

OCTOBER 8, 2014
BOARD OF APPEALS
MINUTES

Pursuant to the provisions of Section 27-231(e)(2) of the Zoning Ordinance, at 6:21 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
Langley Wiggins, Communications Specialist

Also Present:

Suellen Ferguson, Counsel for City of College Park
Jeannie Ripley, Manager, Code Enforcement Division, City of College Park
Charles Reading, Code Enforcement Inspector, City of College Park

DISCUSSION/DECISION

VARIANCES

V-60-14 Franklin Ruiz

Request for a variance of 3.1% net lot coverage and a waiver of the parking area location requirement to validate and obtain a building permit for a new driveway extension at 7214 23rd Avenue, Hyattsville. **The Board resolved, unanimously, that a variance of 3.1% net lot coverage and a waiver of the parking area location requirement be DENIED.**

V-63-14 Manfredis Henriquez

Request for a variance of 23.3% net lot coverage to construct a detached garage and driveway extension at 2412 Griffen Street, Hyattsville. **The Board resolved, unanimously, that a variance of 23.3% 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 plans, Exhibits 3(a) and (b).**

REQUEST FOR RECONSIDERATION

V-16-14 Willie & Miyoshi Davis

Request for variances of 4 feet front yard depth for a covered front porch, 6.5 feet rear yard depth/width for an attached carport, 16.9% net lot coverage, 8 feet rear lot line setback for an accessory building; 25 feet side street yard depth, 8 feet side yard width and 20 feet rear yard depth/width for a brick wall/fence over 6 feet in height; and waivers of the fence/wall location and height requirements for fence/wall structures in the front and side yards and in the triangle area of a corner lot to validate existing conditions and obtain a building permit for an existing wrought iron fence (with brick columns) up to 52 inches in height and brick wall (topped with wrought iron fence) 76 inches in height at 1156 Booker Drive, Seat Pleasant.

At 6:32 p.m. the Board recessed for Executive Session for legal advice and reconvened at 6:41 p.m.

The Board resolved, unanimously, that the request for reconsideration be DENIED.

APPROVED

MINUTES FOR APPROVAL FROM SEPTEMBER 17, 2014 -- The Board resolved, unanimously, that the minutes be APPROVED.

CASES FOR HEARING

NEW CASES

VARIANCES

V-66-14 Housing Initiative Partnership, Inc.

Request for variances of 9 feet front yard depth and 2.9% net lot coverage to construct a covered front porch at 7743 Burnside Road, Hyattsville. **Hearing rescheduled to 10/22/14.**

V-67-14 Housing Initiative Partnership, Inc.

Request for a variance of 7.7 feet front yard depth to construct a covered front porch and steps at 7111 Nimitz Drive, District Heights. **Hearing rescheduled to 10/22/14.**

V-58-14 Carrella Jubilee & Julius Penn

Request for variances of 7 feet rear yard depth/width and 5.3% net lot coverage to validate an existing condition and construct a deck at 601 Bonhill Drive, Fort Washington. **The record was held open for Petitioners to submit a copy of Tantallon Estates Homeowners Association's approval of the request.**

V-68-14 Arthur & Derrick Wilson

Request for a waiver of the parking area location requirement and a variance of 1 foot side lot line setback for an accessory building to validate an existing condition and construct a driveway in the front yard at 6939 Emerson Street, Hyattsville. **The Board resolved, unanimously, that a waiver of the parking area location requirement and a variance of 1 foot side lot line setback for an accessory building be APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2.**

V-69-14 Nathaniel Cross

Request for a variance of 7.5 feet rear yard depth/width to construct a deck at 7205 Palmetto Sunrise Court, Brandywine. **The Board resolved, unanimously, that a variance of 7.5 feet rear yard depth/width be APPROVED. Approval of the variance is contingent upon development in compliance with the approved revised site plan, Exhibit 20, and the approved elevation plan, Exhibit 3. Prior to the issuance of a building permit, Petitioner shall be required to obtain authorization from the Washington Suburban Sanitary Commission for construction within the right-of-way along the rear of the property, and shall also be required to submit and obtain approval of a minor final plat (pursuant to Section 24-108 of the Subdivision Regulations) to have the existing floodplain setback 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-70-14 Thuc, Tam & Dung Nguyen

Request for variances of 5.4 feet front yard depth, 6 feet side yard width, 4.9% net lot coverage and a waiver of the parking area location requirement to validate existing conditions and construct an attached carport at 2421 Hannon Street, Hyattsville. **The Board determined that a certified foreign language**

APPROVED

interpreter (Vietnamese) should be present to provide translation services. The hearing was rescheduled to 10/22/14 to allow staff to procure the required translation services.

At 7:31 p.m. the Board recessed and reconvened at 7:45 p.m.

OTHER ZONING APPEAL

V-50-14 Andrea Ottesen

An appeal from the determination of the City of College Park, Department of Public Services, to issue Zoning Violation Notice CPZ No. 0662, dated June 18, 2014, citing Petitioner with violation of Prince George's County Zoning Ordinance Section 27-441(b)(8) (Parking or storage of commercial vehicles on R-55 (one-family detached residential) zoned property is restricted to one (1), which may not exceed 17,000 pounds manufacturers' gross vehicle weight specification. If the vehicle contains advertising in letters exceeding 4 inches in height, advertising other than a firm name or similar designation, exceeds 300 cubic feet of load space, exceeds 8,500 pounds manufacturer's vehicle weight specification, has dual rear axles, or is a stake platform, dump, crane or tow truck, it must be parked in a wholly enclosed garage.) and requiring that Petitioner remove all such commercial vehicles from the property and cease the practice of parking such commercial vehicles on the property, on property located at Lots 18, 19, 20 & 21, Block A, Locust Springs Subdivision, being 5000 Apache Street, College Park, Prince George's County, Maryland. A request was also made for an extension of the grace period should the Board determine that a violation exists. **Petitioner withdrew the appeal. The Board resolved, unanimously, that the appeal be DISMISSED.**

THE MEETING ADJOURNED AT 8:04 P.M.

Prepared and submitted by:

(Original Signed)
Anne F. Carter
Administrator

APPROVED