

MINUTES
APPROVED
February 22, 2023

Pursuant to the provisions of Section 27-3413(e)(2) of the Zoning Ordinance, at 6:04 p.m. the Chairperson convened the meeting, and the following members were present:

Board Members:

Bobbie Mack, Chair - Present
Anastasia Johnson, Member - Present
Wm. Carl Isler, Member – Present.
Renee Alston, Member - Absent
Teia Hill - Present

Others Present:

Emerson Davis, Board Attorney
Ellis Watson, Staff Attorney
Donna Brown, Clerk of the Council
Celeste Barlow, Administrative Aide
Olga Antelo-Vasquez, Administrative Aide

NEW VARIANCES

V-80-22 Enock Adewuyi

Request for variances of 4,182 square feet net lot area, 6 feet lot width, and a waiver of fence location and height requirement for a fence over 4 feet in height (abutting Colvin Court, enclosing half basketball court in rear yard) to validate existing conditions (net lot area and lot width) and obtain a building permit to construct a 6-foot ornamental aluminum fence and a 10-foot half basketball court chain link fence at 3600 Colvin Court, Bowie. **Staff is scheduled to meet to create a review and approval process for the required Safety Exemption Plan.**

V-94-22 Kevin and Catrina Coles

Request for a variance of (revised) 3.68% net lot coverage and obtain a building permit to construct a two-story single-family home, two-story garage, and driveway at 16713 Candy Hill Road, Upper Marlboro. **The Board resolved, by majority vote 4-0 (Absent-Alston), that a variance of 3.68% 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 (d).**

V-4-23 John C. Arrington

Request for variances of 11 feet lot width, 1-foot for each side yard width and waivers of the wall location and height requirements for a wall over 4 feet in the front yard (abutting 67th Avenue) to validate existing conditions (lot width and side yard width) and obtain a building permit for the proposed

retaining wall of 5'6" and concrete driveway extension at 5905 67th Avenue, Riverdale. **The Board resolved, by majority vote 4-0 (Absent-Alston) that variance of 11 feet lot width, 1-foot for each side yard width and waivers of the wall location and height requirements for a wall over 4 feet in the front yard (abutting 67th Avenue), 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-5-23 Dixon Charles, Jr.

Request for a variance of 1% net lot coverage and obtain a building permit for the proposed pool house with masonry fireplace, patio, deck, and outdoor kitchen at 12307 Pleasant Prospect Road, Bowie. **The Board resolved, by majority vote 4/0 (Absent-Alston) that a variance of 1% 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, Exhibit 3 (b)**

OTHER ZONING APPEALS

V-26-22 Convenience & Tobacco Corner, 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 Violation Notice CSD Case No.: 53449-2019-00, dated March 9, 2022, being located at 3320 Walters Lane, District Heights, citing Petitioner with: Part II, Title 17, Subtitle A, Section 4-112 (C), amending International Building Code (2012 ED) Section 105.6, and International Building Code (2012 Ed.) Section 111.4, you are hereby notified that Use & Occupancy Permit No. 53449-2019-00 for the premises in violation is hereby revoked. All activities in the building, structure, and on the land at the Subject Property shall cease immediately. As this establishment is not in compliance with the provisions of the Sections and all applicable use and occupancy provisions of the Zoning Ordinance, Prince George's County has determined that revocation of the Use and Occupancy Permit No. 53449-2019 is appropriate and necessary to achieve compliance with the Prince George's Code and necessary to maintain the safety and welfare of the public. **Mack/Johnson moved to grant the motion for dismissal. The motion carried 4-0 (Absent: Alston).**

DISCUSSION/DECISION

V-61-22 Marcus Barnes

Request for a variance of 1.5% lot coverage and obtain a building permit for the unauthorized construction of an 18' x 18' shed at shed at 2105 Weber Drive, District Heights. **The requested report was not received. Inspector Juan Swann indicated that the information will be available at the next hearing. Mack/Isler moved to hold the case open. The motion carried 4-0 (Absent: Alston).**

V-76-22 Felix Rivas

Request for variances of 2 feet front yard depth and 5 feet left side yard width to obtain a building permit for the construction of a 2nd floor addition over existing house at 6117 42nd Avenue, Hyattsville. **The record must be readvertised due to new calculations for lot coverage. A revised site plan was submitted. The motion carried 4-0 (Absent: Alston).**

V-77-22 Joselito Amparo and Ana R. Amparo Lugo

Request for variance of 16% net lot coverage to obtain a building permit to construct a driveway extension at 11711 Chilcoate Lane, Beltsville. **The record was held open as Inspector Juan Swann indicated that there was an on-site visit, and it has been confirmed that the backyard is paved. A revised site plan from the petitioner is required with recalculation of lot coverage. Readvertisement may be necessary. The motion carried 4-0 (Absent: Alston).**

V-81-22 Franklin Velasquez

Request for variances of 3.2 feet rear yard depth and a waiver of the fence height and location requirement for a fence over 4 feet in height in the front yard (abutting Ager Road) to validate an existing condition (rear yard depth) and obtain a building permit to replace a 4-foot fence with a 6-foot vinyl fence at 2029 Rittenhouse Street, Hyattsville. **The Board resolved, by majority vote 4/0 (Absent-Alston) that variances of 3.2 feet rear yard depth and a waiver of the fence height and location requirement for a fence over 4 feet in height in the front yard, be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 16 and approved elevation plans, Exhibit 3.**

V-92-22 Ana Yahaira Pena

Request for variances of 1,500 feet net lot area, 15 feet front building line width, 2 feet lot frontage width at front street line, 37% net lot coverage, 2 feet left side yard width and a waiver of the fence location and height requirements for a fence over 4 feet in height in the front yard/side yard (abutting Larchmont Avenue) to validate existing conditions (net lot area, lot width, lot frontage (width) at front street line, lot coverage, side yard width and waiver of the fence location) and obtain a building permit for the unauthorized construction of a 6-foot vinyl fence at 734 Larchmont Avenue, Capitol Heights. **The record was held open to allow the City of Capital Height the opportunity to provide comments. The motion carried 4-0 (Absent: Alston).**

V-95-22 Azeb Desta

Request for variances of 5 feet lot width, and a waiver of the fence height and location requirement for a fence over 4 feet in height in the front yard to validate an existing condition (lot width) and obtain a building permit for the construction of a 6-foot vinyl fence in the front yard at 8012 18th Avenue, Hyattsville. **The Board resolved by majority vote 4-0 (Absent-Alston) that variances of 5 feet lot width, and a waiver of the fence height and location requirement for a fence over 4 feet in height in the front yard, be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 17 and approved revised elevation plans, Exhibit 18.**

MINUTES FOR APPROVAL FROM February 8, 2023. **The Board resolved, by majority vote, Ms. Renee Alston absent, that the minutes be APPROVED.** THE MEETING ADJOURNED AT 7:36 P.M.

Prepared and submitted by:

Olga Antelo-Vasquez
Administrative Aide