

MINUTES
APPROVED
March 13, 2024

All Board of Appeals hearings are virtual; however, if necessary, a part of the meeting may be conducted in a 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
Wm. Carl Isler, Vice Chair - Present
Renee Alston, Member - Present
Teia Hill, Member - Present

Others Present:

Ellis Watson, Staff Attorney
Barbara Stone, Administrator
Celeste Barlow, Case Reviewer
Olga Antelo-Vasquez, Case Reviewer

ADMINISTRATIVE DISMISSALS

V-48-19 Nelson Ferman

Request for a variance of 2.6 feet side yard width and waiver of a wall over 4 feet in height to construct a 6-foot wood fence, ramp with stairs, and retaining wall with metallic ward rail. A hearing was held on July 3, 2019. The City of Glenarden Council declined the request for variances. There has yet to be further contact from the Petitioner. A letter of intent was mailed to the Petitioner on January 2, 2020, with no response. On February 23, 2024, staff contacted the Petitioner, who advised that his site plan was revised to obtain his permit. A variance is no longer needed. **The Board resolved, by majority vote, that the record be DISMISSED.**

V-73-19 Rocael Cruz, Et.al

Request for variances of 13.2% net lot coverage and a waiver of the parking area location requirement to construct a driveway. The Petitioner requested the variance on May 28, 2019. A hearing was held on August 7, 2019, and the record was held open to allow the Petitioner to submit a revised site plan reducing the driveway to 10-12 feet in width. On January 2, 2020, a letter of intent was mailed to the Petitioner, with no response. **The Board resolved, by majority vote, that the record be DISMISSED.**

V-77-19 Mardochee Ogu

Request for variances of 14 feet front building line width and 12.2% net lot coverage to validate existing conditions (property, dwelling, and development) to construct a new storage shed. Petitioner requested the variance on June 5, 2019. A hearing was scheduled for November 6, 2019, and subsequently

appear.



BOARD *of* APPEALS

Zoning and Administrative

rescheduled to January 22, 2020, in which the Petitioner did not
A letter of intent was mailed to

Prince George's County Government

Wayne K. Curry Administration Building

1301 McCormick Drive

Largo, MD 20774

Phone: 301-952-3220

Fax: 301-952-5178

boardofappeals@co.pg.md.us

the Petitioner on October 4, 2023, with no response from the Petitioner. **The Board resolved, by majority vote, that the record be DISMISSED.**

V-83-19 Mario Rosales

Request for variances of 8 feet front building line width, 10.5 feet front street line setback, and 2 feet side lot line setback to validate existing conditions (property and dwelling) and obtain a building permit for unauthorized constructions of a driveway with retaining wall in front of the house. Petitioner requested the variances on June 13, 2019. A hearing was held on September 18, 2019, in which the record was taken under advisement. On October 23, 2019, the Board voted to hold the record open for 30 days for Petitioner to resolve several issues. On January 2, 2020, a letter of intent was mailed to the Petitioner, with no response. **The Board resolved, by majority vote, that the record be DISMISSED.**

V-109-19 Ismael Villalta

Request for a variance of 5 feet side yard width and a waiver of the parking area location requirement to validate an existing condition (cover steps) and obtain a building permit for the proposed construction of a driveway in front of the house. A hearing was held on November 20, 2019; the record was held open to allow the Petitioner to reduce the double driveway to a single. On December 4, 2019, the record was held open to allow the Petitioner time to revise the site plan and obtain Site Road approval. On October 11, 2019, a letter of intent was mailed to the Petitioner, with no response. **The Board resolved, by majority vote, that the record be DISMISSED.**

V-159-19 Yancy Reyes and Henry Lazo

Request for variances of 10.6% net lot coverage to validate existing conditions (front yard depth and lot coverage) and obtain a building permit for an unauthorized construction of a driveway extension at 4919 Lexington Avenue, Beltsville. The case was not brought before the Board. There has been no activity from November 20, 2019. A letter of intent was mailed on October 19, 2023, with no response. **This case was erroneously overlooked on the March 13, 2024, Agenda. Rescheduled for March 27, 2024, as a Discussion/Decision.**

V-167-19 Ronald and Dorothy Deaver

Request for variances of 9 feet front yard depth, 24 feet side street yard depth, and 3 feet side yard width to validate existing conditions (front yard depth and side street yard depth) and construct a deck at 3708 37th Place, Brentwood. This case was not brought before the Board. A letter of intent was mailed on October 4, 2023, with no response. **The Board resolved, by majority vote, that the record be DISMISSED.**

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-foot 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. A request for a variance was made to the Board of Appeals on February 5, 2020. On November 17, 2020, the legal representative requested a postponement of the hearing, which was scheduled for November 18, 2020. A letter of intent was mailed on October 19, 2023. **The Board resolved, by majority vote, that the record be DISMISSED.**

V-23-20 Built Me Construction, LLC

Request for variances of 2,686 square feet net lot area, 21 feet front yard depth, 2.1 % net lot coverage, and a waiver of the fence location requirement/waivers of the fence location and height requirements for a fence/wall over 4 feet in height in the front yard/side yard (abutting 69th Street) to obtain a building permit for the construction of a 6-foot vinyl fence at 5915 Addison Road, Capitol Heights. The hearing

was scheduled for October 28, 2020. Petitioner did not provide the required legal representation or submit the necessary deed. A letter of intent was mailed to the Petitioner on October 4, 2023, with no response from the Petitioner. **The Board resolved, by majority vote, that the record be DISMISSED.**

