

MINUTES
March 28, 2018

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:39 p.m. the Chairperson convened the meeting and the following members were present:

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

Also Present:
Leslie Bilchick, Spanish Language Interpreter

CASES FOR HEARING - 6:00 P.M.

NEW CASES

VARIANCES

V-209-17 Maria Leon Montalva

Request for a variance of an additional 3% net lot coverage for a new shed 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 and obtain a building permit for a new 6-foot wooden privacy fence for a semi-detached dwelling at 7757 Muncy Road, Hyattsville. Spanish Language Interpreter Services were provided. **Spanish Language Interpreter Services provided. The record was held open for Petitioner to reduce the fence in the front yard to 4 feet and add a gate to the rear yard.**

V-212-17 Francia Daza and Harold Ortega

Request for variances of 6 feet side yard width for the dwelling, 7.1% net lot coverage, 2 feet 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 a new deck and construct an attached garage, driveway extension and covered deck at 11909 Orvis Way, Laurel. Spanish Language Interpreter Services were provided. **Spanish Language Interpreter Services provided. The record was held open for the Petitioners to submit a revised site plan to demonstrate the change from garage to open carport and remove the roof from the deck.**

V-215-17 Danny Proctor and Lisa Butler

Request for a variance of 3.6% net lot coverage to construct a detached garage and driveway extension at 17508 Clinton Drive, Accokeek. **The Board resolved, unanimously, that a variance of 3.6% net lot coverage be APPROVED. Approval of the variance is contingent upon development in**

compliance with the approved revised site plan, Exhibit 22 and approved elevation plans, Exhibits 3 (a) thru (b).

V-216-17 Owoade Ifekam

Request for a variance of 3 feet side street yard depth to validate an existing condition and construct a one-story addition, a two-story addition, a second-floor addition and a deck at 9012 1st Street, Lanham. **The Board resolved, unanimously, that a variance of 3 feet side street yard depth be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plans, Exhibits 3 (a) thru (b).**

V-217-17 Santos Ramirez

Request for variances of 1,000 square feet net lot area, 12 feet front yard depth for the dwelling, 8.4% net lot coverage, .5-foot rear lot line setback for an accessory building and a waiver of the parking area location requirement to validate existing conditions and construct 2nd and 3rd floor additions and a driveway in the front yard and shed at 3606 41st Avenue, Brentwood. **The record remained open to allow the Petitioner to meet with the Town of Colmar Manor. Colmar Manor will be submitting revised comments.**

V-218-17 Paul London

Request for variances of 15 feet front yard depth and 6.5 feet side yard width to validate existing conditions, obtain a building permit for a new second-floor addition and construct a deck at 3702 36th Street, Mount Rainier. **The record remained open for staff to clarify the variance request.**

V-219-17 Savannah Investors 5, Inc.

Request for a variance of 916.4 square feet net lot area to validate an existing condition and construct a two-story single-family dwelling and driveway at 12607 Brandywine Road, Brandywine. **The record remained open to increase the amount of net lot area to 3,000 square feet and to re-advertise.**

V-220-17 Alphoso and Carlotta Batchelor

Request for a waiver of the parking area location requirement to construct a driveway in the front yard of a semi-detached dwelling at 3218 31st Avenue, Temple Hills. **The Board resolved, unanimously, that a waiver of the parking area location requirement be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2.**

OTHER ZONING APPEALS

301 Commercial Center, LLC

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 Violation Notice CSD Case No. 17-00119411, dated November 15, 2017, citing Petitioner with violation of Zoning Ordinance Sections 27-253(a)(1), 27-593(a)(3)(6), 27-593(a)(1), 27-596(a), 27-598(a) (use of a building, structure or land without a use and occupancy permit for Brandywine Drive-Thru, Inc. trading as Checkers, display of pennants, pinwheels, banners and similar circus or carnival type attractors which are visible from a street or residential property are prohibited, and signs shall not be displayed unless a permit has been issued by the

Department of Permitting, Inspections and Enforcement) and County Code Section 4-118(c) (use of a building, structure or land without a use and occupancy permit), and requiring Petitioner to cease use of the premises, including adjoining properties and right of way area; to remove all vehicles, equipment, materials and items until a valid use and occupancy permit, including final approval of the permit is granted ; to remove all pennants, etc. from the property; and to obtain a sign permit or remove sign on C-S-C (Commercial Shopping Center) zoned property located at Parcel H, Tax Map 154, Grid F4, being 15911 SW Crain Highway, Brandywine, Prince George's County, Maryland. **Rescheduled to May 23, 2018.**

DISCUSSION/DECISIONS

V-125-17 Edgar and Yendy Vasquez

Request for a waiver of the parking area location requirement to construct a driveway in the front yard at 8630 Leslie Avenue, Glenarden. **The record was held open to allow the Town of Glenarden the opportunity to comment.**

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 was held open for Petitioner to revise the elevation plan demonstrating the approval conditions per Mt. Rainier.**

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 24.7% net lot coverage to validate existing conditions and obtain a building permit for a new shed and new driveway extensions in the front and rear yards at 5005 Baltimore Lane, Lanham. **Petitioner has requested to reschedule to April 11, 2018.**

V-194-17 Ricardo and Dora Pacheco

Request for variances of 6.8 feet front yard depth for the dwelling, 4.3% net lot coverage and 7 feet rear lot line setback for an accessory building to validate existing conditions and obtain a building permit for a covered front porch at 3610 Longfellow Street, Hyattsville. **The record was held open to allow the City of Hyattsville the opportunity to provide comments.**

V-199-17 James Jones, Jr.

Request for waiver of the rear yard location requirement for an accessory building to construct a detached garage in the side yard and driveway extension at 16605 Peach Street, Bowie. **The record was held open to allow the Petitioner additional time to meet with the community.**

V-202-17 Claudia Alvarez-Fuentes

Request for variances of 4 feet front yard depth for the dwelling, 5.9% net lot coverage, 1 foot rear lot line setback 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 and obtain a building permit for a 6-foot wooden privacy fence in the front yard at 5307 Emerson Street, Hyattsville. **The Board resolved, unanimously, that variances of 4 feet front yard depth for the dwelling, 5.9% net lot coverage, 1 foot rear lot line setback 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 APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plans, Exhibits 3 (a) thru (d).**

V-205-17 Robin McNab

Request for a variance of 8 feet front street line setback and a waiver of the rear yard location requirement for an accessory building to construct a solar array in the side yard at 8440 Duvall Road, Upper Marlboro. **The Board resolved, unanimously, that a variance of 8 feet front street line setback and a waiver of the rear yard location requirement for an accessory building be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 20 and approved elevation plan, Exhibit 4.**

V-214-17 J.C. Remodeling and Builders, LLC

Request for a variance of 15 feet front building line width to validate an existing condition and construct a two-story dwelling, driveway and 6-foot wooden fence around the back yard on a lot having a width of 50 feet along the front building line at 503 62nd Avenue, Fairmount Heights. **The Board resolved, unanimously, that a variance of 15 feet front building line width be APPROVED. Approval of the variance is contingent upon development in compliance with the approved revised site plan, Exhibit 2 and approved elevation plan, Exhibit 3.**

Minutes for Approval from March 14, 2018 – The Board resolved, unanimously, that the minutes be APPROVED.

THE MEETING ADJOURNED AT 10:30 P.M.

Prepared and submitted by:

(Original Signed)
Barbara J. Stone
Administrator