

**Virtual Hearing**  
**APPROVED**  
**MINUTES**  
April 28, 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-27-20 Rams Group, LLC**

Request for variances of 1,427 square feet net lot area, 11 feet front building line width, 13 feet front yard depth, 2 feet side yard width and 9.4% net lot coverage to validate existing conditions (Net Lot Area, Front Building Line, Front and Side Yards) and obtain a building permit for the proposed construction of 2nd floor addition at 3710 34th Street, Mount Rainier. **The Board resolved, unanimously, that a variances of 1,427 square feet net lot area, 11 feet front building line width, 13 feet front yard depth, 2 feet side yard width and 9.4% net lot coverage be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 3 and approved elevation plan, Exhibit 4.**

**V-68-20 Bounds Appraisal Services, Inc.**

Request for variances of 9 feet front yard depth, 0.5-foot side yard in width 9.2% net lot coverage to validate existing conditions (front yard depth, side yard width and net lot coverage) and obtain a building permit for a second-floor addition at 3405 Newton Street, Mount Rainier. **The Board resolved, unanimously, that variances of 9 feet front yard depth, 0.5-foot side yard in width 9.2% net lot coverage be APPROVED. Approval of the variance is contingent upon development in compliance with the approved revised site plan, Exhibit 26 and approved revised elevation plan, Exhibit 21 (a) thru (i).**

**V- 8-21 MJ&S Enterprises**

Request for variances of 12 feet rear yard depth/width and 1.4 net lot coverage to validate existing conditions (rear yard depth/width and net lot coverage) and obtain a building permit for a sunroom addition on existing deck at 015 Minna Avenue, Capital Heights. **The record was held open to allow the Petitioner to obtain a Tree Conservation Plan.**

#### V-9-21 MJ&S Enterprises

Request for variances of 12 feet rear yard depth/width and 4.5% net lot coverage to validate existing conditions (rear yard/with and net lot coverage) and obtain a building permit for the construction of a sunroom addition at 1009 Minna Avenue, Capitol Heights. **The record was held open to allow the Petitioner to obtain a Tree Conservation Plan.**

#### V-10-21 Deborah Allen

Request for variances of 11 feet rear yard depth/width and 5.9% net lot coverage to obtain a permit for the construction of a deck at 17203 Summerwood Lane, Accokeek. **The Board resolved, unanimously, that variances of 11 feet rear yard depth/width and 5.9% net lot coverage 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 (d).**

#### V-11-21 Karl Muhammad

Request for variances of 4 feet side street yard depth and 7 feet rear yard depth/width to validate an existing condition (rear yard depth/width) and obtain a building permit for the construction of a room addition at 4903 Henderson Road, Temple Hills. **The record was held open for Petitioner to submit revised elevation plans.**

#### V-13-21 Gerard Glaser, Jr. Trust

Request for variances of 3 feet side yard width, 2 feet side lot line setback for an accessory building and a waiver of the parking area location requirement to validate an existing condition (side yard width and accessory building (shed) and obtain a building permit for the construction of a driveway at 6114 Montrose Road, Cheverly. **The Petitioner did not appear for the hearing.**

#### V-14-21 Wharton Storage Company, LLC

Request for variances of 13 feet side yard setbacks for the 1-4 Zone, a variance of 10-foot side yard setbacks within the C-M Zone, and waivers of the fence location and height requirement for a 10-foot chain link fence to obtain a building permit for the construction of a 10-foot-high chain-link fence on I-4 zoned (Industrial) and C-M (Commercial Miscellaneous) at 8219 Woodyard Road, Clinton. **The record remained open for Petitioner to submit revised site plans removing the barbed wire fence top in prohibited area.**

#### V-17-21 Adriana Medel and Vicente Guzman

Request for variances of 28.7% net lot coverage and 4 feet front yard depth to obtain a building permit for the proposed detached garage at 7903 Dawnwood Court, Lanham. **Taken under advisement.**

