

JANUARY 16, 2008  
BOARD OF APPEALS  
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:13 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, Zoning Enforcement  
Fred Holzberger, DER, Zoning Enforcement  
Brandon Wright, DER, Zoning Enforcement

**DISCUSSION/DECISION**

**VARIANCE**

V-145-07 Shalonda & Marvin Robinson

Request for a waiver of the parking requirement to renovate and expand an existing one-story dwelling into a two-story dwelling and widen the existing driveway into the front yard at 7705 Ravine Drive, Fort Washington. **On 1/16/08, Petitioners withdrew their request. The Board resolved, unanimously, that the appeal be DISMISSED.**

**MINUTES FOR APPROVAL FROM DECEMBER 12, 2007 -- The Board resolved, unanimously, that the minutes be APPROVED.**

**CASES FOR HEARING**

**VARIANCES**

**NEW CASE**

V-175-07 Robert & Helen Woideck

Request for variances of 8 feet front yard depth, 8 feet total side yard width and 10.2% net lot coverage to validate existing conditions and construct a sunroom at 101 Inverness Lane, Fort Washington. **The record was held open for Petitioners to submit a copy of the previous variance approval for the property.**

**NEW HEARINGS**

V-154-07 Reyna Alvarenda

Request for variances of 14 feet front yard depth, 3 feet side yard width and 6.5% net lot coverage to validate existing conditions and construct a two-story addition, covered front porch and covered side deck at 5407 Gallatin Street, Hyattsville. **The Board resolved, by majority vote, Ms. Mack in the minority, that variances of 14 feet front yard depth, 3 feet side yard width and 6.5% net lot coverage be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised (#2) site plan, Exhibit 19, and the approved elevation plans,**

**APPROVED**

**Exhibits 12 and 14. Prior to the issuance of a building permit, 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-185-07 Maritza Argueta

Request for variances of 3 feet front yard depth, 6.7 feet side yard width and 6.2% net lot coverage to validate existing conditions and obtain a building permit for a new one-story addition and a two-story addition at 1717 Langley Way, Hyattsville. **The Board resolved, unanimously, that variances of 3 feet front yard depth, 6.7 feet side yard width and 6.2% net lot coverage be APPROVED. Approval of the variances is contingent upon development in compliance with the approved revised site plan, Exhibit 11.**

**DISCUSSION/DECISION  
OTHER ZONING APPEAL**

V-116-07 Lawrence Hillman/International Nite Life Enterprises, Inc.

An appeal from the determination of the Zoning Inspector to cite Petitioners with Zoning Violation Notice No. Z-2947-9-07 for use of a building, structure and land without a use and occupancy permit and requiring Petitioners to cease use of the premises, remove all vehicles, equipment materials and items related to the use until a valid use and occupancy permit, including final approval of the permit, is granted by the Department of Environmental Resources, on C-M (Commercial Miscellaneous) zoned property located at Parcel G, Tax Map 89, Grid F-4, being 4591 Allentown Road, Suitland, Prince George's County, Maryland. **The Board resolved, unanimously, that the determination of the Zoning Inspector to cite Petitioners with Zoning Violation Notice No. Z-2947-9-07 be UPHELD.**

**NEW CASES FOR HEARING (Cont'd)**

**VARIANCES**

V-188-07 Matthew Sadowski

Request for variances of 4 feet front yard depth, 1 foot side yard width, 8 feet rear yard depth, 3% net lot coverage, and 26 feet front street line setback and a waiver of the rear yard location requirement for a shed to validate existing conditions and repair an existing deck at 6302 Pontiac Street, Berwyn Heights. **The Board resolved, unanimously, that variances of 4 feet front yard depth, 1 foot side yard width, 8 feet rear yard depth, 3% net lot coverage, and 26 feet front street 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 revised site plan, Exhibit 14.**

V-197-07 Claudia Villibord

Request for a variance of 6.5% net lot coverage and a waiver of the parking area requirement to validate and obtain a building permit for a new driveway at 6837 Standish Drive, Hyattsville.

