

MINUTES
APPROVED
May 22, 2024

All Board of Appeals hearings are virtual hearings; however, if necessary, a part of the meeting may be conducted in closed session. Pursuant to the provisions of Section 27-3413(e)(2) of the Zoning Ordinance, at 6:01 p.m., the Chairperson convened the meeting, and the following members were present:

Board Members:

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

Others Present:

Keisha Garner, Board Attorney
Ellis Watson, Staff Attorney
Barbara Stone, Administrator
Celeste Barlow, Case Reviewer
Olga Antelo-Vasquez, Case Reviewer

NEW VARIANCES

V-6-24 Irma Luis Sanchez Spanish Language Interpreter Provided/Sotogomez

Request for variances of 1,148 square feet net lot area and 0.4% net lot coverage to validate existing conditions (net lot area and lot coverage) and obtain a building permit for the construction of the unauthorized carport at 4207 Largo Road, Upper Marlboro. **The record was held open in order for the Petitioner to submit a justification letter addressing the criteria.**

V-11-24 Pablo Contreras and Simon Osorio

Request for variances of 15 feet lot width at the building line, 2 feet lot width at front street line, and a security exemption for a wall over 4 feet in height in the front yard (abutting Oliver Street) to validate existing conditions (lot width at the building line, frontage width at front street line, and security exemption for a wall over 4 feet) and obtain a building permit for the new retaining wall (4' 6" height) in the front yard at 4105 Oliver Street, Hyattsville. **The record was held open due to an error in the letter from Hyattsville.**

V-13-24 Oscar Calderon

Request for variances of 9,522 square feet net lot area, 10 feet lot width, 45.8% lot coverage, and 5.7 feet front yard depth to validate existing conditions (net lot area, lot coverage, lot width, front yard depth) and obtain a building permit to convert an attic to a proposed second-story addition at 4409 Powder Mill Road, Beltsville. **The record was held open for the Petitioner to submit a letter of justification and Stormwater Management approval.**

V-16-24 Henry Isaiah Sanchez Parada

Request for variances of 19.3% lot coverage and 3 feet accessory building setback to obtain a building permit for the unauthorized construction of a 28' x 52.3' concrete parking pad, 15' x 40' carport, 4-foot wooden retaining wall, and a 6-foot wooden fence at 7009 Independence Street, Capitol Heights. **The record was held open, awaiting a report from County Inspector Juan Swann and for staff to research the topography map of the property.**

V-26-24 5271 Temple Hills, LLC

Request for variances of 18-foot lot width and 3-foot lot frontage at the front street line to obtain a building permit for the construction of a single-family home and driveway at 5271 Temple Hill Road, Temple Hills. **The record was held open in order for the contract to submit a justification statement.**

V-32-24 Kenneth Grady and Carson Groenewold

Request for a security exemption review for a fence 2 feet over the allowable height located in the front yard to obtain a building permit for the construction of a 6-foot wooden privacy fence in the front yard at 7309 Finns Lane, Lanham. **The record was taken under advisement.**

V-34-24 Marcia and Andree Medlin

Request for a variance of 5.8% net lot coverage and a waiver of location and height requirements for a wall over 4 feet in height in the side yard to obtain a building permit for the construction of a two-story dwelling at 6205 Connaught Court, Upper Marlboro. **The record was held open for the Homeowners Association letter.**

OTHER ZONING APPEALS

V-38-24 Fabien Milord

This appeal was filed with the Board of Appeals for Prince George's County, Maryland, sitting as the Board of Zoning Appeals, from the determination of the Department of Permitting, Inspections, and Enforcement/Enforcement Division to issue Violation Notice No. ZONE-15263, dated March 11, 2024, citing Petitioner with violating County Code Sections 27-253(a)(1), 4-118(c) and requiring Petitioner to cease use of the premises, including adjoining properties and right of way area. Remove all vehicles, equipment, materials, and items until a valid use and occupancy certificate, including final approval of the certificate, is granted by the Department of Permitting, Inspections, and Enforcement on RSF-65 (Residential, Single-Family 65) zoned property located at Lot 19, Block D, Snowden Oaks Subdivision being 13009 Claxton Drive, Laurel, Prince George's County, Maryland. **The record was taken under advisement.**

