



# BOARD of APPEALS

Zoning and Administrative

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**Virtual Hearing  
APPROVED  
MINUTES  
April 6, 2022**

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:01 p.m. the Chairperson convened the meeting, and the following members were present:

Bobbie Mack, Chair  
Al Scott, Vice Chair  
Anastasia Johnson

Others Present:

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

## NEW VARIANCES

### V-3-22 C&C Investors Group, LLC

Request for a (#1) waiver of the parking area location requirement to obtain a building permit for the construction of a driveway in front of the house at 6709 Gateway Boulevard, District Heights. **Petitioner did not appear for the Hearing. This record has been rescheduled for May 25, 2022.**

### V-12-22 Dwayne Sharps

Request for a waiver of the fence location and height requirements for a fence over 4 feet in height in the front yard (abutting Parnu Court) to obtain a building permit for the construction of a 6-foot white vinyl fence at 9700 Varus Place, Upper Marlboro. **The Board resolved, unanimously, that 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-14-22 Diane Watson

Request for variances of 11 feet rear yard depth/width and 7.9% net lot coverage to obtain a building permit for the construction of a screened sunroom at 10301 Brandywine Road, Clinton. **The Board resolved, unanimously, that a variances of 11 feet rear yard depth/width and 7.9% 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 plans, Exhibits 3 (a) thru (l).**

V-15-22 David and Karen Miles

Request for variances of 8 feet front street line setback, a waiver of the rear yard location requirement for an accessory building (shed) and a waiver of the parking area location requirement to obtain a building permit for the construction of a carport with an attached shed at 2407 Rockwood Road, Accokeek. **The Board resolved, unanimously, that variances of 8 feet front street line setback, a waiver of the rear yard location requirement for an accessory building (shed) 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 plans, Exhibits 3 (a) thru (l).**

V-19-22 Brenda W. Via

Request for a variance of 5.7 feet rear yard depth/width to validate an existing condition (rear yard depth/width) and obtain a building permit for the construction of a sunroom at 5501 Burrell Court, Clinton. **The Board resolved, unanimously, that a variance of 5.7 feet rear yard depth/width 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 (j).**

**DISCUSSION / DECISION**

V-141-21 Joseph Garrison & Laura Moore

Request for a variance of 5 feet front yard depth and a waiver of the fence location and height requirements for a fence over 4 feet in height in the side yard (abutting Shepherd Street) and obtain a building permit for the unauthorized construction of a 6-foot wooden privacy fence at 4046 34th Street, Mount Rainier. **The Board resolved, unanimously, that a variance of 5 feet front yard depth and a waiver of the fence location and height requirement 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 (e).**

V-7-22 Jack and Linda Bannister *See corrections below. Brackets: deletion; underline: correction; Strikethrough: removed.*

Request for variances of [1,500] 1,000 square feet net lot area, 15 feet front building line width, [1-foot each side yard width] and 1.8% net lot coverage are requested and obtain a building permit for the construction of a two-story dwelling with basement, garage, and driveway at 1517 Pacific Avenue, Capitol Heights. ***The record was held open to allow the petitioner to provide notes on the site plan and a height measurement on the elevation Plans. No readvertisement required as corrections are less than advertised.*** The record remained open for Petitioner to provide a revised elevation that demonstrated the height at mid peak and to provide note on the site indicating the maximum height at mid peak. In addition, provide a note that he has spoken to the neighbor regarding the project setbacks.

V-10-22 James Stevens

Request for variances of 9 feet side yard width, 1-foot rear yard depth/width, 2 feet side lot line setback and 1.5 feet rear lot line setback for accessory buildings (two sheds) and obtain a building permit for the construction of a covered carport over existing driveway at 5138 Flintridge Drive, Lanham. **The Board resolved, by majority vote, Mr. Al Scott, absent, that variances of 9 feet side yard width, 1-foot rear yard depth/width, 2 feet side lot line setback and 1.5 feet rear lot line setback for accessory buildings (two sheds) 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.**

V-13-22 Hannah Cole-Chu and William McKindley-Ward

Request for variances of 425 square feet net lot area, 13.5 feet front yard depth and 21.2 % net lot coverage to obtain a building permit for the proposed wooden stairs and covered landing to access to the rear yard, at 3209 Perry Street, Mount Rainier. **The Board resolved, by majority vote, Ms. Anastasia Johnson, absent, that variances of 425 square feet net lot area, 13.5 feet front yard depth and 21.2 % net lot coverage be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 3 and approved elevation plans, Exhibits 4 (a) thru (c).**

**RECONSIDERATION**

V-65-21 India and Gayle Clark

Request for a variance of 2.1% net lot coverage and a waiver of fence location and height requirements for a fence over 4 feet in height in the front yard/side yard (abutting Brightfield Lane) to validate an existing condition (net lot coverage) and obtain a building permit for the construction of a 6-foot fence at 7606 Brightfield Place, Upper Marlboro.

The Board resolved, by majority vote, Ms. Anastasia Johnson absent, that variance of 2.1% net lot coverage and a waiver of the fence location and height requirement for a fence over 4 feet in height in the front yard/side yard (abutting Brightfield Lane) be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 20 and approved elevation plan, Exhibit 3.

*Discussion regarding the approved site plan from the HOA and the revised plan from Petitioner.*

**During the Reconsideration, it was determined that the suggestion of the HOA site plan has moved forward, and the fence is currently being installed. Because of the reconfiguration of the fence, the variance was no longer required. Making the Reconsideration a moot point.**

MINUTES FOR APPROVAL FROM March 9, 2022, and March 23, 2022. **The Board resolved, by unanimously, that the minutes be APPROVED.**

THE MEETING ADJOURNED AT 8:27 p.m.