



CITY OF COLLEGE PARK ADVISORY PLANNING COMMISSION
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ADVISORY PLANNING COMMISSION
MINUTES OF MEETING
February 5, 2009 – 7:30 P.M.

PRESENT: Advisory Planning Commission – Robert Day, Lawrence Bleau, James McFadden and Chuck Smolka; Planning Staff – Terry Schum, Elisa Vitale and Tershia Williams; Attorney - Deanna Adams

- I. **Call to Order:** Robert Day called the meeting to order at 7:35 p.m.
- II. **Approval of Minutes:** Chuck Smolka moved to accept the minutes of December 4, 2008. Lawrence Bleau seconded. The motion carried 4-0-0.
- III. **Amendments to Agenda:** There were no Amendments to the Agenda.
- IV. **Public Remarks on Non-Agenda Items:** There were no Public Remarks on Non-Agenda Items.
- V. **Public Hearing – Zoning Application**

CPV-2009-01:	Variance to replace and expand an existing front porch
<u>Applicant:</u>	Christina Ross
<u>Location:</u>	9124 Rhode Island Avenue

Robert Day explained the hearing procedures and placed witnesses under oath. Elisa Vitale summarized the staff report. The applicant is requesting a variance of four feet (4') from the required front yard setback of twenty-five feet (25') to construct a five-foot and six-inch deep by seven-foot and six-inch wide front porch. The subject property has an area of 6,300 square feet. The front and rear property lines measure sixty feet (60') and the side property lines measure one-hundred and five feet (105'). The property is regular in shape and is improved with a one-story structure, a driveway and a shed. The surrounding neighborhood is single-family residential. The subject house dates back to 1952 and the subdivision dates to 1951. The applicant indicated that she will remove the existing twelve-foot (12') by twenty-four foot (24') driveway located at the southern edge of the house as well as the shed in the rear yard to avoid a lot coverage issue. The applicant is reconstructing and enlarging an existing entry porch that encroached on the required front yard setback. The applicant received a Notice of Violation/Correction Order on November 21, 2008, for failure to obtain City building permits. The North College Park Citizens Association variance committee reviewed the requested variance and has no opposition to the variance request. Staff recommends approval of the requested variance with the condition that the applicant remove the existing twelve-foot (12') by twenty-four foot (24') driveway located at the southern edge of the house, as well as the shed.

Elisa Vitale submitted the staff report and Exhibits 1-7 into the record. Commissioners accepted unanimously.

Lawrence Bleau asked what is the size of the existing porch?

Elisa Vitale stated that the original size was 3'2" x 5'2".

The applicant, Christina Ross, testified that the existing porch is in poor condition. She stated that her 90-year-old mother lives with her and she uses the porch while entering and leaving the house. She testified that the covered entry provides shelter from the elements.

Chuck Smolka asked if the proposed porch will be handicapped accessible?

Robert Proctor, contractor for the applicant, testified that the new porch would have a roof, steps and railings. He stated that the existing porch is a safety hazard because it is not deep enough for someone to stand on. He stated that a permit was obtained from Prince George's County, but the front porch was not included.

Lawrence Bleau asked if the existing porch is enclosed?

Elisa Vitale stated no, just covered.

Commissioners reviewed the criteria that needs to be met before the variance can be granted and determined that:

- 1) The property has an extraordinary situation. The property features an existing porch that encroaches into the required front yard setback.
- 2) The strict application of the County Zoning Ordinance would result in practical difficulties to the applicant because the applicant's existing porch presents a safety issue due to its shallow depth. The applicant is proposing to reconstruct and enlarge the porch to address the deterioration and safety issues.
- 3) Granting the variance will not impair the intent purpose or integrity of any applicable County General Plan or County Master Plan because it will not change the character of the neighborhood or cause adverse impacts. Covered front porches are characteristic of the neighborhood. A variance to the maximum 30% lot coverage is not necessary due to the applicant's removal of the 12-foot by 24-foot driveway. With the removal of the 12-foot by 24-foot driveway, the removal of the shed is not necessary to satisfy the maximum 30% lot coverage.

Lawrence Bleau moved to approve variance CPV-2009-01 because the request meets the three criteria for granting the variance for the reasons stated above, contingent on the applicant permanently removing the existing 12-foot by 24-foot driveway located at the southern edge of the house. Robert Day seconded. Motion carried 4-0-0.

VI. Housing Code Application – Progress Report

APC-CEO-0013-2004:

Applicant: Robert Schnabel

Location: 7400 Dartmouth Avenue

Robert Ryan, Director of Public Services, submitted an updated checklist and photos on the progress of the violations as of February 5, 2009.

Lawrence Bleau asked if there were any additional violations?

Robert Ryan stated, no.

The applicant, Robert Schnabel, and Stephanie Stulich reported on the progress on the property, updating commissioners on the work completed and what still needs to be completed. They submitted a checklist of the violations that have been addressed and what still needs to be repaired for the record.

The applicants will return in July 2009 to present an updated report.

VII. Update on Development Activity:

Varsity Student Housing - The Detailed Site Plan was approved by the Planning Board on January 22, 2009.

East Campus – A revised OSP application has been submitted, but no public hearing date has been set. Changes include reduced parking, reduced housing and a updated parking study. There is a meeting on February 6, 2009 with M-NCPPC staff to discuss traffic impact issues.

Rt. 1 Corridor Sector Plan – The design charrette workshop was held in December 2008. Drawings and the PowerPoint presentations made during the charrette are posted on the M-NCPPC website. A post-charrette workshop is scheduled for February 19, 2009 at 6:30 p.m. at the Lakeland Community Center. A listening session is scheduled with the North College Park Citizen's Association as part of their regular meeting on February 12, 2009. A draft plan will be available for formal comment in mid-June.

VIII. Election of Chair and Vice Chair

Commissioners nominated and voted on the following members for Chair and Vice Chair for the coming year:

Lawrence Bleau moved to re-elect Robert Day as Chair. Chuck Smolka seconded. The motion carried unanimously.

Robert Day moved to re-elect Lawrence Bleau as Vice Chair. James McFadden seconded. The motion carried unanimously.

- IX. Other Business:** There was no Other Business.
- X. Adjourn:** There being no further business, the meeting was adjourned at 9:15 p.m.

Minutes prepared by Tershia Williams