

Virtual Hearing
APPROVED
MINUTES
November 18, 2020

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 Stone, Board Administrator
Celeste Barlow, Administrative Aide
Olga Antelo-Vasquez, Administrative Aide

NEW VARIANCES

V-36-20 Alberto Sanchez Spanish Language Interpreter Provided Sotogomez

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 to revise the site plan per the request of the Town of Landover Hills. In addition, the site plan must demonstrate that the fence be lowered, and a rail placed on top.**

V-19-20 6500 8th Avenue, LLC

Request for variances of 1,000 square feet net lot area, 10 feet front building line width, 7 feet front yard depth, 1 feet side yard width and 2.5% net lot coverage to validate existing conditions (lot size, front building line, front yard depth, side yard width and lot coverage) and obtain a building permit for the unauthorized construction of a one story addition at 1007 Clovis Avenue, Capitol Heights. **The record was held open as the Petitioner's Counsel has requested a postponement. Date to be determined.**

V-34-20 Daniel Dillinger

Request for a waiver of the rear yard location requirement for an accessory building(carport) to obtain a building permit to construct a proposed enclosed carport and driveway extension at 12404 Robert Crain Highway, Brandywine. **The Board resolved, unanimously that a waiver of the rear yard location requirement for an accessory building (carport) be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2 and elevation plan, Exhibit 3.**



BOARD *of* APPEALS

Zoning and Administrative

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V-37-20 Leslie W. Bailey, III

Request for variances of 5 feet front yard depth, 2.8% net lot coverage and a waiver of the parking area location requirement to validate an existing condition (front yard depth) and obtain a building permit for a proposed driveway at 2217 Matthew Henson Avenue, Hyattsville. **The Board resolved, unanimously that variances of 5 feet front yard depth, 2.8% net lot coverage 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 elevation plan, Exhibit 3.**

V-39-20 Felecia and John Anna, Jr.

Request for variances of 3.64 feet front yard depth, 2 feet right yard, 5.9 net lot coverage and 1.3 feet side lot line setback for an accessory building (frame shed) to validate existing conditions (front yard depth, side yard width and accessory building, shed) and obtain a building permit for the proposed covered wooden porch at 11808 Macon Street, Beltsville. **The Board resolved, unanimously that variances of 3.64 feet front yard depth, 2 feet right yard, 5.9 net lot coverage and 1.3 feet side lot line setback for an accessory building (frame shed) be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2 and elevation plan, Exhibit 3.**

V-40-20 Jorge Parada Rivera

Request for variances of 10 feet front building line width, 5 feet front yard depth, 3 feet left side and 3 feet right side yard width, 5.3% net lot coverage and a waiver of the parking area location requirement to validate exiting conditions (front building line, front yard depth, side yard width and lot coverage) and obtain a building permit for unauthorized construction of new driveway at 4605 Quimby Avenue, Beltsville. **Taken under advisement.**

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: 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. 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. 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. 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. 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. 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. 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 52nd Avenue, Hyattsville, Prince George's County, Maryland. **Appellant's Counsel, Brad Farrar has requested a postponement. Date to be determined.**

ADMINISTRATIVE APPEALS

AA-1724 William Wogatske Churchill

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, Inspections Division, to issue Notice of Violation# 30410-0, dated May 15, 2019, citing Petitioner with violations of the County Code Subtitle 32, Divisions 2, Sec. 32-140 - Compliance. "The permittee, his agents, contractors and employees shall carry out the proposed work in accordance with the approved plans and specifications, and in compliance with all the requirements of the permit and this Subtitle." Non-compliant issue: "The permittee and his contractors failed to install under drain system on Washington Overlook Drive from sta. 18+50 to sta. 27+50..." "The approved plans for Permit No. 34270-2006 clearly state to install under drains..." Subject property being located in R-E Zone (Residential-Estate), Washington Overlook Subdivision, Accokeek, Prince George's County, Maryland. **Motion granted to Dismiss.**

AA-1730 Pueblo Development Company

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 No. 19-00046271, dated May 23, 2019, citing Petitioner with violating Housing Code Section 13-264, 13-265, 13-267 which established that rubbish, litter, trash, tall grass and weed must be removed from the property which has weeds in height greater than twelve (12) inches and accumulation of litter. The property owner receiving this violation notice must clean and provide a healthy and secure environment. Subsequently, County Invoice #B72333 was issued to the property owner on September 26, 2019, in the amount of \$50,434.97 for expenditures incurred in cleaning of the property located at, 12933 Fletcher town Road, Bowie, MD 20720, for work completed on June 3 and June 30, 2019. **The record was held open to both parties, Counsel for Petitioner and the Office of Law, to provide a summary.**

DISCUSSION/DECISION

V-157-20 Bernarda Fria Sanchez *Spanish Language Interpreter Provided / Sotogomez*

Request for variances of 5.8% net lot coverage and 1-foot side lot line setback for an accessory building to validate an existing condition (lot coverage) and obtain a building permit for unauthorized constructions of a shed, driveway extension and carport under construction at 2023 Powhatan Road, Hyattsville. **The Board resolved, unanimously that variances of 5.8% net lot coverage and 1-foot side lot line setback for an accessory building be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 17 and elevation plan, Exhibit 3 (a) thru (f).**

V-165-19 Indolfo Jimenez *Spanish Language Interpreter Provided / Sotogomez*

Request for variances of 3.47 feet front street line width, 4 feet side yard width, 4 feet rear yard depth/width, 22 feet front street line setback, a waiver of the rear yard location requirement for an accessory building, and a waiver of the location requirement for a fence to validate existing conditions (front building line width, side yard, rear yard and accessory building) and obtain a building permit for the construction of a 6-foot vinyl fence at 6800 Glenwood Court, Glenn Dale. **The Board resolved, unanimously that variances of 3.47 feet front street line width, 4 feet side yard width, 4 feet rear yard depth/width, 22 feet front street line setback, a waiver of the rear yard location requirement for an accessory building, and a waiver of the location requirement for a fence be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 16 and elevation plan, Exhibit 3.**

V-21-20 Jorge Guacamaya *Spanish Language Interpreter Provided/ Luna*

Request for waiver of the parking area location requirement and a variance of 1.5 feet side lot line setback to validate an existing condition (accessory building, shed) and obtain a building permit for the construction of a driveway in front of the house at 730 Oxman Road, Hyattsville. **The Board resolved, unanimously that waiver of the parking area location requirement and a variance of 1.5 feet side lot line setback APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 14.**

V-30-20 Silvia Llanos

Request for variances of 5 feet front yard depth and a waiver of the parking area location requirement to validate existing conditions (front yard and side yard) and obtain a building permit for the proposed driveway at 3545 Madison Place, Hyattsville. **The record was held open per request of the City of Hyattsville to revise several issues on the site plan and resubmit to the Board of Appeals. Date to be determined.**

V-35-20 Anuj Christian

Request for variances of 5 feet front building line width, 3% net lot coverage and a waiver of the parking area location requirement to validate an existing condition (front building line) and obtain a building permit for the proposed driveway at 3003 Lancer Place, Hyattsville. **The Board resolved, unanimously that variances of 5 feet front building line width, 3% net lot coverage 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.**

MINUTES FOR APPROVAL FROM November 4, 2020. **The Board resolved, unanimously, that the minutes be APPROVED.**

THE MEETING ADJOURNED AT 10:20 p.m.

Prepared and submitted by:

A handwritten signature in black ink, reading "Barbara J. Stone". The signature is written in a cursive, flowing style.

Barbara J. Stone
Administrator