

AUGUST 19, 2009  
BOARD OF APPEALS  
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:09 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 Inspectors Supervisor  
Richard Reinhoehl, DER, Property Standards Inspector

**DISCUSSION/DECISION**

**VARIANCES**

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 to afford the Board an opportunity to view the site.**

**MINUTES FOR APPROVAL FROM AUGUST 5, 2009 -- The Board resolved, by majority vote, Ms. Johnson abstaining, that the minutes be APPROVED.**

**CASES FOR HEARING**

**VARIANCES**

**NEW CASES**

V-47-09 S & A Realty

Request for a variance of 2,500 square feet net lot area to validate an existing condition and obtain a use and occupancy permit for a used car lot and service bay at 14107 Baltimore Avenue, Laurel. **The record was held open for Petitioner to submit a written statement of justification, for technical assistance from the Department of Environmental Resources as to why the site plan marked as Exhibit 21 was put on hold by M-NCPPC, for a legal opinion and to afford the Board an opportunity to view the site.**

At 7:39 p.m. the Board recessed and reconvened at 7:59 p.m.

V-48-09 Thomas & Adria Byrdsong

Request for variances of 19 feet side street yard depth, 25.8% net lot coverage, and 21 feet side street line setback and 3.5 feet rear lot line setback for an existing shed to validate existing conditions and construct a one-story addition at 5619 Randolph Street, Hyattsville. **The record was held open for**

**APPROVED**

**technical assistance and comments from the Subdivision Section of the Maryland-National Capital Park and Planning Commission.**

V-49-09 Lorenzo & Ana Palma

Request for a variance of 14.2% net lot coverage to validate existing conditions and construct a one-story addition, with deck above, on the existing dwelling, a connecting balcony between the existing dwelling and the existing detached garage, and a second-floor addition on the existing detached garage (to be used as living space) at 4312 Monroe Street, Colmar Manor. **The record was held open for technical assistance, comments from the Town of Colmar Manor and Petitioners' possible submission of revised elevation plans.**

At 9:37 p.m. the Board recessed and reconvened at 9:53 p.m.

V-49-09 was recalled. **The record was also held open for Petitioners to submit the Certification of Sign Inspection and Affidavit of Posting forms.**

V-51-09 Sharon & Kemo Edwards

Request for variances of 8 feet front yard depth and 1 foot side yard width to validate existing conditions and enlarge and cover the existing front porch at 5012 Nicholson Street, Riverdale Park. **The record was held open for comments from the Town of Riverdale Park and the Subdivision Section of the Maryland-National Capital Park and Planning Commission.**

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

**VARIANCES**

V-144-03 St. Paul Community Development Corporation

Request for a variance to construct a new single-family dwelling and driveway at 7003 Beacon Light Road, Riverdale. **The Board resolved, unanimously, that the appeal be DISMISSED.**

V-189-06 Khanh & Ana Ngo

Request for a variance of 2% net lot coverage, a waiver of the parking area requirement, and a variance of 2 feet side lot line setback and a waiver of the rear yard location requirement for a shed to validate existing conditions and obtain a building permit for new driveway area in the front yard at 3226 Powder Mill Road, Hyattsville. **The Board resolved, unanimously, that a variance of .9% net lot coverage, a waiver of the parking area requirement, and a variance of 2 feet side lot line setback and a waiver of the rear yard location requirement for a shed be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2.**

V-193-06 Josefina Martinez

Request for a variance to validate existing conditions and construct a driveway at 5417 Carters Lane, Riverdale. **The Board resolved, unanimously, that the appeal be DISMISSED.**

**APPROVED**

V-114-07 Karen Wilkins

Request for a variance of 13 feet rear yard depth/width to construct a deck with landing and stairs at 10912 Hackberry Court, Clinton. **The Board resolved, unanimously, that the appeal be DISMISSED.**

V-153-07 Halina Tumos

Request for a variance to validate existing conditions and obtain a building permit for a new one-story addition at 16315 Manning Road West, Accokeek. **The Board resolved, unanimously, that the appeal be DISMISSED.**

V-96-08 John Crowder

Request for variances of 17 feet front yard depth and 2 feet side lot line setback for an existing shed to validate existing conditions and construct a one-story addition and wrap-around deck at 5200 St. Barnabas Road, Temple Hills. **The Board resolved, unanimously, that the appeal be DISMISSED.**

V-40-09 Freddy & Blanca Rodriguez

Request for a waiver of the parking area requirement and a variance of .9% net lot coverage to validate existing conditions and obtain a building permit for new driveway area, a portion of which is in the front yard, at 3503 Fullerton Street, Beltsville. **The Board resolved, unanimously, that a waiver of the parking area requirement and a variance of .9% net lot coverage be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2.**

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.**

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. **The record was held open for comments from the Subdivision Section of the Maryland-National Capital Park and Planning Commission and for comments from the Town of Edmonston.**

**OTHER ZONING APPEAL**V-117-06 Mark Blizzard

An appeal from the determination of the Zoning Inspector to cite Petitioner with Zoning Violation Notice Z-2642-7-06, dated April 25, 2006, for violation of County Code Sections 27-596(a), 27-598(a) and 27-593(a)(1), specifically stating that signs shall not be displayed unless a permit has been issued by the Department of Environmental Resources, that permits for sign(s) may only be obtained when the

**APPROVED**

proposed sign(s) meets the requirements of the sign ordinance, and requiring that Petitioner obtain a sign permit or remove the sign, on R-R (Rural Residential) zoned property at 2251 NW Crain Highway, Bowie. **The Board resolved, unanimously, that the appeal be DISMISSED.**

THE MEETING ADJOURNED AT 10:28 P.M.

Prepared and submitted by:

(Original Signed)  
Anne F. Carter  
Administrator

**APPROVED**