

MINUTES
APPROVED
May 24, 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 6:03 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 - Present
Teia Hill, Member - Present

Others Present:

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

NEW VARIANCES

V-15-23 Benjamin Hidalgo Siguenza Spanish Language Interpreter Requested/Ernesto Luna
Request for variances of 956 square feet net lot area, 10% net lot coverage, 9 feet lot width, and 4 feet front yard depth to validate existing conditions (net lot area, lot width, net lot coverage and front yard depth) and to obtain a building permit for the unauthorized construction of an open porch in the rear yard at 6900 Leyte Drive, Oxon Hill. **The record was continued in order for Inspector Juan Swann to visit the site to determine if the garage is a livable space, if additional permits are needed, and to submit photos of the site. A Security Exemption review is required for the fence in the front yard which is constructed from a retaining wall and fence. It shall also be determined if the front retaining wall and fence is located on public right-of-way property or on petitioner's property.**

V-76-22 Felix Rivas Spanish Language Interpreter Requested/Ernesto Luna
Request for variances of 10% net lot coverage, 2 feet front yard depth and 5 feet left side yard width to validate an existing condition (lot coverage) and to obtain a building permit for the construction of a 2nd floor addition over the existing dwelling and to construct a driveway extension at 6117 42nd Avenue, Hyattsville. **The Board resolved, unanimously, that variances of 10% net lot coverage, 2 feet front yard depth and 5 feet left side yard width be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 35 and approved elevation plans, Exhibits 3 (A) thru (D).**

V-95-22 Azeb Desta

Request for a variance of 5 feet front building line 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 (front building line) and to obtain a building permit for the construction of a 6-foot vinyl fence in the front yard at 8012 18th Avenue, Hyattsville. **The Petitioner did not appear for the hearing and must be rescheduled. The Board resolved, unanimously, that the previous approval dated February 22, 2023, be and is hereby RESCINDED.**

V-9-23 Relda and Derrick Fennell, Sr

Request for variances of 9,518 square feet net lot area, 66.3 feet lot width at the building line, 20 feet lot width at front street line, 2.2% net lot coverage and 14 feet rear yard depth to validate existing conditions (net lot area, lot width, lot frontage) and to obtain a building permit for the screened porch, steps with landing at 10213 Rockview Terrace, Cheltenham. **This case has been rescheduled to June 14, 2023, as the lot coverage has increased and must be readvertised.**

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 Town of Mount Rainier has requested a two-month delay in order for the Town to review and provide comments.**

DISCUSSION/DECISION

V-87-22 Jose Escobar Velasquez

Request for variances of 844 square feet net lot area, 9 feet net lot width (building line), 6.8 % net lot coverage, 4.7 feet left side yard width and .6 feet right side yard width and a waiver of the fence location requirement/waivers of the fence location and height requirements for a fence over 4 feet in height in the front yard/side yard (abutting Hayden Road) to validate existing conditions (net lot area, lot width, lot coverage and side yard width) and obtain a building permit for the unauthorized construction of a 6-foot vinyl fence, deck with roof cover and steps, gazebo and shed at 2005 Hayden Road, Hyattsville. ***The record was approved on March 22, 2023. Due to the need for the Security Exemption Plan approval, by majority vote, the March 22, 2023, the approval was rescinded. The record was held open as the inspector reported that the driveway extension needs the apron approval. The record was also held open for technical assistance in regard to the Security Exemption Plan approval. The case was held open to give the petitioner the opportunity to submit the apron approval. The record was held open as the Petitioner informed the Board (by email), he is still working with the Department of Permitting, Inspections and Enforcement.***

V-92-22 Ana Yahaira Pena

Request for variances 1,500 feet net lot area, 15 feet front building line width, 2 feet lot frontage width at front street line, 30.8% net lot coverage, 2 feet left side yard width and a Security Exemption review for the 2.5-foot fence height overage to validate existing conditions (net lot area, lot width, lot frontage (width) at front street line, lot coverage, and fence height) and obtain a building permit for the unauthorized construction of an 8.5-foot vinyl fence at 734 Larchmont Avenue, Capitol Heights. **The Board resolved, unanimously, that variances 1,500 feet net lot area, 15 feet front building line width, 2 feet lot frontage width at front street line, 30.8% net lot coverage, 2 feet left side yard width and a Security Exemption review for the 2.5-foot fence height overage 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 (c).**

V-2-23 Bluejay Real Estate, Co.

Request for variances of 2.72 feet lot width, 20 feet front yard depth, and .5 feet side yard width to obtain building permit to construct a 21.25' x 23.6' two story addition at 5718 Jefferson Heights Drive, Fairmount Heights. **The Board resolved, unanimously, that variances of 2.72 feet lot width, 20 feet front yard depth, and .5 feet side yard width be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 18 and approved elevation plans, Exhibits 3.**

V-3-23 Cristian R Fuentes Spanish Language Interpreter Provided/Ernesto Luna

Request for variances of 1,429 square feet net lot area, 14% net lot coverage, 6.9 feet lot width, 4 feet right side yard width and 9 feet rear yard depth to validate existing conditions (net lot area, lot width, net lot coverage, side yard and rear yard) and obtain a building permit for the construction of a two-story addition in the rear yard at 4919 Newton Street, Bladensburg. **The Board resolved, unanimously, that variances of 1,429 square feet net lot area, 14% net lot coverage, 6.9 feet lot width, 4 feet right side yard width and 9 feet rear yard depth be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 18 and approved elevation plans, Exhibits 3.**

V-21-23 Evelyn Aguirre

Request for variances of 22 feet lot width, 9 feet lot frontage width at front street line, 8% net lot coverage, 2 feet front yard depth and 6.3 side yard width to validate existing conditions (lot width, lot frontage (width) at front street line, front yard depth and side yard width) and obtain a building permit for the unauthorized covered carport at 6622 24th Avenue, Hyattsville. **The Board resolved, unanimously, that variances of 22 feet lot width, 9 feet lot frontage width at front street line, 8% net lot coverage, 2 feet front yard depth and 6.3 side yard width be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 19 and approved elevation plans, Exhibits 3 (a) thru (e).**

V-23-23 Rose Wanou

Request for variances of 0.3 feet side yard depth and a Security Exemption review for a fence over 4 feet in height in the front yard (abutting Laurel Bowie Road) and obtain a building permit to construct a 6-foot aluminum fence on a corner lot (abutting Laurel Bowie Road) at 14200 Laurel Bowie Road, Laurel. **The Board resolved, unanimously, that variances of 0.3 feet side yard depth and a Security Exemption review for a fence over 4 feet in height in the front yard (abutting Laurel Bowie Road) be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 15 and approved elevation plans, Exhibits 3.**

Administrative Business

Nomination and Vote for a temporary Vice Chair to the Board of Appeals. **The Board resolved by majority vote (5/0), that a motion made by the Chair Mack and seconded by Board Member Alston that Board Member Mr. Carl Isler be nominated and voted in as temporary Vice Chair of the Board of Appeals until such time that the County Council appoints a Vice Chair.**

MINUTES FOR APPROVAL FROM May 10, 2023. **The Board resolved, unanimously, that the minutes be APPROVED. THE MEETING ADJOURNED AT 8:15 P.M.**

Prepared and submitted by:

Barbara J. Stone
Administrator