### **OTHER ZONING APPEALS**

#### V-28-20 West Hyattsville, 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, Enforcement Division, to issue Violation Notice No. 20-00005202, dated February 6, 2020, citing Petitioners with Violating Property Maintenance Code Sections 13-233&23-150(c)(d), 13-234 and 13-236 establish that a property shall be maintained in a clean, safe, secure and in sanitary condition and conformance with this Division so as not to create a public nuisance or adversely affect to public health, safety or welfare. Consequently, litter, trash, debris, garbage, vegetable waste or other putrescible materials shall be placed in approved containers with close fitting covers. Unlicensed, wrecked or dismantled vehicles, any signs, banners and attraction items not having permits from the property shall be removed. Property Maintenance Code Section 13-237&23-150(c)(d), 13-238, 13-239, 13-240, 13-242, 13-243 establish that all property shall be kept free from weeds in excess of (12) inches in height. The owners of the property shall be responsible for the extermination of insects, rats, vermin or other pests. All sidewalks, steps, driveway, parking spaces and areas for public use shall be kept in proper state and maintained free of hazardous conditions. The foundations of structures-every exterior surface, wall, should be free of hole. Materials including wood, composition, cinderblock or metal siding shall be maintained in a weatherproof condition. All cornices, terra cotta trim, and similar decorative features. Signs marquees and awnings shall be displayed for a period of ninety days. Violation Use of building structure or land without a use and occupancy permit for Bestway Supermarket, Bilingual Administrative Solutions

Zoning Code Section 27-253-(a)(1). 4-118(c) Remove all vehicles equipment materials. Change of Owner/Tenant requires a new Use and Occupancy Permit. Zoning Code Section 27-551(a)(1)&(2) Loading spaces for the purposes of accommodating vehicles delivering removing merchandise or other material. Parking lots are for the sole purpose of accommodating the passenger vehicles of persons associated with the use which require the parking lot. Zoning Code Section 27-562 Provide adequate lighting with no dark spaces and arrange so it does not reflect the glare on land used for residential purposes. Petitioners shall proceed with the corrective actions cited above to maintain all premises and exterior property according to the Code Sections of the Department of Permitting, Inspections and Enforcement. Therefore, hazardous items, garbage and rubbish, shall be removed. Infection of rats or insects shall be treated immediately, and all defects on structures including the concrete, asphalt and gravel surfaces shall be repaired. Petitioners should keep the property clean safe, secure and sanitary conditions on C-S-C Zoned (Commercial Shopping Center) property located at Map 49, Grid F1, Parcel A, Hamilton Street Safeway Subdivision, being 3511 Hamilton Street, Hyattsville, Prince Georges County Maryland. A request was also made for an extension of the period should the Board determine that a violation exists. **This case was not heard as it was placed on the agenda erroneously.**

## **DISCUSSION/DECISIONS**

### V-62-20 Mark W. Robinson

Request for variances of 1000 square feet net lot area, 10 feet front building line width and 9.1 feet front yard depth to validate existing conditions (net lot area, front building line width and front yard depth) and obtain a building permit for the unauthorized constructions of one story addition on top of existing first floor, a covered front porch and a deck at 815 Glacier Avenue, Capitol Heights. **The Board resolved, unanimously, that variances of 1000 square feet net lot area, 10 feet front building line width and 9.1 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-74-20 Erick Alexander Arias

Request for variances of 3 feet rear yard depth/width and a waiver of the fence location and height requirements for a fence over 4 feet in height in the front yard (abutting Pacer Drive and Pacer Court) to validate an existing condition (rear yard depth/width) and obtain a building permit for the construction of a 6-foot wooden fence at 533 Pacer Drive, Landover. **The Board resolved, unanimously, that variances of 3 feet rear yard depth/width and a waiver of the fence location and height requirements for a fence over 4 feet in height in the front yard (abutting Pacer Drive and Pacer Court) be APPROVED. Approval of the variance is contingent upon development in compliance with the approved revised site plan, Exhibit 20 and approved elevation plans, Exhibits 3 (a) thru (b).**

### V-67-20 Houston Ashlock

Request for variance of 7.8% net lot coverage to validate an existing condition (lot coverage) and obtain a building permit to convert the gazebo into a sunscreen room at 4922 Smithwick Lane, Bowie. **The Board resolved, unanimously, that variance of 7.8% net lot coverage be APPROVED. Approval of the variance is contingent upon development in compliance with the approved revised site plan, Exhibit 20 and approved elevation plan, Exhibit 4.**

THE MEETING ADJOURNED AT 8:13 p.m.

Prepared and submitted by:



Barbara J. Stone  
Administrato