

## **APPROVED**

### **MINUTES**

May 08, 2019

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 06:25 p.m. the Chairperson convened the meeting and the following members were present:

Bobbie Mack, Chair  
Al Scott, Vice Chair  
Anastasia Johnson  
Emerson Davis, Attorney  
Barbara Stone, Administrator  
Langley Wiggins, Communications

#### **CASES FOR HEARING**

##### **NEW CASES**

##### **VARIANCES**

V-31-19 Raul Benitez and Ana Richardson **Spanish Language Interpreter Service were provided.** Request for variances of 15 feet front building line width, 1.1 feet front yard depth, .5-foot left side yard width, 8.1 feet right side yard width and 2 feet side lot line setback for an accessory building to validate existing conditions (property, dwelling, shed) and obtain a building permit for conversion of an attached carport at 5506 Winston Street, Temple Hills. **The Board resolved, unanimously, that variances of 15 feet front building line width, 1.1 feet front yard depth, .5-foot left side yard width, 8.1 feet right side yard width and 2 feet side 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 and approved elevation plans, Exhibits 3 (a) thru (d).**

V-24-19 Michael and Sarah Curran

Request for variances of .3-foot front yard depth, 1.4 feet side yard width, .1-foot side street yard depth for the dwelling; 5.1 feet side street setback for an accessory building and a waiver of the fence height and location requirements for a 6-foot wooden fence in the side yard (abutting 41<sup>st</sup> Street) to validate existing conditions (dwelling, detached garage) and obtain a building permit for a new 6-foot wooden fence at 6000 41<sup>st</sup> Avenue, Hyattsville. **The record was held open to allow the City of Hyattsville the opportunity to comment.**

V-29-19 Ricky and Patricia America

Request for variances of 5 feet left side yard and 1.1-foot right side yard width and 6% net lot coverage to validate existing conditions (dwelling, development) and construct a two-story addition at 10600 Broadleaf Drive, Upper Marlboro. **The record was held open to allow the Petitioners time to revise the site and elevation plans to add steps to the addition.**

V-30-19 Donna Dorsey

Request for variances of 5.5 feet front building line width and 15 feet front street line width, 6 feet rear yard depth/width, and 12% net lot coverage area to validate existing conditions (property) and construct one story addition at 2325 Wyngate Road, Suitland. **The Board resolved, unanimously, that variances of 5.5 feet front building line width and 15 feet front street line width, 6 feet rear yard depth/width, and 12% 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 plan, Exhibit 3**

**OTHER ZONING APPEALS**

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. **To be rescheduled. Date to be determined.**

V-22-19 Keith Turner

This appeal was filed with the Board of Appeals, sitting as the Board of Zoning Appeals for the Maryland-Washington Regional District in Prince George's County, Maryland, from the determination of the Property Standards Inspector, Department of Permitting, Inspections and Enforcement, Enforcement Division, to issue Violation Notice CSD Case No. 19-00003545, dated February 13, 2019, citing Petitioner with violation of County Code Sections 27-441(b)(1), storage of vehicles, trailers, equipment and materials are adversely impacting the surrounding residential neighborhoods, and requiring Petitioner to remove all type of vehicles—unlicensed, wrecked or dismantled vehicles, trailers, equipment and materials—and to maintain the property in a clean, safe, secure and sanitary condition on R-80 (One-Family Detached Residential) zoned property located at Lot 12, Block A, Kastle Estates Subdivision, being 6203 Armor Drive, Clinton, Prince George's County, Maryland. **The appeal has been withdrawn by request of the Petitioner.**