DISCUSSION/DECISIONS

V-58-23 William Werner

Request for variances of 975 square feet net lot area, 16.3 feet front yard depth, 5 feet rear yard depth/width, 6.1% net lot coverage, 44 feet front street line setback for the carport, 1-foot side lot line setback for the carport, and a waiver of the parking area location, the side/front yard location requirement for an accessory building (carport) and 1-foot side lot line setback for an accessory building (shed) to validate existing conditions (net lot area, front yard setback, rear yard setback, lot coverage, and accessory building) and obtain a building permit for the proposed carport (28.2' x 21.3') at 4216 Mount Rainier Avenue, Mount Rainier. **The Board resolved, unanimously, that variances of 975 square feet net lot area, 16.3 feet front yard depth, 5 feet rear yard depth/width, 6.1% net lot coverage, 44 feet front street line setback for the carport, 1-foot side lot line setback for the carport, and a waiver of**

the parking area location, the side/front yard location requirement for an accessory building (carport) and 1-foot side lot line setback for an accessory building (shed) to validate existing conditions (net lot area, front yard setback, rear yard setback, lot coverage, and accessory building) and obtain a building permit for the proposed carport (28.2' x 21.3') be APPROVED. Approval is contingent upon development in compliance with the approved revised site plan, Exhibit 22, and approved elevation plan, Exhibit 3.

V-95-23 Enock Adewuyi

Request for variances of 4,182 square feet net lot area and 9 feet side yard width to validate an existing condition (net lot area) and obtain a building permit for the unauthorized construction of a 12' x 12' deck, 10' x 22' deck, and 12' x 12' screened porch at 3600 Colvin Court, Bowie. **The record was taken under advisement.**

V-2-24 David Kucharski

Request for a security exemption for a fence over 4 feet in height in the front yard (abutting Caswell Lane) to install a 6-foot fence at 3705 Media Lane, Bowie. **The Board resolved, unanimously, that a Security Exemption for a fence over 4 feet in height in the front yard (abutting Caswell Lane) to install a 6-foot fence be APPROVED. Approval is contingent upon development in compliance with the approved revised site plan, Exhibit 2, and approved elevation plan, Exhibit 3 (A) thru (B).**

V-30-24 Edgar Fuentes Contreras

Request for variances of 10 feet lot width at the building line, 5 feet front yard depth, and waiver of the parking area location requirement to validate existing conditions (lot width at the building line, front yard depth, and side yard width) and obtain a building permit for the proposed 24' x 20' driveway located in front of the house at 2415 Hannon Street, Hyattsville. **The Board resolved, unanimously, that variances of 10 feet lot width at the building line, 5 feet front yard depth, and waiver of the parking area location requirement to validate existing conditions (lot width at the building line, front yard depth, and side yard width) and obtain a building permit for the proposed 24' x 20' driveway located in front of the house be DENIED.**

RECONSIDERATION

V-12-24 Hayat Properties, LLC

Variances of 2.96 feet front yard depth and 14.99 feet side street yard width to validate existing conditions (front yard depth, side street yard width) and obtain a building permit for the demolition of the dwelling's existing second story and construction of a proposed second story at 901 Old Walnut Street, Capitol Heights. Petitioner has requested to submit additional testimony and evidence to support the record. A reconsideration to reopen this record has been requested. **The Board resolved, unanimously, that variances of 2.96 feet front yard depth and 14.99 feet side street yard width to validate existing conditions (front yard depth, side street yard width) and obtain a building permit for the demolition of the dwelling's existing second story and construction of a proposed second story be APPROVED. Approval is contingent upon development in compliance with the approved revised site plan, Exhibit 2, and approved elevation plan, Exhibit 4.**

MINUTES FOR APPROVAL FROM April 24, 2024. The Board resolved, unanimously, that the minutes be APPROVED. The meeting was adjourned at 11:31 p.m.

Prepared and submitted by:

Barbara Stone
Administrator