

BOARD OF APPEALS  
EXHIBIT SHEET  
VARIANCES

APPLICATION NO.     V-76-22    

PETITIONER:     Felix Rivas    

No.    Description

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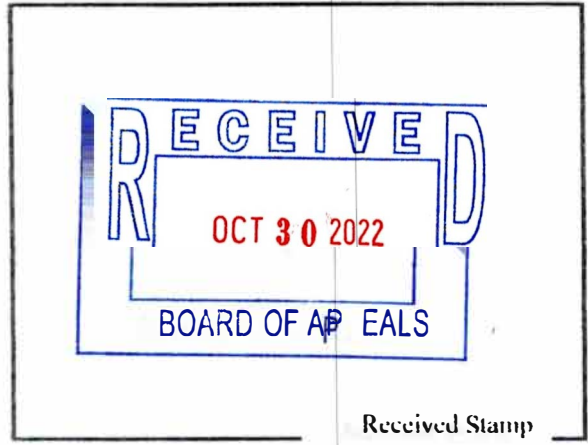
1. Application
2. Site Plan
3. Elevation Plans, (a thru d)
  - 3(A) Left Front View
  - 3(B) New Left Rear View
  - 3(C) New Right Front View
  - 3(D) New Right Rear View
4. Subdivision Plat
5. Color Photos, A thru J
  - 5(A) Front View from Street
  - 5(B) Another Front View from Street
  - 5(C) Left Side from Next Door House
  - 5(D) Left Rear Side from Next Door
  - 5(E) Rear Left Side of the House
  - 5(F) Rear Side of the House
  - 5(G) Right View from Next Lot
  - 5(H) Front Right View from Next Lot
  - 5(J) Front Wall – 41” Tall
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6. SDAT Property Printout
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10. Notice of Virtual Hearing, 11/29/2022

11. Persons of Record List, 11/29/2022
12. Certified Mail Receipts
13. Certification of Posting, w/photos, 11/30/22
14. Letter from Hyattsville City, 12/6/2022
15. Reference Only Site Plan
16. Notice of Virtual Hearing (revised), 12/27/2022
17. Persons of Record List, 12/27/2022
18. Certifies Mail Receipt
19. Letter from City of Hyattsville, 1/4/2023
20. The Maryland-National Capital Park and Planning Commission, 1/5/2023
21. Certification of Posting, w/photos, 1/6/2023
22. Affidavit of Posting
23. Reference Only Site Plan
24. Revised Site Plan, 3/7/2023
25. Lot Coverage Worksheet, 3/7/2023
26. Notice of Virtual Hearing, "Readvertised" dated 3/7/2023
27. Persons of Record List, 3/7/2023
28. Certified Mail Receipt, 3/7/2023
29. Certification of Posting, w/photos, 3/9/2023



Zoning and Administrative

County Administration Building, Room 1-200  
14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
(301) 952-3220



Received Stamp

**(USE BLACK INK ONLY)**  
**PLEASE READ ALL INSTRUCTIONS**  
**BEFORE FILLING OUT APPLICATION**

HEARING DATE \_\_\_\_\_

**APPLICATION FOR A VARIANCE**

*(If variance is being applied for due to receipt of a Violation Notice, a copy of the notice is required.)*

For assistance in completing questions below, see corresponding paragraphs on *Instructions to Applicants*, which is designed to help you fill out this form.

Owner(s) of Property SELIX RIVAS  
Address of Owner(s) 6117 42<sup>ND</sup> AVE  
City HYATTSVILLE State MD Zip Code 20781  
Telephone Number (home) 202 876-4216 (cell) 0-876-4216 (work)  
E-mail address: RIVASMARITZA2019@GMAIL.COM

**Location and Legal Description of the Property involved:**

Street Address 6117 42<sup>ND</sup> AVE  
City HYATTSVILLE  
Lot(s) \_\_\_\_\_ Block 2 Parcel \_\_\_\_\_  
Subdivision Name NICHOLS ADDN TO HYATTSVILLE

**Professional Service:**

► Engineer ► Contractor ► Architect (if different from above): (circle one)  
Name: REN PARSONS Phone Number: 301-3517004  
Address: 2614 GARSTLYNCH NEW WINDSOR MD 21776 Email Address: PARSONSREN@AOL.COM

**Attorney representing applicant: (If applicable)**

Name: NA Phone Number: \_\_\_\_\_  
Address: \_\_\_\_\_ Email Address: \_\_\_\_\_



**Association Name(s) & Address(es) (Homeowners/Citizens/Civic and/or Community):**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

**Municipality (Incorporated City/Town)**

Name Hyattsville

**What will be or has been constructed on the property which has required a variance?** \_\_\_\_\_

A proposed 2nd Floor Addition over existing house  
which is currently to close (3') to side property

**Has a Violation Notice / Stop Work Order /Correction Notice been issued to the Property Owner regarding this property?**

No  Yes \_\_\_\_\_ Date Issued: \_\_\_\_\_ Violation Notice No. # \_\_\_\_\_

Inspector's Name: \_\_\_\_\_

**Do you need the services of a foreign language interpreter at your hearing? (\$30.00 fee required)**

Yes \_\_\_\_\_ No  Foreign Language: \_\_\_\_\_

FELIX RIVAS

Signature of Owner/Attorney

FELIX RIVAS

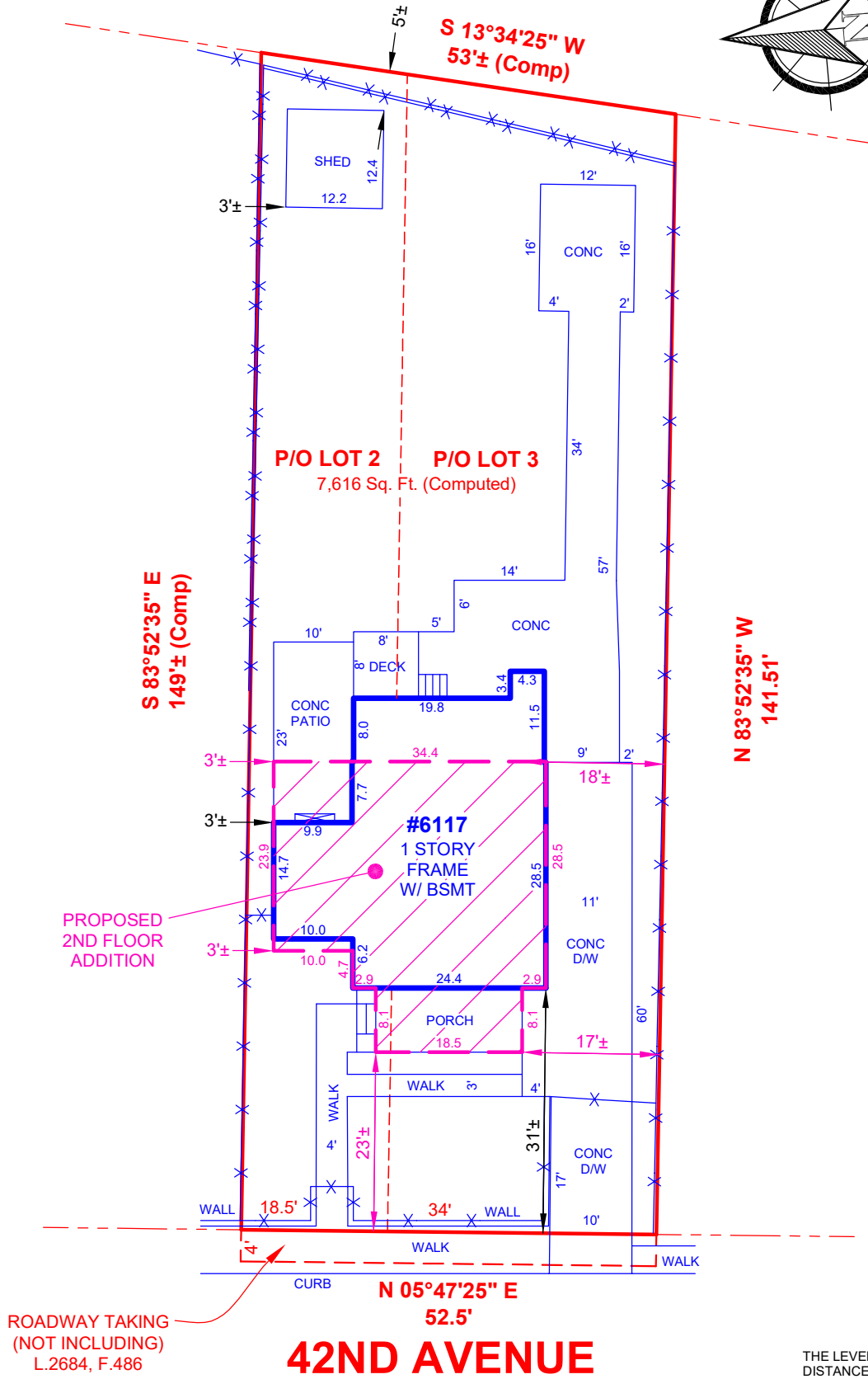
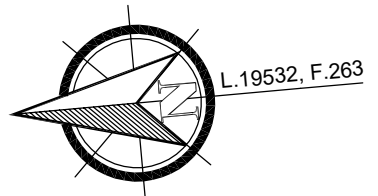
Printed Name

**IMPORTANT:**

**Failure to provide complete and accurate information on this application may delay or jeopardize consideration of the request. Applications on which all required information is not furnished will be returned for completion before processing.**

**Approval of a variance is not a guarantee that further review will not be necessary by other governmental authorities. For further information regarding Board of Zoning Appeals policies and procedures, see Sections 27-229 through 27-234 of the County Zoning Ordinance and/or the Board's website at <http://pgccouncil.us/>.**





ROADWAY TAKING  
(NOT INCLUDING)  
L.2684, F.486

THE LEVEL OF ACCURACY OF  
DISTANCES TO APPARENT  
PROPERTY LINES IS: **3'±**

LOCATION DRAWING OF:  
**#6117 42ND AVENUE**  
**PART OF LOTS 2 & 3 BLOCK 2**  
PLAT BOOK A, PLAT 24  
**HYATTSVILLE**  
LIBER 19532, FOLIO 263  
PRINCE GEORGE'S COUNTY, MARYLAND  
SCALE: 1"=20' DATE: 04-30-2022  
DRAWN BY: CP/AP FILE #: 224527-200

**LEGEND:**  
 -X- FENCE  
 B/E - BASEMENT ENTRANCE  
 B/W - BAY WINDOW  
 BR - BRICK  
 BRL - BLDG. RESTRICTION LINE  
 BSMT - BASEMENT  
 C/S - CONCRETE STOOP  
 CONC - CONCRETE  
 D/W - DRIVEWAY  
 Ex. - EXISTING  
 FR - FRAME  
 MAC - MACADAM  
 N/F - NOW OR FORMERLY  
 O/H - OVERHANG  
 PUE - PUBLIC UTILITY ESMT.  
 PIE - PUBLIC IMPROVEMENT ESMT.  
**COLOR KEY:**  
 (RED) - RECORD INFORMATION  
 (BLUE) - IMPROVEMENTS  
 (GREEN) - ESMTS & RESTRICTION LINES

A Land Surveying Company

**DULEY and Associates, Inc.**

Serving D.C. and MD.

14604 Elm Street, Upper Marlboro, MD 20772

Phone: 301-888-1111 Fax: 301-888-1114  
 Email: orders@duley.biz On the web: www.duley.biz



**SURVEYOR'S CERTIFICATE**

I HEREBY STATE THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS DRAWING AND THE SURVEY WORK REFLECTED HEREIN AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 12 CHAPTER 09.13.06 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. THIS SURVEY IS NOT TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF FENCES, BUILDING, OR OTHER IMPROVEMENTS, THIS PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING. THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY INsofar AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENTS IN CONNECTION WITH THE CONTEMPLATED TRANSFER, FINANCING OR REFINANCING. THE LEVEL OF ACCURACY FOR THIS DRAWING IS 3'±. NO TITLE REPORT WAS FURNISHED TO NOR DONE BY THIS COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENTS OF RECORD. BUILDING RESTRICTION LINES AND EASEMENTS MAY NOT BE SHOWN ON THIS SURVEY. IMPROVEMENTS WHICH IN THE SURVEYOR'S OPINION APPEAR TO BE IN A STATE OF DISREPAIR OR MAY BE CONSIDERED "TEMPORARY" MAY NOT BE SHOWN. IF IT APPEARS ENCROACHMENTS MAY EXIST, A BOUNDARY SURVEY IS RECOMMENDED.

**DULEY & ASSOC.**

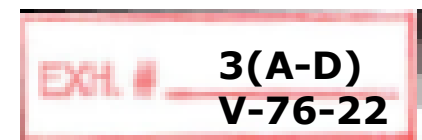
WILL GIVE YOU A 100% FULL CREDIT TOWARDS UPGRADING THIS SURVEY TO A "BOUNDARY/STAKE" SURVEY FOR ONE YEAR FROM THE DATE OF THIS SURVEY.

