

AGENDA
PUBLIC HEARINGS – 6:00 P.M.
October 10, 2018
REVISED

All Board of Appeals hearings are public hearings; however, if necessary, a part of the meeting may be conducted in closed session.

CASES FOR HEARING - 6:00 P.M.

NEW CASES

VARIANCES

V-88-18 Maria Hernandez **Spanish Language Interpreter Services requested.**

Request for variances of 6 feet front yard depth, 1 foot side yard width and a waiver of the parking area location requirement to validate existing conditions (dwelling, driveway) and obtain a building permit for a new enclosed front porch, driveway in the front yard and retaining wall up to 4 feet in height at 6016 Jefferson Heights Drive, Fairmount Heights.

V-102-18 Edward and Tina Mariano

Request for waivers of the rear yard location requirement for an accessory building and the parking area location requirement to validate an existing condition (sheds) and construct a detached carport and driveway extension in the front yard at 13703 Baytomac Farms Lane, Fort Washington.

V-103-18 Juan Juarez and Amy Ochoa

Request for variances of 3.5 feet front yard depth for the dwelling, 30.1% net lot coverage, 50 feet front street line setback for an accessory building and a waiver of the parking area location requirement to validate existing conditions (dwelling, development, shed) and construct a driveway extension in the front yard of a triple-attached dwelling at 5829 36th Avenue, Hyattsville.

V-106-18 Kingsley and Wendy McLean

Request for a variance of 45 feet front street line setback and a waiver of the rear yard location requirement for an accessory building and waivers of the fence location and height requirements for a fence over 4 feet in height in the front yard to validate an existing condition (shed) and construct a 2-foot retaining wall next to the driveway, a 6-foot ornamental black chain link fence along the side lot line and a 6-foot ornamental iron fence in the front yard, side and rear yards at 8801 Christina Lane, Clinton.

OTHER ZONING APPEALS

V-91-18 Viviane Darcque-Londol

Pursuant to Section 27-229(a) of Subtitle 27 of the Prince George's County Code (the "Zoning Ordinance"), this appeal was brought to the Board of Appeals, sitting as the Board of Zoning Appeals for the Maryland-Washington Regional District in Prince George's County, Maryland (the "Board"), from the determination of the Property Standards Inspector, Department of Permitting, Inspections and

Enforcement, Enforcement Division, to issue Violation Notice 17-00096662, dated October 17, 2018, citing Petitioner with violation of Zoning Ordinance Sections 27-118(c) & 27-441-(b)(6) (Not more than one dwelling unit shall be located on any one recorded lot, conversion of a one-family dwelling unit to a building containing up to three (3) units, and operation of a rooming/boarding house (including rental of rooms to more than 3 persons unrelated to principal residents); International Property Maintenance (2000) Sections 304.1, 304.4, 602.1, 404.3, 502.1, 303.7, 306.1, 306.2, 302.5 & 305.1 (bathroom ceilings are in an unsanitary condition, bathroom and kitchen floor area is unsanitary, bathroom floors are in an unsound and deteriorated condition, heating unit is in disrepair, the referenced dwelling unit (attic) does not meet the minimum ceiling height requirements for occupancy, gutter(s) and/or downspout(s) is/are in disrepair and/or have obstructions, dwelling unit has an infestation of roaches/insects/rodents, and dwelling unit has an accumulation of trash, debris and is unsanitary); Housing Code Sections 13-120, 13-127, 13-181, 13-182, 13-118(a) & 13-119(b) (the premise is being operated as a single-family or multifamily rental facility without the required license, tub in both bathrooms is unsanitary with chipped, rusted, peeling and/or cracked surface, exterior property area is being used for open storage of items to include but not limited to rubbish, garbage, building materials, and one or more windows have torn or broken screens) and requiring Petitioner to reduce the number of dwelling units on the property to not more than one, cease use of the premises for said purpose and revert use of the structure to a one-family dwelling and cease use of the property as a rooming/board house; clean and sanitize ceiling and maintain in a sanitary condition at all times, clean/repair/replace floors to a sanitary condition and maintain, repair/replace floors to a sound, safe, structural condition, capable of supporting imposed loads in accordance with the provisions of the building code, repair/replace hearing unit to a sound condition, provide a ceiling height of not less than 7 feet in all habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas or cease use of such area, repair/replace damaged or missing section(s) (gutters/downspouts) and/or remove all obstructions and maintain so they properly perform their intended function, exterminate by acceptable processes that are not injurious to human health and after extermination take proper precautions to prevent re-infestation and remove all trash, debris and maintain sanitary at all times; and obtain a valid rental license or have the property vacated, re-glaze tub surface and maintain, remove items and maintain premises in a clean and sanitary condition and provide insect screens and maintain in good repair, on is R-55 (One-Family Detached Residential) zoned property located at Lot 16, Block 16, Lewisdale Subdivision, being 2302 Calvert Street, Hyattsville, Prince George's County, Maryland.

