

APPROVED

MINUTES

December 4, 2019

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 06:24 p.m. the Chairperson convened the meeting and the following members were present:

Bobbie Mack, Chair
Al Scott, Vice Chair
Anastasia Johnson
Emerson Davis, Attorney
Barbara Stone, Administrator
Mike Royer, Technical Services
Ernesto Luna, Spanish Language Interpreter

NEW CASES / VARIANCES

V-124-19 Devin Chesney

Request for variances of 135 square feet net lot area and 3 feet front yard depth to obtain a building permit for proposed construction of a two-story addition and front porch at 7223 15th Avenue, Takoma Park. **The record was held open in order to re-advertise to include a variance for side yard setback. The record will be heard on February 19, 2020.**

V-111-19 Esperanza Guzman Spanish Language Interpreter Services provided. / Luna

Request for variances of 3% net lot coverage and 2 feet side yard setback for an accessory building to validate an existing condition (shed) and obtain a building permit for an unauthorized construction of a carport at 5707 Carters Lane, Riverdale. **The Board resolved, unanimously, that variances of 3% net lot coverage and 2 feet side yard setback for an accessory building be APPROVED. Approval of the variances are contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plan, Exhibit 3.**

V-115-19 Jose Hernandez and Maria Geuvara Spanish Language Interpreter Services provided. / Luna

Request for a waiver of the parking area location requirement to obtain a building permit for unauthorized construction of a concrete driveway at 3709 Varnum Street, Brentwood. **The record remained open to allow the Town of Brentwood the opportunity to comment. In addition to allow for the Petitioner to submit a new site plan demonstrating the legal bearings and distances in order to determine if the proposed driveway is on Petitioner property and to reduce the size of the driveway.**

V-116-19 Elias Gonzalez Guzman

Request for a waiver of the fence location and height requirements for a fence over 4 feet in height in the side yard (abutting Killarney Street) to obtain a permit building for a proposed 6-foot wooden fence at 10501 Harry Street, Clinton. **The Board resolved, unanimously, that a waiver of the fence location and height requirements be APPROVED. Approval of the variance is contingent upon development in compliance with the approved revised site plan, Exhibit 16 and approved elevation plan, Exhibit 3.**

V-119-19 Edy Najeras and Esmeralda Ciciliano

Request for variances of 1,450 square feet net lot area, 11 feet front building line width, 11 feet front yard depth, 19.2% net lot coverage and 1-foot rear yard depth to validate existing conditions (property, dwelling and development) and obtain a building permit for proposed construction of a second-story addition at 3404 40th Avenue, Brentwood. **Rescheduled to January 8, 2020.**

V-120-19 Jose Franco and Maritza Medina

Request for variances of 10 feet front building line width and 7 feet side yard width to validate existing conditions (property and dwelling) and obtain a building permit for unauthorized construction of a partially covered deck, retaining wall, backyard patio and driveway extension at 4821 Lexington Avenue, Beltsville. **The Board resolved, unanimously, that variances of 10 feet front building line width and 7 feet side yard width be APPROVED. Approval of the variances are contingent upon development in compliance with the approved site plan, Exhibit 2.**

V-122-19 Luis R. H. Cisneros

Request for a waiver of the fence location and height requirements for a fence over 4 feet in height in the front yard/side yard (abutting 45th Avenue) to obtain a building permit for a proposed covered deck, open deck and unauthorized construction of a 6-foot wooden fence at 4417 Usange Street, Beltsville. **The Board resolved, unanimously, that a waiver of the fence location and height requirements for a fence over 4 feet in height in the front yard/side yard (abutting 45th Avenue) be APPROVED. Approval of the variances are contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plan, Exhibit 3.**

V-127-19 New Capital Investment Group, LLC

Request for variances of 2,454 square feet net lot area, 19 feet front yard depth, 14 feet rear yard depth/width and .7% net lot coverage to validate existing conditions (lot size, front yard, rear yard and lot coverage) and to obtain a building permit to construct a proposed 2-story addition and add a second story addition to the existing dwelling, asphalt driveway and covered porch at 8318 Bock Road, Fort Washington. **The Board resolved, unanimously, that variances of 2,454 square feet net lot area, 17 feet front yard depth, 6 feet rear yard depth/width and 3.7% net lot coverage be APPROVED. Approval of the variances are contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plans, Exhibits 3 (a) thru (d).**

V-130-19 Manuel and Elva Ventura

Request for variances of 5 feet front building line width and 2 feet side yard setback for an accessory building to validate an existing condition (lot/width frontage) and obtain a building permit for an unauthorized construction of a gazebo at 3709 Jefferson Street, Hyattsville. **The record was held open to allow Hyattsville the opportunity to provide comments.**

