

MARCH 5, 2008
BOARD OF APPEALS
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:13 p.m. the Chairperson convened the meeting and the following members were present:

Bobbie S. Mack, Chairperson
Albert C. Scott, Vice Chairman
Anastasia T. Johnson, Member
Emerson S. Davis, Sr., Attorney
Anne F. Carter, Administrator

Also Present:
William Edelen, Zoning Inspector

CASES FOR HEARING

NEW CASES

ADMINISTRATIVE APPEAL

AA-1614 We Care Adult Services, Inc.

An appeal from the determination of the Department of Environmental Resources, Community Services Division, to cite Petitioner, in CSD Case No. 299-001-008, with violation of County Code Sections 13-264, 13-265 and 13-267 ("Accumulation of litter and rubbish, high grass and weeds (height greater than 12 inches), and/or wrecked, dismantled, unlicensed, abandoned motor vehicles.") and requiring Petitioner to remove all litter and rubbish, cut grass and weeds and remove clippings, and remove all wrecked/dismantled/unlicensed/abandoned motor vehicles from the property, on R-R (Rural Residential) zoned property located at Lot 1 & Parcel 4, Tax Map 84, Grid B-1, being 1717 Largo Road, Upper Marlboro. **Appeal withdrawn by Petitioner.**

OTHER ZONING APPEAL

V-186-07 Frances & Raymond Moore, Jr.

An appeal from the determination of the Zoning Inspector to cite Petitioner with Violation Notice Z-771-7-08 for violations of Zoning Ordinance Section 27-441(b)(8) ("Parking or storage of commercial vehicles on R-80 (One Family Detached Residential) zoned property is restricted to one (1), which may not exceed 17,000 pounds manufacturers' gross vehicle weight specification. If the vehicle contains advertising in letters exceeding 4 inches in height, advertising other than a firm name, or similar designation, exceeds 300 cubic feet of load space, exceeds 8,500 pounds manufacturer's vehicle weight specification, has dual rear axles, or is a stake platform, dump, crane or tow truck, it must be parked in a wholly enclosed garage.") and Section 27-441(a)(7) ("Storage of semi-trailers, including use of same as accessory buildings, on R-80 (One Family Detached Residential) zoned property.") on the property located at Lot 153, Princess Gardens Subdivision, being 8903 Spring Avenue, Lanham. **Hearing rescheduled to 4/2/08.**

APPROVED

**DISCUSSION/DECISION
VARIANCES**V-202-07 Marjorie McAbee

Request for variances of 8 feet side yard width, 1.7% net lot coverage, a variance of 15 feet front street line setback and a waiver of the rear yard location requirement for a detached carport, a variance of 17 feet front street line setback and a waiver of the rear yard location requirement for one shed, and a waiver of the rear yard location requirement for a second shed to validate and obtain a building permit for an existing detached carport, five sheds and three metal canopies at 14716 Livingston Road, Accokeek. **The record was held open for the Board's administrator to contact and remind Petitioner to submit a revised site plan (#3) which should show only one modification, namely that the side of the house where the enclosed patio is now located meets the required 8-foot setback from the property line.**

V-214-07 Thomas & Norma Norris

Request for a variance of 6 feet rear yard depth/width to validate and obtain a building permit to complete construction of new one-story living space and garage additions at 9425 Franklin Avenue, Lanham. **The Board resolved, unanimously, that a variance of 6 feet rear yard depth/width be APPROVED. Approval of the variance is contingent upon development in compliance with the approved revised site plan, Exhibit 13, and the approved elevation plans, Exhibit 4(a)-(c).**

V-1-08 Pedro Medrano

Request for variances of 3.4 feet front yard depth, 4.5 feet side yard width and 5.4% net lot coverage to validate existing conditions and obtain a building permit for a new covered front porch, an existing shed and an existing 6-foot-high fence at 2214 Beechwood Road, Hyattsville. **The site inspection by the Department of Environmental Resources and photographs taken revealed that the submitted site plan is inaccurate in that the deck on the right side of the house is covered with a roof. Petitioner is to revise the site plan and a new hearing will be advertised. The Board resolved, by majority vote, Ms. Mack in the minority, that Petitioner shall not be required to pay the cost of readvertising.**

V-4-08 Sandra Leon & Felix Garcia

Request for variances of 3.3% net lot coverage and a waiver of the parking area requirement to validate and obtain a building permit for new driveway area at 2114 Chapman Road, Adelphi. **The site plan was revised and a new hearing advertised for 3/19/08.**

V-9-08 Lilowtie & Chanan Persaud

Request for a variance of 3,907 square feet net lot area to validate an existing condition and construct a new single-family dwelling and driveway at 14614 Old Stage Road, Bowie. **The record was held open for technical assistance from the Maryland-National Capital Park and Planning Commission.**

V-11-08 Margaret Barott

Request for a variance of 2 feet side yard width to validate an existing condition and construct a sunroom over an existing deck at 6113 Quebec Place, Berwyn Heights. **The record was held open**

until 3/19/08 for the Board's administrator to inform the Town of Berwyn Heights that the record will remain open for the Town to submit comments.

MINUTES FOR APPROVAL FROM FEBRUARY 27, 2008 -- The Board resolved, unanimously, that the minutes be APPROVED.

CASES FOR HEARING

NEW CASES

VARIANCES

V-13-08 Richard & Shirley Waters

Request for variances of 7.8% net lot coverage, 5 feet side yard width for the existing house and 2 feet rear lot line setback for an existing shed to validate existing conditions and construct two one-story additions at 12400 Farm Road, Upper Marlboro. **The Board resolved, unanimously, that variances of 7.8% net lot coverage, 5 feet side yard width for the existing house and 2 feet rear lot line setback for an existing shed be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2, and the approved elevation plans, Exhibit 3(a)&(b).**

V-14-08 Cafritz, Carter & Conrad, et al./Brinkley Associates, LLC

Request for variances of an additional 1.2% net lot coverage and an additional 1.2% from the required green area coverage to construct a new rental office/model apartment building and 35-space parking lot at 3063 Brinkley Road, Temple Hills. **The Board resolved, unanimously, that variances of an additional 1.2% net lot coverage and an additional 1.2% from the required green area coverage be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 4, and the approved elevation plans, Exhibit 5(a)-(d).**

V-15-08 Ernest & Barbara Audet

Request for variances of 1 foot side yard width, 4.4% net lot coverage and a waiver of the rear yard requirement for an accessory building to validate existing conditions and construct a one-story addition at 4202 East West Highway, University Park. **The Board resolved, unanimously, that variances of 1 foot side yard width, 4.4% net lot coverage and a waiver of the rear yard 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 plans, Exhibit 4(a)-(c).**

THE MEETING ADJOURNED AT 7:43 P.M.

Prepared and submitted by:

(Original Signed)
Anne F. Carter
Administrator