

MINUTES
APPROVED
October 11, 2023

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 6:11 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

Anastasia Johnson, Member - Absent

Others Present:

Ellis Watson, Staff Attorney

Barbara Stone, Administrator

Celeste Barlow, Administrative Aide

Olga Antelo-Vasquez, Administrative Aide

NEW VARIANCES

V-26-23 Angela Mercado

Request for variances of 9,893 square feet net lot area, 20 feet lot width at the building line and 10% net lot coverage to validate existing conditions (net lot area, lot width at the building line and net lot coverage) and obtain a building permit for the proposed driveway extension at 10902 Fleetwood Drive, Beltsville. **The record must be re-advertised as a portion of the proposed work was inadvertently omitted from the Hearing Notice.**

V-54-23 Sherry Powell

Request for variances of 5.5 feet right side yard width, and 17.2 feet rear yard depth/width to validate existing conditions (side yard and rear yard) and obtain a building permit for the proposed one-story addition (10.6' x 12.8') at 4117 Will Street, Capitol Heights. **The record was continued to allow the Petitioner to submit revised plan and elevations to demonstrate the correct number of stories in the structure.**

V-56-23 Lashawn Albarado

Request for variances of 2,156 square feet net lot area, 13% net lot coverage, waiver of the rear yard location requirement for an accessory building (shed in front of the house) and Security Exemption review for a 6' fence over the allowable height located in the front yard (abutting Highbridge Road) to validate existing conditions (net lot area, net lot coverage, accessory building and Security Exemption review) and obtain a building permit for the proposed recreation room in a corner lot at 13500 Woodedge

Drive, Bowie. The Board resolved, by majority vote, Ms. Renee Alston and Ms. Anastasia Johnson absent, that variances of 2,156 square feet net lot area, 13% net lot coverage, waiver of the rear yard location requirement for an accessory building (shed in front of the house) and Security Exemption review for a 6' fence over the allowable height located in the front yard (abutting Highbridge Road) to validate existing conditions (net lot area, net lot coverage, accessory building and Security Exemption review) and obtain a building permit for the proposed addition on a corner lot 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.

OTHER ZONING APPEALS

V-49-23 Tobacco World, Inc.

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 Zoning Violation Notice No. 25398-2013-00, dated May 16, 2023, citing Petitioner with selling drug paraphernalia without a Use and Occupancy Permit per their current Use and Occupancy Permit No. 25398-2013-00 and requiring Petitioner to cease use of the premises, on C-S-C (Commercial Shopping Center) zoned property located at 6202 Livingston Road, Oxon Hill, Prince George's County, Maryland. 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. 25398-2013-00 is appropriate and necessary to achieve compliance with the Prince George's Code and necessary to maintain the safety and welfare of the public. **A motion to dismiss was submitted by the Office of Law. The Board resolved by majority vote, Ms. Renee Alston and Ms. Anastasia Johnson absent, that the record be DISMISSED.**

DISCUSSION/DECISION

V-27-23 Bar Properties, LLC

Request for variances of 5 feet front yard depth, 4 feet side yard width and 2.7% lot coverage to validate existing conditions (front yard depth and side yard width) and to obtain a building permit to construct a proposed 16.5' x 26.7' two-story addition and 12.5' x 26.7' wooden deck at 4105 34th Street, Mount Rainier. ***The record was held open by request of the Town of Mount Rainier for additional a two-month delay in order for the Town to review and provide comments. The record has been rescheduled to October 25, 2023, pending the Town of Mount Rainier comments.***

V-32-23 Wayne Bacchus

Request for variances of 500 square feet net lot area, 5 feet lot width, and 10% lot coverage to validate existing conditions (net lot area, lot width) and obtain a building permit in order to construct a 1,180.6 square foot driveway extension at 726 Larchmont Avenue, Capitol Heights. ***The record was held open to give the Town of Capitol Heights the opportunity to provide comments. In addition, staff is to determine if Erosion Control review is needed as well as retaining wall along the proposed driveway. The record was held open for the Petitioner to obtain the approval from Site Roads Section. The Town of Capitol Heights has approved the variance request.***

V-48-23 Victor Najera & Otoniel Ortiz

Request for variances of 9,901 square feet net lot area, 20 feet lot width at the building line, and waiver of the parking area location requirement to validate existing conditions (Net lot area and lot width at the building line) and obtain a building permit to expand the driveway (10' x 32') in front of the house at 11706 Emack Road, Beltsville. **The record was held open for Site Road Approval**

V-57-22 Douglas Rivas

Request for variances of (1) 172 square feet net lot area, (2) 15 feet front building line width, (3) 2 feet front street line width, (4) 30% net lot coverage, (5) 1.1 feet side yard depth and (6) 2 feet rear lot line setback for accessory buildings (shed) to validate existing conditions (net lot area, lot width, frontage width at front street line, lot coverage, front yard depth, side yard depth and accessory building (shed) and obtain a building permit for the unauthorized construction of a shed and breezeway at 3510 Lancer Drive, Hyattsville. **The Board resolved, by majority vote, Ms. Renee Alston and Ms. Anastasia Johnson absent, that variances of (1) 172 square feet net lot area, (2) 15 feet front building line width, (3) 2 feet front street line width, (4) 30% net lot coverage, (5) 1.1 feet side yard depth and (6) 2 feet rear lot line setback for accessory buildings (shed) to validate existing conditions (net lot area, lot width, frontage width at front street line, lot coverage, front yard depth, side yard depth and accessory building (shed) and obtain a building permit for the unauthorized construction of a shed and breezeway be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 28 and approved elevation plans, Exhibit 3.**

MINUTES FOR APPROVAL FROM September 13, 2023, and October 4, 2023. **The Board resolved, by majority vote, Ms. Renee Alston and Ms. Anastasia Johnson absent, that the minutes be APPROVED. THE MEETING ADJOURNED AT 8:46 P.M.**

Prepared and submitted by:

Barbara Stone
Administrator