

OCTOBER 26, 2016  
BOARD OF APPEALS  
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:28 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  
Barbara Stone, Administrative Aide  
Anne F. Carter, Administrator  
Langley Wiggins, Communications Specialist

Also Present:  
Ernesto Luna, Spanish Language Interpreter

## DISCUSSION/DECISION

### VARIANCES

#### V-109-16 Lisa Williford

Request for variances of 6.1% net lot coverage and 58 feet front street line setback, 1 foot side lot line setback and a waiver of the rear yard location requirement for an accessory building to validate existing conditions and obtain a building permit for a new detached carport in the front yard at 5109 Emerson Street, Hyattsville. **The Board resolved, by majority vote, Mr. Scott abstaining, that variances of 6.1% net lot coverage and 58 feet front street line setback, 1 foot side lot line setback and a waiver of the rear yard location requirement for an accessory building be DENIED.**

### CASES FOR HEARING

#### NEW CASES

#### OTHER ZONING APPEALS

#### V-45-16 Panagiotis Glekas, Garfallia Glekas and James Douglas

An appeal from the determination of the Property Standards Inspector, Department of Permitting, Inspections and Enforcement, Enforcement Division, to issue Zoning Violation Notice Z-2246-5-16, dated April 20, 2016, citing Petitioner with violation of County Code Sections 27-253(a)(1) and 4-118(c) (Use of a building, structure or land without a use and occupancy permit), requiring Petitioners to cease use of the premises including adjoining properties and right of way areas, and remove all vehicles, equipment, materials, and items related to the use until a valid use and occupancy permit, including final approval of the permit, is granted by the Department of Permitting, Inspections and Enforcement, on C-M (Commercial Miscellaneous) zoned property located at Lot 3, Block 9, Dixie Dale Subdivision, being 3724 Brightseat Road, Landover. **Appeal withdrawn by Petitioners. The Board resolved, unanimously, that the appeal be DISMISSED.**

#### V-46-16 Dixie Dale, 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-2247-5-16, dated April 20, 2016, citing Petitioner with violation of County Code Sections 27-253(a)(1) and 4-118(c) (Use of a building, structure or land without a use and occupancy permit), requiring Petitioners to cease use of the premises including adjoining properties and right of way areas, and remove all

**APPROVED**

vehicles, equipment, materials, and items related to the use until a valid use and occupancy permit, including final approval of the permit, is granted by the Department of Permitting, Inspections and Enforcement, on C-M (Commercial Miscellaneous) zoned property located at Lots 4 thru 10, Block L, Ardmore Subdivision, being 3729 Brightseat Road, Landover. **Appeal withdrawn by Petitioner.**  
**The Board resolved, unanimously, that the appeal be DISMISSED.**

## **VARIANCES**

### V-119-16 Maria Mejia & Jose Guevara

Request for a variance of 3 feet front yard depth and a waiver of the parking area location requirement to validate an existing condition and construct a handicapped ramp and driveway in the front yard at 5809 Terrell Avenue, Oxon Hill. **Spanish language interpreter services were provided. The Board resolved, unanimously, that variance of 3 feet front yard depth and a waiver of the parking area location requirement be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2.**

At 6:54 p.m. the Board recessed and reconvened at 6:58 p.m.

### V-123-16 Ernesto Sanchez

Request for a variance of an additional 18% net lot coverage and a waiver of the parking area location requirement to validate existing conditions and obtain a building permit to complete construction of a covered patio and construct a driveway extension at 1212 Hill Road, Landover. **Spanish language interpreter services were provided. The record was held open to allow Petitioner the opportunity to submit a revised site plan.**

### V-117-16 Tina Boston

Request for variances of 1,000 square feet net lot area, 10 feet front building line width, 17.6% net lot coverage and variances of 34 feet front street line setback, 1 foot side lot line setback and a waiver of the rear yard location requirement for an accessory building to validate existing conditions and obtain a building permit for a shed in the front yard at 3410 41st Avenue, Colmar Manor. **The record was held open to allow the Town of Colman Manor the opportunity to submit comments.**

At 8:16 p.m. the Board recessed and reconvened at 8:27 p.m.

