

DECEMBER 14, 2016
BOARD OF APPEALS
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:20 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
Langley Wiggins, Communications Specialist

Also Present:
Mark Maier, Spanish Language Interpreter

CASES FOR HEARING

NEW CASES

VARIANCES

V-130-16 Rafael & Maria Bernal

Request for variances of 5 feet front yard depth, 18.5% net lot coverage, variances of 7 feet front street line setback, 1 foot side lot line setback and a waiver of the rear yard location requirement for one accessory building and a variance of 2 feet side lot line setback for a second accessory building to validate existing conditions and construct a covered front porch and one-story addition with basement at 8704 Daniel Lane, Clinton. **Spanish language interpreter services were provided. The Board resolved, unanimously, that variances of 5 feet front yard depth, 18.5% net lot coverage, variances of 7 feet front street line setback, 1 foot side lot line setback and a waiver of the rear yard location requirement for one accessory building and a variance of 2 feet side lot line setback for a second accessory building 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 (a) thru (d).**

V-145-16 Miriam Sanchez

Request for variances of 8.6% net lot coverage to validate existing conditions and obtain a building permit for an existing driveway expansion at 4102 Rocky Mount Drive, Temple Hills. **Spanish language interpreter services were provided. The Board resolved, unanimously, that variances of 8.6% net lot coverage be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 19.**

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 record was held open for Petitioner to submit revised site plans and to provide Park & Planning Commission the opportunity to comment.**

APPROVED

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 record was held open for Petitioner to submit revised site plans.**

V-146-16 Starla & Yohnnie Shambourger

Request for a variance of 1.7 feet side lot line setback for an accessory building and a waiver of the parking area location requirement to validate an existing condition and construct a driveway in the front yard at 1900 Ingraham Street, Hyattsville. **The Board resolved, unanimously, that a variance of 1.7 feet side 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 site plan, Exhibit 2.**

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 record was held open to provide Park & Planning Commission the opportunity to comment.**

At 9:20 p.m. the Board recessed and reconvened at 9:25.

DISCUSSION/DECISIONV-85-16 Ronald Heiligh

Request for a variance of 9 feet side yard width for the dwelling, a waiver of the parking area location requirement and variances of 7 feet side yard width and 13 feet rear yard depth/width for a wall over 6 feet in height to validate existing conditions and obtain a building permit for a new one-story addition with basement at 626 Elfin Avenue, Capitol Heights. **The Board resolved, unanimously, that a variance of 9 feet side yard width for the dwelling, a waiver of the parking area location requirement and variances of 7 feet side yard width and 13 feet rear yard depth/width for a wall over 6 feet in height be DENIED.**

V-97-16 Barbara Tusch

Request for variances of 420 square feet net lot area and 20.2% net lot coverage to validate an existing condition and construct a driveway at 4302 Jefferson Street, Hyattsville. **The record was held open for Petitioner to submit site plan reflecting the conditions of the City of Hyattsville.**

V-132-16 Diane Schwarz

Request for variances of 9 feet front yard depth and 5 feet side street yard depth to construct a screened porch at 5841 Dewey Street, Landover. **The Board resolved, unanimously, that variances of 9 feet front yard depth and 5 feet side street yard depth be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2, and approved elevation plan, Exhibit 3.**

V-133-16 Jorge & Reyna Acosta

Request for variances of 10-feet front street line setback and 1 foot side lot line setback for an accessory building and a waiver of the parking area location requirement to validate an existing condition and construct a driveway at 2902 64th Avenue, Cheverly. **The Board resolved, unanimously, that variances of 10-feet front street line setback and 1 foot side lot line setback for an accessory**

APPROVED

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 site plan, Exhibit 2.

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 record was held open for Petitioner to contact Lewisdale Citizens Association to discuss the request and offer the Association an opportunity to submit additional comments by the close of business on 1/11/17.**

REQUEST TO REOPEN RECORD

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 32nd Street, Mount Rainier. **The Board resolved, unanimously, that the request for reconsideration be and is hereby GRANTED and the previous decision of the Board be and hereby is VACATED. The Board resolved, unanimously that variances of 17 feet front yard depth, 4 feet side street yard depth and 3.2% net lot coverage in order to validate existing conditions and construct a 22.3' x 43.8' second floor addition, 5' x 5' covered front porch with steps, and 13.10' x 22.3' deck, with two sets of steps, on the subject property be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 36, and the approved revised elevation plan, Exhibit 37.**

ADMINISTRATIVE APPEALS

AA-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. **On 12/14/16, the hearing was postponed, to be rescheduled on 01/11/2016.**

MINUTES FOR APPROVAL FROM NOVEMBER 30, 2016 – The Board resolved, by majority vote, that the minutes be APPROVED.

THE MEETING ADJOURNED AT 10:04 P.M.

Prepared and submitted by:

(Original Signed)
Barbara J. Stone
Acting Administrator

APPROVED