



# BOARD of APPEALS

Zoning and Administrative

Prince George's County Government  
County Administration Building  
14741 Governor Oden Bowie Drive  
2<sup>nd</sup> Floor, Rm 2173  
Upper Marlboro, MD 20772  
Phone: 301-952-3220  
Fax: 301-952-5178  
[boardofappeals@co.pg.md.us](mailto:boardofappeals@co.pg.md.us)

## MINUTES

January 24, 2018

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:23 p.m. the Chairperson convened the meeting and the following members were present:

Bobbie Mack, Chair  
Al Scott, Vice Chair  
Anastasia Johnson, Member  
Emerson S. Davis, Sr., Attorney  
Barbara J. Stone, Administrator  
Aminah Bushrod, Communications Specialist

Also Present:  
Ernesto Luna, Spanish Language Interpreter

### **CASES FOR HEARING - 6:00 P.M.**

#### **NEW CASES**

#### **VARIANCES**

##### V-185-17 Jose Moreno and Carmin Hernandez

Request for a waiver of the parking area location requirement to construct a driveway in the front yard of a semi-detached dwelling at 7639 Muncy Road, Hyattsville. Spanish Language Interpreter Services were provided. **The Board resolved, unanimously, that a waiver of the parking area location requirement to construct a driveway in the front yard of a semi-detached dwelling be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2.**

##### V-176-17 Angie and Kevin Williams

Request for waivers of the fence location and height requirements for a fence over 4 feet in height in the front yard (abutting Tinker Drive) to construct a 6-foot ornamental aluminum fence in the front yard of a corner lot at 2001 Valley View Drive, Fort Washington. **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 Tinker Drive) to construct a 6-foot ornamental aluminum fence in the front yard be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plans, Exhibit 3.**

V-177-17 Kilian Kagle

Request for waivers of the rear yard location requirement for two accessory buildings to validate an existing condition and construct a canopy over existing gravel driveway area at 16001 Croom Airport Road, Upper Marlboro. **The Board resolved, unanimously, that waivers of the rear yard location requirement for two accessory buildings to validate an existing condition and construct a canopy over existing gravel driveway be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 20 and approved revised elevation plan, Exhibit 19.**

V-178-17 Marvin Martinez and Elsa Bonilla

Request for variances of 1.2 feet right side yard width, 6 feet left side yard width and 22.3% net lot coverage to validate existing conditions and obtain a building permit for a new shed and new driveway area at 5005 Baltimore Lane, Lanham. **The record was held open for Petitioner to submit a revised site plan demonstrating the driveway portion in front of the house.**

V-179-17 Peter Hunt

Request for variances of 4 feet side yard width for the dwelling, 15.7% net lot coverage and 1 foot side lot line setback for an accessory building to validate existing conditions and construct two one-story additions, a detached garage and driveway extension at 8609 Dangerfield Road, Clinton. **The record was held open for Petitioner to submit revised elevation plans demonstrating the façade materials.**

V-180-17 Blanca Orellananleman

Request for a waiver of the parking area location requirement to construct a driveway in the front yard at 5312 Buchanan Street, Hyattsville. **The Board resolved, unanimously, that a waiver of the parking area location requirement to construct a driveway in the front yard be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2.**

V-206-17 Quinton Walker, Jr.

Request for waivers of the fence location and height requirements for a fence over 4 feet in height in the front yard (abutting Frank Tippett Road) to construct a 6-foot vinyl privacy fence in the front yard of a corner lot at 9756 Wyman Way, Upper Marlboro. **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 Frank Tippett Road) be APPROVED. Approval of the variance is contingent upon development in compliance with the approved revised site plan, Exhibit 19 and approved revised elevation plan, Exhibit 3.**

## **OTHER ZONING APPEALS**

V-83-17 Maria Moreno and Nicholas Williams

Pursuant to Section 27-229(a) of Subtitle 27 of the Prince George's County Code (the "Zoning Ordinance"), this appeal was brought to the Board of Appeals, sitting as the Board of Zoning Appeals for the Maryland-Washington Regional District in Prince George's County, Maryland (the "Board"), from the determination of the Property Standards Inspector, Department of Permitting, Inspections and Enforcement, Enforcement Division, to issue Zoning Violation Notice CSD 17-00031692 dated March 30, 2017, citing Petitioners with violation of Housing Code Sections 13-181 and 13-183 and Zoning Ordinance Sections 27-253(a)(1), 4-118(c) and 27-441(a)(7) (operation of a business for short term rentals and/or renting a residential dwelling, bedroom, sleeping area, floor/property space or garage

without a Final Use and Occupancy Permit and/or Rental License issued by the Department of Permitting, Inspections and Enforcement is **NOT** permitted) and requiring Petitioners to cease operating a business for short term rentals without a Final Use and Occupancy Permit and/or Rental License, on R-R (Rural Residential) zoned property located at Lot 18, Block G, River Bend Subdivision, being 425 Rosier Road, Fort Washington, Prince George's County, Maryland.

