

APPROVED

MINUTES

February 27, 2019

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 7:15 p.m. the Chairperson convened the meeting and the following members were present:

Bobbie Mack, Chair
Al Scott, Vice Chair
Anastasia Johnson, Member
Emerson Davis, Attorney
Barbara J. Stone, Administrator
Aminah Bushrod, Communications
Ernesto Luna, Spanish Language Interpreter

CASES FOR HEARING - 6:00 P.M.

NEW CASES

VARIANCES

V-140-18 Abner Vasquez **Spanish Language Interpreter Services were provided.**

Request for variances of 31.1% net lot coverage and 1.5 feet rear lot line setback for an accessory building to validate existing conditions (development, shed) and construct a one-story addition at 6322 Powhatan Street, Riverdale. **The Board resolved, unanimously, that variances of 31.1% net lot coverage and 1.5 feet rear 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 2 and approved elevation plan, Exhibit 3.**

V-142-18 Joel Hernandez and Jose Pereira **Spanish Language Interpreter Services were provided.**

Request for variances of 2 feet side yard width for the dwelling, 5.2% net lot coverage, 3 feet alley setback for an accessory building and a waiver of the parking area location requirement to validate existing conditions (dwelling, development, shed) and obtain a building permit for a new driveway extension in the front yard at 2810 West Avenue, District Heights. **The record was held open to allow the Petitioners time to decide to either redesign the driveway extension from in front of the dwelling or remain as submitted.**

V-133-18 Patricia and Chester Kopicki, Jr.

Request for variances of 3 feet side street yard depth/width, 12 feet rear yard depth/width and .3% net lot coverage to validate existing conditions (dwelling, development) and obtain a building permit for a 5-foot vinyl fence topped with a 1-foot trellis at 15701 Tasa Place, Laurel. **The Board resolved, unanimously, that variances of 3 feet side street yard depth/width, 12 feet rear yard depth/width and .3% 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 4 (a) thru (b).

V-157-18 Habitat for Humanity Metro MD. Inc.

Request for a waiver of the parking area location requirement to construct a new single-family dwelling and a driveway in the front yard at 1903 Houston Street, Suitland. **The Board resolved, unanimously, that a waiver of the parking area location requirement be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 3 and approved elevation plan, Exhibit 4.**

V-159-18 Mostafiz and Farida Chowdhury

Request for a variance of 3 feet rear yard width to construct a deck at 9305 Starmist Court, Lanham. **The Board resolved, unanimously, that a variance of 3 feet rear yard width be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plans, Exhibits 3 (a) thru (b).**

V-1-19 Latoya Abbott

Request for a variance of 7.4 feet rear yard depth/width to construct a deck at 6101 Summersweet Drive, Clinton. **The record was held open for Petitioner to provide Home Owners Association approval (Lennar) of the deck.**

V-2-19 Genesis Property Development, LLC

Request for a variance of 3 feet front yard depth/width to construct a covered front porch at 5709 40th Place, Hyattsville. **The record was held open to allow the City of Hyattsville the opportunity to provide comments.**

V-3-19 MBNA, Inc.

Request for variances of 5 feet front building line ~~*and 15 feet front street line~~ to construct a new single-family dwelling at 1313 Chillum Road, Hyattsville. ~~*Error front street line is not required.~~ **The record was held open for Technical Assistance.**

V-4-19 Norma and Oscar Mercado

Request for a variance of 6 feet side street yard depth to validate and obtain a building permit for a new covered front porch at 10824 Montgomery Road, Beltsville. **The record was held open due to a substantive error within the hearing notice. The hearing notice will be corrected and redistributed.**

ADMINISTRATIVE APPEAL

AA-1710 The Ryland Group

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 Violation Notice No. 24293-2018, dated May 16, 2018, citing Petitioner with violating County Code Section 32-143 (a) Generally. Grading or drainage system connection permits shall be issued for a period not to exceed two (2) years where the estimated cost of work is less than Five Hundred Thousand Dollars (\$500,000.00) and for a period not to exceed three (3) years where the estimated cost of work is equal to or more than Five Hundred Thousand Dollars (\$500,000.00). The permittee shall fully perform and complete all of the work shown on the plans within the time limit specified in the permit; (b) Extension. Prior to the expiration of a grading permit, the permittee may present a written request for an extension to the Director. If an extension is warranted, it may be granted in one-year increments, one year at a time. Extension fees shall be calculated at the same rate as permit fees and based on the amount of site area that has not received final inspection approval. Extension fees for road construction included in a grading permit shall be calculated in accordance with Section 23 of the County Code. The applicability of bonding requirements shall be adjusted accordingly. Application for permit renewal and extension shall be made at least sixty (60) days

prior to the permit expiration date; (c) Permit Expiration and Renewal. Application for permit renewal and extension shall be made at least sixty (60) days prior to the permit expiration date; (d) Extension beyond 6 years. If, in the opinion of the Director, a permit extension beyond six (6) years is warranted, it may be granted in one-year increments. Such extensions require justification from the permittee and approval by the Director of the Department of Permitting, Inspections and Enforcement; and (e) No Activity. If no site work and/or no site inspections have occurred in a six (6) month period, the County may, in its sole discretion, default or close the permit, and requiring Petitioner to come into compliance, on C-O (Commercial Office) zoned property located at Seabrook Road and Emack Avenue, Lanham, Prince George's County, Maryland. A request was also made for an extension of the grace period should the Board determine that a violation exists. **Petitioner has requested to withdraw and dismiss this appeal as all violations have been resolved.**

DISCUSSION/DECISION

V-153-18 James Jones and Carmen Severino

Request for a variance of 25 feet front yard depth and waivers of the fence location and height requirements for a fence/wall over 4 feet in height in the front yard to validate existing conditions (retaining wall/rail) and replace existing 6 foot retaining wall topped with 42-inch railing at 2303 Park Way, Cheverly. **The Board resolved, unanimously, that a variance of 25 feet front yard depth and waivers of the fence location and height requirements for a fence/wall over 4 feet in height in the front yard be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved revised elevation plan, Exhibit 16.**

V-154-18 NVA Real Estate, LLC

Request for variances of 18 feet front yard depth and 11 feet rear yard depth/width to rebuild a single-family dwelling with basement, covered stoop with steps, deck and driveway at 6607 Greig Street, Capital Heights. **The record was held open to allow the Town of Seat Pleasant to provide comments.**

V-155-18 Francisco Lopez and Gena Osorio Lopez

Request for a waiver of the parking area location requirement to construct a driveway extension in the front yard at 7405 Wilhelm Drive, Lanham. **The Board resolved, unanimously, that a waiver of the parking area location requirement be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2.**

MINUTES FOR APPROVAL FROM FEBRUARY 6, 2019. **The Board resolved, unanimously, that the minutes be APPROVED.**

THE MEETING ADJOURNED AT 10:15 p.m.

Prepared and submitted by:



Barbara J. Stone
Administrator