



BOARD of APPEALS

Zoning and Administrative

Prince George's County Government

County Administration Building
14741 Governor Oden Bowie Drive
2nd Floor, Rm 2173
Upper Marlboro, MD 20772
Phone: 301-952-3220
Fax: 301-952-5178
boardofappeals@co.pg.md.us

MINUTES

September 27, 2017

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:10 p.m. the Chairperson convened the meeting and the following members were present:

Bobbie Mack, Chair
Al 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

NEW CASES

VARIANCES

V-103-17 Mirna and Marta Iraheta

Request for variances of 18.8% net lot coverage, 1 foot side lot line setback and 2 feet rear lot line setback for an accessory building and a waiver of the parking area location requirement for a driveway in the front yard to validate existing conditions, obtain a building permit for a new driveway in the front yard, construct a rear covered patio and a 6-foot wooden fence around the rear yard at 2212 Lewisdale Drive, Hyattsville. **Spanish Language Interpreter Services were provided. The record was held open for the Petitioner to provide revised site plan removing the right portion of the driveway.**

V-107-17 Jose Andrade

Request for variances of 3.5% net lot coverage and 44 feet front street line setback and a waiver of the rear yard location requirement for an accessory building to validate existing conditions and obtain a building permit for a new one-story addition at 1207 Wentworth Drive, Oxon Hill. **Spanish Language Interpreter Services were provided. The Board resolved, unanimously, that variances of 3.5% net lot coverage and 44 feet front street line setback and a waiver of the rear yard location requirement for an 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 plan, Exhibit 3.**

V-145-17 Warren Faison

Request for variances of 4.45 feet front yard depth, 6.1% net lot coverage and a waiver of the parking area location requirement to validate existing conditions and construct a one-story addition at 2713 Overdale Place, Forestville. **The Board resolved, unanimously, that variances of 4.45 feet front yard depth, 6.1% net lot coverage and a waiver of the parking area location requirement 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-50-17 Steve Osagbue

Request for variances of 5 feet side yard width and 13% net lot coverage to construct an attached open carport in the side yard at 6916 Annapolis Road, Landover Hills. **The record was held open to allow the Petitioner to revise the project from proposed "Carport" to "Garage" and to submit revised site and elevation plans to indicate as such.**

V-81-17 Andrew Cadogan

Request for variances of 6 feet front yard depth, 6 feet side street yard depth, 2 feet side yard width and 26.4% net lot coverage to validate existing conditions, construct two one-story additions, a covered front porch and replace the existing frame siding with block at 4800 Trenton Road, Hyattsville. **The Board resolved, unanimously, that variances of 6 feet front yard depth, 6 feet side street yard depth, 2 feet side yard width and 26.4% net lot coverage be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 18, and the approved revised elevation plans, Exhibits 19 (a) thru (b).**

V-108-17 Denny Hernandez

Request for a variance of 29.8% net lot coverage and a waiver of the dog pen location requirement to validate existing conditions and obtain a building permit for a new tool shed, new gravel driveway area and a new 6-foot wooden fence at 7402 Leona Street, District Heights. **The record was held open for the Petitioner to reduce the height of the gate from 7-feet to 6-feet and to submit revised plans demonstrating the reduction.**

V-110-17 Ishioma Opia-Edemenya and Chukwunalu Edemenya

Request for waivers of the fence location and height requirement for a fence over 4 feet in height in the side yard (abutting Watkins Park Drive) to construct a 6-foot wooden privacy fence at 12601 Cambleton Drive, Upper Marlboro. **The record was held open for the Petitioner to revise the fence location at the corner of Watkins Park Drive and Cambleton Drive and to submit revised plans demonstrating the revision.**

V-112-17 Grace and Robert Armstrong

Request for a waiver of the parking area location requirement to construct a driveway extension in the front yard at 6404 Old Landover Road, Hyattsville. **The Board resolved, unanimously, that a waiver of parking area location requirement be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2.**

V-113-17 Earl Grant

Request for a waiver of the fence location requirement for a fence over 4 feet in height in the front yard to construct a 6-foot metal fence in the front yard at 13101 Piscataway Drive, Fort Washington. **The Board resolved, unanimously, that a waiver of the fence location requirement for a fence 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 the approved elevation plans, Exhibits 3 and 4.**