(EXCLUDING D.C. & BALT. CITY)

EXH. # **2**  
**V-76-22**



# New Left Front View



Felix Rivas  
6117 42nd Ave  
Hyattsville, MD 20781





# New Left Rear View

Felix Rivas  
6117 42nd Ave  
Hyattsville, MD 20781



# New Right Front View

Felix Rivas  
6117 42nd Ave  
Hyattsville, MD 20781





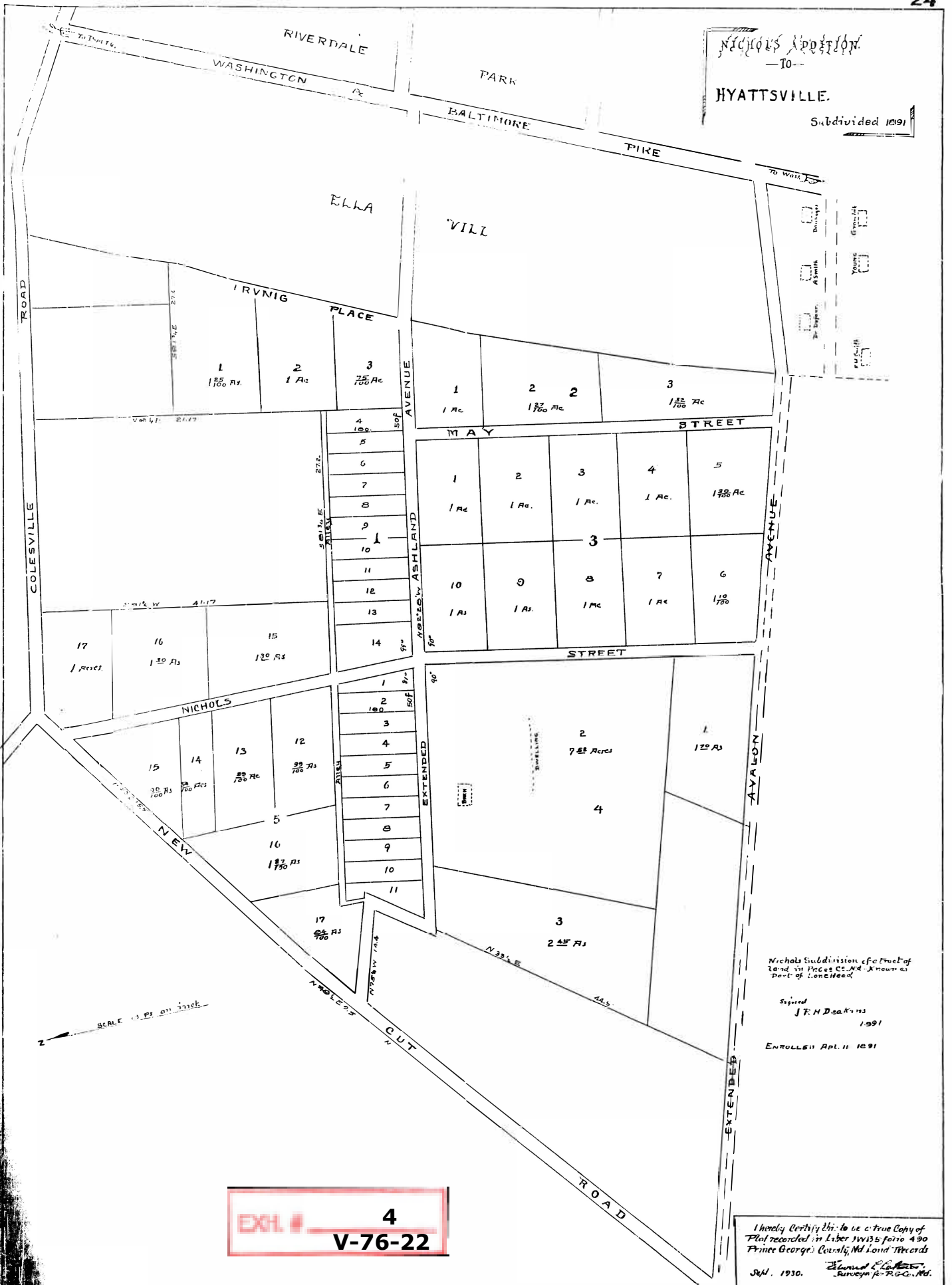
# New Right Rear View

Felix Rivas  
6117 42nd Ave  
Hyattsville, MD 20781

NICHOLS ADDITION

—TO—  
HYATTSVILLE.

Subdivided 1891



Nichols Subdivision of Part of Land in Pieces Containing Known as Part of Lonehead

Surveyed  
J. F. H. Deakins  
1891

ENTROLLED APR. 11 1891

EXH. # 4  
V-76-22

I hereby Certify this to be a true Copy of Plat recorded in Liber 114135 folio 430 Prince George's County, Md Land Records  
Jeh. 1930. *Edward C. [Signature]*  
Recorder for P.G.C. Md.





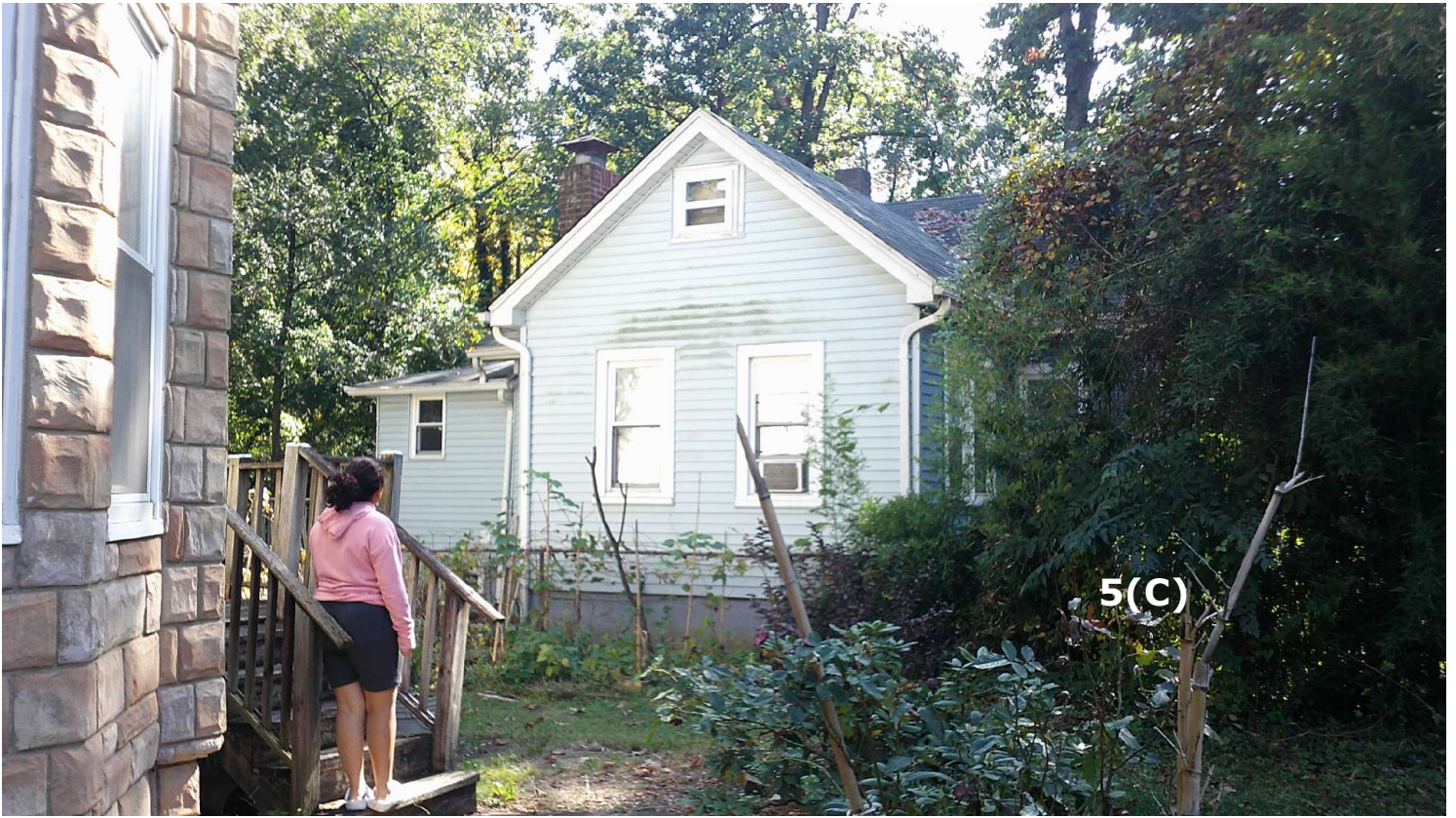
FRONT VIEW FROM STREET



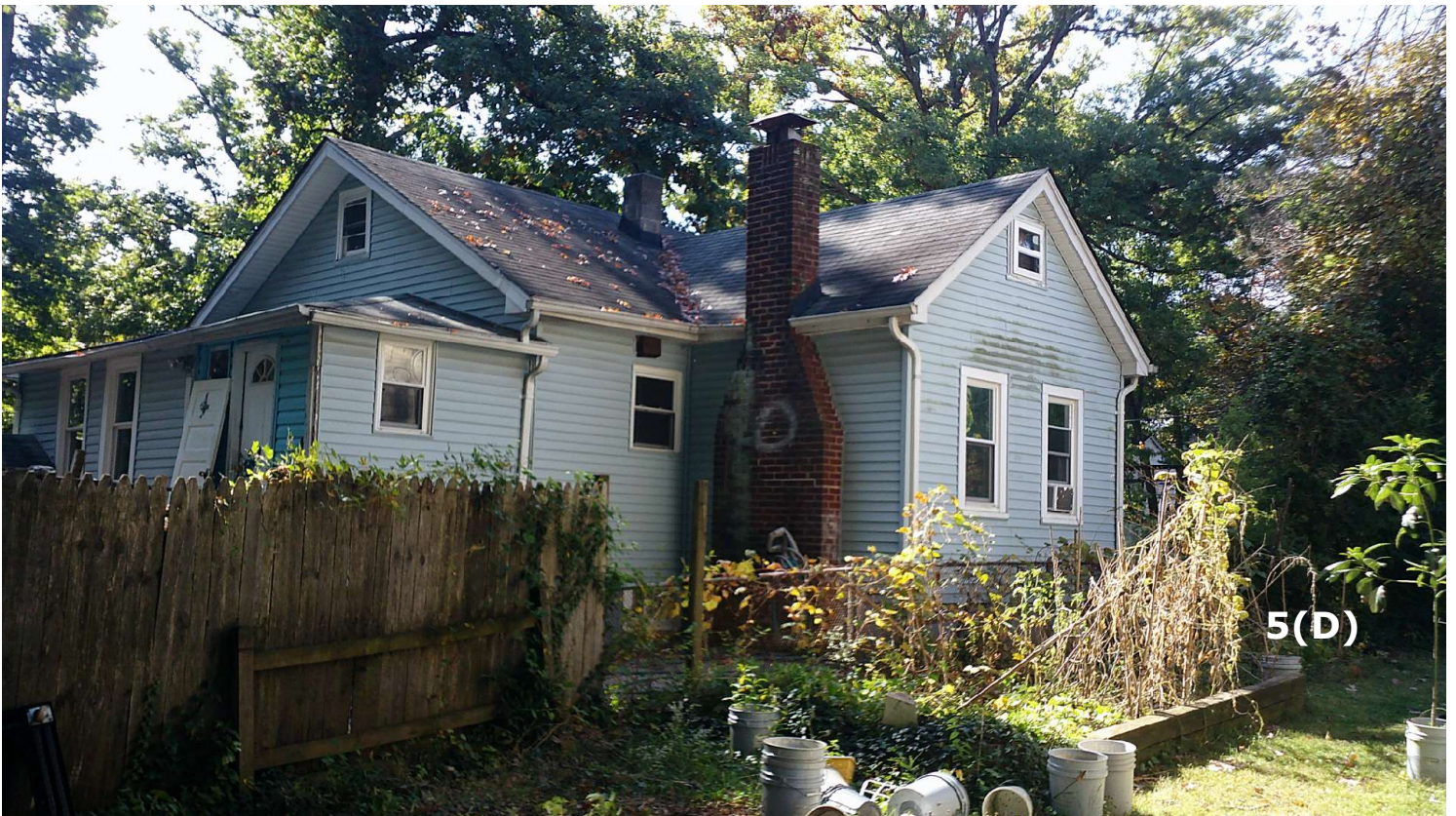
EXH. # 5(A-J)  
V-76-22

ANOTHER FRONT VIEW FROM STREET





LEFT SIDE FROM NEXT DOOR HOUSE



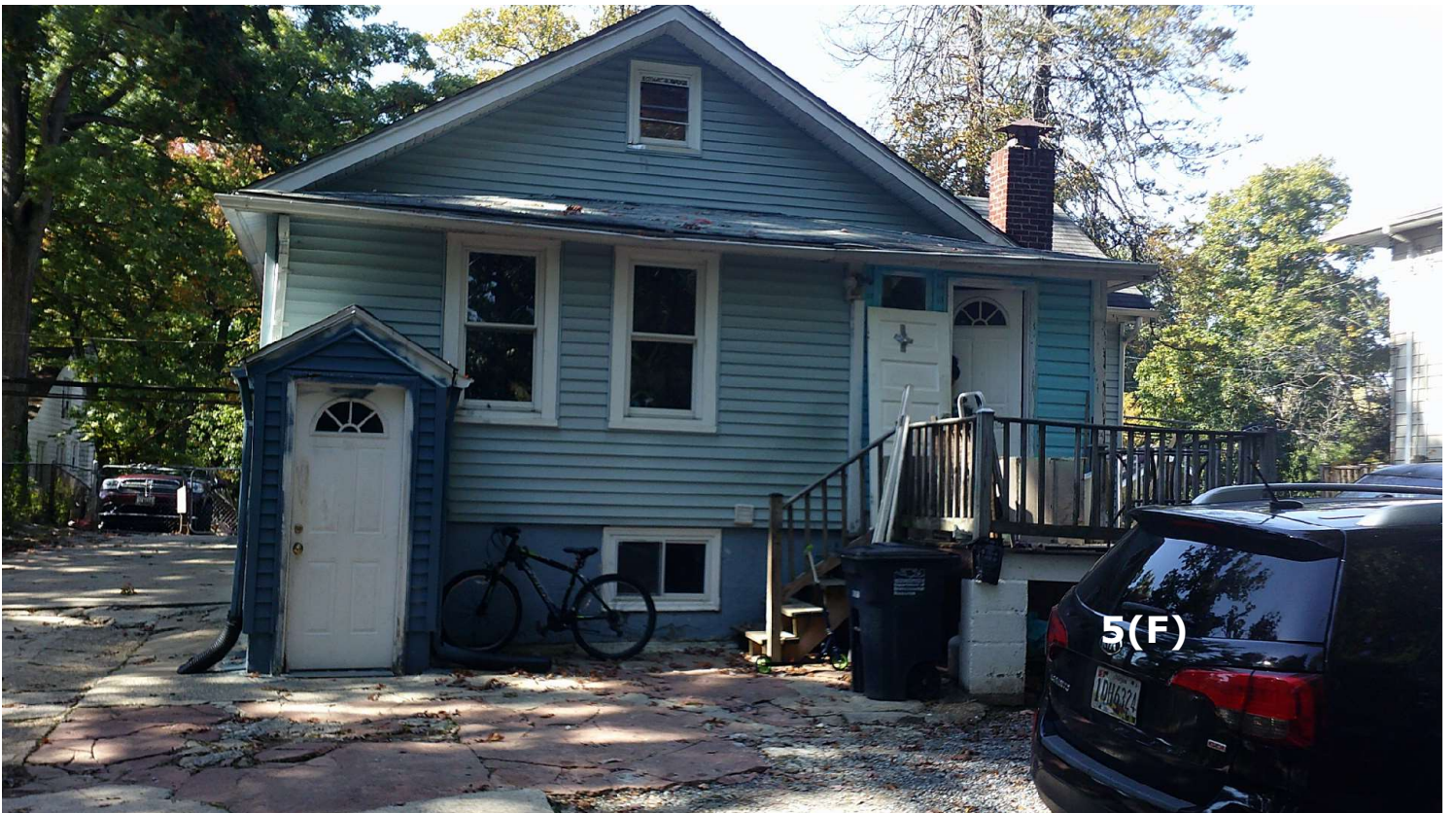
LEFT (REAR) SIDE) OF FROM NEXT DOOR HOUSE





