

**Virtual Hearing**  
**APPROVED**  
**MINUTES**  
March 3, 2021

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:00 p.m. the Chairperson convened the meeting and the following members were present:

Bobbie Mack, Chair  
Al Scott, Vice Chair  
Anastasia Johnson, Member

Others Present:

Emerson Davis, Board Attorney  
Ellis Watson, Staff Attorney  
Barbara J. Stone, Administrator  
Celeste Barlow, Administrative Aide  
Olga Antelo-Vasquez, Administrative Aide

**NEW VARIANCES**

**V-10-20 Melvin Parker**

Request for a variance of 1% net lot coverage to validate existing conditions (Lot width at front building line and front yard depth) and obtain a building permit for the unauthorized construction of a deck at 7305 Georgian Drive, Upper Marlboro. **The record remains open to allow the Petitioner to submit a revised site plan providing steps on the deck.**

**V-66-20 Alexander Stewart and Amber Watson**

Request for a variance of 5 feet front building line width and a waiver of the parking area location requirement to validate existing conditions (lot/width frontage and front yard depth) and obtain a building permit for the construction of a driveway at 6609 Wells Parkway, Hyattsville. **The Board resolved, unanimously, that a variance of 5 feet front building line width and 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**

**V-158-19 Jireh Transportation and Trucking**

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 19-00094455, dated November 1, 2019, citing Petitioner with violation of Zoning Ordinance Sections: 1. Property Maintenance Code Section 13-233&23-150(c)(d), all improved and unimproved property shall be maintained in a clean, safe, secure, and in sanitary condition and in conformance with this Division so as not to create a public nuisance or adversely affect

the public health, safety, or welfare. 2. Property Maintenance Code Section 13-234, Disposal of Garbage and Rubbish. - All garbage, vegetable waste, or other putrescible materials, or rubbish shall be placed in approved containers provided with close fitting covers for storage of such waste until removed from the premises for disposal accordance with provisions of this Code. 3. Property Maintenance Code Section 13-237&23-150(c)(d), Weeds, all property shall be kept free from weeds in excess of twelve (12) inches in height except where prohibited by other applicable laws. 4. Property Maintenance Code Section 13-239, Public Areas-All sidewalks, steps, driveways, parking spaces, loading docks, service areas, and similar paved areas for public use shall be kept in a proper state of repair and maintained free of hazardous conditions also. 5. Property Maintenance Section 13-240, Exterior surfaces, walls, and Foundations of Structures. - Every exterior surface, wall and foundation shall be free of holes, breaks, lose or rotting boards, timber or other materials, and any conditions which might admit rain or dampness to the interior portions of the walls. All exterior surface materials, including wood, composition, cinderblock, or metal siding shall be maintained in a weatherproof condition, property surface-coated, and free of graffiti. 6. Zone Code Section 27-253(a)(1),4-118(c), Use of a building, structure or land without a use and occupancy permit for Jireh Transportation and Trucking LLC, Tiger Delivery, Inc, No Fuss Enterprises, LLC and any other Tenants. 7. Zoning Code Section 27-441(b)(8), Parking/storage of any motor vehicle which is wrecked, dismantled or not currently licensed on I-1 Zoned Property. Petitioner is inquired to take action to improve the conditions of the property. All rubbish inside and outside must be removed including wrecked or dismantled vehicles. All vehicles equipment, materials and items must keep the regulations of the Department of Permitting, Inspections and Enforcement. Vehicle without license may be permitted whenever is stored in a wholly enclosed garage; otherwise, it must be removed. The grass must be cut, and weeds removed as well as hazardous conditions of the asphalt fixed. The works needed in the property also embrace the reparation of exterior surfaces, walls and foundations of structures as areas with holes, breaks, lose or rotting boards and timber. Exterior needs proper weatherproof paint and corrections caused by rain or humidity to the interior. In order to maintain the property in operational conditions at all the time, Change of Owner/Tenant requires a new Use and Occupancy Permit for Jireh Transportation and Trucking LLC, Tiger Delivery, Inc. No Fuss Enterprises, LLC and Any Other Tenants, on I-1 (Light-Industrial) zoned, property located at Map 0050, Grid 00D4, Parcel 160, being 3512 52<sup>nd</sup> Avenue, Hyattsville, Prince George's County, Maryland. **The Department of Permitting, Inspection and Enforcement has closed this violation with Office of Law in agreement. The Board resolved, unanimously, that Appeal V-159-19 be DISMISSED.**