**Petitioner has requested this case be withdrawn. The Board resolved, unanimously, that the appeal be DISMISSED.**

V-13-15 Ebony Inn

Pursuant to Section 27-229(a) of Subtitle 27 of the Prince George's County Code (the "Zoning Ordinance"), this appeal was brought to the Board of Appeals, sitting as the Board of Zoning Appeals for the Maryland-Washington Regional District in Prince George's County, Maryland (the "Board"), from the determination of the Enforcement Division Inspector, Department of Permitting, Inspections and Enforcement, to issue Zoning Violation Notice Z-1026-5-15, dated January 21, 2015, citing Petitioner with violation of Zoning Ordinance Sections 27-253(a)(1) (use of a building, structure or land without a valid use and occupancy permit) and 27-461(b) (adult entertainment is not allowed in the C-M (Commercial Miscellaneous) or C-S-C (Commercial Shopping Center) zones, absent the granting of a Special Exception to an existing establishment with a valid use and occupancy permit for an auditorium, private club or lodge that included activity that meets the definition of "adult entertainment"), and requiring Petitioner to cease the violation and all adult entertainment activities in the building, structure, and on the land per Section 27-264(b), which is M-U-I (Mixed-Use Infill) zoned property located at Parcel 13, Tax Map 65, Grid F1, being 5367 Sheriff Road, Fairmount Heights, Prince George's County, Maryland. **Petitioner has requested a 180-day continuance. Rescheduled to July 25, 2018.**

**DISCUSSION/DECISION**

V-170-17 Manuel Solloso

Request for a waiver of the parking area location requirement to validate and obtain a building permit for new driveway area in the front yard at 7008 Central Avenue, Capitol Heights. **The Board resolved, unanimously, that a waiver of the parking area location requirement to validate and obtain a building permit for new driveway area in the front yard be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2.**

V-172-17 Andra Curry

Request for variances of 15 feet front yard depth and 4.9% net lot coverage to validate existing conditions and obtain a building permit for a new concrete driveway, garage slab and concrete walk at 4305 Southern Avenue, Capitol Height. **Board resolved, unanimously, that variances of 15 feet front yard depth and 4.9% net lot coverage to validate existing conditions and obtain a building permit for a new concrete driveway, garage slab and concrete walk be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2.**

V-175-17 Cecil and Alverta Thompson / Lakeisha Keel

Request for variances of 1,000 square feet net lot area, 10 feet front building line width, .4-foot side yard width for the dwelling, 6.3% net lot coverage and a variance of 58.5 feet front street 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 705 Drum Avenue, Capitol Heights. **Board resolved, unanimously, that variances of 1,000 square**

feet net lot area, 10 feet front building line width, .4-foot side yard width for the dwelling, 6.3% net lot coverage and a variance of 58.5 feet front street 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 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-147-17 Juan Reina

Request for variances of 17.5% net lot coverage, 2 feet side lot line setback for an accessory building and a waiver of the parking area location requirement to validate existing conditions, obtain a permit for new driveway extensions in the front and rear yard, a new detached covered patio, a new covered basement entrance, a new addition to the garage and to construct a second-floor addition at 7004 23rd Avenue, Hyattsville. **Board resolved, unanimously, that variances of 17.5% net lot coverage, 2 feet side lot line setback for an accessory building and a waiver of the parking area location requirement to validate existing conditions, obtain a permit for new driveway extensions in the front and rear yard, a new detached covered patio, a new covered basement entrance, a new addition to the garage and to construct a second-floor addition be DENIED.**

V-154-17 James and Myrtle Charles

Request for variances of 12.5 feet front yard depth, 2 feet side yard width and 5.7% net lot coverage to validate existing conditions and construct a driveway at 4037 34th Street, Mount Rainier. **Board resolved, unanimously, that variances of 12.5 feet front yard depth, 2 feet side yard width and 5.7% net lot coverage to validate existing conditions and construct a driveway be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2.**

V-158-17 Bernadette Rappold

Request for variances of 2 feet front yard depth and 1 foot side yard width to validate existing conditions and construct a second-floor addition at 3803 31st Street, Mount Rainier. **The record remains open for 30 days at the request of Mount Rainier.**

**MINUTES FOR APPROVAL FROM JANUARY 24, 2018 – The Board resolved, unanimously, that the minutes be APPROVED.**

THE MEETING ADJOURNED AT 10:19 P.M.

Prepared and submitted by:

(Original Signed)  
Barbara J. Stone  
Administrator