

**APPROVED**

**MINUTES**

January 23, 2019

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:16 p.m. the Chairperson convened the meeting and the following members were present:

Bobbie Mack, Chair  
Al Scott, Vice Chair  
Anastasia Johnson, Member  
Emerson Davis, Attorney  
Barbara J. Stone, Administrator  
Mike Royer, Communications  
Julie Rotter, Spanish Language Interpreter

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

**NEW CASES**

**VARIANCES**

**V-88-18 Maria Hernandez Spanish Language Interpreter Services were provided.**

Request for variances of 6 feet front yard depth, 1 foot side yard width and a waiver of the parking area location requirement to validate existing conditions (dwelling, driveway) and obtain a building permit for a new enclosed front porch, driveway in the front yard and retaining wall up to 4 feet in height at 6016 Jefferson Heights Drive, Fairmount Heights. **The Board resolved, unanimously, that variances of 6 feet front yard depth, 1 foot side yard width and a waiver of the parking area location requirement 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-115-18 Meisen Romero Spanish Language Interpreter Services were provided.**

Request for variances of 8.6% net lot coverage, 1 foot rear lot line setback for an accessory building, waivers of the fence location and height requirements for a fence over 4 feet in height in the front yard and a waiver of the parking area location requirement to validate existing conditions (development, shed), construct a driveway extension in the front yard and a 6-foot privacy fence in the front yard at 7500 Greenleaf Road, Landover. **The Board resolved, unanimously, that variances of 8.6% net lot coverage, 1 foot rear lot line setback for an accessory building, waivers of the fence location and height requirements for a fence over 4 feet in height in the front yard 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 19, and approved elevation plans, Exhibits 3 (a) thru (b).**

V-138-18 Clifton and Shawne Morgan

Request for a variance of 6.2% net lot coverage to validate an existing condition (development) and obtain a building permit for a new driveway extension at 7201 Adelphi Road, Hyattsville. **The Board resolved, unanimously, that a variance of 6.2% net lot coverage be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2.**

V-139-18 Harold and Veronica Adams, Michael Gore and Tammy Adams-Gore

Request for a variance of 5.73% net lot coverage to construct a one-story dwelling, with attached garage, covered front porch and driveway at 16805 Nottingham Road, Upper Marlboro. **The Board resolved, unanimously, that a variance of 5.73% net lot coverage be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plan, Exhibit 3 (a) and (b).**

V-140-18 Abner Vasquez

Request for variances of 31.1% net lot coverage and 1.5 feet rear lot line setback for an accessory building to validate existing conditions (development, shed) and construct a one-story addition at 6322 Powhatan Street, Riverdale. **The record was held open to allow the Petitioner to provide the sign posting affidavit.**

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 record was held open to allow the Petitioner to submit a revised Tree Conservation Plan.**

V-146-18 Janet Folem

Request for variances of 7 feet side street yard depth, 14 feet rear yard depth/width and 2.7% net lot coverage to validate existing conditions (dwelling, development) and obtain a building permit for a gravel driveway extension and to complete construction of a covered front porch at 6301 Hardwood Drive, Lanham. **The record was held open for Petitioner to provide accurate elevations and a revised site plan to demonstrate gravel driveway.**

V-147-18 Panfilo and Delia Romero

Request for variances of 1,000 square feet net lot area, 10 feet front building line width, 14 feet side street yard depth, 1 foot side yard width, 6 feet rear yard depth/width and 14.5% net lot coverage to validate existing conditions (property, dwelling), construct a two-story addition, with covered stoop and basement, a driveway extension and to replace the roof on the existing dwelling at 4718 Gunther Street, Capitol Heights. **The Board resolved, unanimously, that variances of 1,000 square feet net lot area, 10 feet front building line width, 14 feet side street yard depth, 1 foot side yard width, 6 feet rear yard depth/width and 14.5% 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 (a) and (b).**

