

# APPROVED

## MINUTES

June 13, 2018

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 06:23 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  
Mike Royer, Communications Specialist

Also Present:  
Leslie Bilcheck, Spanish Language Interpreter

### CASES FOR HEARING

#### NEW CASES

#### VARIANCES

V-26-18 Clara and Francisca Rodriguez, et al.

#### **Spanish Language Interpreter Services were provided /Leslie Bilchick**

Request for variances of 3.5 feet front yard depth for the dwelling, 17.3% net lot coverage, 15 feet side street lot line setback and 8.5 feet rear lot line setback for one accessory building and 8 feet rear lot line setback for a second accessory building to validate existing conditions (existing development, dwelling and carport/canopy), obtain a building permit for a new attached carport and driveway extension with canopy in the front yard and construct a shed at 4112 54th Place, Bladensburg. **The Board resolved, unanimously, that variances of 3.5 feet front yard depth for the dwelling, 17.3% net lot coverage, 15 feet side street lot line setback and 8.5 feet rear lot line setback for one accessory building and 8 feet rear lot line setback for a second accessory building be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 25 and approved elevation plans, Exhibits 3 (a) thru (b) and 5 (a) thru (c).**

V-33-18 Jorge Pinto and Dina Sagastume

#### **Spanish Language Interpreter Services were provided /Leslie Bilchick**

Request for variances of 3 feet side yard width for the dwelling, 1-foot side lot line setback for an accessory building and a waiver of the parking area location requirement to validate existing conditions (existing dwelling, shed) and construct a driveway in the front yard at 4807 Rockford Drive, Hyattsville. **The record was held open for Petitioner to revise the site plan to reduce the driveway to a one car driveway and provide green area between the driveway and house.**

V-34-18 Andrew and Crosley Sigmon

Request for a variance of 13 feet side street yard depth to construct an attached garage with deck on top at 2401 59th Place, Cheverly. **The record was held open to allow the City of Cheverly the opportunity to provide comments.**

V-35-18 Richard Smith

Request for variances of 6 feet side street yard depth for the dwelling, 20 feet front street line setback for one accessory building and 4 feet side street line and 5 feet rear lot line setbacks for a second accessory building to validate existing conditions (existing dwelling, shed, tent/shed) and obtain a building permit for a tent/shed at 8626 Cunningham Drive, Berwyn Heights. **The record was held open to allow the Town of Berwyn Heights the opportunity to provide comments.**

V-36-18 Derk and Aracel Mattocks

Request for a variance of 1.2% net lot coverage to construct a one-story addition at 10203 Sea Pines Drive, Mitchellville. **The record was held open to allow the Home Owners Association the opportunity to review and provide comments.**

V-37-18 Brian and Kathryn Downey

Request for a variance of 2 feet front yard depth and a waiver of the parking area location requirement to validate an existing condition (existing dwelling) and construct a driveway, with walkway, in front of the dwelling at 2825 63rd Place, Cheverly. **The record was held open to allow the City of Cheverly the opportunity to provide comments.**

V-38-18 Michele De los Santos

Request for a variance of 9.6% net lot coverage and waivers of the fence location and height requirements for a fence over 4 feet in height in the side yard (abutting Lime Street) to validate existing conditions (existing development) and obtain a building permit for the replacement of a 6-foot wooden privacy fence in the side yard of a corner lot at 5101 Saint Barnabas Road, Temple Hills. **The Board resolved, unanimously, that a variance of 9.6% net lot coverage and waivers of the fence location and height requirements for a fence over 4 feet in height in the side yard (abutting Lime Street) 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 (b).**

V-39-18 Anita Easter

Request for a variance of 1.5 feet side 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 side yard (abutting Jaffrey Road) to validate an existing condition (shed) and replace a 6-foot wooden privacy fence in the side yard of a corner lot at 2300 Kingsway Road, Fort Washington. **The Board resolved, unanimously, that a variance of 1.5 feet side 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 side yard (abutting Jaffrey Road) 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-40-18 Gilda and Noel Gonzalez

Request for variances of 4 feet front yard depth for the dwelling, 8.5% net lot coverage and a waiver of the parking area location requirement to validate an existing condition (existing development, dwelling, driveway) and construct a driveway extension, with retaining walls, in the front yard of a through lot at 5833 36th Avenue, Hyattsville. **The record was held open to allow the City of Hyattsville the opportunity to provide comments.**

