

JANUARY 11, 2017
BOARD OF APPEALS
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:22 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 J. Stone, Acting Administrator
Aminah Bushrod, Communications Specialist

Also Present:
Ernesto Luna, Spanish Language Interpreter

DISCUSSION/DECISION

V-144-16 Jack & Linda Bannister

Request for a variance of 1.11 feet side yard width to validate an existing single-family dwelling under construction at 1123 Quo Avenue, Capitol Heights. **The Board resolved, unanimously, that a variance of 1.11 feet side yard width be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 21, and the approved elevation plan, Exhibit 3.**

CASES FOR HEARING

NEW CASES

VARIANCES

V-98-16 Marina & Rene Herrera

Request for variances of 3 feet front yard depth, .5 foot side yard width and 9% net lot coverage to validate existing conditions and obtain a building permit for a new driveway extension at 7101 24th Avenue, Hyattsville. **Spanish language interpreter services were provided. The record was held open for Petitioner to discuss the request for variance with the Lewisdale Citizens' Association.**

V-153-16 Marcos Benitez & Reyna Ortiz

Request for variances of 13% net lot coverage and 2 feet side lot line setback and 1.5 feet rear lot line setback for an accessory building and a waiver of the parking area location requirement to validate existing conditions and obtain a building permit for a new carport at 1802 Lebanon Street, Adelphi. **Spanish language interpreter services were provided. The record was held open for the Petitioner and neighbors to discuss resolution. Neighbors (Hunn and Hernandez) will submit letters of satisfaction.**

V-148-16 Kenny Venable

Request for variances of 600 square feet net lot area and 12 feet front yard setback, and a waiver of the parking area location requirement to validate existing conditions and construct a driveway at 4341 Southern Avenue, Capitol Heights. **The Board resolved, unanimously, that variances of 600 square feet net lot area and 12 feet front yard setback, 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.**

APPROVED

V-149-16 Hosea & Carole Thompson

Request for a variance of .76% net lot coverage to construct a detached garage and extend the existing driveway at 9924 Rosaryville Road, Upper Marlboro. **The Board resolved, unanimously, that a variance of .76% lot coverage be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 3, and the approved elevation plan, Exhibit 4.**

At 8:43 p.m. the Board recessed and reconvened at 8: 48 p.m.

V-150-16 Toribio & Elupina Mesa

Request for variances of 7 feet front yard depth, 1.5 feet side yard width and .5% net lot coverage to validate existing conditions and enclose an existing covered front porch at 4810 52nd Avenue, Hyattsville. **The Board resolved, unanimously, that variances of 7 feet front yard depth, 1.5 feet side yard width and .5% 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-152-16 Nathaniel & Comila Gillian

Request for waivers of the fence location and height requirements for a fence over 4 feet in height in the front yard (abutting Allentown Road) at 6801 Westchester Court, Temple Hills. **The Board resolved, unanimously, that waivers of the fence location and height requirements for a fence over 4 feet in height in the front yard (abutting Allentown Road) 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-154-16 Osmin & Maria Canales

Request for waivers of the fence location and height requirements for a fence over 4 feet in height in the front yard to validate and obtain a building permit for a 6-foot high wooden fence at 4117 70th Avenue, Hyattsville. **The record was held open in order for the Petitioner to work with the Landover Hills Council and submit revised site plan.**

DISCUSSION/DECISIONV-127-16 Courtney Clyatt

Request for a variance of 4 feet rear yard depth/width to validate an existing condition and construct a deck at 4201 Monroe Street, Brentwood. **The Board resolved, unanimously, that a variance of 4 feet rear yard depth/width 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-139-16 Evelyn Guerra

Request for variances of 14.1% net lot coverage, a waiver of the parking area location requirement, and variances of 1.5 feet side lot line setback for one accessory building and 1.5 feet rear lot line setback for a second accessory building to validate existing conditions and obtain a building permit for a one-story addition at 2206 Lewisdale Drive, Hyattsville. **The Board resolved, unanimously, that a variance of 4 feet rear yard depth/width 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.**

APPROVED

V-143-16 Anthony Claggett

Request for variances of 1 foot front yard depth, 2 feet side street yard depth, 4 feet side yard width, and waivers of the yard location requirement for an accessory building and the fence height and location requirements for a fence/wall over 4 feet in height in the front yard (abutting Huron Avenue) of a corner lot to validate existing conditions and obtain a building permit for a 6-foot wooden privacy fence and to construct a deck at 2705 Porter Avenue, Suitland. **The Board resolved, unanimously, that variances of 1 foot front yard depth, 2 feet side street yard depth, 4 feet side yard width, and waivers of the yard location requirement for an accessory building and the fence height and location requirements for a fence/wall over 4 feet in height in the front yard (abutting Huron Avenue) of a corner lot to validate existing conditions and obtain a building permit for a 6-foot wooden privacy fence and be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 20, and the approved elevation plan, Exhibit 4.**

V-147-16 Maria Day-Marshall

Request for variances of 1.5 feet left side yard width, 3.5 feet right side yard width, and 7.5% net lot coverage to validate existing conditions and construct a two-story addition with deck and upper level balcony at 6329 Joslyn Place, Cheverly. **The Board resolved, unanimously, that a variance of 1.5 feet left side yard width, 3.5 feet right side yard width, and 7.5% 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 21.**

ADMINISTRATIVE APPEALSAA-1681 Jim Black

An appeal from the determination of the Department of Permitting, Inspections and Enforcement, Enforcement Division to issue a Notice of Clean, dated May 26, 2016, citing Petitioner with violating County Code Sections 13-264, 13-265, 13-267, 13-268, 13-269, 13, 270 and 13-271 (Accumulation of litter and rubbish, high grass and weeds (height greater than 12 inches)) and requiring Petitioner to remove all trash and debris; cut grass and weeds, and remove clippings from the property, on R-E (Residential-Estate) zoned property located at Part of Parcel 112, Map 126, Grid B2, being 8116 Beechwood Lane, Clinton. **Petitioner requested to withdraw the Appeal (Notice to Clean - 5/26/16). The Board resolved, unanimously, that the appeal be DISMISSED.**

MINUTES FOR APPROVAL FROM December 14, 2016 – The Board resolved, unanimously, that the minutes be APPROVED.

THE MEETING ADJOURNED AT 10:02 P.M.

Prepared and submitted by:

(Original Signed)
Barbara J. Stone
Acting Administrator

APPROVED