5(E)

REAR (LEFT SIDE) OF HOUSE



5(F)

REAR OF HOUSE





RIGHT VIEW FROM NEXT LOT



FRONT RIGHT VIEW FROM NEXT LOT





FRONT WALL - 41" TALL



REAR SHED - 11' TALL

[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

**Special Tax Recapture: None**

**Account Identifier:** District - 16 **Account Number - 1790047**

**Owner Information**

**Owner Name:** RIVAS FELIX & JOSE N RODRIGUEZ ET Use: RESIDENTIAL  
 ASCOBAR HILDAL R **Principal Residence:** YES  
**Mailing Address:** 6117 42ND AVE **Deed Reference:** /19532/ 00263  
 HYATTSVILLE MD 20781-1414

**Location & Structure Information**

**Premises Address:** 6117 42ND AVE **Legal Description:** N PT LT3 EX FR 4FT  
 HYATTSVILLE 20781-0000 STR,PT LT2 EX 4FT STR

**Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:** A-8266  
 0042 00B3 0000 16026200.17 6200 2 2022 **Plat Ref:**

**Town:** HYATTSVILLE

**Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use**  
 1935 1,004 SF YES 7,613 SF 001

**Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements**  
 1 YES STANDARD UNIT FRAME/3 1 full

**Value Information**

	Base Value	Value	Phase-in Assessments	
			As of	As of
		As of	As of	As of
		01/01/2022	07/01/2022	07/01/2023
<b>Land:</b>	125,300	140,700		
<b>Improvements</b>	197,500	253,400		
<b>Total:</b>	322,800	394,100	346,567	370,333
<b>Preferential Land:</b>	0	0		

**Transfer Information**

<b>Seller:</b> NAIR,SHILJA	<b>Date:</b> 05/18/2004	<b>Price:</b> \$243,000
<b>Type:</b> ARMS LENGTH IMPROVED	<b>Deed1:</b> /19532/ 00263	<b>Deed2:</b>
<b>Seller:</b> VILLATORO,JOSE P & HORENTICA D	<b>Date:</b> 12/31/2003	<b>Price:</b> \$181,000
<b>Type:</b> ARMS LENGTH IMPROVED	<b>Deed1:</b> /18586/ 00020	<b>Deed2:</b>
<b>Seller:</b> IRONS,DEBBIE	<b>Date:</b> 02/11/2000	<b>Price:</b> \$130,000
<b>Type:</b> ARMS LENGTH IMPROVED	<b>Deed1:</b> /13634/ 00055	<b>Deed2:</b>

**Exemption Information**

<b>Partial Exempt Assessments:Class</b>		07/01/2022	07/01/2023
<b>County:</b>	000	0.00	
<b>State:</b>	000	0.00	
<b>Municipal:</b>	000	0.00 0.00	0.00 0.00

**Special Tax Recapture: None**

**Homestead Application Information**

**Homestead Application Status:** No Application

**Homeowners' Tax Credit Application Information**

**Homeowners' Tax Credit Application Status:** No Application **Date:**



**Property**

**Tax Account:** 1817782

**Owner Name:** HYATTSVILLE OLIVER GARDENS LLC

**Premise Address:** 6101 42nd Ave, Hyattsville, MD 20781

**Parcel Details**

**Tax Account #:** 1817782  
**Assessment District:** 16  
**Lot: Block: 2 Parcel:**  
**Description:** SW PT LOT 3 EX  
TRI AT SE COR EQ 45116 SQ FT  
**Plat:** A16-8266  
**Subdivision:** NICHOLS ADDN TO  
HYATTSVILLE  
**Acreage:** 1.0360

**Ownership Information**

**Owner Name:** HYATTSVILLE OLIVER  
GARDENS LLC  
**Owner Address:** 3400 Dean Dr,  
Hyattsville, MD 20782  
**Liber:** 15056 **Folio:** 107  
**Transfer Date:** 10/4/2001  
**Current Assessment:** \$2,368,167.00  
**Land Valuation:** \$676,700.00  
**Improvement  
Valuation:** \$1,691,467.00  
**Sale Price:** \$1,060,000.00  
**Structure Area (Sq Ft):** 26

**Administrative Details**

**Tax Map Grid:** 042B3  
**WSSC Grid:** 207NE03  
**Tree Conservation  
Plan 1:**  
**Tree Conservation  
Plan 2:**  
**Councilmanic District:** 2

**Tax Account:** 1790047

**Owner Name:** RIVAS FELIX & JOSE N RODRIGUEZ ET

**Premise Address:** 6117 42nd Ave, Hyattsville, MD 20781

**Parcel Details**

**Tax Account #:** 1790047  
**Assessment District:** 16  
**Lot: Block: 2 Parcel:**  
**Description:** N PT LT3 EX FR 4FT  
STR,PT LT2 EX 4FT STR  
**Plat:** A16-8266  
**Subdivision:** NICHOLS ADDN TO  
HYATTSVILLE  
**Acreage:** 0.1750

**Ownership Information**

**Owner Name:** RIVAS FELIX & JOSE N  
RODRIGUEZ ET  
**Owner Address:** 6117 42nd Ave,  
Hyattsville, MD 20781  
**Liber:** 19532 **Folio:** 263  
**Transfer Date:** 5/18/2004  
**Current Assessment:** \$346,567.00  
**Land Valuation:** \$130,433.00  
**Improvement  
Valuation:** \$216,133.00  
**Sale Price:** \$243,000.00  
**Structure Area (Sq Ft):** 1004

**Administrative Details**

**Tax Map Grid:** 042B3  
**WSSC Grid:** 207NE03  
**Tree Conservation  
Plan 1:**  
**Tree Conservation  
Plan 2:**  
**Councilmanic District:** 2

**Legislative District (2014)**

**Legislative District:** 22

**Member 1:** Paul G. Pinsky

**Party 1:** Democrat

**Member 2:** Anne Healey

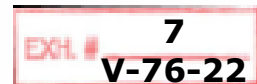
**Party 2:** Democrat

**Member 3:** Alonzo T. Washington

**Party 3:** Democrat

**Member 4:** Nicole A. Williams

**Party 4:** Democrat



**Prior Development District Overlay (Prior)**

**Overlay Zone:** D-D-O

**Plan Name:** GATEWAY ARTS DISTRICT SECTOR PLAN AND SMA  
**Resolution:** CR-78-2004  
**Adoption Date:** 11/30/2004  
**Acreage:** 1907.699336

## Councilmanic District (2014)

**District:** 2

**Councilmember:** Deni Taveras

**Political Party:** Democrat

**Telephone:** 301-952-4436

**Email:** dltaveras@co.pg.md.us

**District:** Null

**Councilmember:** Mel Franklin (At Large)

**Political Party:** Democrat

**Telephone:** 301-952-2638

**Email:** mfranklin1@co.pg.md.us

**District:** Null

**Councilmember:** Calvin S. Hawkins, II (At Large)

**Political Party:** Democrat

**Telephone:** 301-952-2195

**Email:** at-largememberhawkins@co.pg.md.us

## Tax Grid

**Map Grid:** 42-B3

## Watershed (DOE)

**Name:** NORTHWEST BRANCH (ANA)

## Watershed - 12 digit (DNR)

**MDE 6 Digit Code:** 021402

**MDE 6 Digit Name:** WASHINGTON METROPOLITAN

**MDE 8 Digit Code:** 02140205

**MDE 8 Digit Name:** Anacostia River

**Watershed Code:** 0818

**DNR 12 Digit Designator:** 021402050818

**Tributary Strategy Watershed:** MIDDLE POTOMAC

**NRCS HUA14 Digit Code:** 02070010030130

**NRCS HUA11 Digit Code:** 02070010030

**NRCS HUA8 Digit Code:** 02070010

**Acreage:** 4987.130371

## WSSC Grid

**Grid:** 207NE03

## Zip Code

**Zip Code:** 20781

**City:** Hyattsville

**Alternate Names:** N/A

## Zoning (Current)

**Zone Type:** Residential

**Class:** RMF-20 (Residential, Multifamily-20)

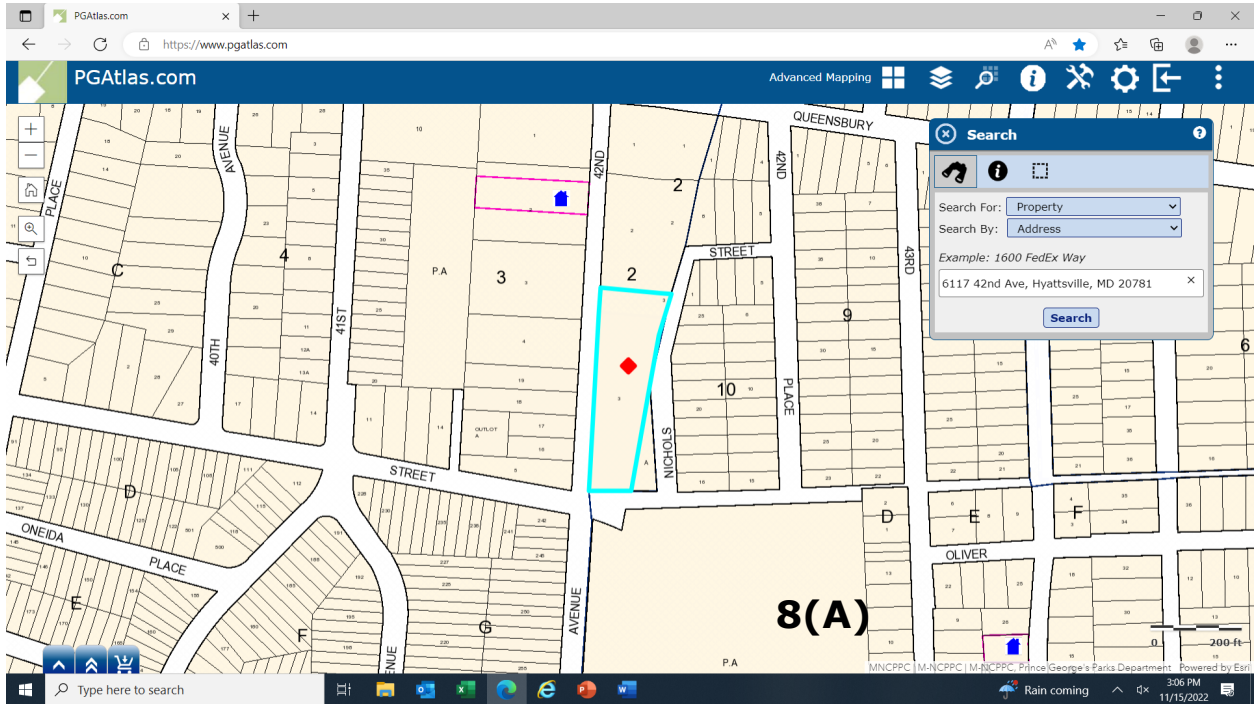
## Zoning (Prior)

