

APRIL 12, 2017  
BOARD OF APPEALS  
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:12 p.m. the Chairperson convened the meeting and the following members were present:

Bobbie S. Mack, Chairperson  
Al Scott, Vice Chair  
Anastasia T. Johnson, Member  
Emerson S. Davis, Sr., Attorney  
Barbara J. Stone, Acting Administrator  
Langley Wiggins, Communications Specialist

Also Present:  
Mark Maier, Spanish Language Service Interpreter  
Jamar Herry, Office of Law  
Sidney Sandidge, Property Standard Inspector, DPIE

**DISCUSSION/DECISION - 6:00 P.M.**

**VARIANCES**

V-87-16 Antoinette Beckham

Request for variance 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 Board resolved, unanimously, that 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 be APPROVED.**

**Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plans, Exhibit 3 (a) thru (h).**

V-4-17 Emigdio Inigo-Santiago & Casandra Cartegna

Request for variances of 2.6 feet side yard width and 19 feet rear yard depth/width to validate an existing condition and construct a deck with landing and steps at 6327 Joslyn Place, Cheverly.

**The Board resolved, unanimously, that variances of 2.6 feet side yard width and 19 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 approved elevation plan, Exhibit 3.**

V-10-17 Daysi Sorto

Request for variances of 4 feet front yard depth for the dwelling, 22% net lot coverage and a variance of 1 foot rear lot line setback for an accessory building to validate existing conditions and obtain a building permit for a new concrete driveway at 3813 Oglethorpe Street, Hyattsville.

**The Board resolved, unanimously, that variances of 4 feet front yard depth for the dwelling, 22% net lot coverage and a variance of 1 foot rear lot line setback for an accessory building be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2.**

**APPROVED**

V-13-17 Stanislaw Kwasnik

Request for variances of 2,805 square feet net lot area, 8 feet front building line width, 12 feet front yard depth, .5 foot left side yard width, .5 foot right side yard width, 18 feet rear yard depth/width and 21.4% net lot coverage to validate existing conditions and construct a second floor addition at 3201 Otis Street, Mount Rainier. **The Board resolved, unanimously, that variances of 2,805 square feet net lot area, 8 feet front building line width, 12 feet front yard depth, .5 foot left side yard width, .5 foot right side yard width, 18 feet rear yard depth/width and 21.4% net lot coverage be DENIED.**

V-15-17 Roger Velasquez

Request for variances of 16.2 feet front yard depth and 16 feet side street yard depth to validate an existing condition and construct a 1.5 story addition, on crawl space with an attic, and a driveway at 1813 Dewitt Avenue, Capitol Heights. **The Board resolved, by majority vote, Mr. Al Scott abstaining, that variances of 16.2 feet front yard depth and 16 feet side street yard depth be APPROVED. Approval of the variances is contingent upon development in compliance with the revised approved site plan, Exhibit 2 and approved elevation plans, Exhibit 3 (a) thru (b).**

V-16-17 Noe Valdez and Oscar Valdez

Request for a variance of 11.5% net lot coverage and a waiver of the parking area location requirement to construct a covered back porch and driveway in the front yard at 5216 Kenmont Road, Oxon Hill. **The Board resolved, by majority vote, Mr. Al Scott abstaining, that the appeal be DISMISSED.**

**CASES FOR HEARING****NEW CASES****VARIANCES**V-25-17 Maria Nolasco

Request for waiver of the parking area location requirement to construct a driveway in the front yard at 810 Berkshire Drive, Hyattsville. **Spanish Language Interpreter Services were provided. The record was held open for the Petitioner to revise the site plan to move the proposed driveway to the other side of the house.**

V-27-17 Jose Henriquez

Request for variances of 1,000 square feet net lot area, 10 feet front building line width, 14 feet front yard depth, 19 feet side street yard depth and 3.9% net lot coverage to validate existing conditions and obtain a building permit for a new one-story addition at 6118 58th Avenue, Riverdale. **Spanish Language Interpreter Services were provided. The Board resolved, unanimously, that variances of 1,000 square feet net lot area, 10 feet front building line width, 14 feet front yard depth, 19 feet side street yard depth and 3.9% net lot coverage be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plans, Exhibit 3 (a) thru (c).**