V-139-19 Marcus and Monique Sykes

Request for a variance of 7 feet rear yard depth/width to obtain a building permit for a proposed construction of an open deck with stairs at 9707 Digby Court, Clinton. **The Board resolved, unanimously, that a variance of 7 feet rear yard depth/width be APPROVED. Approval of the variances are contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plan, Exhibits 3.**

V-141-19 Andrea Jackson

Request for a waiver of the rear yard location requirement for an accessory building to obtain a building permit for a proposed shed in the side yard at 10911 Hackberry Court, Clinton. **The Board resolved, unanimously, that a waiver of the rear yard location requirement for an accessory building 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.**

ADMINISTRATIVE APPEALS

AA-1722 Tarragona, LLC

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, Inspections Division, to issue Violation Notice No. 19-00064517, dated July 15, 2019, citing Petitioner with violating County Code Section 32-240 (Property Maintenance) which prescribes that exterior surfaces, walls and foundations of structures shall be maintained in a weatherproof condition, properly surface-coated and free of graffiti. Section 303.1 and Section 303.7 (International Property Maintenance) which prescribes that roof singles on building shall keep the standard conditions. Section 305.1 and Section 305.2.1 which prescribes that debris shall be removed and cracked windows, missing window panes or windows that contain rotted wood shall be replaced. Section 13-118(a) (Housing) which prescribes that the exterior of property area shall be clean and in sanitary conditions. Section 303.4 and Section 303.10 which prescribes that decks shall prove structural safety codes. Section 303.2 (wood surfaces) which prescribes that exposed wood surfaces shall have weather resistant preservative. Corrective Action includes repair/replace/paint exterior structural surfaces which includes foundations. Areas should be free of holes, breaks, lose or rotting boards, timber or other materials, any conditions which might admit rain or dampness to the interior portions of the walls. Exterior needs proper weather proof paint. Repair/Replace defective or missing shingles to prevent dampness or deterioration to the interior portion of the structure. Remove all trash, litter and debris. Repair/replace broken windows, rotted sills/wood, windows to be sound tight condition and capable of being easily opened. Corrective actions required shall be done immediately on R-R (Rural Residential) zoned property located at Parcel 0020, Map 0092, Grid 00F3, being 4209 Largo Road, Upper Marlboro, Prince George's County, Maryland. **Rescheduled to April 20, 2020.**

AA-1725 Saman Rafiemoghadam

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 a County Invoice # B72511 on August 20, 2019, citing Code Section 13.269. Code Section 14-601-14-605 (interests and penalties are accumulated). The County requests to obtain a payment of \$4,645.30 for services done on R-55 (One Family Detached Residential) zoned property located on Lot13, Block K, Peppermill Village Subdivision, being 6803 Hastings Drive, Capitol Heights, Prince George's County, Maryland. **Withdrawn by Counsel on the record.**

DISCUSSION/DECISION

V-103-19 Bernardo Alvarez **Spanish Language Interpreter provided/ Sotogomez**

Request for variances of 2 feet front street line width, 15.4% net lot coverage and 1-foot side lot line setback to validate existing conditions (front street line and a garage) and obtain a building permit for unauthorized construction of a garage at 3114 Lancer Drive, Hyattsville. **The Board resolved, unanimously, that variances of 2 feet front street line width, 15.4% net lot coverage and 1-foot side lot line setback be APPROVED. Approval of the variances are contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plans, Exhibits 3 (a) thru (c).**

V-109-19 Ismael Villalra

Request for a variance of 5 feet side yard width and a waiver of the parking area location requirement to validate an existing condition (covered steps) and obtain a building permit for proposed construction of a driveway at 5813 Roanoke Avenue, Riverdale. **The record was held open to allow the Petitioner time to revise the site plan and obtain Site Road approval.**

V-110-19 Damon Fikes

Request for variances of 5 feet front building line width and a waiver of the fence location and height requirements for a fence over 4 feet to validate an existing condition (property) and obtain a building permit for a proposed construction of a 10-foot wooden privacy fence at 9020 Ardmore Road, Upper Marlboro. **The Board resolved, unanimously, that variances of 5 feet front building line width and a waiver of the fence location and height requirements for a fence over 4 feet be DENIED.**

V-112-19 Juan Miranda

Request for a variance of 438 square feet net lot area to obtain a building permit for a proposed two-story dwelling with basement, driveway and porch with steps at 9637 Foote Road, Fort Washington. **The Board resolved, unanimously, that a variance of 438 square feet net lot area be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plans, Exhibits 3 (a) thru (c).**

MINUTES FOR APPROVAL FROM NOVEMBER 20, 2019. **The Board resolved, unanimously, that the minutes be APPROVED.**

THE MEETING ADJOURNED AT 10:23 p.m.

Prepared and submitted by:

A handwritten signature in black ink that reads "Barbara J. Stone". The signature is written in a cursive style with a large initial "B".

Barbara J. Stone
Administrator