**Zone Type:** Residential

**Class:** R-18 (Multifamily Medium Density Residential)



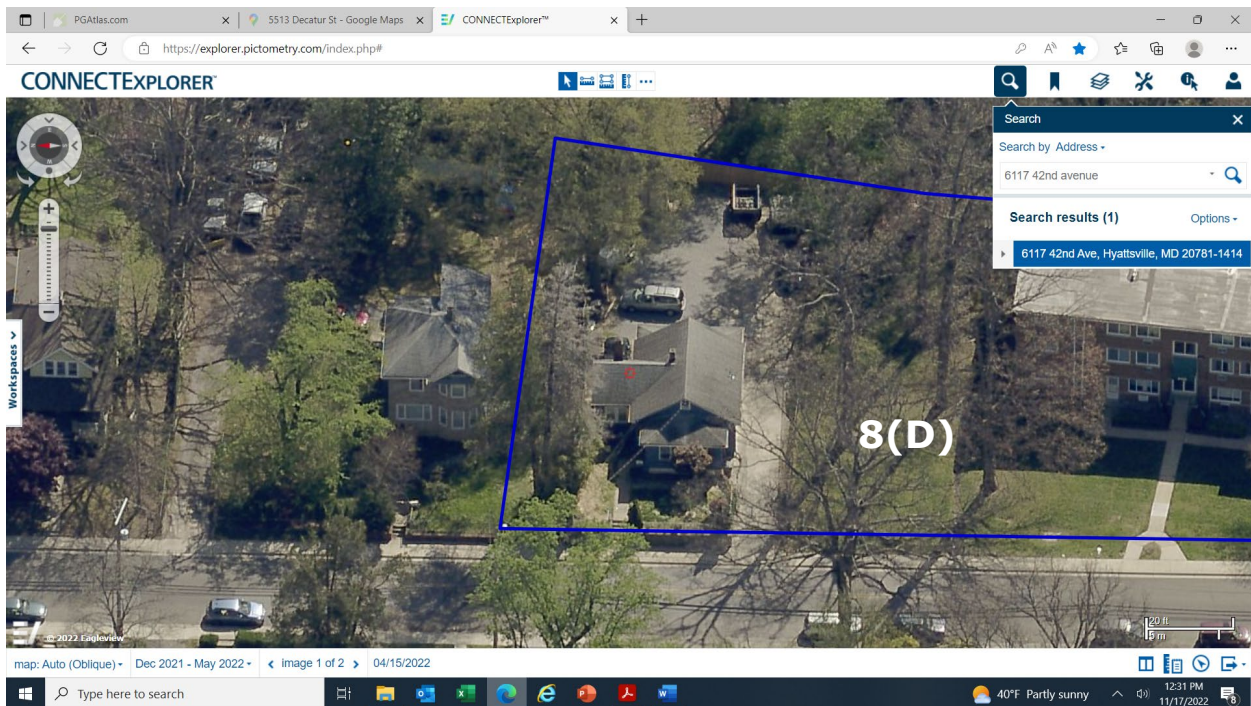
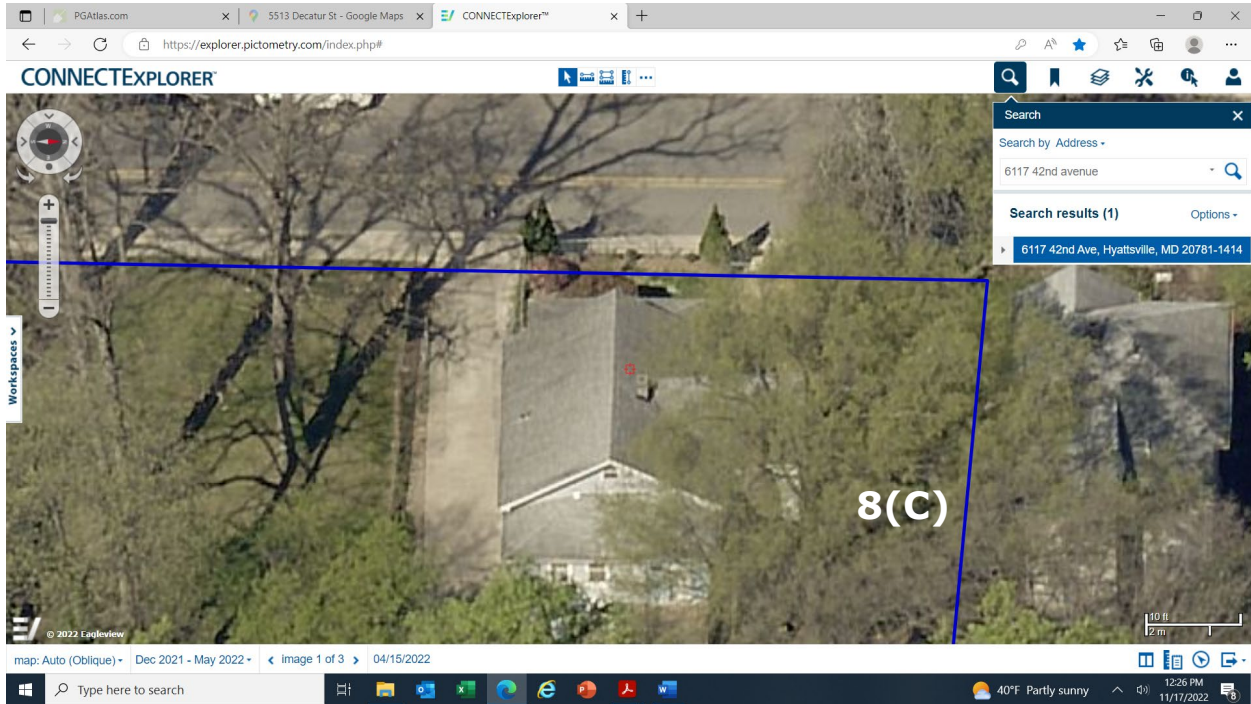
V-76-22  
Aerial Photos



**EXH. # 8(A-F)**  
**V-76-22**

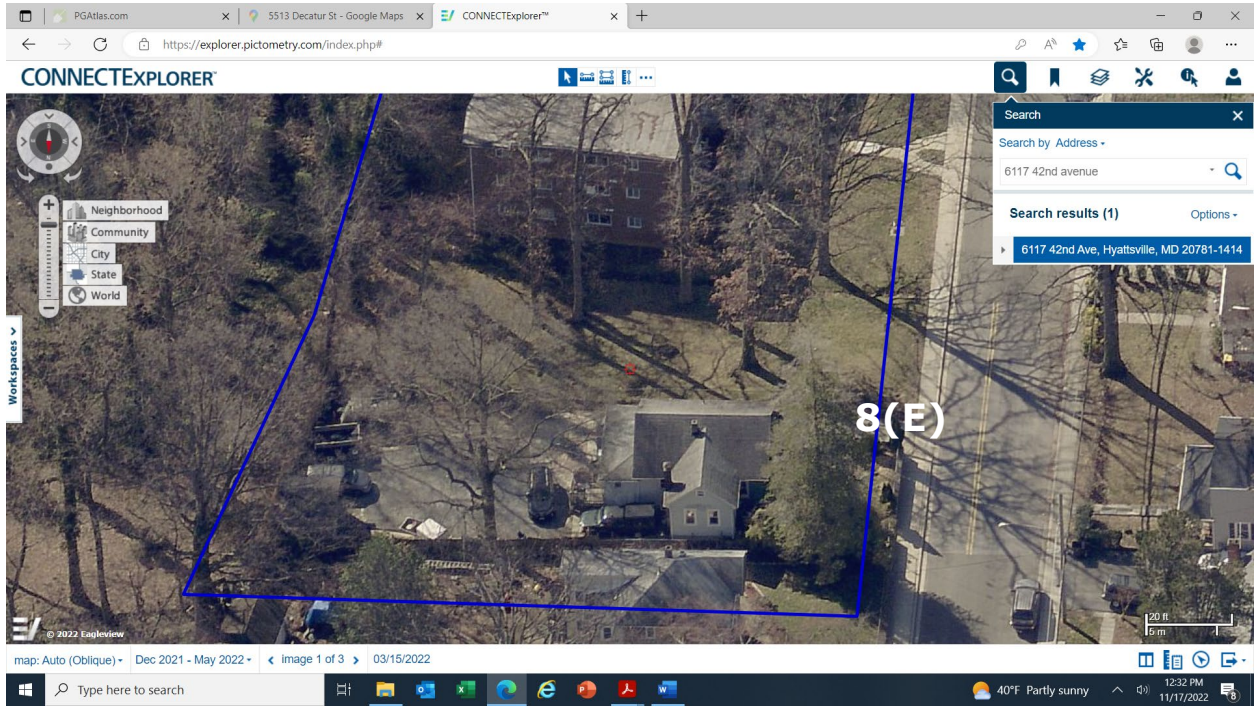


V-76-22  
Aerial Photos



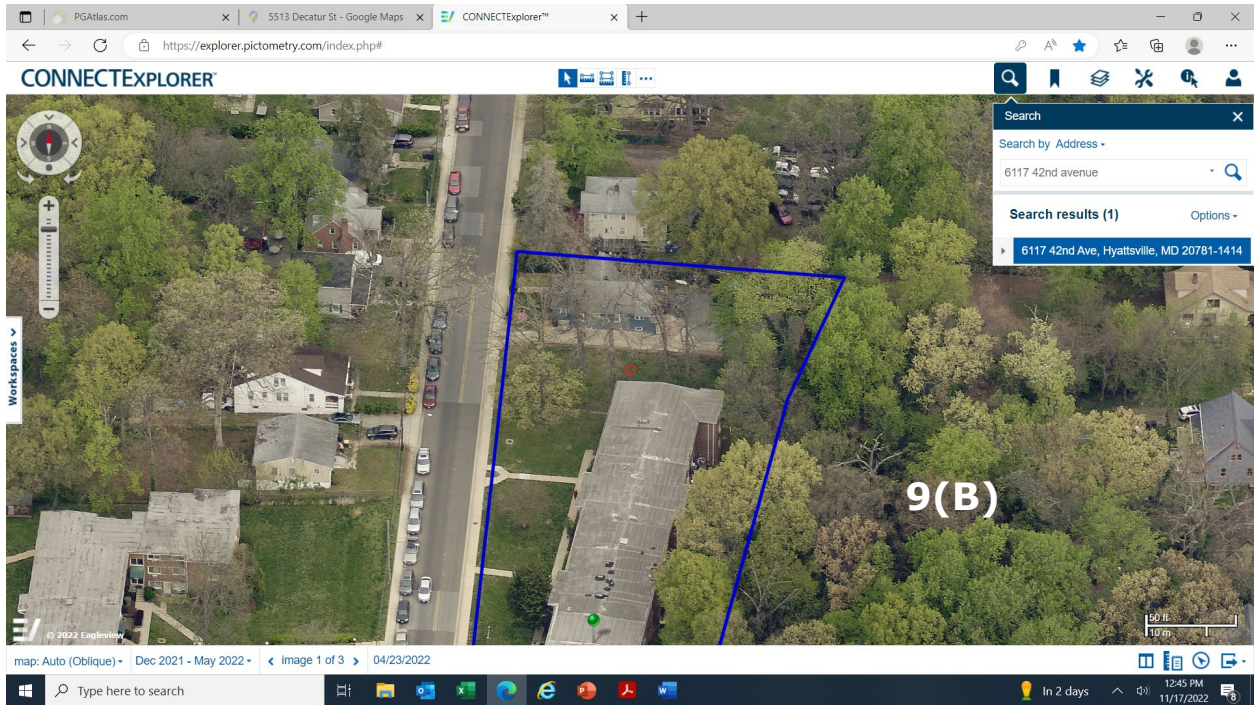
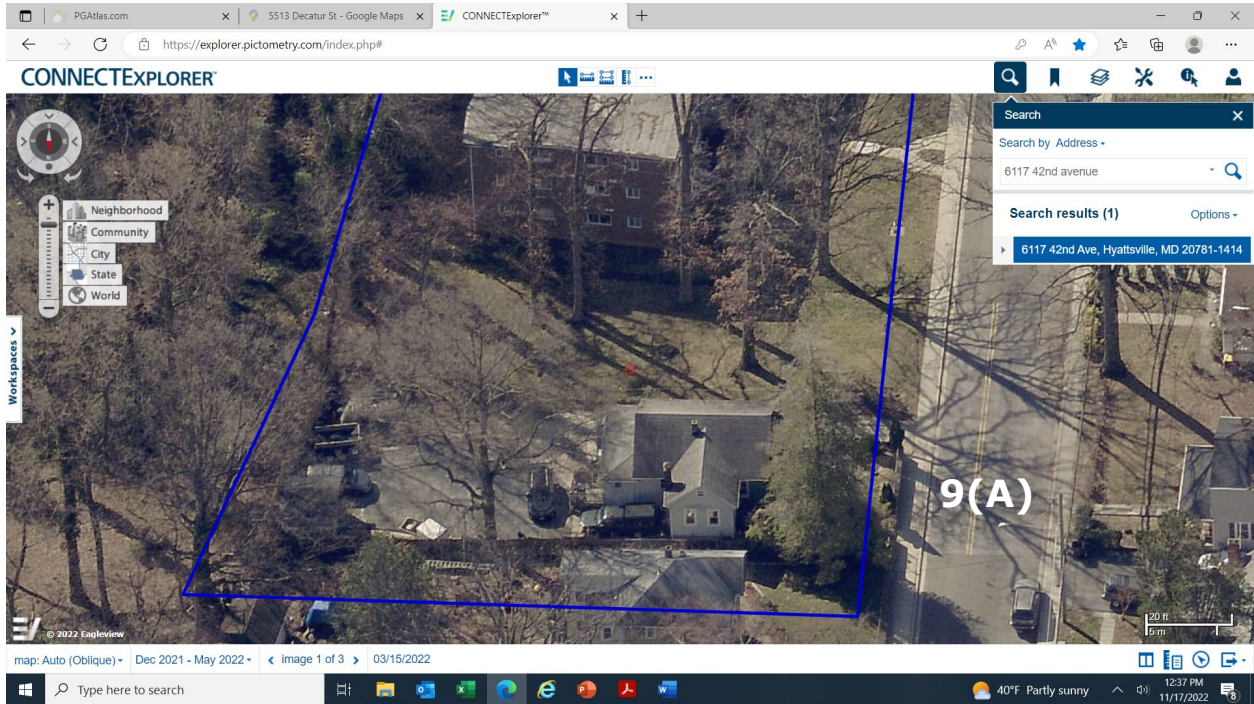


