

## MINUTES

August 23, 2017

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:25 p.m. the Chairperson convened the meeting and the following members were present:

Bobbie Mack, Chair  
Albert Scott, Vice Chair  
Anastasia Johnson, Member  
Emerson S. Davis, Sr., Attorney  
Barbara J. Stone, Administrator  
Aminah Bushrod, Communications Specialist

Also Present:  
Vivian Evans, Spanish Language Interpreter

### **CASES FOR HEARING - 6:00 P.M.**

#### **NEW CASES**

#### **VARIANCES**

##### V-94-17 Mercedes Ramirez

Request for a variance of 2.7% net lot coverage and a waiver of the parking area location requirement to obtain a building permit for a new shed and construct a driveway and retaining wall in the front yard of a semi-detached dwelling at 7712 Normandy Road, Hyattsville.

**Spanish Language Interpreter Services were provided. The Board resolved, by majority vote, Ms. Bobbie Mack absent, that variances of 2.7% net lot coverage and a waiver of the parking area location requirement to obtain a building permit for a new shed and construct a driveway and retaining wall be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2, and the approved elevation plans, Exhibits 3 (a) thru (d).**

##### V-95-17 Anabel Alvarenga

Request for waivers of the fence location and height requirements for a fence/wall over 4 feet in height in the front yard (abutting Freeport Street) and side yard (abutting Trinidad Street) to obtain a building permit for a new 5-foot retaining wall around the front and side yards abutting a street and to construct a 4-foot fence atop the wall at 5111 Trinidad Street, Riverdale. **Spanish Language Interpreter Services were provided. The record was held open in order for Petitioner to submit revised elevation plan demonstrating the metal fence type.**

V-63-17 Elmer and Mercy Rodriguez

Request for variances of 5 feet side yard width for the deck, 3.4% net lot coverage, variances of 57 feet front street line setback and 24.5 feet side street line setback and a waiver of the rear yard location requirement for an accessory building, and waivers of the parking area location requirement and fence location and height requirements for a fence over 4 feet in height in the front yard (abutting Annapolis Road) and side yard (abutting 76th Avenue) to validate existing conditions and obtain a building permit for a deck, driveway extensions, shed and 6-foot metal fence at 5300 76th Avenue, Lanham. **The Board resolved, unanimously, that variances of 5 feet side yard width for the deck, 3.4% net lot coverage, variances of 57 feet front street line setback and 24.5 feet side street line setback and a waiver of the rear yard location requirement for an accessory building, and waivers of the parking area location requirement and fence location and height requirements for a fence over 4 feet in height in the front yard (abutting Annapolis Road) and side yard (abutting 76th Avenue) be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2, and the approved elevation plans, Exhibits 3 (a) thru (c).**

V-90-17 Paul Oriaifo

Request for variances of 13.8% net lot coverage, 9 feet rear lot line setback for one accessory building and 1 foot rear lot line setback for a second accessory building to validate and obtain a building permit for a deck, driveway area and two detached carports at 8714 Fort Foote Road, Fort Washington. **The Board resolved, unanimously, that variances of 13.8% net lot coverage, 9 feet rear lot line setback for one accessory building and 1 foot rear lot line setback for a second accessory building be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2, and the approved elevation plans, Exhibits 3, 4, 5 and 6.**

V-91-17 Catalina Quinteros

Request for a variance of 4 feet front yard depth to validate an existing condition, construct an enclosed front porch and obtain a building permit for an enclosed storage area at 4204 Kennedy Street, Hyattsville. **The Board resolved, unanimously, that a variance of 4 feet front yard depth be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2, and the approved elevation plans, Exhibits 3 (a) thru (b).**

V-92-17 Rebecca and Allendra Letsome / Rosezella Canty-Letsome

Request for a variance of 3.5% net lot coverage to construct a one-story addition with handicapped ramp at 3905 Beechwood Road, University Park. **The Board resolved, by majority vote, Ms. Bobbie Mack absent, that a variance of 3.5% net lot coverage be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 3, and the approved elevation plans, Exhibits 4 (a) thru (b).**



