

APRIL 13, 2016
BOARD OF APPEALS
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:24 p.m. the Vice Chairman convened the meeting and the following members were present:

Albert C. Scott, Vice Chairman
Anastasia T. Johnson, Member
Emerson S. Davis, Sr., Attorney
Anne F. Carter, Administrator
Aminah Bushrod, Communications Specialist

Also Present:
Lauren Clagett, DPIE, Construction Standards Inspector
Ernesto Luna, Spanish Language Interpreter

CASES FOR HEARING

NEW CASES

OTHER ZONING APPEAL

V-129-15 CTI Towing LLC

An appeal from the determination of the Property Standards Inspector, Department of Permitting, Inspections and Enforcement, Enforcement Division, to issue Zoning Violation Notice Z-788-5-16, dated October 6, 2015, 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 #31367-2012, on I-1 (Light Industrial) zoned property at 4825 Lydell Road, Hyattsville. **On 4/4/16, Petitioner withdrew the appeal. The Board resolved, by majority vote, Ms. Mack absent, that the appeal be DISMISSED.**

VARIANCES

V-14-16 Salvador Hernandez

Request for a waiver of the parking area location requirement to validate existing conditions, construct a 1-foot concrete wall and obtain a building permit for an existing extended driveway and detached carport at 7225 Oliver Street, Lanham. **Spanish language interpreter services were provided. The Board resolved, by majority vote, Ms. Mack absent, that a waiver of the parking area location requirement be APPROVED. Approval of the variance is contingent on development in conformance with the approved site plan, Exhibit 2.**

At 7:10 p.m. Chairperson Mack arrived at the meeting.

V-11-16 Clementine & Lawrence Parker, Jr.

Request for variances of 1.5 feet side yard width, 11% net lot coverage and a waiver of the parking area location requirement to validate existing conditions and obtain a building permit for new concrete driveway area at 6317 Joslyn Place, Cheverly. **The Board resolved, unanimously, that variances of 1.5 feet side yard width, 11% net lot coverage and a waiver of the parking area location requirement be APPROVED. Approval of the variances is contingent on development in conformance with the approved site plan, Exhibit 2.**

APPROVED

V-13-16 Robert & Brenda Samuels

Request for variances of 3 feet front yard depth, 7 feet side street yard depth and 2.8% net lot coverage to validate an existing condition and construct a one-story addition at 9106 Oxon Hill Road, Fort Washington. **The Board resolved, unanimously, that variances of 3 feet front yard depth, 7 feet side street yard depth and 2.8% net lot coverage be APPROVED. Approval of the variances is contingent on development in conformance with the approved site plan, Exhibit 2, and the approved revised elevation plans, Exhibits 20(a) and (b).**

At 8:02 p.m. the Board recessed and reconvened at 8:13 p.m.

V-15-16 Dionna Knox

Request for a variance of 10 feet front street line setback and a waiver of the rear yard location requirement to validate and obtain a building permit for a shed in the side yard at 7601 Red Fox Court, Clinton. **The Board resolved, unanimously, that a variance of 10 feet front street line setback and a waiver of the rear yard location requirement for an accessory building be APPROVED. Approval of the variances is contingent on development in conformance with the approved site plan, Exhibit 2, and the approved elevation plan, Exhibit 3.**

V-16-16 Anthony & Francia Rembert

Request for variances of 200 square feet net lot area, 17 feet total side yard width, 16 feet rear yard depth/width, 2.5% net lot coverage and a waiver of the fence location requirements to validate existing conditions and obtain a building permit for a white vinyl privacy fence varying in height up to 6 feet with an additional 3 feet of lattice on top (fence/lattice has maximum height of 9 feet) at 4303 Quinn Street, Capitol Heights. **The Board resolved, unanimously, that variances of 200 square feet net lot area, 10 feet total side yard width, 16 feet rear yard depth/width, 2.5% net lot coverage and a waiver of the fence location requirements be APPROVED. Approval of the variances is contingent on development in conformance with the approved site plan, Exhibit 4, and the approved elevation plans, Exhibits 5(a) thru (c).**

V-18-16 Doris Gean

Request for variances of 8 feet front yard depth and .8% net lot coverage to construct a covered front porch at 4802 Riverdale Road, Riverdale. **The record was held open to allow the Town of Riverdale Park the opportunity to comment on the request.**

V-19-16 Victor Alvarado-Pena

Request for a waiver of the parking area location requirement to construct a driveway in the front yard at 3412 63rd Avenue, Cheverly. **The Board resolved, unanimously, that a waiver of the parking area location requirement be APPROVED. Approval of the variance is contingent on development in conformance with the approved site plan, Exhibit 2.**

V-20-16 Robert & Julie Michels

Request for waivers of the fence location and height requirements for a fence over 4 feet in height in the front yard to construct a 6-foot wooden privacy fence in the front yard (along Enterprise Road) at 12300 Kings Valley Court, Mitchellville. **The Board resolved, unanimously, that waivers of the fence location and height requirements be APPROVED. Approval of the variances is contingent on**

APPROVED

development in conformance with the approved site plan, Exhibit 2, and the approved elevation plans, Exhibits 3(a) thru (c).

V-21-16 Sharon & Mark Russell

Request for waivers of the fence location and height requirements for a fence over 4 feet in height in the front yard to construct a 6-foot black vertical rod aluminum fence in the front yard (along Largo Road) at 3305 Old Largo Road, Upper Marlboro. **The Board resolved, unanimously, that waivers of the fence location and height requirements be APPROVED. Approval of the variances is contingent on development in conformance with the approved site plan, Exhibit 2, and the approved elevation plan, Exhibit 3.**

DISCUSSION/DECISION

VARIANCES

V-124-15 Ernesto Services, Inc.

Request for variances of 11.4% net lot coverage and 1 foot rear lot line setback for an accessory building to validate existing conditions and obtain a building permit for a covered deck and wooden patio at 5319 Crittenden Street, Hyattsville. **The Board resolved, unanimously, that the appeal be DISMISSED.**

V-8-16 Edgar & Yendy Vasquez

Request for variances of 1 foot side street yard depth, 1 foot side yard width, and waivers of the fence height and location requirements for a fence over 4 feet in height in the side yard abutting a street to validate existing conditions and construct a 6-foot wooden privacy fence at 8630 Leslie Avenue, Glenarden. **The Board resolved, by majority vote, Ms. Mack abstaining, that variances of 1 foot side street yard depth, 1 foot side yard width, and waivers of the fence height and location requirements be APPROVED. Approval of the variances is contingent on development in conformance with the approved site plan, Exhibit 2, and the approved elevation plans, Exhibits 3(a) thru (c).**

MINUTES FOR APPROVAL FROM MARCH 23, 2016 -- The Board resolved, unanimously, that the minutes be APPROVED.

MINUTES FOR APPROVAL FROM MARCH 30, 2016 -- The Board resolved, unanimously, that the minutes be APPROVED.

THE MEETING ADJOURNED AT 10:14 P.M.

Prepared and submitted by:

(Original Signed)
Anne F. Carter
Administrator

APPROVED