V-76-22  
Aerial Photos





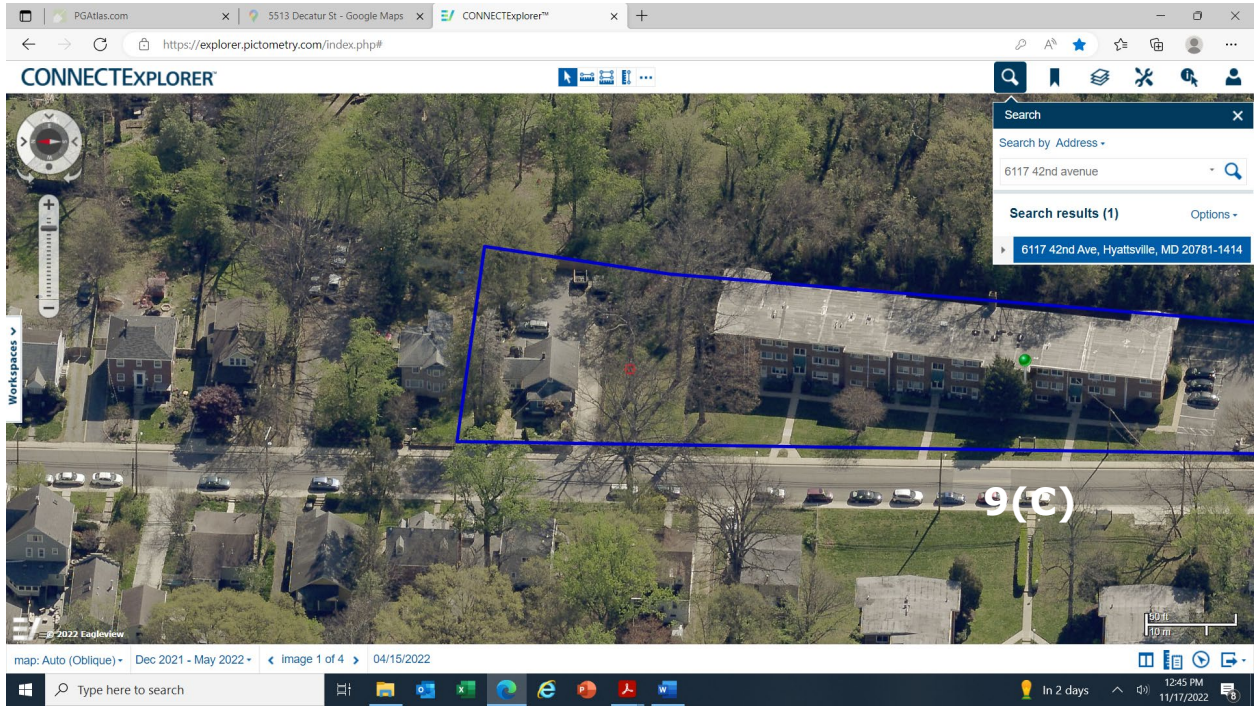
V-76-22  
Neighboring Properties



**EXL # 9(A-C)**  
**V-76-22**



V-76-22  
Neighboring Properties





# THE PRINCE GEORGE'S COUNTY GOVERNMENT

BOARD OF ZONING APPEALS

BOARD OF ADMINISTRATIVE APPEALS

WAYNE K. CURRY COUNTY ADMINISTRATION BUILDING, LARGO, MARYLAND 20774  
TELEPHONE (301) 952-3220

## NOTICE OF VIRTUAL HEARING

Date: November 29, 2022

Petitioner: Felix Rivas

Appeal No.: V-76-22

Hearing Date: WEDNESDAY, DECEMBER 14, 2022, AT 6:00 P.M. **EVENING**

Place: Virtual Hearing

Appeal has been made to this Board for permission to obtain a building permit for the construction of a 2<sup>nd</sup> floor addition over existing house on Residential, Multifamily-20 (RMF-20) Zoned property known as Part of Lots 2 & 3, Block 2, Nichols Addition to Hyattsville Subdivision, being 6117 42<sup>nd</sup> Avenue, Hyattsville, Prince George's County, Maryland, contrary to the requirements of the Zoning Ordinance.

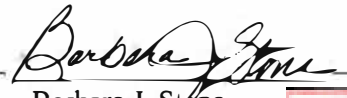
The specific violation resides in the fact that Zoning Ordinance Section 27-4202(h)(3) prescribes that each lot shall have a side yard at least 8 feet in width. A variance of 5 feet side yard width is requested.

Virtual hearing on this Appeal is set for the time and place stated above. **Petitioner, or counsel representing Petitioner, should be present at the hearing. A Petitioner which is a corporation, limited liability company, or other business entity MUST be represented by counsel, licensed to practice in the State of Maryland, at any hearing before the Board. Any non-attorney representative present at the hearing on behalf of the Petitioner (or any other person or entity) shall not be permitted to advocate.**

Adjoining property owners, who are owners of premises either contiguous to or opposite the property involved, are notified of this hearing in order that they may express their views if they so desire. However, their presence is not required unless they have testimony to offer the Board. In order to give verbal testimony during the virtual hearing, you must register with the Board of Appeals at least 5 days prior to the virtual hearing. Please call 301-952-3220 to register. No additional speakers will be allowed to give testimony unless registered with the Board. Please also visit the Board of Appeals website for Virtual Hearing Instructions and procedures at <http://pgccouncil.us/BOA>

If inclement weather exists on hearing date, please contact the office to ascertain if hearing is still scheduled.

BOARD OF ZONING APPEALS

By   
Barbara J. Stone  
Administrator

EXH. # **10**  
**V-76-22**

cc: Petitioner  
Adjoining Property Owners  
Park and Planning Commission  
City of Hyattsville

V-76-22  
FELIX RIVAS  
6117 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

V-76-22  
BOARD OF EDUCATION  
6001 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

V-76-22  
6030 42<sup>ND</sup> AVENUE LLC  
PO BOX 9724  
SILVER SPRING MD 20916

V-76-22  
HYATTSVILLE QUEENSBURY LLC  
3400 DEAN DRIVE  
HYATTSVILLE MD 20871

V-76-22  
NENITTO A BURTON  
6110 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

V-76-22  
CAROLA AND WINSTON ROSE  
6112 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

V-76-22  
STEP PROPERTY MANAGEMENT GROUP  
4908 ENTERPRISE ROAD  
BOWIE MD 20720

V-76-22  
MARTHA URQUILLA  
JOSE ROMERO  
6116 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

V-76-22  
TARA SUSMAN-PENA  
6106 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

V-76-22  
MICHAEL GEMENY  
6104 42<sup>ND</sup> PLACE  
HYATTSVILLE MD 20871

V-76-22  
GARY BAKER  
4221 OGLETHORPE STREET  
HYATTSVILLE MD 20871

V-76-22  
HARTMUT DOEBEL  
6112 42<sup>ND</sup> PLACE  
HYATTSVILLE MD 20871

V-76-22  
JAMES DARIUS BALL ETAL  
4112 OLIVER STREET  
HYATTSVILLE MD 20871

V-76-22  
JOHN PETERS ETAL  
4116 OLIVER STREET  
HYATTSVILLE MD 20871

V-76-22  
CITY OF HYATTSVILLE  
4310 GALLATIN STREET  
HYATTSVILLE MD 20781

EXH. # **11**  
**V-76-22**

11 29/22

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EXH. # 12  
V-76-22



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HYATTSVILLE QUEENSBURY LLC  
3400 DEAN DRIVE  
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Priority \$ \_\_\_\_\_  
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Delivery \$ \_\_\_\_\_

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6110 42<sup>ND</sup> AVENUE  
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Priority \$ \_\_\_\_\_  
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V-76-22  
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4908 ENTERPRISE ROAD  
BOWIE MD 20720

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Delivery \$ \_\_\_\_\_  
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V-76-22  
MARTHA URQUILLA  
JOSE ROMERO  
6116 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

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V-76-22  
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 4116 OLIVER STREET  
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 4112 OLIVER STREET  
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V-76-22  
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**BOARD OF APPEALS – POSTING**

Petitioner: Felix Rivas

Appeal No.: V-76-22

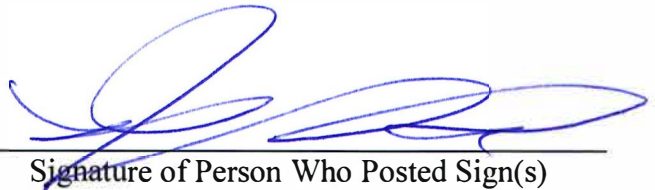
THE SIGN(S) MUST BE POSTED ON THE PROPERTY FOR A PERIOD OF AT LEAST 15 DAYS PRIOR TO THE PUBLIC HEARING BEFORE THE BOARD OF APPEALS. PERSON WHO POSTS SIGN(S) MUST COMPLETE CERTIFICATION OF POSTING. CERTIFICATION OF POSTING FORM MUST BE FILED, TOGETHER WITH PHOTOGRAPH(S) OF SIGN(S), WITH THE BOARD OF APPEALS **NO LATER THAN FIVE (5) BUSINESS DAYS AFTER THE FIRST DAY OF THE REQUIRED 15-DAY POSTING PERIOD, NOTED BELOW.**

POSTING PERIOD: 11/29/22 thru 12/14/22

RETURN CERTIFICATION OF POSTING, WITH PHOTOGRAPH(S),  
BY NO LATER THAN: 12/6/22

**CERTIFICATION OF POSTING**

PETITIONER'S REQUEST IN THIS APPEAL WAS POSTED ON THE SUBJECT PROPERTY IN ACCORDANCE WITH SECTION 27-125.03(a) OF THE PRINCE GEORGE'S COUNTY ZONING ORDINANCE ON (Date) November 21, 2022, BY (Name) Ken Parsons, (Address) 3. PHOTOGRAPH(S) OF THE SIGN(S) AS POSTED IS/ARE ATTACHED.

  
Signature of Person Who Posted Sign(s)

Kenneth K. PARSONS  
Printed Name

\*\*\*PLEASE ATTACH PHOTOGRAPH(S) OF SIGN(S)\*\*\*  
Affidavit & photos can be e-mailed or mailed to:

Board of Appeals  
[Boardofappeals@co.pg.md.us](mailto:Boardofappeals@co.pg.md.us)  
Wayne K. Curry County Administration Building, 3<sup>rd</sup> Floor  
1301 McCormick Drive  
Largo, MD 20774  
(301) 952-3220

EXH # **13**  
**V-76-22**



3386  
6806

**APPEAL HEARING**  
FOR INFORMATION  
301-952-3220  
APPEAL # 17-7622  
DATE: 12-14-22 12:00 p.m.  
WAYNE K. CURRY ADMINISTRATION SERVICES  
LARGO, MD  
www.wkcurry.com  
335 Lafayette Blvd, Largo, MD 21074



**BWARE  
of DOG**

BOARD OF AP  
**HEARING**  
FOR INFORMAT  
301-952-120  
CASE #  
V-76-2  
DATE 12-14-22 6:30 p.m.  
PLEASE SHOW UP ON TIME  
AND BRING YOUR OWN LUNCH  
AND WATER BOTTLES







EXPOSURE  
HEARING

EXPOSURE HEARING  
FOR PARTICIPATION  
301-952-3220  
11/22/2023  
11/29/2023  
8:00 a.m. - 4:00 p.m.

1C48043



Robert Croslin  
Mayor



Tracey E. Douglas  
City Administrator

December 6, 2022

Barbara Stone  
Administrator  
Board of Zoning Appeals  
County Administration Building, Room 2173  
14741 Governor Oden Bowie Drive  
Upper Marlboro, MD 20772

**Re: V-76-22: 6117 42<sup>nd</sup> Avenue, Hyattsville**

Dear Ms. Stone:

This letter is to request that the Board of Zoning Appeals hold open the record for variance application V-76-22, for the property located at 6117 42<sup>nd</sup> Avenue, Hyattsville.

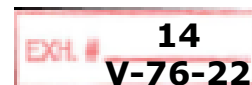
The City of Hyattsville has received notice from the Board and is in the process of our review of the application. We have the application scheduled to be heard by our City Council on December 19, 2022. We respectfully ask that the record be held open until December 21, 2022, so that our comments may be considered by the Board.

We thank you and the Board for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Chandler", is written over a white background.

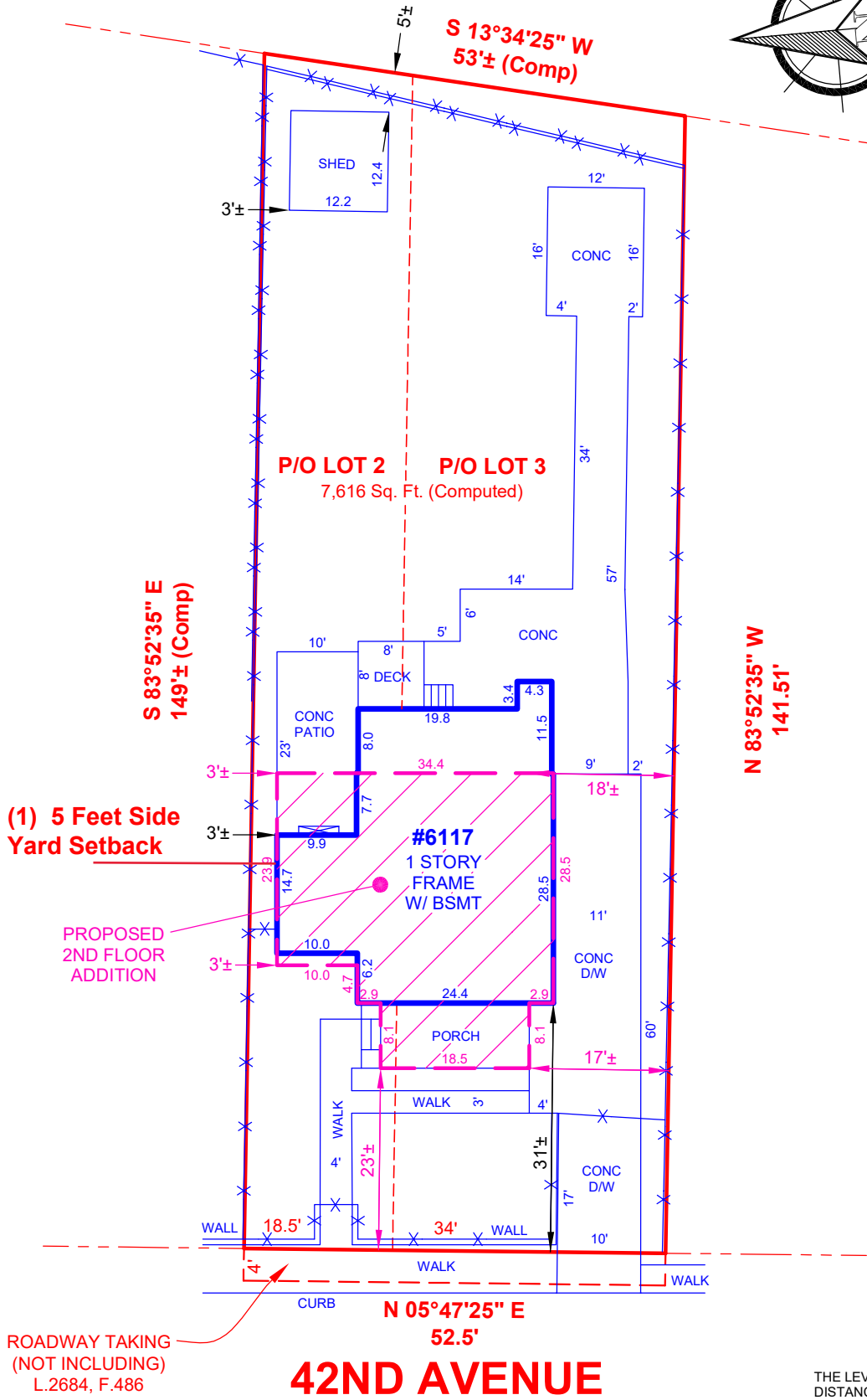
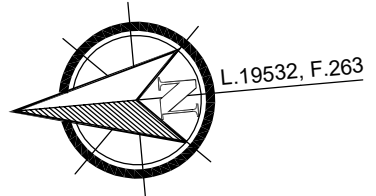
Jim Chandler  
Assistant City Administrator



cc: City Council



# REFERENCE ONLY SITE PLAN V-76-22



THE LEVEL OF ACCURACY OF  
DISTANCES TO APPARENT  
PROPERTY LINES IS: **3'±**

LOCATION DRAWING OF:

**#6117 42ND AVENUE**  
**PART OF LOTS 2 & 3 BLOCK 2**  
PLAT BOOK A, PLAT 24  
**HYATTSVILLE**  
LIBER 19532, FOLIO 263

PRINCE GEORGE'S COUNTY, MARYLAND

SCALE: 1"=20' DATE: 04-30-2022

DRAWN BY: CP/AP FILE #: 224527-200

**LEGEND:**

- X- - FENCE
- B/E - BASEMENT ENTRANCE
- B/W - BAY WINDOW
- BR - BRICK
- BRL - BLDG. RESTRICTION LINE
- BSMT - BASEMENT
- C/S - CONCRETE STOOP
- CONC - CONCRETE
- D/W - DRIVEWAY
- Ex. - EXISTING
- FR - FRAME
- MAC - MACADAM
- N/F - NOW OR FORMERLY
- O/H - OVERHANG
- PUE - PUBLIC UTILITY ESMT.
- PIE - PUBLIC IMPROVEMENT ESMT.

