

JUNE 17, 2009
BOARD OF APPEALS
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:14 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

DISCUSSION/DECISION

VARIANCES

V-12-09 Maleha Bahich

Request for a variance of 5,526 square feet net lot area to validate an existing condition and obtain a use and occupancy permit for a used car lot with an auto repair facility on the premises known as Lot 9, McDaniels Subdivision, being 5400 Indian Head Highway, Oxon Hill. **The record will continue to be held open until 7/8/09 and Mr. Scott will listen to the audio tape of the 6/3/09 discussion.**

V-22-09 Constance Visnic

Request for variances of 3 feet front yard depth and 11% net lot coverage to validate existing conditions and construct a two-story addition and second-floor addition at 4404 Underwood Street, University Park. **The record was held open for Mr. Scott to listen to the audio tape of the 6/3/09 hearing and for the Board's administrator to inform Petitioner in writing that removal of sidewalk area, as requested by the Town of University Park, will not reduce the amount of net lot coverage included in the variance request.**

MINUTES FOR APPROVAL FROM JUNE 3, 2009 -- The Board resolved, by majority vote, Mr. Scott abstaining, that the minutes be APPROVED.

CASES FOR HEARING - 6:00 P.M.

VARIANCES

NEW CASES

V-28-09 Frederick Wade

Request for a variance of 8 feet rear yard depth/width to construct a deck at 7001 Copper Sky Court, Upper Marlboro. **The record was held open for Petitioner to submit an approval letter from Oakhurst Community Association and evidence that (1) the WSSC right-of-way has in fact been abandoned and (2) the Department of Public Works & Transportation has signed off on the deck extending into the surface drainage easement.**

V-29-09 Brooks & JoAnn Sunkett

Request for variances of 5 feet side yard width and 1.2% net lot coverage to validate existing conditions and construct an enclosed porch and a deck at 12506 Sir Walter Drive, Glenn Dale. **The record was held**

APPROVED

open for Petitioners to submit a revised site plan and a photograph of the rear yard taken from as far back from the house as possible so that the photograph includes the existing pool.

V-30-09 Alvester Woolfolk

Request for a variance of .3% net lot coverage to validate and obtain a building permit to complete construction of a detached garage and driveway extension at 15425 Jamies Way, Accokeek. **The record was held open for Petitioner to submit an approval letter from Jamestowne Estates Homeowners Association.**

V-31-09 Brandywine Corporex Plaza II LP

Request for variances of 24 feet street line setback and 20 feet rear yard setback for an existing fence and wall in excess of 6 feet in height, and a waiver of the outdoor storage screening requirement to validate existing conditions in order to obtain a use and occupancy permit at 7131 Virginia Manor Court, Laurel. **Since a variance of 25 feet street line setback should have been advertised, a new hearing will be advertised for 7/8/09. Petitioner shall submit a revised site plan to indicate in the area where the property adjoins Parcel 36 (Janoske property): a buffer area of trees, fence covering to render the fence sight-tight, and refilling of fence post holes.**

At 8:42 p.m. the Board recessed and reconvened at 8:55 p.m.

V-32-09 Andy Binh Vy

Request for variances of 8 feet front yard depth, 5 feet side street yard depth and a waiver of the parking area requirement to validate existing conditions and construct a shed at 4700 St. Mary's Street, Beltsville. **The Board resolved, unanimously, that variances of 8 feet front yard depth, 5 feet side street yard depth and a waiver of the parking area requirement 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-33-09 Mariano & Sinen Pimentel

Request for variances of 5 feet front yard depth and 5.4% net lot coverage to validate existing conditions and construct a roof over an existing deck and area way at 9601 Glen Way, Fort Washington. **The Board resolved, unanimously, that variances of 5 feet front yard depth and 5.4% net lot coverage 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-34-09 Michael & Angela Merchant

Request for variances of 2 feet side yard width and 12 feet rear yard depth/width to validate an existing condition and construct a deck at 7505 Elbrook Court, Lanham. **The record was held open for Petitioners to submit a revised site plan.**

THE MEETING ADJOURNED AT 9:59 P.M.

Prepared and submitted by:

(Original Signed)

Anne F. Carter
Administrator