At 7:36 p.m. the Board recessed for Executive Session for legal advice and reconvened at 7:43 p.m.

**The record was held open for Petitioner to submit a plan (engineer/architect) to alleviate the drainage problem, for technical assistance from DER regarding grading/drainage issues on the property, and for an additional hearing to be held on 1/30/08.**

V-198-07 Jose Guillen

Request for a variance of 8.7% net lot coverage to validate and obtain a building permit for new driveway area at 13216 Ronehill Drive, Beltsville. **The record was held open for technical assistance and for Petitioner to submit proof of sale of his previous residence.**

V-199-07 Jasper Taylor

Request for a variance of 6 feet side yard width to enlarge an existing attached garage and widen an existing driveway at 9304 Foxcroft Avenue, Clinton. **The Board resolved, unanimously, that a variance of 6 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 plan, Exhibit 3.**

V-200-07 Alejandrina Ferrer

Request for variances of 3.5 feet front yard depth and 2.5 feet side yard width to validate existing conditions and construct a one-story addition at 2909 Jamestown Road, Hyattsville. **The record was held open for comments from the Subdivision Section, M-NCPPC.**

V-201-07 Willie & Thomasina Armwood

Request for variances of 2.22 feet front yard depth and 9.3 feet side street yard depth to validate an existing condition and construct a one-story addition at 6506 Lowland Drive, Upper Marlboro. **The record was held open to allow the Board an opportunity to view the site.**

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 record was held open for Petitioner to submit a revised site plan and for an additional hearing on 2/13/08.**

V-203-07 Dina White

Request for variances of 425 square feet net lot area, 20 feet front building line width, 4.4 feet front yard depth and 4.5 feet side yard width to validate existing conditions and construct a two-story addition and a second-story addition at 3800 Parkwood Street, Brentwood. **The record was held open for comments from the Town of Cottage City.**

V-204-07 Saul Prudencio

Request for variances of 3 feet front yard depth, 8 feet side yard width and 1.9% net lot coverage to validate existing conditions and obtain a building permit for a new attached carport at 8403 14<sup>th</sup> Avenue, Hyattsville. **The record was held open to allow the Board an opportunity to view the site.**

At 10:16 p.m. the Board recessed and reconvened at 10:25 p.m.

V-205-07 Daniel Irving

Request for variances of 20 feet front yard depth, 13 feet side street yard depth, 16 feet rear yard depth/width and an additional 16.6% net lot coverage to validate existing conditions, construct a second-floor addition to a 10' x 28' portion of the house, a second-floor addition to a one-story addition on the rear of the house and a second-floor addition to the attached garage at 1103 Cedar Heights Drive, Capitol Heights.

At 10:33 p.m. the Board recessed for Executive Session for legal advice and reconvened at 10:38 p.m.

**Petitioner stated that since County inspectors were present, he needed a continuance to allow him to have counsel present. The hearing was rescheduled to 1/30/08.**

V-206-07 Joseph Fletcher

Request for variances of 14.2 feet side street yard depth, 2.5 feet side yard width, 3.8 feet side street setback for an existing detached garage, 3.2 feet side street setback and 7 feet rear lot line setback for an existing shed, and 5.1% net lot coverage to validate existing conditions and replace an existing screened front porch with an enclosed front porch at 217 Maryland Park Drive, Capitol Heights. **The record was held open for comments from the Subdivision Section, M-NCPPC.**

**DISCUSSION/DECISION****VARIANCES (Cont'd)**V-149-07 Rosa Portillo & Oscar Caballero

Request for variances of 3.5 feet front yard depth, 3.5 feet left side yard width, 3 feet right side yard width and 11.7% net lot coverage to validate existing conditions and obtain a building permit to complete construction of a two-story addition at 6722 Stanton Road, Hyattsville. **The Board resolved, unanimously, that variances of 3.5 feet front yard depth, 3.5 feet left side yard width, 3 feet right side yard width and 11.7% net lot coverage be DENIED.**