**COLOR KEY:**

- (RED) - RECORD INFORMATION
- (BLUE) - IMPROVEMENTS
- (GREEN) - ESMTS & RESTRICTION LINES

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and  
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On the web: [www.duley.biz](http://www.duley.biz)

**SURVEYOR'S CERTIFICATE**

I HEREBY STATE THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS DRAWING AND THE SURVEY WORK REFLECTED HEREIN AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 12 CHAPTER 09.13.06 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. THIS SURVEY IS NOT TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF FENCES, BUILDING, OR OTHER IMPROVEMENTS, THIS PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING. THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY INsofar AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENTS IN CONNECTION WITH THE CONTEMPLATED TRANSFER, FINANCING OR REFINANCING. THE LEVEL OF ACCURACY FOR THIS DRAWING IS 3'±. NO TITLE REPORT WAS FURNISHED TO NOR DONE BY THIS COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENTS OF RECORD. BUILDING RESTRICTION LINES AND EASEMENTS MAY NOT BE SHOWN ON THIS SURVEY. IMPROVEMENTS WHICH IN THE SURVEYOR'S OPINION APPEAR TO BE IN A STATE OF DISREPAIR OR MAY BE CONSIDERED "TEMPORARY" MAY NOT BE SHOWN. IF IT APPEARS ENCROACHMENTS MAY EXIST, A BOUNDARY SURVEY IS RECOMMENDED.



**15**  
**EXH. # V-76-22**

**DULEY & ASSOC.**

WILL GIVE YOU A 100%  
FULL CREDIT TOWARDS  
UPGRADING THIS  
SURVEY TO A  
"BOUNDARY/STAKE"  
SURVEY FOR ONE  
YEAR FROM THE DATE  
OF THIS SURVEY.

(EXCLUDING D.C. & BALT. CITY)



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

BOARD OF ZONING APPEALS

BOARD OF ADMINISTRATIVE APPEALS

WAYNE K. CURRY COUNTY ADMINISTRATION BUILDING, LARGO, MARYLAND 20774

TELEPHONE (301) 952-3220

## NOTICE OF VIRTUAL HEARING

Revised

Date: December 27, 2022

Petitioner: Felix Rivas

Appeal No.: V-76-22

Hearing Date: WEDNESDAY, JANUARY 11, 2023, AT 6:00 P.M. **EVENING**

Place: Virtual Hearing


Appeal has been made to this Board for permission to obtain a building permit for the construction of a 2<sup>nd</sup> floor addition over existing house on Residential, Single-Family-65 (RSF-65) Zone, property known as Part of Lots 2 & 3, Block 2, Nichols Addition to Hyattsville Subdivision, being 6117 42<sup>nd</sup> Avenue, Hyattsville, Prince George's County, Maryland, contrary to the requirements of the Zoning Ordinance.

The specific violation resides in the fact that Zoning Ordinance Section 27-4202(d)(2) prescribes that each lot shall have a front yard at least 25 feet in depth. Section 27-4202(d)(3) prescribes that each lot shall have a side yard at least 8 feet in width. Variances of 2 feet front yard depth and 5 feet left side yard width are requested.

Virtual hearing on this Appeal is set for the time and place stated above. **Petitioner, or counsel representing Petitioner, should be present at the hearing. A Petitioner which is a corporation, limited liability company, or other business entity MUST be represented by counsel, licensed to practice in the State of Maryland, at any hearing before the Board. Any non-attorney representative present at the hearing on behalf of the Petitioner (or any other person or entity) shall not be permitted to advocate.**

Adjoining property owners, who are owners of premises either contiguous to or opposite the property involved, are notified of this hearing in order that they may express their views if they so desire. However, their presence is not required unless they have testimony to offer the Board. In order to give verbal testimony during the virtual hearing, you must register with the Board of Appeals at least 5 days prior to the virtual hearing. Please call 301-952-3220 to register. No additional speakers will be allowed to give testimony unless registered with the Board. Please also visit the Board of Appeals website for Virtual Hearing Instructions and procedures at <http://pgccouncil.us/BOA>

BOARD OF ZONING APPEALS

By:   
Barbara J. Stone  
Administrator

cc: Petitioner  
Adjoining Property Owners  
Park and Planning Commission  
City of Hyattsville

EXL # 16  
V-76-22

V-76-22  
FELIX RIVAS  
6117 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

V-76-22  
BOARD OF EDUCATION  
6001 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

V-76-22  
6030 42<sup>ND</sup> AVENUE LLC  
PO BOX 9724  
SILVER SPRING MD 20916

V-76-22  
HYATTSVILLE QUEENSBURY LLC  
3400 DEAN DRIVE  
HYATTSVILLE MD 20871

V-76-22  
NENITTO A BURTON  
6110 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

V-76-22  
CAROLA AND WINSTON ROSE  
6112 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

V-76-22  
STEP PROPERTY MANAGEMENT GROUP  
4908 ENTERPRISE ROAD  
BOWIE MD 20720

V-76-22  
MARTHA URQUILLA  
JOSE ROMERO  
6116 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

V-76-22  
TARA SUSMAN-PENA  
6106 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

V-76-22  
MICHAEL GEMENY  
6104 42<sup>ND</sup> PLACE  
HYATTSVILLE MD 20871

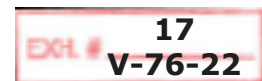
V-76-22  
GARY BAKER  
4221 OGLETHORPE STREET  
HYATTSVILLE MD 20871

V-76-22  
HARTMUT DOEBEL  
6112 42<sup>ND</sup> PLACE  
HYATTSVILLE MD 20871

V-76-22  
JAMES DARIUS BALL ETAL  
4112 OLIVER STREET  
HYATTSVILLE MD 20871

V-76-22  
JOHN PETERS ETAL  
4116 OLIVER STREET  
HYATTSVILLE MD 20871

V-76-22  
CITY OF HYATTSVILLE  
4310 GALLATIN STREET  
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V-76-22  
6030 42<sup>ND</sup> AVENUE LLC  
PO BOX 9724  
SILVER SPRING MD 20916

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EXL # 18  
V-76-22

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V-76-22  
CAROLA AND WINSTON ROSE  
6112 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

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V-76-22  
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Postage (if not a metered stamp, add fee as appropriate)	\$ _____
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V-76-22  
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JOSE ROMERO  
6116 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

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Delivery	\$ _____

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6106 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

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Delivery	\$ _____

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HYATTSVILLE MD 20871

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\$ \_\_\_\_\_  
Delivery \$ \_\_\_\_\_

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4221 OGLETHORPE STREET  
HYATTSVILLE MD 20871

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\$ \_\_\_\_\_  
Delivery \$ \_\_\_\_\_  
\$ \_\_\_\_\_  
Delivery \$ \_\_\_\_\_

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OFFICIAL USE

V-76-22  
HARTMUT DOEBEL  
6112 42<sup>ND</sup> PLACE  
HYATTSVILLE MD 20871

Postage (check box, add fee as appropriate)  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
Delivery \$ \_\_\_\_\_  
\$ \_\_\_\_\_  
Delivery \$ \_\_\_\_\_

Postmark  
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Box No.



7022 1670 0001 9132 6799

V-76-22  
 JAMES DARIUS BALL ETAL  
 4112 OLIVER STREET  
 HYATTSVILLE MD 20871

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7022 1670 0001 9132 5662

V-76-22  
 JOHN PETERS ETAL  
 4116 OLIVER STREET  
 HYATTSVILLE MD 20871

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7022 1670 0001 9132 5679

V-76-22  
 CITY OF HYATTSVILLE  
 4310 GALLATIN STREET  
 HYATTSVILLE MD 20781

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City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Robert Croslin  
Mayor



Tracey E. Douglas  
City Administrator

January 4, 2022

Barbara Stone  
Administrator  
Board of Zoning Appeals  
County Administration Building, Room 2173  
14741 Governor Oden Bowie Drive  
Upper Marlboro, MD 20772

**Re: V-76-22: 6117 42<sup>nd</sup> Avenue, Hyattsville**

Dear Ms. Stone,

This letter is to inform you that on January 3, 2023, the Hyattsville City Council considered application V-76-22, a zoning variance request for the subject property located at 6117 42<sup>nd</sup> Avenue, Hyattsville.

The applicant has applied for several zoning variances including front yard depth and side yard width to validate existing conditions and to obtain a building permit for the construction of a second story addition on an existing dwelling.

Given the nature of this variance and the City's Variance Policy, the City Council voted in support of the applicant's requested variance.

We thank you and the Board of Zoning Appeals for your consideration of our comments and look forward to a decision.

Sincerely,

A handwritten signature in black ink, appearing to be 'Robert Croslin', written over the word 'Sincerely,'.

Robert Croslin  
Mayor

CC: City Council  
Felix Rivas, Applicant

EXL # 19  
V-76-22





**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**

14741 Governor Oden Bowie Drive  
 Upper Marlboro, Maryland 20772  
 TTY: (301) 952-4366  
 www.mncppc.org/pgco

Prince George's County Planning Department  
 Countywide Planning Division

**MEMORANDUM**

January 5, 2023

**TO:** Barbara Stone, Administrator  
 Board of Appeals

**FROM:** Tyler Smith, Planner II **TAS**  
 Historic Preservation Section

**SUBJECT: December 11, 2023 Board of Appeals Agenda**

I have reviewed this agenda for impacts on identified Historic Sites and Historic Resources, and would like to provide the following comments:

<b>Case</b>	<b>Comment</b>
V-7-22 Jack and Linda Bannister 1517 Pacific Avenue, Capitol Heights	No effect on Historic Sites, Historic Resources, or Historic Districts.
V-76-22 Felix Rivas 6117 42nd Avenue, Hyattsville	Adjacent the Hyattsville National Register Historic District (PG:68-010-00). Within 250 feet of Paxton House (PG:68-076) Within 1,000 feet of Vernon Wright House (PG:68-010-92 and (PG:68-010-25) and Hierling House (PG:68-010-93). No effect on Historic Sites, Historic Resources, or Historic Districts.
V-84-22 Ebenezer Akinpetide and Ololade Aroyiwo 1615 Southern Springs Lane, Upper Marlboro	No effect on Historic Sites, Historic Resources, or Historic Districts
V-26-22 Convenience and Tobacco Corner, LLC 3320 Walters Lane, District Heights	No effect on Historic Sites, Historic Resources, or Historic Districts
V-79-22 LPJ Cultural Center 6545 Annapolis Road, Hyattsville	No effect on Historic Sites, Historic Resources, or Historic Districts.
V-67-22 Rosario Salgado 5820 31st Place, Hyattsville	No effect on Historic Sites, Historic Resources, or Historic Districts.
V-38-22 Carlos Moreno Montiland and Sandra Buruca 1208 Balboa Avenue, Capitol Heights	No effect on Historic Sites, Historic Resources, or Historic Districts.
V-57-22 Douglas Rivas 3510 Lancer Drive, Hyattsville	No effect on Historic Sites, Historic Resources, or Historic Districts.
V-71-22 Omar Flooring Contractors, LLC 4907 Holly Spring Street, Suitland	No effect on Historic Sites, Historic Resources, or Historic Districts.
V-77-22 Joselito Amparo and Ana R. Amparo Lugo 11711 Chilcoate Lane, Beltsville	No effect on Historic Sites, Historic Resources, or Historic Districts.
V-78-22 Ranford Wallace 3505 Tolly Place, Springdale	No effect on Historic Sites, Historic Resources, or Historic Districts.

EXL # **20**  
**V-76-22**

**BOARD OF APPEALS – POSTING**

Petitioner: Felix Rivas

Appeal No.: V-76-22

THE SIGN(S) MUST BE POSTED ON THE PROPERTY FOR A PERIOD OF AT LEAST 15 DAYS PRIOR TO THE PUBLIC HEARING BEFORE THE BOARD OF APPEALS. PERSON WHO POSTS SIGN(S) MUST COMPLETE CERTIFICATION OF POSTING. CERTIFICATION OF POSTING FORM MUST BE FILED, TOGETHER WITH PHOTOGRAPH(S) OF SIGN(S), WITH THE BOARD OF APPEALS **NO LATER THAN FIVE (5) BUSINESS DAYS AFTER THE FIRST DAY OF THE REQUIRED 15-DAY POSTING PERIOD, NOTED BELOW.**

POSTING PERIOD: 12/27/22 thru 1/11/23

RETURN CERTIFICATION OF POSTING, WITH PHOTOGRAPH(S),  
BY NO LATER THAN: 1/3/23

**CERTIFICATION OF POSTING**

PETITIONER'S REQUEST IN THIS APPEAL WAS POSTED ON THE SUBJECT PROPERTY IN ACCORDANCE WITH SECTION 27-125.03(a) OF THE PRINCE GEORGE'S COUNTY ZONING ORDINANCE ON (Date) 12-20-2022, BY (Name) Kenneth PARSONS, (Address) 2614 GARSTLYNN CT. NEW WINDSOR, MD, 21776. PHOTOGRAPH(S) OF THE SIGN(S) AS POSTED IS/ARE ATTACHED.