### V-118-16 Afework Tesgaye

Request for variances of 2 feet side street yard depth, 8.2% net lot coverage, 11.8% side yard coverage, 29 feet front street line setback for one accessory building and 17 feet front street line setback for a second accessory building to validate existing conditions and obtain a building permit for a new shed at 5801 Queens Chapel Road, Hyattsville. **The record was held open to allow the City of Hyattsville the opportunity to submit comments.**

### V-120-16 Son Nguyen & Hoa Tran

Request for variances of 10 feet front yard depth and 3.1% net lot coverage to validate an existing condition and construct a covered front porch at 3513 Nicholson Street, Hyattsville. **Petitioners revised the site plan to indicate removal of one shed in the rear yard. The record was held open to allow the City of Hyattsville the opportunity to submit comments.**

**APPROVED**

**DISCUSSION/DECISION (Cont'd)****VARIANCES**V-6-16 Gloria Coello

Request for variances of 2 feet front yard depth from Rittenhouse Street, 14.5 feet front yard depth from East-West Highway and 9 feet side yard width for the dwelling, 40.3% net lot coverage and 58.5 feet front street line setback from East-West Highway for an accessory building and waivers of the fence location and height requirements for a fence over 4 feet in height in the front yard to validate existing conditions, construct a covered front porch and obtain a building permit for a new covered side porch and 6-foot wooden privacy fence in the front yard (along East-West Highway) at 2312 Rittenhouse Street, Hyattsville. **The Board resolved, unanimously, that variances of 2 feet front yard depth from Rittenhouse Street, 14.5 feet front yard depth from East-West Highway and 9 feet side yard width for the dwelling, 40.3% net lot coverage and 58.5 feet front street line setback from East-West Highway for an accessory building and waivers of the fence location and height requirements for a fence over 4 feet in height in the front yard be DENIED.**

V-80-16 Kathryn James & Jacqueline Pfeffer

Request for a variance of 9.9% net lot coverage to validate existing conditions and construct a second-floor addition, one-story addition and two-story deck at 4508 Tuckerman Street, Riverdale. **The Board resolved, by majority vote, Mr. Scott abstaining, that a variance of 9.9% 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 plan, Exhibit 3.**

V-87-16 Antoinette Beckham

Request for variances of 1 foot side yard width for the dwelling and 17 feet total side yard width and 20 feet rear yard depth/width for the fence to validate existing conditions and obtain a building permit for a new white vinyl privacy fence up to 7 feet 3 inches in height at 6608 Lansdale Street, District Heights. **The record remains open to allow the City of District Heights the opportunity to submit comments.**

V-93-16 Oluwadare & Monisola Adeyemo

Request for variances of 11 feet rear yard depth/width and .3% net lot coverage to validate an existing condition and obtain a building permit to complete construction of a sunroom at 6107 Box Oak Court, Lanham. **Discussion held and 9/28/16 action of the Board in the matter was confirmed to be the intent of the Board.**

V-108-16 Jose Torres & Luis Cerna

Request for variances of 13.8% net lot coverage, 1 foot rear lot line setback for an accessory building and a waiver of the parking area location requirement to validate existing conditions, obtain a building permit for new driveway area and construct a driveway extension at 2717 Hawthorne Terrace, Hyattsville. **The Board resolved, by majority vote, Mr. Scott abstaining, that variances of .1% net lot coverage, 1 foot rear lot line setback for an accessory building and a waiver of the parking area location requirement be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 21.**

V-113-16 Love & Betty Russell

Request for variances of 17 feet front yard depth, 4 feet side street yard depth and 3.2% net lot coverage to validate existing conditions and construct a second-floor addition, covered front porch and deck at 4119

32<sup>nd</sup> Street, Mount Rainier. **The Board resolved, by majority vote, Mr. Scott abstaining, that variances of 17 feet front yard depth, 4 feet side street yard depth and 3.2% 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 plan, Exhibit 3.**

V-114-16 Marcus Moses & Dgessey Major

Request for waivers of the fence location and height requirements for a fence over 4 feet in height in the side yard (abutting Helmsley Drive) of a corner lot to validate and obtain a building permit for a new 6-foot white vinyl privacy fence at 9501 Wilton Place, Clinton. **The Board resolved, by majority vote, Mr. Scott abstaining, that waivers of the fence location and height requirements for a fence over 4 feet in height in the side yard (abutting Helmsley Drive) of a corner lot 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) thru (c).**

**MINUTES FOR APPROVAL FROM SEPTEMBER 28, 2016 - The Board resolved, unanimously, that the minutes be APPROVED.**

**MINUTES FOR APPROVAL FROM OCTOBER 5, 2016 - The Board resolved, by majority vote, Mr. Scott abstaining, that the minutes be APPROVED.**

THE MEETING ADJOURNED AT 9:31 P.M.

Prepared and submitted by:

(Original Signed)  
Anne F. Carter  
Administrator

**APPROVED**