**ADMINISTRATIVE APPEALS**

AA-1714 Hilltop Apartments

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 Prince George's County Fire/EMS Department, Office of the Fire Marshall, to issue a Correction Order dated January 2, 2018, citing Petitioner with violating County Code Sections 11-272 (b) (... premises... shall be provided with approved fire hydrants connected to a water system capable of supplying the water flow required by the Fire Chief or authorized representative. In no case shall the water flow be less than one thousand (1,000) gallons per minute at a residual pressure of twenty (20) psi.) and 11-275 (All private fire hydrants shall be tested, maintained, and serviced annually by the property owner.) A report of this maintenance shall

be made available to the Office of the Fire Marshal upon request.) and requiring Petitioner to start the repair work on the Water System (Private Hydrants) and to have them brought up to meet the standards set in the above-mentioned Code Section within 30 days on M-X-T (Mixed Use Transportation Oriented) Zoned property located at 5309 85<sup>th</sup> Avenue, Hyattsville, Prince George's County, Maryland. Petitioner argues that existing water problems reside in the pipes of its next-door building (Carrollan Garden Condominiums) and calls for a legal enforcement to play mutual key roles. Based on the joined infrastructure of the piping supplying water both of them must deal with performing the essential repairs on the Water System (Private Hydrants). Requests were made for Hilltop Apartments and Carrollan Garden Condominiums to work in conjunction to conclude the water problems and provide them with an extension of time. **The appeal has been withdrawn by request of the Petitioner.**

## **DECISION/DECISIONS**

### V-143-18 Arnie and Karen Ray

Request for a variance of 8.3% net lot coverage and a waiver of the parking area location requirement to validate existing conditions (driveway, development), obtain a building permit for existing driveway extension in the front/side/rear yards, construct a shed and install a 6-foot metal fence at 11701 Fort Washington Road, Fort Washington. **The Board resolved, unanimously, that variances of 8.3% net lot coverage and a waiver of the parking area location requirement be DENIED.**

### V-5-19 Christopher Smith

Request for variances of 13 feet front yard depth and 2.5 feet side yard to validate existing conditions (dwelling) and construct a second-floor addition, concrete driveway and attached garage at 4204 Rainier Avenue, Mount Rainier. **The record was held open to allow the Town of Mount Rainier and the Petitioner the opportunity address conditional approval.**

### V-14-19 Patricio Zamora

Request for variances of 6 feet side yard width and 20 feet front building width to validate an existing condition (development) and construct an attached garage at 16210 Gales Street, Laurel. **Taken under advisement.**

### V-23-19 Jose Gutierrez **Spanish Language Interpreter Services provided.**

Request for variances of 3.5 feet front yard depth, 4 feet side yard width, .7% net lot coverage and a waiver of the parking area location requirement to validate an existing condition (dwelling) and construct a driveway in the front yard at 7912 25<sup>th</sup> Avenue, Hyattsville. **The Record was held open to allow the Petitioner time to obtain an apron permit, revise the site plan to move the driveway to the left and clarify the "partial" removal of the porch.**

### V-25-19 Samuel Laury and Myron Bush

Request for variances of 17 feet front yard depth for the dwelling, 19 feet front street line setback and 58 feet front street line setback, (both abutting Bleae Circle) for an accessory building and 7.7% net lot coverage to validate existing conditions (dwelling, accessory building and development) and screen a portion of an existing deck at 4504 Queensbury Road, Riverdale Park. **The Record was held open to allow the Town of Riverdale Park and the Petitioner to address conditional approval.**

### V-26-19 David Mateo and Jorge Mateo

Request for variances of 200 square feet net lot area, 10 feet front building line width, 8.5 feet front yard depth, 1-foot side yard width and 21% net lot coverage to validate existing conditions (property, dwelling) and construct an extended driveway at 4315 Lawrence Street, Brentwood. **The Record was held open to allow the Town of Colmar Manor and the Petitioner to address conditional approval.**

MINUTES FOR APPROVAL FROM April 17, 2019. **The Board resolved, unanimously, that the minutes be APPROVED.**

THE MEETING ADJOURNED AT 08:07 p.m.

Prepared and submitted by:

A handwritten signature in black ink that reads "Barbara J. Stone". The signature is written in a cursive style with a large initial 'B' and 'S'.

Barbara J. Stone  
Administrator