EXCL # 21  
V-76-22



Signature of Person Who Posted Sign(s)

Kenneth PARSONS

Printed Name

\*\*\*PLEASE ATTACH PHOTOGRAPH(S) OF SIGN(S)\*\*\*

Affidavit & photos can be e-mailed or mailed to:

Board of Appeals

[Boardofappeals@co.pg.md.us](mailto:Boardofappeals@co.pg.md.us)

Wayne K. Curry County Administration Building, 3<sup>rd</sup> Floor

1301 McCormick Drive

Largo, MD 20774

(301) 952-3220





6117

**BEWARE  
of DOG**

**HEARING HEARING**  
FOR INFORMATION  
301-52-3220 301-952-3220  
APPEAR  
DATE: 11/22 TIME: 6:00 p.m.  
DATE: 11/23 TIME: 6:00 p.m.

NO  
ADMISSION  
BEYOND  
THIS  
POINT





**DEWARD  
W/DOG**

BOARD OF  
**HEARING**  
FOR INFO  
301-952-220  
11-23

**HEARING**  
301-952-220  
p.m.





**BEWARE  
OF DOG**

**BOARD OF HEALTH**  
FOR INFORMATION  
**301-952-3220**  
APPLICABLE

**HEARING**  
FOR INFORMATION  
**301-952-3220**  
APPLICABLE

DATE: 1-11-23 TIME: 6:00 p.m.  
DATE: 1-16-23 TIME: 6:00 p.m.



BOARD OF APPEALS

AFFIDAVIT OF POSTING

Petitioner: Felix Rivas

Appeal No.: V-76-22

The sign or signs required to be posted on the subject property to advertise the public hearing on the above case:

1. Remained standing as posted continuously from the 20<sup>th</sup> day of December, 2022, through 10<sup>th</sup> day of JANUARY, 2023. The sign(s) was (were) inspected at least one time during the required posting period to ensure that the sign(s) was (were) maintained.

OR

2. Was (were) not posted or did not remain posted continuously for the required 15-day period. (Explain further what happened to the sign or signs if #2 applies.)

I solemnly affirm under the penalties of perjury that the contents of the foregoing affidavit are true to the best of my knowledge, information and belief.

  
\_\_\_\_\_  
Signature of Petitioner/Attorney

Kenneth Parsons  
\_\_\_\_\_  
Name (Print or Type)

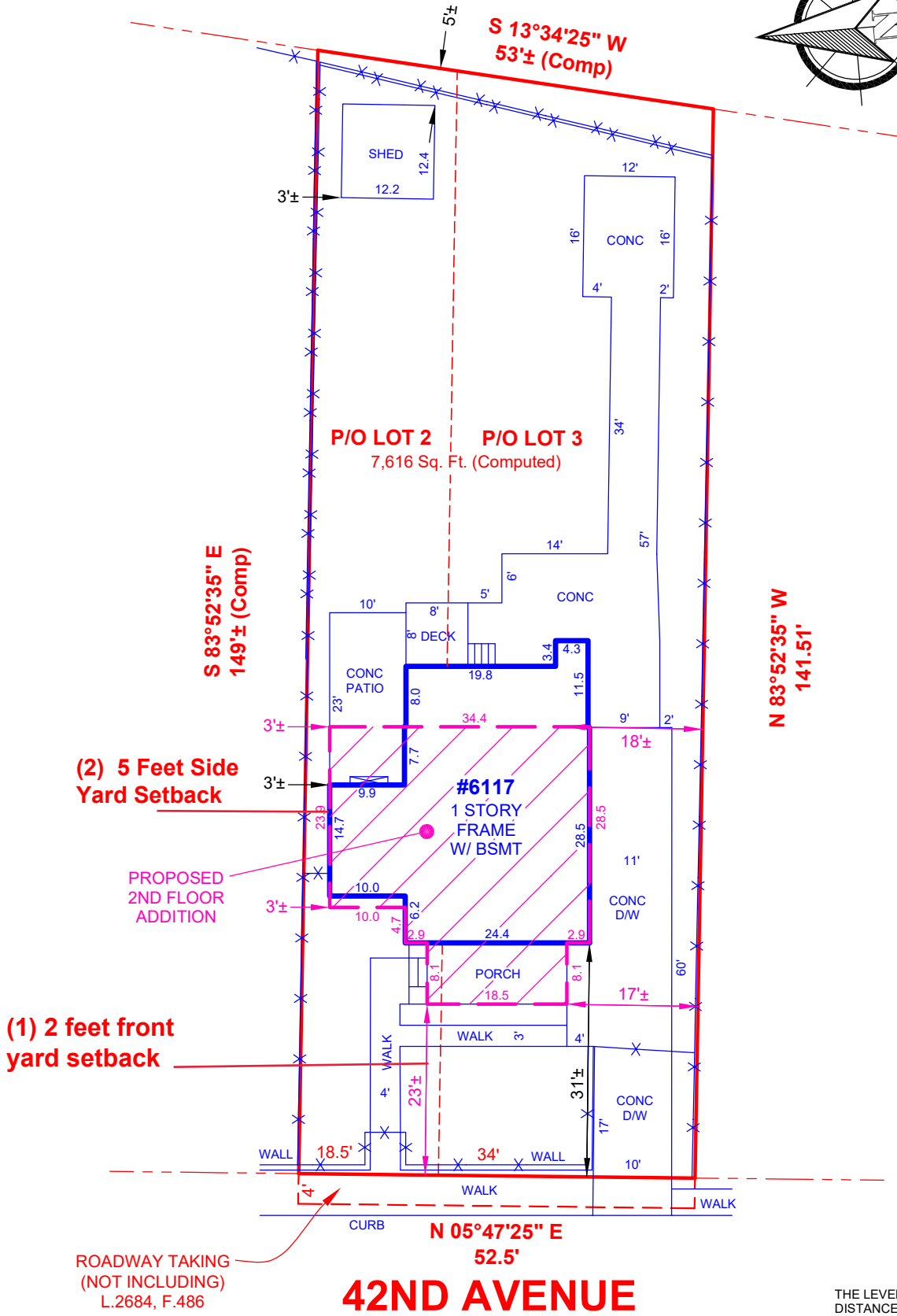
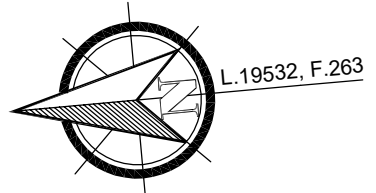
2614 Gaestlyan<sup>RD</sup>  
\_\_\_\_\_  
Address

New Windsor, MD 21776  
\_\_\_\_\_

EXL# **22**  
**V-76-22**



# REFERENCE ONLY SITE PLAN V-76-22



ROADWAY TAKING  
(NOT INCLUDING)  
L.2684, F.486

THE LEVEL OF ACCURACY OF  
DISTANCES TO APPARENT  
PROPERTY LINES IS: **3'±**

LOCATION DRAWING OF:  
**#6117 42ND AVENUE**  
**PART OF LOTS 2 & 3 BLOCK 2**  
PLAT BOOK A, PLAT 24  
**HYATTSVILLE**  
LIBER 19532, FOLIO 263  
PRINCE GEORGE'S COUNTY, MARYLAND  
SCALE: 1"=20' DATE: 04-30-2022  
DRAWN BY: CP/AP FILE #: 224527-200

- LEGEND:**
- X- FENCE
  - B/E - BASEMENT ENTRANCE
  - B/W - BAY WINDOW
  - BR - BRICK
  - BRL - BLDG. RESTRICTION LINE
  - BSMT - BASEMENT
  - C/S - CONCRETE STOOP
  - CONC - CONCRETE
  - D/W - DRIVEWAY
  - Ex. - EXISTING
  - FR - FRAME
  - MAC - MACADAM
  - N/F - NOW OR FORMERLY
  - O/H - OVERHANG
  - PUE - PUBLIC UTILITY ESMT.
  - PIE - PUBLIC IMPROVEMENT ESMT.
- COLOR KEY:**
- (RED) - RECORD INFORMATION
  - (BLUE) - IMPROVEMENTS
  - (GREEN) - ESMTS & RESTRICTION LINES

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and  
Associates, Inc.**

Serving D.C. and MD.

14604 Elm Street, Upper Marlboro, MD 20772

Phone: 301-888-1111 Fax: 301-888-1114  
Email: orders@duley.biz On the web: www.duley.biz



**SURVEYOR'S CERTIFICATE**

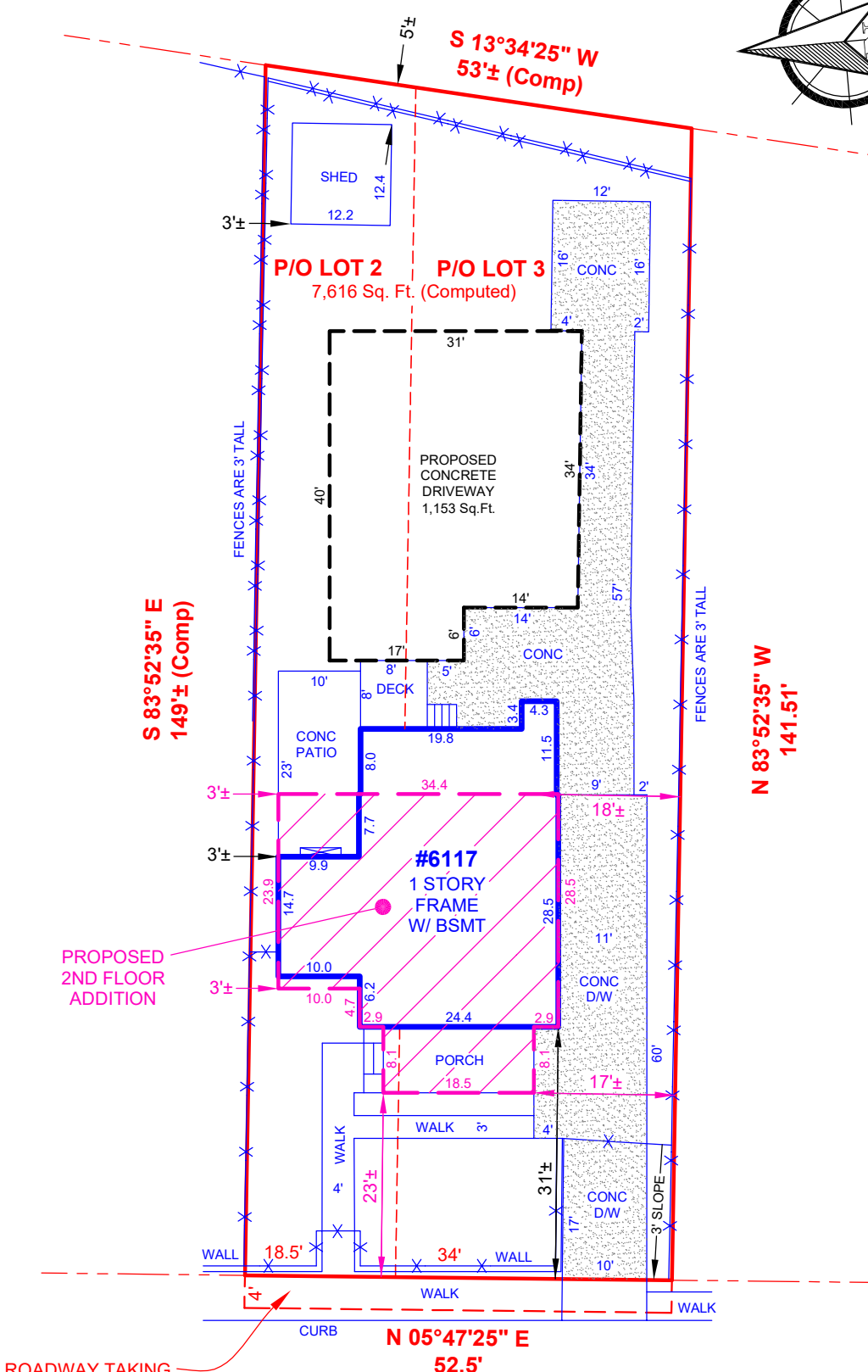
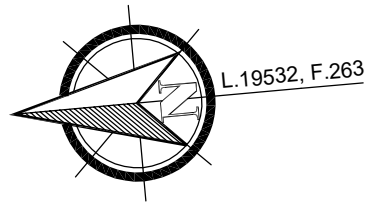
I HEREBY STATE THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS DRAWING AND THE SURVEY WORK REFLECTED HEREIN AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 12 CHAPTER 09.13.06 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. THIS SURVEY IS NOT TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF FENCES, BUILDING, OR OTHER IMPROVEMENTS, THIS PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING. THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY INsofar AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENTS IN CONNECTION WITH THE CONTEMPLATED TRANSFER, FINANCING OR REFINANCING. THE LEVEL OF ACCURACY FOR THIS DRAWING IS 3'±. NO TITLE REPORT WAS FURNISHED TO NOR DONE BY THIS COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENTS OF RECORD. BUILDING RESTRICTION LINES AND EASEMENTS MAY NOT BE SHOWN ON THIS SURVEY. IMPROVEMENTS WHICH IN THE SURVEYOR'S OPINION APPEAR TO BE IN A STATE OF DISREPAIR OR MAY BE CONSIDERED "TEMPORARY" MAY NOT BE SHOWN. IF IT APPEARS ENCROACHMENTS MAY EXIST, A BOUNDARY SURVEY IS RECOMMENDED.

