

**Virtual Hearing**  
**APPROVED**  
**MINUTES**  
February 24, 2021

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:00 p.m. the Chairperson convened the meeting and the following members were present:

Bobbie Mack, Chair  
Al Scott, Vice Chair  
Anastasia Johnson, Member

Others Present:

Emerson Davis, Board Attorney  
Ellis Watson, Staff Attorney  
Barbara J. Stone, Administrator  
Celeste Barlow, Administrative Aide  
Olga Antelo-Vasquez, Administrative Aide

**NEW VARIANCES**

V-76-20 Clinton Development Group, LLC

Request for a waiver of the wall location requirement and height requirements over 4 feet in height in the front yard (abutting Joseph Drive) to obtain a building permit to construct a retaining wall with railing that exceeds 4 feet in height in the front yard at 2200 Joseph Drive, Clinton. **Taken under advisement.**

V-77-20 Rachel James

Request for a variance of 8 feet side yard width to obtain a building permit for the construction of a deck and gazebo at 5708 Black Hawk Drive, Oxon Hill. **The Record was held open for the Petitioner to submit a revised site plan moving the deck 3 feet from the property line.**

V-79-20 Marvin and Pennie Partee

Request for variances of 58 feet front street line setback, 2 feet side lot line setback and a waiver of the rear yard location requirement for an accessory building(garage) to obtain a building permit for the unauthorized construction of a garage and shed at 401 Cabin Branch Road, Capitol Heights. **Taken under advisement.**

**OTHER ZONING APPEALS**

V-73-20 Diane Mustard

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 Investigator, Department of Permitting, Inspections and Enforcement Division, to

issue Violation Notice CSD Case No.: 19-00053179, dated June 18, 2019, citing the Petitioner with violation Zoning Section 27-118-01 (c) which prescribes that property Zoned R-55 (One Family Detached Residential) should not have more than one dwelling, and Section 302.2 which prescribes that an exterior property must be maintained in good conditions which implies a structure without holes, erosion and unprotected soil. Petitioner has been notified that there is a second dwelling covered with holes and erosion. Consequently, actions should be taken to remediate the violations found in the property located at 7100 West Park Drive, Hyattsville, MD 20783. **The Department of Permitting, Inspection and Enforcement has closed this violation with Office of Law in agreement. The Board resolved, unanimously, that Appeal V-73-20 be DISMISSED.**

## **DISCUSSION/DECISION**

### V-154-19 Rene Rodriguez

Request for variances of 173 square feet net lot area, 6 feet front building line width, 16% net lot coverage, 1.5-foot side lot line setback, 1-foot rear lot line setback for an accessory building (carport) and a waiver of the fence height requirements for a fence over 4 feet in height in the rear yard to validate existing conditions (lot coverage and accessory building) and obtain a building permit for unauthorized construction of a carport, 8 foot fence and extended driveway at 1707 Keokee Street, Hyattsville. **The Board resolved, unanimously, that variances of 173 square feet net lot area, 6 feet front building line width, 16% net lot coverage, 1.5-foot side lot line setback, 1-foot rear lot line setback for an accessory building (carport) and a waiver of the fence height requirements for a fence over 4 feet in height in the rear yard be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plans 3 (a) thru (e).**

### V-162-19 John and Teresa Burleson

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 Investigator, Department of Permitting, Inspections and Enforcement Division, to issue Violation Notice CSD Case No.: 18-00122159, dated November 15, 22019, citing Petitioner with violation Zoning Code Section 27-441(a) 7, which prescribes that all types of trailers—except boats or campaign trailers—are not permitted on RR- Rural Residential Zone. Housing Code Section 13-118 (f) which prescribes that it is illegal to storage of wrecked dismantled and/or unlicensed motor vehicle(s). Housing Code Section 13-118 which prescribes that property open area cannot be used for storage of items but no limited to rubbish, garage, building materials. International Property Maintenance Code (2000) Section 305.1, Section 305.2 Section 305.2.1 which prescribe that exterior property areas should be free from accumulation of trash, litter and debris. ***The record was held open for 30 days progress from January 24. The record remained open for progress report from Inspector.***