## **ADMINISTRATIVE APPEALS**

### AA-1702 Charles Quesenberry

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, Inspections Division, to issue Violation Notice No. 5368-2018, dated February 2, 2018, citing Petitioner with violating 2015 IRC Section R-105.1 as amended by P.G. Code Section 4-111(a) (Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.) and requiring Petitioner to obtain the required permit(s) for work done at the subject property or remove the same. Work includes but not limited to accessory structure, on O-S (Open Space) zoned property located at Parcel 85, Map 174, Grid F1, being 17201 Macgruders Ferry Road, Brandywine, Prince George's County, Maryland. A request was also made for an extension of the grace period should the Board determine that a violation exists. **To be rescheduled.**

## **DISCUSSION/DECISION**

### V-94-18 Deris Rivera and Maria Castellon

Request for variances of 1,000 square feet net lot area, 10 feet front building line width, 11 feet front yard depth and 6.1% net lot coverage to validate existing conditions (lot size, lot width, development), convert an enclosed porch into living space and obtain a building permit for a new deck at 3412 41st Avenue, Colmar Manor. **The record was held open to allow the Town of Colmar Manor the opportunity to provide comments.**

### V-123-18 Ivon Urizar and Prudencia Perez

Request for a variance of 5 feet rear lot line setback for one accessory building, a variance of 6 feet front street line setback and a waiver of the rear yard location requirement for a second accessory building, variances of .7 inches for one retaining wall (Oakhill Court) and 1.7 feet for a second retaining wall (Edgefield Drive) and a waiver of the parking area location requirement to validate existing conditions (sheds, driveway, retaining walls) and obtain a building permit for a new driveway in the side yard of a corner lot, retaining walls and shed at 10417 Edgefield Drive, Hyattsville. **The record was held open for the Petitioner to provide revised site plan demonstrating no vehicular access to the rear yard.**

### V-128-18 Jose Marquez

Request for variances of 1-foot side yard width for the dwelling, 8.7% net lot coverage and 11 feet front street line setback and a waiver of the rear yard location requirement for an accessory building to validate existing conditions (dwelling, shed, development) and obtain a building permit for an existing one-story addition and new driveway at 7502 24th Avenue, Hyattsville. **The Board resolved, unanimously, that variances of 1-foot side yard width for the dwelling, 8.7% net lot coverage and 11 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 22.**

### V-131-18 All Saints Ch. Md. Convocation

Request for variances of 25 feet front yard setback, 20 feet rear yard setback from residentially zoned land, 30 feet total side yard setback and a waiver of the fence location requirement to construct a 10-foot electric security fence inside the existing chain link fence at 4825 Lydell Road, Hyattsville. **The Board resolved, unanimously, that variances of 25 feet front yard setback, 20 feet rear yard setback from residentially zoned land, 30 feet total side yard setback and a waiver of the fence location requirement be DENIED.**

V-137-18 Victoria Baltazar

Request for variances of 1,000 square feet net lot area, 10 feet front building line width, 12 feet front yard depth and a waiver of the parking area location requirement to validate existing conditions (property, dwelling) and construct a driveway in the front yard at 3905 Lawrence Street, Brentwood. **The record was held open to allow the Town of Colmar Manor the opportunity to provide comments.**

**RECONSIDERATION**

V-109-18 Frank Massaquio

Request for a waiver of the parking area location requirement to construct a driveway in the front yard at 4824 66th Avenue, Hyattsville. Mr. Massaquio variance was approved by the Board on November 14, 2018, Exhibit 19. On December 28, 2018, the Board of Appeals Office was contacted by the Permit Office advising that Site Roads Section could not approve the permit due to the driveway being moved to the right 6 feet, in front of a storm drain and street sign. Site Roads is requesting that the driveway be moved back 6 feet away from the storm drain and street sign. This reconsideration is to process that request. **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.**

MINUTES FOR APPROVAL FROM DECEMBER 5, 2018. **The Board resolved, unanimously, that the minutes be APPROVED.**

THE MEETING ADJOURNED AT 9:42 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'.

Barbara J. Stone  
Administrator