**23**  
EXH. # **V-76-22**

**DULEY & ASSOC.**

WILL GIVE YOU A 100%  
FULL CREDIT TOWARDS  
UPGRADING THIS  
SURVEY TO A  
"BOUNDARY/STAKE"  
SURVEY FOR ONE  
YEAR FROM THE DATE  
OF THIS SURVEY.

(EXCLUDING D.C. & BALT. CITY)



**EXISTING LOT COVERAGE CALCULATION**

ITEM	AREA (SQ.FT.)
HOUSE & PORCH	1,228
CONC. D/W	1,490
SHED	151

TOTAL = 2,869 SQ.FT.

LOT AREA = 7,616 SQ.FT.

EXISTING % COVERAGE

$2,869/7,616 = 37.7\%$

**PROPOSED LOT COVERAGE**

1,153 SQ. FT. (4,022 Total)

$4,022/7,616 = 53\%$

WE ARE REQUESTING AN ADDITIONAL 18%.

ROADWAY TAKING (NOT INCLUDING)  
L.2684, F.486

**42ND AVENUE**

THE LEVEL OF ACCURACY OF DISTANCES TO APPARENT PROPERTY LINES IS: **3'±**

LOCATION DRAWING OF:

**#6117 42ND AVENUE**  
**PART OF LOTS 2 & 3 BLOCK 2**  
PLAT BOOK A, PLAT 24  
**HYATTSVILLE**  
LIBER 19532, FOLIO 263

PRINCE GEORGE'S COUNTY, MARYLAND

SCALE: 1"=20' DATE: 04-30-2022

DRAWN BY: CP/AP FILE #: 224527-200

**LEGEND:**

- X- FENCE
  - B/E - BASEMENT ENTRANCE
  - B/W - BAY WINDOW
  - BR - BRICK
  - BRL - BLDG. RESTRICTION LINE
  - BSMT - BASEMENT
  - C/S - CONCRETE STOOP
  - CONC - CONCRETE
  - D/W - DRIVEWAY
  - Ex - EXISTING
  - FR - FRAME
  - MAC - MACADAM
  - N/F - NOW OR FORMERLY
  - O/H - OVERHANG
  - PUE - PUBLIC UTILITY ESMT.
  - PIE - PUBLIC IMPROVEMENT ESMT.
- COLOR KEY:**  
(RED) - RECORD INFORMATION  
(BLUE) - IMPROVEMENTS  
(GREEN) - ESMTS & RESTRICTION LINES

A Land Surveying Company

EXL # **24**  
**V-76-22**



**DULEY**  
and  
**Associates, Inc.**



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On the web: www.duley.biz

**SURVEYOR'S CERTIFICATE**

I HEREBY STATE THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS DRAWING AND THE SURVEY WORK REFLECTED HEREIN AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 12 CHAPTER 09.13.06 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. THIS SURVEY IS NOT TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF FENCES, BUILDING, OR OTHER IMPROVEMENTS, THIS PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING. THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY INsofar AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENTS IN CONNECTION WITH THE CONTEMPLATED TRANSFER, FINANCING OR REFINANCING. THE LEVEL OF ACCURACY FOR THIS DRAWING IS 3'±. NO TITLE REPORT WAS FURNISHED TO NOR DONE BY THIS COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENTS OF RECORD. BUILDING RESTRICTION LINES AND EASEMENTS MAY NOT BE SHOWN ON THIS SURVEY. IMPROVEMENTS WHICH IN THE SURVEYOR'S OPINION APPEAR TO BE IN A STATE OF DISREPAIR OR MAY BE CONSIDERED "TEMPORARY" MAY NOT BE SHOWN. IF IT APPEARS ENCROACHMENTS MAY EXIST, A BOUNDARY SURVEY IS RECOMMENDED.



**DULEY & ASSOC.**

**WILL GIVE YOU A 100% FULL CREDIT TOWARDS UPGRADING THIS SURVEY TO A "BOUNDARY/STAKE" SURVEY FOR ONE YEAR FROM THE DATE OF THIS SURVEY.**

(EXCLUDING D.C. & BALT. CITY)



# LOT COVERAGE WORKSHEET

**V-76-22**

NET LOT SIZE **7,613** SQUARE FEET

**35%** LOT COVERAGE ALLOWED **2,665** SQUARE FEET

<u>STRUCTURE/PARKING</u>	<u>MEASUREMENTS</u>	<u>SQUARE FOOTAGE</u>
--------------------------	---------------------	-----------------------

HOUSE + ADDITION	(15.7x19.8)= 310	+310
	(4.3x3.4)= 14.62	+ 14.62
	(34.4 x 14.7)=505.68	+505.68
	(6.2 x 24.4)=151.28	+151.28
	124 _____	+124
		<u>=1,106.44</u>

GARAGE/CARPORT	_____	_____
	_____	_____

DRIVEWAY	(31x10)= 310 (28x11)=313	+623
	(34X6.43)= 218.62 (9x23)=207	+425.62
	12 x 16= 192.0	+192.0
	249.63	+249.63
		<u>=1,490.23</u>

P	_____	_____
	_____	_____

PORCH/SUNROOM	(8.1x18.5) = 149.85	+149.85
	_____	_____

SHED(S)	(12.2x12.4) = 151.28	151.28
---------	----------------------	--------

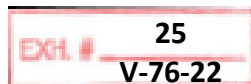
ADDITION(S) PROPOSED DRIVEWAY	1,153	1,153
	_____	_____
	_____	_____

OTHER:

TOTAL LOT COVERAGE **4,050.8**

TOTAL % NET LOT COVERAGE **53%**

TOTAL % OVER NET LOT COVERAGE **18% (1,386.18)**



## COVERAGE WORKSHEET



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

BOARD OF ZONING APPEALS

BOARD OF ADMINISTRATIVE APPEALS

WAYNE K. CURRY COUNTY ADMINISTRATION BUILDING, LARGO, MARYLAND 20774  
TELEPHONE (301) 952-3220

## NOTICE OF VIRTUAL HEARING Readvertised

Date: March 7, 2023

Petitioner: Felix Rivas

Appeal No.: V-76-22

Hearing Date: WEDNESDAY, MARCH 22, 2023, AT 6:00 P.M. **EVENING**

Place: Virtual Hearing

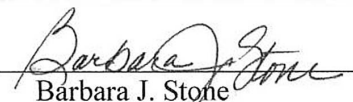
Appeal has been made to this Board for permission to validate an existing condition (lot coverage) and obtain a building permit for the construction of a 2<sup>nd</sup> floor addition over the existing house with the inclusion of driveway extension on Residential, Single-Family-65 (RSF-65) Zone, property known as Part of Lots 2 & 3, Block 2, Nichols Addition to Hyattsville Subdivision, being 6117 42<sup>nd</sup> Avenue, Hyattsville, Prince George's County, Maryland, contrary to the requirements of the Zoning Ordinance.

The specific violation resides in the fact that Zoning Ordinance Section 27-4202 prescribes that not more than 35% of the net lot area shall be covered by buildings and off-street parking. Section 27-4202(d)(2) prescribes that each lot shall have a front yard at least 25 feet in depth. Section 27-4202(d)(3) prescribes that each lot shall have a side yard at least 8 feet in width. Variances of 18% of the net lot area, 2 feet front yard depth and 5 feet left side yard width are requested.

Virtual hearing on this Appeal is set for the time and place stated above. **Petitioner, or counsel representing Petitioner, should be present at the hearing. A Petitioner which is a corporation, limited liability company, or other business entity MUST be represented by counsel, licensed to practice in the State of Maryland, at any hearing before the Board. Any non-attorney representative present at the hearing on behalf of the Petitioner (or any other person or entity) shall not be permitted to advocate.**

Adjoining property owners, who are owners of premises either contiguous to or opposite the property involved, are notified of this hearing in order that they may express their views if they so desire. However, their presence is not required unless they have testimony to offer the Board. In order to give verbal testimony during the virtual hearing, you must register with the Board of Appeals at least 5 days prior to the virtual hearing. Please call 301-952-3220 to register. No additional speakers will be allowed to give testimony unless registered with the Board. Please also visit the Board of Appeals website for Virtual Hearing Instructions and procedures at <http://pgccouncil.us/BOA>

BOARD OF ZONING APPEALS

By:   
Barbara J. Stone  
Administrator

cc: Petitioner  
Adjoining Property Owners  
Park and Planning Commission  
City of Hyattsville

EXH. # 26  
V-76-22



V-76-22  
FELIX RIVAS  
6117 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

V-76-22  
BOARD OF EDUCATION  
6001 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

V-76-22  
6030 42<sup>ND</sup> AVENUE LLC  
PO BOX 9724  
SILVER SPRING MD 20916

V-76-22  
HYATTSVILLE QUEENSBURY LLC  
3400 DEAN DRIVE  
HYATTSVILLE MD 20871

V-76-22  
NENITTO A BURTON  
6110 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

V-76-22  
CAROLA AND WINSTON ROSE  
6112 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

V-76-22  
STEP PROPERTY MANAGEMENT GROUP  
4908 ENTERPRISE ROAD  
BOWIE MD 20720

V-76-22  
MARTHA URQUILLA  
JOSE ROMERO  
6116 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

V-76-22  
TARA SUSMAN-PENA  
6106 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

V-76-22  
MICHAEL GEMENY  
6104 42<sup>ND</sup> PLACE  
HYATTSVILLE MD 20871

V-76-22  
GARY BAKER  
4221 OGLETHORPE STREET  
HYATTSVILLE MD 20871

V-76-22  
HARTMUT DOEBEL  
6112 42<sup>ND</sup> PLACE  
HYATTSVILLE MD 20871

V-76-22  
JAMES DARIUS BALL ETAL  
4112 OLIVER STREET  
HYATTSVILLE MD 20871

V-76-22  
JOHN PETERS ETAL  
4116 OLIVER STREET  
HYATTSVILLE MD 20871

V-76-22  
CITY OF HYATTSVILLE  
4310 GALLATIN STREET  
HYATTSVILLE MD 20781

EXH. # 27  
V-76-22

3/7/2023

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 FELIX RIVAS  
 6117 42<sup>ND</sup> AVENUE  
 HYATTSVILLE MD 20871

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V-76-22  
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 6001 42<sup>ND</sup> AVENUE  
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V-76-22  
 6030 42<sup>ND</sup> AVENUE LLC  
 PO BOX 9724  
 SILVER SPRING MD 20916



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V-76-22  
HYATTSVILLE QUEENSBURY LLC  
3400 DEAN DRIVE  
HYATTSVILLE MD 20871

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NENITTO A BURTON  
6110 42<sup>ND</sup> AVENUE  
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CAROLA AND WINSTON ROSE  
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V-76-22  
HARTMUT DOEBEL  
6112 42<sup>ND</sup> PLACE  
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JOHN PETERS ETAL  
4116 OLIVER STREET  
HYATTSVILLE MD 20871

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V-76-22  
GARY BAKER  
4221 OGLETHORPE STREET  
HYATTSVILLE MD 20871

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V-76-22  
STEP PROPERTY MANAGEMENT GROUP  
4908 ENTERPRISE ROAD  
BOWIE MD 20720

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V-76-22  
MICHAEL GEMENY  
6104 42<sup>ND</sup> PLACE  
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V-76-22  
MARTHA URQUILLA  
JOSE ROMERO  
6116 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

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6106 42<sup>ND</sup> AVENUE  
HYATTSVILLE MD 20871

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**BOARD OF APPEALS – POSTING**

Petitioner: Felix Rivas

Appeal No.: V-76-22

THE SIGN(S) MUST BE POSTED ON THE PROPERTY FOR A PERIOD OF AT LEAST 15 DAYS PRIOR TO THE PUBLIC HEARING BEFORE THE BOARD OF APPEALS. PERSON WHO POSTS SIGN(S) MUST COMPLETE CERTIFICATION OF POSTING. CERTIFICATION OF POSTING FORM MUST BE FILED, TOGETHER WITH PHOTOGRAPH(S) OF SIGN(S), WITH THE BOARD OF APPEALS **NO LATER THAN FIVE (5) BUSINESS DAYS AFTER THE FIRST DAY OF THE REQUIRED 15-DAY POSTING PERIOD, NOTED BELOW.**

POSTING PERIOD: 3/7/23 thru 3/22/23

RETURN CERTIFICATION OF POSTING, WITH PHOTOGRAPH(S),  
BY NO LATER THAN: 3/13/23

**CERTIFICATION OF POSTING**

PETITIONER'S REQUEST IN THIS APPEAL WAS POSTED ON THE SUBJECT PROPERTY IN ACCORDANCE WITH SECTION 27-125.03(a) OF THE PRINCE GEORGE'S COUNTY ZONING ORDINANCE ON (Date) MARCH 7, 2023, BY (Name) Kenneth Parsons, (Address) 2614 GARSTLYNN CT. NEW WINDSOR, MD 21776. PHOTOGRAPH(S) OF THE SIGN(S) AS POSTED IS/ARE ATTACHED.

  
\_\_\_\_\_  
Signature of Person Who Posted Sign(s)

Kenneth K. Parsons Jr  
\_\_\_\_\_  
Printed Name

\*\*\*PLEASE ATTACH PHOTOGRAPH(S) OF SIGN(S)\*\*\*

Affidavit & photos can be e-mailed or mailed to:

Board of Appeals  
[Boardofappeals@co.pg.md.us](mailto:Boardofappeals@co.pg.md.us)  
Wayne K. Curry County Administration Building, 3<sup>rd</sup> Floor  
1301 McCormick Drive  
Largo, MD 20774  
(301) 952-3220





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HEARING  
FOR INFORMATION  
301-952-2020  
V-76  
3-22-23 6 p.m.

610



NO  
OPEN  
FLAMES

**HEARING HEARING**  
FOR INFORMATION  
301-952-3220 301-952-3220  
6:00 p.m. 6:00 p.m.





STOP

**HEARING HEARING**  
FOR INFORMATION  
301-952-3220 301-952-3220  
6:00 p.m. 6:00 p.m.







**BOARD HEARING**

**BOARD HEARING HEARING**  
FOR INFORMATION FOR INFORMATION  
301-952-3220 301-952-3220  
DATE: 3-22-23 TIME: 3:00 p.m. DATE: 3-22-23 TIME: 6:00 p.m.  
WAYNE COUNTY ADMINISTRATION BUILDING

