

AUGUST 5, 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
Emerson S. Davis, Sr., Attorney
Anne F. Carter, Administrator

Also Present:
Thomas Matzen, Deputy Director, Department of Environmental Resources

MINUTES FOR APPROVAL FROM JULY 22, 2009 -- The Board resolved, by majority vote, Ms. Johnson absent, that the minutes be APPROVED.

CASES FOR HEARING

VARIANCES

NEW CASES

V-43-09 Burch Family Trust, et al.

Request for variances of 2 feet front yard depth and 1.3 feet side yard width to validate existing conditions and construct a sunroom at 3206 Crest Avenue, Cheverly. **The Board resolved, by majority vote, Ms. Johnson absent, that variances of 2 feet front yard depth and 1.3 feet side yard width 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-44-09 Clifton McCoy

Request for variances of 7 feet rear yard depth/width and 5.2% net lot coverage to validate existing conditions and construct a sunroom over an existing deck at 10103 Summershade Lane, Landover. **The record was held open for comments from the Subdivision Section of the Maryland-National Capital Park and Planning Commission and an approval letter to be submitted by the homeowners association.**

V-45-09 Kirt & Danielle Bakos

Request for a variance of 44 feet front street line setback and a waiver of the yard location requirement for the detached garage, a variance of 6.2% net lot coverage, and waivers of the parking area and fence location requirements to validate and obtain a building permit for a new detached garage, driveway and wooden fence at 9805 Williamsburg Drive, Upper Marlboro. **The record was held open for technical assistance, for Petitioners to submit completed Certification of Sign Inspection and Affidavit of Posting forms and to afford the Board an opportunity to view the site.**

At 8:17 p.m. the Board recessed and reconvened at 8:24 p.m.

APPROVED

V-46-09 Kenneth & Linda McKoy

Request for variances of 2,766 square feet net lot area, 20 feet front building line width, 10 feet front yard depth, 1 foot rear yard depth/width, 3.5 feet side yard width, 13.2% net lot coverage; and a variance of 11 feet front street line setback and a waiver of the rear yard requirement for an accessory building to validate existing conditions and construct a second-story addition at 4901 47th Avenue, Edmonston.

At 8:32 p.m. the Board recessed for Executive Session for legal advice and reconvened at 8:33 p.m.

The record was held open for comments from the Subdivision Section of the Maryland-National Capital Park and Planning Commission and for the Board's administrator to request, in writing, comments from the Town of Edmonston.

DISCUSSION/DECISION

VARIANCES

V-42-09 Hogan Development, LLC

Request for a variance of 173 feet front building line width to validate an existing condition and construct a new single-family dwelling and driveway at 18305 Acquasco Road, Brandywine. **Counsel to the Board opined that Footnote 1 to Section 27-442(d)(Table III) applies to the property, allowing reduction of the front building line width from 300 feet to 110 feet. Finding the requested variance unnecessary, the Board resolved, by majority vote, Ms. Johnson absent, that the appeal be DISMISSED.**

THE MEETING ADJOURNED AT 9:09 P.M.

Prepared and submitted by:

(Original Signed)
Anne F. Carter
Administrator

APPROVED