V-156-07 Hugo Procopio Enterprises

Request for a variance of .7 foot side yard width to validate a new single-family dwelling and driveway at 4907 Harford Avenue, Beltsville. **The Board resolved, unanimously, that a variance of .7 foot side yard width be APPROVED. Approval of the variance is contingent upon development in compliance with the approved site plan, Exhibit 2.**

V-159-07 Luvern Middleton

Request for variances of 11 feet rear yard depth and 2.6% net lot coverage to construct a sunroom and deck at 10513 Birdie Lane, Largo. **The Board resolved, unanimously, that variances of 11 feet rear yard depth and 2.6% 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.**

V-161-07 Maryland Homes CF, LLC

Request for variances of 8 feet side lot line setback and 20 feet rear lot line setback to validate an existing wall up to 6 feet in height topped with a 4-foot fence and construct a new single-family dwelling and driveway at 508 Bricker Drive, Fort Washington. **The Board resolved, unanimously, that variances of 8 feet side lot line setback and 20 feet rear lot line setback 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-162-07 Maryland Homes CF, LLC

Request for variances of 17 feet total side lot line setback and 20 feet rear lot line setback to validate an existing wall up to 8.7 feet in height topped with a 4-foot fence and construct a new single-family dwelling and driveway at 506 Bricker Drive, Fort Washington. **The Board resolved, unanimously, that variances of 17 feet total side lot line setback and 20 feet rear lot line setback 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-163-07 Maryland Homes CF, LLC

Request for variances of 17 feet total side lot line setback and 20 feet rear lot line setback to validate an existing wall up to 8.3 feet in height topped with a 4-foot fence and construct a new single-family dwelling and driveway at 504 Bricker Drive, Fort Washington. **The Board resolved, unanimously, that variances of 17 feet total side lot line setback and 20 feet rear lot line setback 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-164-07 Maryland Homes CF, LLC

Request for variances of 17 feet total side lot line setback and 20 feet rear lot line setback to validate an existing wall up to 7.3 feet in height topped with a 4-foot fence and construct a new single-family dwelling and driveway at 502 Bricker Drive, Fort Washington. **The Board resolved, unanimously, that variances of 17 feet total side lot line setback and 20 feet rear lot line setback 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-165-07 Maryland Homes CF, LLC

Request for variances of 17 feet total side lot line setback and 20 feet rear lot line setback to validate an existing wall up to 6.7 feet in height topped with a 4-foot fence and construct a new single-family dwelling and driveway at 500 Bricker Drive, Fort Washington. **The Board resolved, unanimously, that variances of 17 feet total side lot line setback and 20 feet rear lot line setback 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-166-07 Maryland Homes CF, LLC

Request for a variance of 8 feet side lot line setback to validate an existing wall up to 7.3 feet in height topped with a 4-foot fence and construct a new single-family dwelling and driveway at 406 Bricker Drive, Fort Washington. **The Board resolved, unanimously, that a variance of 8 feet side lot line setback 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-167-07 Maryland Homes CF, LLC

Request for variances of 8 feet side lot line setback and 20 feet rear lot line setback to validate an existing wall up to 6 feet in height topped with a 4-foot fence and construct a new single-family dwelling and driveway at 12914 Hallwood Place, Fort Washington. **The Board resolved, unanimously, that variances of 8 feet side lot line setback and 20 feet rear lot line setback 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-168-07 Maryland Homes CF, LLC

Request for variances of 17 feet total side lot line setback and 20 feet rear lot line setback to validate an existing wall up to 8 feet in height topped with a 4-foot fence and construct a new single-family dwelling and driveway at 12912 Hallwood Place, Fort Washington. **The Board resolved, unanimously, that variances of 17 feet total side lot line setback and 20 feet rear lot line setback 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-169-07 Maryland Homes CF, LLC

Request for variances of 17 feet total side lot line setback and 20 feet rear lot line setback to validate an existing wall up to 8.2 feet in height topped with a 4-foot fence and construct a new single-family dwelling and driveway at 12910 Hallwood Place, Fort Washington. **The Board resolved, unanimously, that variances of 17 feet total side lot line setback and 20 feet rear lot line setback 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-170-07 Maryland Homes CF, LLC

