

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

Date: February 13, 2015

Petitioner: Rafael Marquez

Appeal No.: V-34-12

Subject Property: Lots 31 & 32, Block D, Bel-Mar Subdivision, being 11510 Walnut Avenue, Beltsville,  
Prince George's County, Maryland

Heard: June 6, 2012

Action by the Board: February 11, 2015

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

RESOLUTION

This appeal was filed with 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"), requesting variances from the strict application of the provisions of Subtitle 27 of the Prince George's County Code (the "Zoning Ordinance").

In this appeal, a proceeding pursuant to Section 27-229 of the Zoning Ordinance, Petitioner requested that the Board approve variances from Section 27-474(b)(Table I), which prescribes that structures shall have a total side yard setback of 30 feet from adjoining land in any nonresidential zone, and Section 27-474(e) (Table IV), which prescribes that at least 10% of the net lot area shall be maintained as green area. Variances of 7 feet from total side yard setback and 10% green area were requested to validate an existing condition and construct a garage with office space and restrooms on the subject property.

A hearing was held before the Board on June 6, 2012, and the record held open for technical assistance and for Petitioner to submit revised site and elevation plans. Numerous attempts by Board of Appeals staff to obtain the required plans were unsuccessful. On December 22, 2014, a letter was sent to Petitioner stating that if the requested plans were not filed by January 15, 2015, the matter would be brought before the Board for discussion. Revised site and elevation plans were never submitted by Petitioner.

The Board finds that Petitioner has failed to pursue his variance request and the matter should be dismissed.

BE IT THEREFORE RESOLVED, unanimously, that the subject appeal be and is hereby DISMISSED.

BOARD OF ZONING APPEALS

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

cc: Petitioner  
Adjoining Property Owners  
Park and Planning Commission