

## **MINUTES**

September 26, 2018

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  
Al Scott, Vice Chair  
Anastasia Johnson, Member  
Emerson Davis, Attorney  
Barbara J. Stone, Administrator  
Aminah Bushrod, Communications Specialist

Also Present:  
Leslie Bilchick, Spanish Language Interpreter

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

#### **NEW CASES**

#### **VARIANCES**

V-83-18 Maria and Yefri Delcid **Spanish Language Interpreter Services were requested.**

Request for waivers of the fence location and height requirements for a fence over 4 feet in height in the side yard (abutting Becker Road) to validate and obtain a building permit for a 6-foot metal fence in the side yard of a corner lot at 14501 Becker Road, Brandywine. **The record was held open to allow the Petitioner to submit revised site plan demonstrating the correct dimensions of the gravel driveway off Church Road.**

V-90-18 Joseph Alexander and Kristen Coad

Request for a variance of 15 feet front street line setback and a waiver of the rear yard location requirement for an accessory building and a waiver of the parking area location requirement to validate existing conditions (driveway, shed) and obtain a building permit for a new driveway extension in the front yard at 4201 Enterprise Road, Bowie. **The Board resolved, unanimously, that a variance of 15 feet front street line setback and a waiver of the rear yard location requirement for an accessory building 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.**

V-98-18 Housing Initiative Partnership, Inc.

Request for a variance of 7.5 feet front yard depth to construct a wrap-around covered front porch on a semi-detached dwelling at 2219 Gaylord Drive, Suitland. **The Board resolved, unanimously, that a variance of 7.5 feet front yard depth be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plan, Exhibit 3.**

V-99-18 Housing Initiative Partnership, Inc.

Request for a variance of 7 feet front yard depth to construct a covered front porch on a semi-detached dwelling at 1802 Ray Leonard Road, Landover. **The Board resolved, unanimously, that a variance of 7 feet front yard depth be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plan, Exhibit 3.**

V-100-18 Housing Initiative Partnership, Inc.

Request for a variance of 7.5 feet front yard depth to construct a covered front porch on a semi-detached dwelling at 2218 Gaylord Drive, Suitland. **The Board resolved, unanimously, that a variance of 7.5 feet front yard depth be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plan, Exhibit 3.**

V-95-18 G Squared Dynamics, LLC

Request for variances of 400 square feet net lot area, 10 feet front building line width, 2.4% net lot coverage and a waiver of the parking area location requirement to validate existing conditions (lot size and width) and construct a two-story dwelling, with covered front porch and deck, and driveway at 1108 Nova Avenue, Capitol Heights. **The Board resolved, unanimously, that variances of 400 square feet net lot area, 10 feet front building line width, 2.4% 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 approved elevation plans, Exhibits 3 (a) thru (d).**

V-96-18 Dudley and Pearly Allen

Request for a waiver of the parking area location requirement to construct a driveway in the front yard of a semi-detached dwelling at 8341 12th Avenue, Silver Spring. **The record was held open to be rescheduled as Petitioner granddaughter appeared in lieu of Petitioners. Reschedule for Petitioners to appear.**

V-97-18 Rodney Vaughn

Request for variances of 4.2 feet front yard depth for the dwelling, 15.7% net lot coverage and a variance of 15.5 feet front street line setback and a waiver of the rear yard location requirement for an accessory building to validate existing conditions (development) and construct a detached garage over existing driveway area at 5021 Emo Street, Capitol Heights. **The Board resolved, unanimously, that variances of 4.2 feet front yard depth for the dwelling, 15.7% net lot coverage and a variance of 15.5 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 approved elevation plan, Exhibit 3.**

## **OTHER ZONING APPEALS**

V-67-18 Sun Services

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 Investigator, Department of Permitting, Inspections and Enforcement, Enforcement Division, to issue Violation Notice CSR 18-00048941, dated May 11, 2018, citing Petitioner with violation of COMAR 26.02.03.02 (A person may not cause or permit noise levels which exceed those specified in this table); Prince Georges County Code Section 27-253(c) (All use of the property shall be in conformance with the use and occupancy permit, including the accompanying plans. Compliance with the use and occupancy permit requires compliance with all applicable provisions

of the County Code); Prince George's County Code Sections 19-121 & 19-122 (A person may not create noise or allow noise to be created that disturbs the peace, quiet, and comfort of a residential area. Noise shall mean noise related to human activity which is continuous in nature and audible more than fifty (50) feet from the source of the sound); and Prince George's County Code Section 4-101 (The Building Official is authorized to suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code) and requiring Petitioner to reduce noise levels emitted from the premises so that they do not exceed the levels established by COMAR and to revert property back to the approved use and site plan for the approved Use and Occupancy Certificate #44395-2013-00 by reducing noise which is audible 50 feet from the source to an acceptable level, on I-2 (Heavy Industrial) zoned property located at Lots 28 & 29, Block 56, Beltsville Subdivision, being 11210 Somerset Avenue, Beltsville, Prince George's County, Maryland. **Petitioner has provided a written request to withdraw the Appeal. The Board resolved, unanimously, that the appeal be DISMISSED.**

### **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 to provide the Petitioner additional time to submit revised plans.**

#### V-211-17 OZA 301 Commercial Center, LLC

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 CSD Case No. 17-00119411, dated November 15, 2017, citing Petitioner with violation of Zoning Ordinance Sections 27-253(a)(1), 27-593(a)(3)(6), 27-593(a)(1), 27-596(a), 27-598(a) (use of a building, structure or land without a use and occupancy permit for Brandywine Drive-Thru, Inc. trading as Checkers, display of pennants, pinwheels, banners and similar circus or carnival type attractors which are visible from a street or residential property are prohibited, and signs shall not be displayed unless a permit has been issued by the Department of Permitting, Inspections and Enforcement) and County Code Section 4-118(c) (use of a building, structure or land without a use and occupancy permit), and requiring Petitioner to cease use of the premises, including adjoining properties and right of way area; to remove all vehicles, equipment, materials and items until a valid use and occupancy permit, including final approval of the permit is granted ; to remove all pennants, etc. from the property; and to obtain a sign permit or remove sign on C-S-C (Commercial Shopping Center) zoned property located at Parcel H, Tax Map 154, Grid F4, being 15911 SW Crain Highway, Brandywine, Prince George's County, Maryland. **Petitioner has provided a written request to withdraw the Appeal. The Board resolved, unanimously, that the appeal be DISMISSED.**

**Minutes for Approval from September 12, 2018 – The Board resolved, unanimously, that the minutes be APPROVED.**

THE MEETING ADJOURNED AT 9:06 P.M.

Prepared and submitted by:

A handwritten signature in black ink, reading "Barbara J. Stone". The signature is written in a cursive style with a large initial 'B' and a long, sweeping underline.

Barbara J. Stone  
Administrator