V-93-17 Livinus Ezeanyaeche / Nnabugwu and Catherine Nwosu

Request for variances of 7 feet front yard depth, 1 foot side yard width, 25.7% net lot coverage and a waiver of the parking area location requirement to validate existing conditions, obtain a building permit for a new driveway extension and construct one driveway extension at the end of the driveway and another extension in the front yard at 8004 18th Avenue, Hyattsville. **The record was held open for Petitioner to submit revised plans to demonstrate the newly constructed fence and remove a portion of the driveway in the front yard. Additional variance will be required for the fence.**

**OTHER ZONING APPEALS**

V-13-15 Ebony Inn

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 Enforcement Division Inspector, Department of Permitting, Inspections and Enforcement, to issue Zoning Violation Notice Z-1026-5-15, dated January 21, 2015, citing Petitioner with violation of Zoning Ordinance Sections 27-253(a)(1) (use of a building, structure or land without a valid use and occupancy permit) and 27-461(b) (adult entertainment is not allowed in the C-M (Commercial Miscellaneous) or C-S-C (Commercial Shopping Center) zones, absent the granting of a Special Exception to an existing establishment with a valid use and occupancy permit for an auditorium, private club or lodge that included activity that meets the definition of "adult entertainment"), and requiring Petitioner to cease the violation and all adult entertainment activities in the building, structure, and on the land per Section 27-264(b), which is M-U-I (Mixed-Use Infill) zoned property located at Parcel 13, Tax Map 65, Grid F1, being 5367 Sheriff Road, Fairmount Heights, Prince George's County, Maryland. **The record was held open as Petitioner has requested 90-day continuance. Announcement was made that the Appeal has been rescheduled and will be heard on November 29, 2017.**

V-83-17 Maria Moreno and William Nichols

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 Zoning Violation Notice CSD 17-00031692 dated March 30, 2017, citing Petitioners with violation of Zoning Ordinance Section 27-441(a)(7) (operation of an AIRBNB is not permitted) and requiring Petitioners to cease use of the property as an AIRBNB facility and immediately remove all such occupants, on R-R (Rural Residential) zoned property located at Lot 18, Block G, River Bend Subdivision, being 425 Rosier Road, Fort Washington, Prince George's County, Maryland. **Rescheduled for October 11, 2017.**

**DISCUSSION/DECISION**

**VARIANCES**

V-81-17 Andrew Cadogan

Request for variances of 6 feet front yard depth, 8.5 feet side street yard depth and 20.7% net lot coverage to validate existing conditions and construct two one-story additions and a covered front porch at 4800 Trenton Road, Hyattsville. **The record remained open for Petitioner to submit a revised site plan clarifying proposed work.**

V-85-17 Harry and Bernetha Mack

Request for variances of 15 feet front street line setback, 4 feet side street line setback and a waiver of the rear yard location requirement for an accessory building to validate and obtain a building permit for a detached carport in the side street yard at 6630 Kipling Parkway, District Heights. **The record remained open to allow District Height the opportunity to provide comments.**

V-87-17 Marlon and Joycelyn Alexander

Request for a variance of 29.3% net lot coverage to validate an existing condition and obtain a permit for a one-story addition at 3107 Newkirk Avenue, District Heights. **The Board resolved, unanimously, that a variance of 29.3% net lot coverage be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2, and the approved elevation plan, Exhibit 3.**

V-89-17 Graciela Segovia

Request for a variance of 9.3% net lot coverage and a waiver of the parking area location requirement to validate and obtain a building permit for a driveway in the front yard of a semi-detached dwelling at 7641 Muncy Road, Hyattsville. **The Board resolved, unanimously, that a variance of 9.3% net lot coverage and 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 August 9, 2017 – The Board resolved, unanimously, that the minutes be APPROVED.**

THE MEETING ADJOURNED AT 9:55 P.M.

Prepared and submitted by:

  
Barbara J. Stone  
Administrator