

*NOTICE OF FINAL DECISION  
OF BOARD OF APPEALS*

RE: Case No. V-96-13 Ameritech Auto, Inc.

Enclosed herewith is a copy of the Board Order setting forth the action taken by the Board of Appeals in your case on the following date: April 2, 2014.

**CERTIFICATE OF SERVICE**

This is to certify that on April 3, 2014, the above notice and attached Order of the Board were mailed, postage prepaid, to all persons of record.

(Original Signed)

Anne F. Carter  
Administrator

cc: Petitioner  
Adjoining Property Owners  
DPIE/Enforcement Division  
Office of Law

**BEFORE THE BOARD OF APPEALS FOR PRINCE GEORGE'S COUNTY, MARYLAND**  
*Sitting as the Board of Zoning Appeals*

Petitioner: Ameritech Auto, Inc.

Appeal No.: V-96-13

Subject Property: Part of Lots 24, 25 & 26, Block 3, Landover Park Subdivision, being 3505  
Maryland Avenue, Hyattsville, Prince George's County, Maryland

Counsel for Petitioner: Michael S. Nagy, Esq., Rifkin, Weiner, Livingston, Levitan & Silver, LLC  
Counsel for Prince George's County Department of Permitting,

Inspections and Enforcement: Matthew Gordon, Associate County Attorney  
Heard and Decided: April 2, 2014

Board Members Present and Voting: Bobbie S. Mack, Chairperson  
Albert C. Scott, Vice Chairman  
Anastasia T. Johnson, Member

**RESOLUTION**

Pursuant to Section 27-229(a) of Subtitle 27 of the Prince George's County Code (the "Zoning Ordinance"), this appeal was brought to the Board of Appeals, sitting as the Board of Zoning Appeals for the Maryland-Washington Regional District in Prince George's County, Maryland (the "Board"), from the determination of the Enforcement Inspector, Department of Permitting, Inspections and Enforcement, Enforcement Division ("DPIE"), to issue Zoning Violation Notice Z-535-5-14, dated October 9, 2013, citing Petitioner with violation of Zoning Ordinance Section 27-253(c) (Use of the property not in conformance with the use and occupancy permit and/or accompanying site plan) stating Use and Occupancy Permit No. 3325-2013-1 and the accompanying site plans do not permit the installation or outdoor storage of tires and auto accessories at the subject property, and requires that Petitioner revert the subject property's use in conformance with Use and Occupancy Permit No. 3325-2013-1 and the accompanying site plans, for C-S-C (Commercial Shopping Center) zoned property located at Part of Lots 24, 25 & 26, Block 3, Landover Park Subdivision, being 3505 Maryland Avenue, Hyattsville, Prince George's County, Maryland.

This matter was originally scheduled for hearing on February 26, 2014. At the Board's meeting on February 26, 2014, Petitioner's request for a continuance of the hearing until April 2, 2014, was granted with conditions. To satisfy the conditions, counsel for Petitioner stated on the record that he would be responsible for assuring that all posting requirements were met and that Petitioner would operate within the limits of the use and occupancy permit.

At the hearing on April 2, 2014, Petitioner admitted that the business on the property had been operating in violation of the use and occupancy permit.

Petitioner having admitted that the use of the property was not in conformance with the use and occupancy permit, the Board finds that Zoning Violation Notice Z-535-5-14 was correctly issued to Petitioner by DPIE's Enforcement Inspector for the stated violation on the subject property.

BE IT THEREFORE RESOLVED, unanimously, that the determination of the Enforcement Inspector citing petitioner with the above violation at the subject property at the above location, be and is hereby AFFIRMED.

BOARD OF ZONING APPEALS

By: (Original Signed)  
Bobbie S. Mack, Chairperson

**NOTICE**

Within thirty (30) days from the date of this decision, any person, firm, corporation, or governmental agency who was a party to the Board's proceedings and is aggrieved by its decision may file an appeal to the Circuit Court of Prince George's County.