ADMINISTRATIVE APPEAL

AA-1692 Angela Morales

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 CSD Case No. 17-00005728, dated February 22, 2017, citing Petitioner with violating County Code Sections 13-118(f) and (a) (unlawful storage of wrecked, dismantled, inoperable and/or unlicensed motor vehicle(s); exterior property area has/have dead tree(s); and exterior property area is being used for open storage of items to include but not limited to rubbish, garbage, building materials) and International Property Maintenance Code (2000) Section 303-2 (exterior weather exposed wood surfaces has/have flaking and peeling paint) and requiring Petitioner to remove and maintain premises free of any wrecked, dismantled, inoperable, and/or unlicensed motor vehicle(s); remove dead tree(s) and debris; remove items and maintain premises in a clean and sanitary condition; and remove flaking and peeling paint and apply a protective coating of a weather resistant preservative to all exposed wood surfaces, on R-R (Rural Residential) zoned property located at Lots 1 thru 6, Block 7, Glenn Dale Heights Subdivision, being 10125 Dubarry Street, Glenn Dale, Prince George's County, Maryland. **The County dismissed the Notice to Clean. The Board resolved, unanimously, that the appeal be DISMISSED. In addition, the Board resolved, unanimously, that the Petitioners' request for a refund be DENIED.**

DISCUSSION/DECISION - VARIANCES

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 Heights the opportunity to provide comments.**

V-95-17 Anabel Avarenga

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. **The Board resolved, unanimously, that 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) 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) and 23.**

V-96-17 Fidel Hernandez

Request for variances of 1.5 feet side lot line setback and 2 feet rear lot line setback for an accessory building and a waiver of the parking area location requirement to validate an existing condition and construct a driveway in the front yard at 2203 Hannon Street, Hyattsville. **The Board resolved, by majority vote, Ms. Anastasia Johnson abstaining, that variances of 1.5 feet side lot line setback and 2 feet rear lot line setback for an accessory building and a waiver of the parking area location requirement be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 18.**

V-101-17 Ninette and Steven Beheler

Request for variances of 8.5 feet rear yard depth/width and .3% net lot coverage to construct a sunroom, an open deck and a deck with a pergola at 11606 Clocktower Lane, Laurel. **The Board resolved, by majority vote, Ms. Anastasia Johnson abstaining, that variances of 8.5 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 the approved elevation plans, Exhibits 3 (a) thru (c).**

V-104-17 Joseph Keithley III

Request for waivers of the fence location and height requirements for a fence over 4 feet in height in the side yard (abutting Edmonston Road) to construct a 6-foot wooden fence at 6216 Indian Creek Street, Beltsville. **The Board resolved, by majority vote, Ms. Anastasia Johnson abstaining, that waivers of the fence location and height requirements for a fence over 4 feet in height in the side yard (abutting Edmonston Road) be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2, and the approved elevation plan, Exhibit 3.**

V-105-17 Javier Mazariegos

Request for a variance of 6 feet front yard depth to validate and obtain a building permit to complete construction of a covered front stoop at 1300 Alberta Drive, District Heights. **The Board resolved, by majority vote, Ms. Anastasia Johnson abstaining, that a variance of 6 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 21 (a) thru (b).**

DISCUSSION/DECISION - RECONSIDERATION

V-84-17 Cheryl and Melvin Blake Jr.

Request for a waiver of the rear yard location requirement for an accessory building to construct a detached garage in the side yard at 16000 Venice Road, Aquasco. **The Board resolved, unanimously, that a reconsideration of the garage location be APPROVED. Approval of the variance is contingent upon development in compliance with the approved revised site plan, Exhibit 17, and the approved elevation plan, Exhibit 3.**

DISCUSSION/DECISION - OTHER ZONING APPEALS

V-82-17 Jacob Asher, et al

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 Zoning Violation Notice CSD 17-00029787 dated March 28, 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-55 (One-Family Detached Residential) zoned property located at Lot 6, Navy Day Subdivision, being 3309 Navy Day Drive, Suitland, Prince George's County, Maryland. **The Board resolved, unanimously, the decision of the Department of Permitting, Inspections and Enforcement, Enforcement Division, be AFFIRMED.**

MINUTES FOR APPROVAL FROM September 13, 2017 – The Board resolved, by majority vote, Ms. Anastasia Johnson abstaining that the minutes be APPROVED.

THE MEETING ADJOURNED AT 10:45 P.M.

Prepared and submitted by:


Barbara J. Stone
Administrator