Ellis Watson**

Ellis Watson, Esq.

cc: Petitioner
DPIE/Inspections Division
Office of Law

Signature: Ellis F. Watson
Ellis F. Watson (Jan 23, 2024 15:19 EST)

Email: efwatson@co.pg.md.us