### V-24-20 Leonard Upson

Request for variances of 14.9 % net lot coverage, 2 feet side lot line setback and 2 feet rear lot line setback for an accessory building (garage) to validate existing conditions (accessory building /garage) and obtain a building permit for the unauthorized construction of the driveway extension at 3905 Oliver Street, Hyattsville. **The Board resolved, unanimously, that variances of 14.9 % net lot coverage, 2 feet side lot line setback and 2 feet rear lot line setback for an accessory building (garage) be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plans 3 (a) thru (c).**

### V-29-20 Kingsley Uzomah

Request for variances of 1,490 square feet net lot area, 5 feet front yard depth, 20% net lot coverage, 35 feet front street line setback, 2 feet side lot line setback, 2 feet rear lot line setback, and a waiver of the rear yard location requirement for an accessory building (carport) to validate existing conditions (net lot area and front yard depth, lot coverage) and obtain a building permit for the unauthorized construction of one story addition, carport and shed at 5306 62nd Avenue, Riverdale. **The Board resolved,**

**unanimously, that variances of 1,490 square feet net lot area, 5 feet front yard depth, 20% net lot coverage, 35 feet front street line setback, 2 feet side lot line setback, 2 feet rear lot line setback, and a waiver of the rear yard location requirement for an accessory building (carport) be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2.**

V-31-20 Shanmusam Panneerselvam

Request for waivers of the fence height and location requirements for a fence over 4 feet in height (abutting Bexhill Court) to obtain a building permit for the unauthorized construction of 7-foot wooden fence at 9003 Bexhill Court, Hyattsville. **The Board resolved, unanimously, that waivers of the fence height and location requirements for a fence over 4 feet in height (abutting Bexhill Court) be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 3.**

V-50-20 Maxine and Jassett Taylor

Request for a waiver of the parking area location requirement to obtain a building permit for the proposed driveway at 2421 Sheridan Street, Hyattsville. **The Record was held open to allow the Petitioner to obtain Apron Permit.**

V-54-20 Shameka M. Johnson

Request for a variance of 4 feet front yard depth and a waiver of the parking area location requirement to validate an existing condition (front yard depth) and obtain a building permit for a proposed driveway at 4129 24th Avenue, Temple Hills. **The Board resolved, unanimously, that variance of 4 feet front yard depth 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 17.**

V-58-20 Anthony W. Bailey

Request for variances of 14 feet front yard depth, 3 feet side yard width and 17.6 % net lot coverage to validate existing conditions (front yard depth, side yard width and lot coverage) and obtain a building permit for the unauthorized construction of a driveway extension at 4109 34th Street, Mount Rainier. **The record was held open to allow the Town of Mt. Rainer the opportunity to provide comments.**

V-69-20 Angela Vaughn

Request for variances of 1000 square feet net lot area, 10 feet front building line width, 6 feet front yard depth, 1-foot right side yard width, 1-foot left side yard width, 2 feet rear lot line setback for an accessory building (shed) and 14.8% net lot coverage to validate existing conditions (Lot area, front building line width, front yard depth, side yard width accessory building, and lot coverage) and obtain a building permit for an covered front porch with no walls at 622 Hedgeleaf Avenue, Capitol Heights. **The Board resolved, unanimously, that variances of 1000 square feet net lot area, 10 feet front building line width, 6 feet front yard depth, 1-foot right side yard width, 1-foot left side yard width, 2 feet rear lot line setback for an accessory building (shed) and 14.8% net lot coverage be APPROVED. Approval of the variance is contingent upon development in compliance with the approved revised site plan, Exhibit 15 and approved elevation plans 3 (a) thru (b).**

THE MEETING ADJOURNED AT 8:24 p.m.

Prepared and submitted by:

A handwritten signature in black ink, appearing to read "Barbara J. Stone", is written over a light blue rectangular background.

Barbara J. Stone  
Administrator