V-42-18 Jose Herrera

Request for a variance of 19.3% net lot coverage and a waiver of the parking area location requirement to validate an existing condition (existing development) and construct a driveway, with retaining walls, in the front yard of a through lot at 5815 36th Avenue, Hyattsville. **The record was held open to allow the City of Hyattsville the opportunity to provide comments.**

**OTHER ZONING APPEALS**

V-46-18 Inyamah Chidiebere

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 16-00005337 dated March 20, 2018, citing Petitioner with violation of Zoning Ordinance Section 27-441(b)(8)(A) (Boats and boat trailers are limited to one (1) each . . . and shall be parked at least eight (8) feet from a street, parked on a dust-free area such as concrete, asphalt, or gravel, be properly licensed and operable, covered to prevent the accumulation of water and not be in excess of twenty (20) feet unless located on a lot at least two (2) acres in size; Housing Code Section 13-118(a) (Exterior property area is being used for open storage of items to include but not limited to rubbish, garbage, building materials); and International Property Maintenance Code (2000) Section 302.2 (Exterior property area has holes and or eroded/unprotected soil) and requiring Petitioner to remove all boats and boat trailers in excess of one (1) and/or bring the parked boat and boat trailer into compliance with the above referenced code requirement; remove items and maintain premises in a clean and sanitary condition; and properly back fill all holes and grade eroded area and provide and maintain permanent vegetative grow on unprotected soil, on R-55 (One-Family Detached Residential) zoned property located at Lots 22, 23 & 24, Block 57, Greater Capitol Heights Subdivision, being 1101 Clovis Avenue, Capitol Heights, Prince George's County, Maryland. **Request for continuance to July 25, 2018.**

**DISCUSSION/DECISION**

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 was held open to recalculate lot coverage as revised plans were submitted.**

V-10-18 3 Rich, LLC

Request for a variance of 6.5% net lot coverage and a waiver of the parking area location requirement to construct a driveway extension in the front yard at 6009 35th Avenue, Hyattsville. **The Board resolved, unanimously, that a variance of 6.5% net lot coverage and a waiver of the parking area location requirement be DENIED.**

V-11-18 Northgate Investments, LLC

Request for a waiver of the parking area location requirement to construct a driveway in front of the front yard at 2212 Cheverly Avenue, Cheverly. **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 revised site plan, Exhibit 26.**

V-27-18 Frederick Mbayu

Request for variances of 10 feet 10 inches front yard depth and 3 feet rear yard depth/width for the dwelling, 8.1% net lot coverage and 2 feet rear lot line setback for an accessory building to validate existing conditions (existing development, deck, shed) and construct a covered front porch at 8803 62nd Avenue, Berwyn Heights. **The record was held open at the request of the Town of Berwyn Height to review and comment.**

V-28-18 Headly Bogle

Request for variances of 30.5% net lot coverage, 8 feet rear lot line setback for one accessory building (shed), 7 feet side street line and 8 feet rear lot line setbacks for a second accessory building (carport), 13 feet side street line setback and a waiver of the rear yard location requirement for a third accessory building (garage), and waivers of the fence location and height requirements for a fence over 4 feet in height in the side yard (abutting Laurel Avenue) to validate existing conditions (existing development and accessory buildings) and construct a 6-foot wooden privacy fence in the side yard of a corner lot at 6211 Osborne Road, Landover. **The Board resolved, unanimously, that a variances of 22% net lot coverage, 13 feet side street line setback and a waiver of the rear yard location requirement for an accessory building (garage) be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 19 and approved elevation plan, Exhibit 3.**

V-32-18 Juan Reina

Request for a variance of 4 feet front yard depth and a waiver of the parking area location requirement to construct a covered front porch, a driveway in the front yard and a shed at 2006 Van Buren Street, Hyattsville. **The Board resolved, unanimously, that a variance of 4 feet front yard depth and a waiver of the parking area location requirement be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 18 and approved revised elevation plans, Exhibits 19 (a) thru (b).**

**Minutes for Approval from May 23, 2018 – The Board resolved, unanimously, that the minutes be APPROVED.**

THE MEETING ADJOURNED AT 10:38 P.M.

Prepared and submitted by:

(Original Signed)  
Barbara J. Stone  
Administrator