V-71-20 Daniel Katz

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 Investigator, Department of Permitting, Inspections and Enforcement Division, to issue Violation Notice CSD Case No.: 20-00068686, dated October 21, 2020, citing the Petitioner with violations: 1. Zoning Code Section 27-441 (a)(7), all types of trailers, that are not either a boat or camping trailer, are not listed in the Table of Uses, and therefore not permitted. 2. International Property Maintenance Code (2000) Section 303.2, wood and/or metal surfaces exposed to the weather has/have flaked and peeling paint. 3. Housing Code Section 13-118(f), premises have the unlawful storage of wrecked, dismantled, inoperable, and/or unlicensed motor vehicle(s). 4. 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. 5. International Property Maintenance Code (2000) Section 305.1, Section 305.2, Section 305.2.16. Housing Code Section 13-181, Section 13-182, the premise is being operated as a single-family or multifamily rental facility without the required license. 6. Housing Code Section 13-181, Section 13-182, the premise is being operated as a single-family or multifamily rental facility without the required license. Petitioner has been inquired to act in the following issues: Remove the trailer which should be properly registered. Protect with coating resistant preservative all exposed wood or metal surfaces. Remove unlicensed, and inoperable motors vehicles and verify that they can run

at least 100 feet. Keep the property in good sanitary conditions, free of trash, litter and debris. Obtain a rental license if more than one family would live in the OS (OPEN SPACE) zone, property located at 11804 Cherry Tree Crossing Road, Brandywine, MD 20613. **The Department of Permitting, Inspection and Enforcement has closed this violation with Office of Law in agreement. The Board resolved, unanimously, that Appeal V-71-20 be DISMISSED.**

## **DISCUSSION/DECISION**

### V-162-19 John and Teresa Burleson

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 Investigator, Department of Permitting, Inspections and Enforcement Division, to issue Violation Notice CSD Case No.: 18-00122159, dated November 15, 2019, citing Petitioner with violation Zoning Code Section 27-441(a) 7, which prescribes that all types of trailers—except boats or camper trailers—are not permitted on RR- Rural Residential Zone. Housing Code Section 13-118 (f) which prescribes that it is illegal to storage of wrecked dismantled and/or unlicensed motor vehicle(s). Housing Code Section 13-118 which prescribes that property open area cannot be used for storage of items but no limited to rubbish, garage, building materials. International Property Maintenance Code (2000) Section 305.1, Section 305.2 Section 305.2.1 which prescribe that exterior property areas should be free from accumulation of trash, litter and debris. **The Department of Permitting, Inspection and Enforcement has closed this violation with Office of Law in agreement. The Board resolved, unanimously, that Appeal V-162-19 be DISMISSED.**

### V-36-20 Alberto Sanchez

Request for a variance of 9.1% net lot coverage and a waiver of the retaining wall and fence location and height requirement over 4 feet in height in the side yard to validate an existing condition (lot coverage) and obtain a building permit for the unauthorized construction of a 3.5 foot tall retaining wall with a 4.5 foot tall chain link fence at 7004 Taylor Terrace, Hyattsville. **The record was held open to allow the Petitioner additional time to revise the site plan and obtain comments from the Town of Landover Hills.**

### V-50-20 Maxine and Jassett Taylor

Request for a waiver of the parking area location requirement to obtain a building permit for the proposed driveway at 2421 Sheridan Street, Hyattsville. **The Record was held open to allow the Petitioner to obtain Apron Permit.**

### V-58-20 Anthony W. Bailey

Request for variances of 14 feet front yard depth, 3 feet side yard width and 17.6 % net lot coverage to validate existing conditions (front yard depth, side yard width and lot coverage) and obtain a building permit for the unauthorized construction of a driveway extension at 4109 34th Street, Mount Rainier. **The Board resolved, unanimously, that variances of 14 feet front yard depth, 3 feet side yard width and 17.6 % net lot coverage be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2.**

### V-77-20 Rachel James

Request for a variance of 8 feet side yard width to obtain a building permit for the construction of a deck and gazebo at 5708 Black Hawk Drive, Oxon Hill. **The record was held open to allow the Petitioner to move the deck 3 feet from the property line.**

### V-79-20 Marvin and Pennie Partee

Request for variances of 58 feet front street line setback, 2 feet side lot line setback and a waiver of the rear yard location requirement for an accessory building(garage) to obtain a building permit for the unauthorized construction of a garage and shed at 401 Cabin Branch Road, Capitol Heights. **Taken under advisement.**

AA-1732, AA-1733, AA-1734 Hillis Carnes

See case file for description. **Taken under advisement**

AA-1735, AA-1736, AA-1737 D.R. Horton

See case file for description. **Taken under advisement**

AA-1742, AA-1743, AA-1744 Hardscape Construction

See case file for description. **Taken under advisement**

MINUTES APPROVED FOR FEBRUARY 8 AND 10, 2021 WERE RESCINDED. MINUTES FOR APPROVAL FOR FEBRUARY 8<sup>TH</sup>, 10<sup>TH</sup> AND FEBRUARY 24, 2021. The **Board resolved, unanimously, that the minutes be APPROVED.**

THE MEETING ADJOURNED AT 7:33 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 and is positioned above the printed name.

Barbara J. Stone  
Administrator