

MINUTES

August 7, 2019

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, Chair
Al Scott, Vice Chair
Anastasia Johnson, Member
Emerson Davis, Attorney
Barbara Stone, Administrator
Aminah Bushrod, Technical Services

VARIANCES

CASES FOR HEARING - 6:00 P.M.

NEW CASES:

V-66-19 Ricardo Cardenas Spanish Language Interpreter provided (Luna)
Request for a waiver of the parking area location requirement to construct a parking pad/driveway at 8802 Edmonston Road, Berwyn Heights. **The record was held open to allow the Petitioner to submit revised site plans to demonstrate the conditions of the City of Hyattsville, specifically a barrier between the house and driveway.**

V-73-19 Rocael Cruz, Etal Spanish Language Interpreter provided. (Luna)
Request for variances of 13.2% net lot coverage and a waiver of the parking area location requirement to construct a driveway at 5212 Tilden Road, Bladensburg. **The record was held open to allow the Petitioner to submit revised site plan reducing the driveway to 10 – 12 feet in width.**

V-65-19 Tonya Gravely
Request for a variance of 12 feet rear yard depth/width to validate an existing condition (dwelling), construct a 2-car garage, a covered walkway and enclose an existing carport at 11420 Hermitt Street, Clinton. **The Board resolved, unanimously, that a variance of 12 feet rear yard depth/width be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 2 and approved elevation plans, Exhibits 3 (a) thru (c).**

V-67-19 Madelin and Kurt Fox
Request for a waiver of the fence height and location requirements for a fence over 4 feet in height in the side yard (abutting Benton Road) to validate existing conditions (dwelling and development) and construct a 6-foot wooden fence at 2411 Valley Way, Cheverly. **The record was held open to allow the Town of Cheverly the opportunity to comment.**

V-70-19 Jose Romero, Etal

Request for a variance of 5 feet front yard depth and a waiver of the parking area location requirement to construct a covered porch and extend the driveway at 3423 Rutgers Street Hyattsville. **The record was held open to allow the Petitioner to meet with the Town of Hyattsville to determine adequate pervious materials for the driveway.**

V-78-19 Melvin Parker

Request for variances of 203 feet front building line width, 15 feet side yard width and 12% net lot coverage to validate existing conditions (property, dwelling) and construct one-story addition at 10828 Old Indian Head Road, Upper Marlboro. **The Petitioner did not appear for the hearing.**

ADMINISTRATIVE APPEALS:

AA-1716 NSR Petro Services, LLC

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, Enforcement Division, to issue CSD Case No. B72053, dated July 5, 2018, citing Code Section 13.269 (violation must be paid in 30 days to avoid tax lien on property). Code Section 14-601-14-605 (interests and penalties are accumulated). Petitioner requests to obtain a payment of \$4,645.30 for services done on C-S-C (Commercial Shopping Center) zoned property located in parcel 193, Tax Map 081; Grid F4, being 7521 Marlboro Pike, District Heights, Prince George's County, Maryland. **Office of Law submitted "Motion to Dismiss". Appeal rescheduled to allow rebuttal to Motion.**

AA-1718 Seeram Enterprises, LLC

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. 8523-19-0, dated March 1, 2019, citing Petitioner with violating County Code Section 32-126(a) Grading Permit required; 2015 IBC Section 105.1 as amended by P.G. Code Section 4-111(a); P.G. Code Section 11-260 Above ground tank storage of flammable liquids; P.G. Code Section 4-352 (i)(24), P.G., and Code Section 4-1116 (a) Violations, and requiring Petitioner to obtain a grading permit for clearing trees in a flood plain area and creating a parking lot. Obtain building permit for work done or remove the same, work includes but not limited to an accessory structure (sea container) and 6' fence. Obtain a permit for the gas tanks and oil drums that must be placed in a leak proof container and protected from being hit or damaged. A request was also made for an extension of the grace period should the Board determine that a violation exists. **Appellant is currently out of the Country, Counsel for Petitioner requested appeal to be rescheduled.**

DISCUSSION/DECISION (Subject to Change):

V-34-19 Aristides and Carmen Arias

Request for variances of 14 feet front yard depth, a 5-foot side yard width, 10.83 feet front building line and 21.3% lot net coverage to validate existing conditions (property, dwelling, development) and replace the driveway at 4229 29th Street, Mount Rainier. **The record was held open to allow the City of Mount Rainier the opportunity to comment. Petitioner advised Mt. Rainier he wishes to withdraw.**

V-38-19 Haddis Neway

Request for variances of 200 square feet net lot area, 25 feet front building line width and 5 feet front street line width, 13 feet front yard depth, 4 feet side yard width and 4.3% net lot coverage to validate existing conditions (property and dwelling) and obtain a permit to construct a two-story addition and replace the second story at 4605 Burlington Road, Hyattsville. **The record was held open to allow the Petitioner to submit revised site plan demonstrating the Town of Hyattsville conditions.**

V-39-19 Mackie Homes, LLC

Request for variances of 693 square feet net lot area, 20 feet front building line width, 5 feet front yard depth 2.7% net lot coverage to validate existing conditions (property and dwelling) and obtain a building permit to construct a two-story dwelling with basement, a covered front porch, a driveway at 5227 42nd Place, Hyattsville. **The record was held open for technical advice.**

V-46-19 Housing Initiative Partnership

Request for variances of 3.5 feet front yard depth, .1-foot side yard width and 7.5 feet front street line setback for an accessory building (garage) to validate existing conditions (dwelling), construct a dormer, a 6-foot vinyl fence, a wood stair with canopy, a concrete driveway, replace a screen porch, and renovate the existing garage at 6514 Kipling Parkway, District Heights. **The Board resolved, unanimously, that variances of 3.5 feet front yard depth, .1-foot side yard width and 7.5 feet front street line setback for an accessory building be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 2 and approved elevation plans, Exhibits 3 and 4.**

V-57-19 Kerry Richards and Patricia Dawkins

Request for a variance of 13 feet side street yard depth and waivers of the fence height and location requirements for a fence over 4 feet in height in the front yard/side yard (abutting Watkins Park Drive) to validate an existing condition (dwelling) and construct a 6-foot wooden fence at 12801 Winona Drive, Upper Marlboro. **The record was held open to allow the Home Owners Association the opportunity to submit comments.**

V-61-19 Rhonda Sabb

Request for variances of 3 feet yard side width and 3% net lot coverage to validate an existing condition (dwelling) and extend the existing driveway at 6312 Baltimore Avenue, University Park. **The Board resolved, unanimously, that variances of 3 feet yard side width and 3% net lot coverage be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 2.**


V-90-16 Rosa Vigil

Dismiss for non-pursuance. Attempting to acquire a site plan drawn to scale since August 12, 2016. To date, numerous attempts to contact Petitioner for revised site plans have no avail. On March 14, 2019 contacted Petitioner, advised that if revised site plan were not received within 30 days, the appeal would be brought before the Board for dismissed. Allowed an additional 90 days. **The Board resolved, unanimously, that variances of 3 feet yard side width and 3% net lot coverage be DISMISSED.**

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

THE MEETING ADJOURNED AT 8:44 p.m.

Prepared and submitted by:



Barbara J. Stone
Administrator