Request for variances of 17 feet total side lot line setback and 20 feet rear lot line setback to validate an existing wall up to 8 feet in height topped with a 4-foot fence and construct a new single-family dwelling and driveway at 12908 Hallwood Place, Fort Washington. **The Board resolved, unanimously, that variances of 17 feet total side lot line setback and 20 feet rear lot line setback 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-171-07 Maryland Homes CF, LLC

Request for variances of 17 feet total side lot line setback and 20 feet rear lot line setback to validate an existing wall up to 7.3 feet in height topped with a 4-foot fence and construct a new single-family dwelling and driveway at 12906 Hallwood Place, Fort Washington. **The Board resolved, unanimously, that variances of 17 feet total side lot line setback and 20 feet rear lot line setback 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-172-07 Maryland Homes CF, LLC

Request for variances of 17 feet total side lot line setback and 20 feet rear lot line setback to validate an existing wall up to 8.7 feet in height topped with a 4-foot fence and construct a new single-family dwelling and driveway at 12904 Hallwood Place, Fort Washington. **The Board resolved, unanimously, that variances of 17 feet total side lot line setback and 20 feet rear lot line setback 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-173-07 Maryland Homes CF, LLC

Request for variances of 17 feet total side lot line setback and 20 feet rear lot line setback to validate an existing wall up to 8 feet in height topped with a 4-foot fence and construct a new single-family dwelling and driveway at 12902 Hallwood Place, Fort Washington. **The Board resolved,**

**unanimously, that variances of 17 feet total side lot line setback and 20 feet rear lot line setback 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-174-07 Maryland Homes CF, LLC

Request for variances of 17 feet total side lot line setback and 20 feet rear lot line setback to validate an existing wall up to 6.7 feet in height topped with a 4-foot fence and construct a new single-family dwelling and driveway at 12900 Hallwood Place, Fort Washington. **The Board resolved, unanimously, that variances of 17 feet total side lot line setback and 20 feet rear lot line setback 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-182-07 Carlos Estrada

Request for variances of 6 feet side street yard depth, 2 feet side yard width and 11.7% net lot coverage to validate existing conditions and obtain a building permit to complete construction of a deck and covered front porch at 2111 Forham Street, Hyattsville. **The Board resolved, unanimously, that variances of 6 feet side street yard depth, 2 feet side yard width and 11.7% net lot coverage be DENIED.**

V-189-07 Darnell Self

Request for a variance of 4.6% net lot coverage to construct a new single-family dwelling and driveway at 12703 Millside Lane, Bowie. **The record was held open to allow the Board an opportunity to review the materials submitted by Petitioner on 1/16/08.**

V-190-07 Errol & Georgia Wint

Request for a variance of 1.3% net lot coverage to validate and obtain a building permit for a covered deck at 2019 Roanoke Street, Hyattsville. **The Board resolved, unanimously, that a variance of 1.3% net lot coverage be APPROVED. Approval of the variance is contingent upon development in compliance with the approved revised site plan, Exhibit 13.**

V-193-07 Leonila Vincent

Request for variances of 7 feet front yard depth, 1 foot side yard width, 9.5% net lot coverage, and 4.5 feet rear lot line setback for the accessory shed with deck to validate and obtain a building permit for a new shed with attached deck and deck attached to the house at 8839 Oak Lane, Fort Washington. **The Board resolved, unanimously, that variances of 7 feet front yard depth, 1 foot side yard width, 9.5% net lot coverage, and 4.5 feet rear lot line setback for the accessory shed with deck be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2.**

V-195-07 Cindy Blassingame

Request for variances of 1 foot front yard depth, 1 foot side yard width, 17% net lot coverage and 1 foot side lot line setback for an accessory building to validate existing conditions and construct a detached garage/shed and driveway extension at 2606 Colebrooke Drive, Temple Hills. **The record was held open until 4/23/08 to allow Petitioner the opportunity to submit a revised elevation plan.**

THE MEETING ADJOURNED AT 11:44 P.M.

Prepared and submitted by:

(Original Signed)  
Anne F. Carter  
Administrator