V-92-18 Viviane Darcque-Londol

Pursuant to Section 27-229(a) of Subtitle 27 of the Prince George's County Code (the "Zoning Ordinance"), this appeal was brought to the Board of Appeals, sitting as the Board of Zoning Appeals for the Maryland-Washington Regional District in Prince George's County, Maryland (the "Board"), from the determination of the Property Standards Inspector, Department of Permitting, Inspections and Enforcement (DPIE), Enforcement Division, to issue Violation Notice 17-00114305, dated October 24, 2017, citing Petitioner with violation of Zoning Ordinance Sections 27-118.1(c), 27-441(a)(7), 27-441(b)(6) and 27-253(a)(1) (Not more than one dwelling unit shall be located on any one recorded lot; dwelling being occupied by more than the maximum five (5) unrelated persons permitted; conversion of a one-family dwelling unit to a building containing up to three (3) units; operation of a rooming/boarding house (including rental of rooms to more than 3 person unrelated to all principal residents); and use of a building, structure or land without a use and occupancy permit), Property Maintenance Code Sections 13-233, 23-150(c)(d) and 13-234 (maintenance requirements that all improved and unimproved property shall be maintained in a clean, safe secure and in sanitary condition and in conformance so as not to create a public nuisance or adversely affect the public health, safety or welfare; disposal of garbage and rubbish that all garbage, vegetable waste or other putrescible materials, or rubbish shall be placed in approved containers provided with close fitting covers for the storage of such waste until removed from the premises for disposal); Fire Code Sections 11-254 & 11-258 (basement door has damages and/or missing hardware, basement area has smoke detector that is in disrepair and/or missing); Housing Code

Sections 13-119(f)(c) (basement area door(s) lack(s) approved dead bolt locking device and/or are unsecured; and International Property Maintenance Code (2000) Sections 702.3, 701.2, 108.1.2 and 102.8 (basement door(s) lack(s) approved dead bolt locking device; basement area has smoke detector that is in disrepair, inoperative and/or missing, and interior of dwelling unit has a discharged/inoperable or missing fire extinguisher) and requiring Petitioner to reduce the dwelling units on the property to not more than one, reduce the number of persons occupying the dwelling to not more than five; ceased use of the premises for said purposes and revert use of the structure to a one-family dwelling; cease use of the property as a rooming/boarding house and cease use of the premises, including properties and right-of way areas, remove all vehicles, equipment, materials and items until a valid use and occupancy permit, including final approval of the permit, is granted by the DPIE; remove all rubbish, litter, trash, debris, unlicensed, wrecked or dismantled vehicles, any signs, banners and attraction items not having permits from the property including to the edge of the concrete curb and gutter adjoining the roadway and to maintain the property in a clean, safe, secure and sanitary condition; to keep all rubbish inside closely covered dumpster; repair/replace with approved dead bolt locking device with a minimum of 5/8 inch throw capable of being activated by a key from the outside and a turn knob from within and/or secure all basement doors; repair/replace smoke detectors in all areas and repair/replace fire extinguisher and maintain in operational condition at all times, on is R-55 (One-Family Detached Residential) zoned property located at Lot 16, Block 16, Lewisdale Subdivision, being 2302 Calvert Street, Hyattsville, Prince George's County, Maryland.

ADMINISTRATIVE APPEALS

AA-1703 Viviane Darcque-Londol

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 Associate Director of the Department of Permitting, Inspections and Enforcement, Enforcement Division, to issue Notice No. 50700-2017-0, dated October 25, 2017, notifying Petitioner that the application for a license to operate and occupy a rental dwelling has been denied due to the failure to meet the minimum standards of the Housing Code on R-55 (One-Family Detached Residential) zoned property located at Lot 16, Block 16, Lewisdale Subdivision, being 2302 Calvert Street, Hyattsville, Prince George's County, Maryland.

*AA-1708 Viviane Darcque-Londol

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. 17-00112276, dated October 17, 2017, citing Petitioner with violating County Code Section 13-113(c) and International Property Maintenance Code (2000) Sections 402.1 & 403.1 that the structure has occupied space (basement) that does not meet the minimum standards of the Code and informing Petitioner that all space being used for human habitation must comply with the minimum standards of the Code or be Vacated Immediately and remain so until written permission is secured from the code official, on R-55 (One-Family Detached Residential) zoned property located at Lot 16, Block 16, Lewisdale Subdivision, being 2302 Calvert Street, Hyattsville, Prince George's County, Maryland.

DISCUSSION/DECISION

V-75-18 Carlos Iglecias and Jamileth Villatoro

Request for a variance of 6.5 feet side yard width to construct an attached carport and deck at 6814 Decatur Street, Hyattsville. **The record was held open for the Petitioner to submit revised elevation plans demonstrating water mitigation from the carport and a closed roof system.**

MINUTES FOR APPROVAL FROM SEPTEMBER 26, 2018.