V-22-17 Petronio Morillo and Betty Moore

Request for a variance of 25 feet front street line setback and a waiver of the rear yard location requirement for an accessory building and waivers of the fence location and height requirements for a fence over 4 feet in height in the side yard (abutting Montgomery Court) to validate existing conditions and obtain a building permit for a 6-foot white privacy fence in the side yard at 11501 Montgomery Court, Beltsville. **The Board resolved, unanimously, that variances of 25 feet front street line setback and a waiver of the rear yard location requirement for an accessory building and waivers of the fence location and height requirements for a fence over 4 feet in height in the side yard (abutting Montgomery Court) be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plans, Exhibit 3 (a) thru (b).**

**APPROVED**

V-23-17 Oscar Avila and Barbara Cabrera-Avila

Request for variances of 5.9% net lot coverage, 17 feet total side yard width and 20 feet rear yard depth/width, and a waiver of the fence location requirement to validate existing conditions and obtain a building permit for a retaining wall topped with a wrought iron fence at 1916 Dana Drive, Adelphi. **The Board resolved, unanimously, that variances of 5.9% net lot coverage, 17 feet total side yard width and 20 feet rear yard depth/width, and a waiver of the fence location requirement be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plans, Exhibit 3 (a) thru (d).**

V-26-17 Marian Spencer

Request for a variance of 45 feet front street line setback and a waiver of the rear yard location requirement for an accessory building, and waivers of the fence location and height requirements for a fence over 4 feet in height in the front yards abutting Deanwood Drive and Mann Street to validate existing conditions and construct a 6-foot chain link fence in the front yards of a corner through lot at 4728 Mann Street, Capitol Heights. **The Board resolved, unanimously, that variances of 45 feet front street line setback and a waiver of the rear yard location requirement for an accessory building, and waivers of the fence location and height requirements for a fence over 4 feet in height in the front yards abutting Deanwood Drive and Mann Street be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plans, Exhibit 3 (a) thru (c).**

**ADMINISTRATIVE APPEALS**AA-1685 Jordan and Denise Fan

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, Enforcement Division, to issue Violation Notice No. 17-00010015, dated February 1, 2017, citing Petitioners with violating County Code Sections 13-118(d) and (a) (Exterior of property area has an accumulation of tall grass and weeds and is being used for open storage of items to include but not limited to rubbish, garbage, building materials) and International Property Maintenance Code (2000) Sections 303.1, 303.15, 303.7 and 303.2 (Garage door in a state of disrepair; roof shingles on building are loose, buckled, missing and/or otherwise deteriorated; gutter(s) and/or downspout(s) is/are in disrepair and/or have obstructions, and exterior weather exposed wood surfaces has/have flaking and peeling paint) and requiring Petitioners to maintain all premises and exterior property to be free from weeds or plant growth in excess of twelve inches, to remove items and maintain premises in a clean and sanitary condition, to repair/replace garage door to a sound condition and maintain in good repair, to repair/replace defective or missing shingles to prevent dampness or deterioration to the interior portion of the structure, to repair/replace damaged or missing section(s) of and/or remove all obstructions from gutter(s)/downspout(s) and maintain so they properly perform their intended function and remove flaking and peeling paint and apply a protective coating of a weather resistant preservative to all exposed wood surfaces, on R-80 (One-Family Detached Residential) zoned property located at Lot 13 Block 57, Kettering Subdivision, being 13226 Whiteholm Drive, Upper Marlboro, Prince George's County, Maryland. **The County dismissed the Notice to Clean. The Board resolved, unanimously, that the appeal be DISMISSED.**

**APPROVED**

**MINUTES FOR APPROVAL FROM MARCH 8, 2017 -- The Board resolved, unanimously, that the minutes be APPROVED.**

**MINUTES FOR APPROVAL FROM MARCH 22, 2017 -- The Board resolved, by majority vote, Mr. Al Scott abstaining, that the minutes be APPROVED.**

THE MEETING ADJOURNED AT 8:26 P.M.

Prepared and submitted by:

(Original Signed)  
Barbara J. Stone  
Acting Administrator

**APPROVED**