

APRIL 2, 2008  
BOARD OF APPEALS  
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:03 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, DER/Property Standards  
Robert Gentry, DER/Property Standards  
Ronald Twine, DER/Property Standards

**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 Board resolved, unanimously, that variances of 15 feet front street line setback and a waiver of the rear yard location requirement for an existing 20' x 20' detached carport, a variance of 10 feet front street line setback and a waiver of the rear yard location requirement for an existing 6' x 10' shed, and a waiver of the rear yard location requirement for an existing 8' x 20' shed be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan (#4), Exhibit 34.**

V-4-08 Sandra Leon & Felix Garcia

Request for variances of 9.1% net lot coverage and a waiver of the parking area requirement to validate and obtain a building permit for new driveway area and to construct a second-floor addition at 2114 Chapman Road, Adelphi. **The Board resolved, unanimously, that variances of 9.1% net lot coverage and a waiver of the parking area requirement be DENIED.**

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. **Request must be amended to include an additional variance for front street line width and must be readvertised. The Board resolved, unanimously, that Petitioners shall be required to pay readvertising costs.**

**APPROVED**

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 Board resolved, unanimously, that a variance of 2 feet side yard width be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 3, and the approved elevation plans, Exhibit 4.**

V-16-08 Garry & Miranda Sumblin

Request for variances of 3 feet side yard width, 13.9% net lot coverage and 1.8% rear yard coverage in order to validate existing conditions and construct a detached two-car garage over an existing concrete pad at 2016 Gaither Street, Temple Hills. **The record was held open to allow the Board the opportunity to view the site.**

**MINUTES FOR APPROVAL FROM MARCH 19, 2008 -- The Board resolved, unanimously, that the minutes be APPROVED.**

**CASES FOR HEARING****VARIANCES****NEW HEARING**V-1-08 Pedro Medrano

Request for variances of 3.4 feet front yard depth, 4.5 feet side yard width and 6.2% 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 Board resolved, unanimously, that variances of 3.4 feet front yard depth, 4.5 feet side yard width and 6.2% net lot coverage be APPROVED. Approval of the variance is contingent upon development in compliance with the approved revised site plan, Exhibit 18, and the approved elevation plans, Exhibit 3(a)&(b).**

**NEW CASES**V-18-08 Maria Glenn

Request for a variance of 60 feet front street line setback and a waiver of the rear yard location requirement for an existing detached carport, and a variance of 1.8% net lot coverage to validate existing conditions and construct a one-story addition at 1227 Dunbar Oaks Drive, Capitol Heights. **The Board resolved, by majority vote, Ms. Mack in the minority, that variances of 60 feet front street line setback and a waiver of the rear yard location requirement for an existing detached carport, and a variance of 1.8% net lot coverage be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 14, and the approved elevation plan, Exhibit 3.**

V-19-08 Michael & Brenda Stello

Request for variances of 13 feet street line setback from Powder Mill Road, 23.1 feet street line setback from Howard Avenue, 9.4% net lot coverage; and 53 feet front street line setback, 2 feet side lot line setback and a waiver of the rear yard location requirement for an existing shed to validate existing conditions and construct a deck and one-story addition, with basement, at 4716 Powder Mill Road,

Beltsville. **The Board resolved, unanimously, that variances of 13 feet street line setback from Powder Mill Road, 23.1 feet street line setback from Howard Avenue, 9.4% net lot coverage; and 53 feet front street line setback, 2 feet side lot line setback and a waiver of the rear yard location requirement 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-20-08 Erin Shaffer & Susan Lee

Request for a variance of 6 feet rear yard depth/width to construct a deck at 13103 Crossview Court, Beltsville. **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 site plan, Exhibit 2, and the approved elevation plan, Exhibit 3.**

V-21-08 James & Diane Furr

Request for a variance of 3 feet side yard width to construct a two-story addition at 5615 Gregory Drive, Lanham. **The record was held open to allow the Board an opportunity to view the site.**

V-23-08 Michelle Battle

Request for a variance of 2.905 acres net lot area to construct a new single-family dwelling and driveway at 15515 Brandywine Road, Brandywine. **The Board resolved, unanimously, that a variance of 2.905 acres net lot area be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2, and the approved elevation plan, Exhibit 3.**

At 8:07 p.m. the Board recessed and reconvened at 8:20 p.m.

V-24-08 Carla & John DeGrouchy

Request for a variance of 7.8% net lot coverage and a waiver of the rear yard location requirement for an accessory building to validate and obtain a building permit for an existing shed and driveway area at 8639 Park Avenue, Bowie. **The record was held open for technical assistance and for Petitioners to submit a copy of the approved building permit for the existing driveway.**

**DISCUSSION/DECISION (Cont'd)**

**VARIANCES**

V-17-08 Mabel Karydakakis, Trustee

Request for variances of 4 feet side street yard depth and 12 feet rear yard width in order to construct a one-story addition at 2027 Woodreeve Road, Hyattsville. **The Board resolved, unanimously, that variances of 4 feet side street yard depth and 12 feet rear yard depth/width be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2, and the approved elevation plan, Exhibit 3.**

**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.

At 8:57 p.m. the Board recessed for Executive Session for legal advice and reconvened at 9:02 p.m.

**The County Inspector withdrew the cited violation of Zoning Ordinance Section 27-441(a)(7) regarding storage of a semi-trailer on the property. The Board resolved, unanimously, that the determination of the Zoning Inspector to cite Petitioner with Violation Notice Z-771-7-08, with regard to violation of Zoning Ordinance Section 27-441(b)(8) only, be AFFIRMED.**

THE MEETING ADJOURNED AT 9:15 P.M.

Prepared and submitted by:

(Original Signed)  
Anne F. Carter  
Administrator