

SEPTEMBER 23, 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

Also Present:  
William Edelen, DER, Community Services Division

**DISCUSSION/DECISION**

**VARIANCES**

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 a legal opinion.**

**MINUTES FOR APPROVAL FROM SEPTEMBER 9, 2009 -- The Board resolved, by majority vote, Ms. Mack abstaining, that the minutes be APPROVED.**

**CASES FOR HEARING**

**VARIANCES**

**NEW CASES**

V-58-09 Khalid Abdel-Rahman

Request for a variance of 4 feet rear yard depth/width to construct a deck at 17101 Valence Court, Accokeek. **The record was held open for approval from Summerwood Community Association.**

V-59-09 Stella Ayika

Request for variance of 10 feet side street yard depth and a waiver of the parking area requirement for a driveway in the front yard to validate existing conditions and obtain a building permit for a new circular driveway, a portion of which is in the front yard, at 6139 Princess Garden Parkway, Lanham. **The record was held open to allow the Board an opportunity to view the site.**

At 7:12 p.m. the Board recessed and reconvened at 7:19 p.m.

V-60-09 Anita Williams

Request for variances of 1 foot front yard depth, 6.6% net lot coverage and a waiver of the parking area requirement for a driveway in the front yard to validate existing conditions, extend an existing front stoop and construct a driveway in the front yard of a triple-attached dwelling at 3532 Manorwood

**APPROVED**

Drive, Hyattsville. **The Board resolved, unanimously, that variances of 1 foot front yard depth, 6.6% net lot coverage and a waiver of the parking area requirement for a driveway in the front yard be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2, and the approved elevation plan, Exhibit 3. Prior to the issuance of any building permits, Petitioner shall be required to submit a minor final plat (pursuant to Section 24-108 of the Subdivision Regulations) to have the existing building restriction line removed. A minor final plat must be prepared by an appropriate professional and submitted for approval to the Subdivision Section of the Maryland-National Capital Park and Planning Commission.**

V-61-09 Esther Bethea

Request for a waiver of the parking area requirement to complete construction of a new driveway in the front yard of a triple-attached dwelling at 7852 Burnside Road, Landover. **The Board resolved, unanimously, that a waiver of the parking area requirement be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2.**

V-62-09 Dorothy Williams

Request for a variance of 4.5% net lot coverage to construct a detached garage and driveway at 7102 Loch Court, Fort Washington. **The Board resolved, unanimously, that a variance of 4.5% net lot coverage 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-63-09 Myman Ugo-Onyejiaka

Request for variances of 2 feet left side yard width and 20.1% net lot coverage to validate existing conditions and complete construction of a one-story addition at 6205 Kenilworth Avenue, Riverdale.

At 9:24 p.m. the Board recessed and reconvened at 9:30 p.m.

**The record was held open for Petitioner to submit a revised site plan and to allow the Board an opportunity to view the site.**

At 9:35 p.m. the Board recessed and reconvened at 9:37 p.m.

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

**VARIANCES**

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. **Upon reviewing a memorandum dated 9/9/09 from Alan Hirsch, Subdivision Section, Maryland-National Capital Park and Planning Commission, the Board determined that the record shall be held open for Petitioners to provide evidence that the entirety of the subject property has**

**APPROVED**

**been recorded in Land Records as one deed description, and further that the Board's administrator shall inform Petitioners, in writing, of this requirement and provide Petitioners with a copy of Mr. Hirsh's memorandum.**

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 matter remains under advisement.**

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 Board resolved, unanimously, that a variance of 14.2% net lot coverage be DENIED.**

V-53-09 Yesica & Gesler Sanchez

Request for a variance of 2 feet side yard width to validate an existing condition and obtain a building permit to complete enclosure of an attached carport into a garage at 9413 Caldran Drive, Clinton. **The Board resolved, by majority vote, Ms. Mack abstaining, 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 2, and the approved elevation plans, Exhibit 3(A)-(C).**

V-54-09 Verena Holdforth

Request for a variance of 2.31 feet rear yard depth/width and a waiver of the parking area requirement to validate existing conditions and obtain a building permit for new driveway area in the front yard at 151 Cree Drive, Forest Heights. **The record was held open until 10/7/09 for Petitioner to submit a revised site plan and statement of justification.**

V-55-09 John & Priscilla Rogers

Request for variances of 20.8% net lot coverage and 3.3% rear yard coverage to validate existing conditions and complete construction of a detached garage at 811 Chillum Road West, Hyattsville. **The Board resolved, unanimously, that variances of 20.8% net lot coverage and 3.3% rear yard coverage be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2, and the approved elevation plan, Exhibit 3.**

V-57-09 Robert & Tonie Green

Request for variances of 4% net lot coverage, and 17 feet front street line setback and a waiver of the rear yard location requirement for an existing shed to validate existing conditions and obtain a building permit to complete construction of a two-story addition at 6006 Arbutus Lane, Clinton. **The record was held open for Petitioners to submit a revised site plan.**

**APPROVED**

THE MEETING ADJOURNED AT 10:11 P.M.

Prepared and submitted by:

(Original Signed)  
Anne F. Carter  
Administrator

**APPROVED**