V-30-20 Silva 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 hearing was held on November 4, 2020, although the Petitioner did not appear at the hearing. A second hearing was held on November 18, 2020, with the City of Hyattsville in opposition. The record was held open as Hyattsville requested revised plans. A letter of intent was mailed on October 19, 2023, with no response from the Petitioner. **The Board resolved, by majority vote, that the record be DISMISSED.**

V-55-20 Calvin Tewan Mbah

Request for a waiver of the location requirement for a fence in the triangle area of the corner portion of a corner lot is requested, and a waiver of the parking area location requirement to validate an existing condition (driveway) and obtain a building permit for a 6-foot privacy wooden fence at 9704 Mount Royal Court, Upper Marlboro. The original site plan did not identify all the structure of the site plan. A request for revised site plans was sent on December 2, 2020. On October 19, 2023, a letter of intent was mailed to the Petitioner, with no response. **The Board resolved, by majority vote, that the record be DISMISSED.**

V-56-20 Vernie Hough

Request for variances of 5 feet front building line width and 8.54 feet front yard depth to validate existing conditions (front building line width and front yard depth) and obtain a building permit for the proposed screened porch at 1915 Arcadia Avenue, Capitol Heights. On October 23, 2020, an email was sent to the Petitioner requesting a revised site plan to demonstrate all structures on the property and additional photos. Two subsequent emails were sent on November 11, 2020, and December 16, 2020, with no response. A letter of intent was mailed to the Petitioner on October 19, 2023, with no response. **The Board resolved, by majority vote, that the record be DISMISSED.**

V-40-21 David and Teresa Ferman

Request for variances of 4 feet side yard width, 17% of the net lot coverage, and a waiver of the rear yard location requirement for an accessory building (garage) to validate existing conditions (side yard width, net lot coverage, and accessory building) and obtain a building permit for the construction of one-story addition at 4707 Lexington Avenue, Beltsville. On April 19, 2021, an email was sent to the Petitioner advising that there were numerous deficiencies in the submission. The petitioner did not satisfy the submittal requirements. On May 17, 2021, an email was sent to the Petitioner advising him of the outstanding issues. Again, an email was sent to the Petitioner on June 22, 2021, advising him of the outstanding issues and informing him that the information must be submitted as soon as possible, as this case was scheduled for July 14, 2021. No further response was received. On October 24, 2023, a letter of intent was mailed to the Petitioner, with no response. **The Board resolved, by majority vote, that the record be DISMISSED.**

V-71-21 Serenity Maryland Properties, LLC

Request for variances of 62 square feet net lot area and a waiver of the parking area location requirement and obtain a building permit for the construction of a two-story dwelling and a driveway in front of the property at 5903 L Street, Fairmount Heights. The case was scheduled for February 9, 2021. Petitioner failed to post the property. A letter of intent was mailed to the Petitioner on October 19, 2023, with no response. **The Board resolved, by majority vote, that the record be DISMISSED.**

V-22-22 Johnathan Vega and Nancy Avelar

Request for a variance of 1.4% net lot coverage to construct a two-story dwelling, basement, 2-one car attached garages, and covered deck at 17901 Tobacco Trail Lane, Brandywine. Advised the Petitioner that a variance would not be required if the lot coverage were decreased. He advised the staff that he would do that. He was also advised that a withdrawal letter would need to be submitted. Petitioner failed to submit a withdrawal letter. **The Board resolved, by majority vote, that the record be DISMISSED.**

V-28-22 Jose Cruz-Aguilar

Request for variances of 189 square feet net lot area, 12 feet rear yard depth/width, 8.2% net lot coverage, and 2 feet side lot line setback for two accessory buildings (shed and carport) to validate existing conditions (net lot area, rear yard depth/width, side yard width, net lot coverage, accessory building (shed, carport) and obtain a building permit for the unauthorized construction of a driveway extension, concrete patio, carport, a 6-foot vinyl fence and concrete curb at 5607 Emerson Street, Hyattsville. The record was held open on June 22, 2022, to resolve water issues. A revised site plan would be required as a re-advertisement. A letter of intent was mailed to the Petitioner on October 19, 2023, with no response. **The Board resolved, by majority vote, that the record be DISMISSED.**

RECONSIDERATION

V-88-23 Bryan Hernandez Spanish Language Interpreter Provided

Request for variances of 10,000 square feet net lot area and 6% net lot coverage to validate an existing condition (net lot area) and obtain a building permit for the unauthorized construction of driveway extension at 2208 Apache Street, Hyattsville. On February 7, 2024, the Board resolved by majority vote, that variances of 10,000 square feet net lot area and 6% net lot coverage be DENIED. A Reconsideration in order to rescind the Denial and a request for an Administrative Dismissal is being presented to the Board by the Administrator and Board Counsel. **The Board resolved by majority vote to RESCIND the prior Denial made on February 7, 2024, and by majority vote DISMISS the record.**

MINUTES FOR APPROVAL FROM February 21, 2024. **The Board resolved, unanimously, that the minutes be APPROVED.** THE MEETING ADJOURNED AT 6:33 P.M.

Prepared and submitted by:

Barbara Stone
Administrator