

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

Date: September 4, 2014

Petitioner: J.D. Clark Professional Services, LLC

Appeal No.: V-46-14

Subject Property: Parcel 85, Tax Map 81, Grid D1, being 6501 Walker Mill Road, Capitol Heights,
Prince George's County, Maryland

Counsel for Petitioner: S. Hayes Edwards, Jr., McMillan Metro, P.C.

Counsel for the Department of Permitting,

Inspections and Enforcement: Matthew Gordon, Associate County Attorney

Action by the Board: September 3, 2014

Board Members Present and Voting: Bobbie S. Mack, Chairperson

Anastasia T. Johnson, Member

RESOLUTION

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 Property Standards Inspector, Department of Permitting, Inspections and Enforcement, Enforcement Division, to issue Zoning Violation Notice Z-2673-7-14 (the "Zoning Violation Notice"), dated June 13, 2014, citing Petitioner with violation of 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); Section 27-253(c) (Use of property not in conformance with the use and occupancy permit and/or accompanying site plan); and Sections 27-596(a), 27-598(a) and 27-593(a)(1) (Signs shall not be displayed unless a permit has been issued by the Department of Permits, Inspections and Enforcement. Permits for the sign(s) may only be obtained when the proposed sign(s) meets the requirements of the sign ordinance) and requiring Petitioner to remove all commercial vehicles from the property, revert property back to the approved use and site plan for the approved Use and Occupancy Certificate #11488-2010-0 and obtain a sign permit or remove sign, on R-55 (One-Family Detached Residential) zoned property located at Parcel 85, Tax Map 81, Grid D1, being 6501 Walker Mill Road, Capitol Heights, Prince George's County, Maryland.

A hearing was scheduled to be held before the Board on this matter on September 3, 2014, and notices of hearing were sent to all parties. On September 2, 2014, counsel for DPIE informed the Board that DPIE had conducted an inspection earlier that day and confirmed that the property owner was in compliance with the Zoning Violation Notice and the notice had been withdrawn. On September 3, 2014, Petitioner withdrew the subject appeal.

The Board finds that the appeal having been withdrawn, the matter should be dismissed.

BE IT THEREFORE RESOLVED, by majority vote, Mr. Scott absent, that the subject appeal be and hereby is DISMISSED.

BOARD OF ZONING APPEALS

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

cc: Petitioner
Tisa & Willie Clark, Jr.
Adjoining Property Owners
DPIE/Enforcement Division
Office of Law