City of College Park
Department of Planning, Community & Economic Development
Staff Report

Reviewer: **Miriam Bader** **Date:** **May 27, 2016**

A. APPEAL INFORMATION

Appeal No.:	CPV-2016-04
Hearing Date:	June 2, 2016
Petitioners:	Erika Rubio Sosa
Address:	5008 Huron Street
Election District:	1
Subdivision:	Daniel's Park
Neighborhood Association:	North College Park Citizens Association
Zoning:	R-55
Purpose of Request:	To construct a driveway and curb-cut.
Requirement:	Section 27-120.01 (c) of the Prince George's County Zoning Ordinance states, "No parking space, parking area, or parking structure other than a driveway no wider than its associated garage, carport, or other parking structure may be built in the front yard of a dwelling, except a townhouse or multifamily dwelling, in the area between the front street line and the sides of the dwelling."
Request:	A variance not to exceed 24 feet in width and 24 feet in length or 576 square feet of parking area in the front of the dwelling.
Property Characteristics:	1. The subject house was constructed in 1966. 2. The property, 50-feet in width by 100-feet in length, is rectangular in shape. 3. The property has an area of 5000 square feet.

4. The house footprint is 35.9 feet wide by 26.0 feet deep or 933.4 square feet.

Neighborhood Characteristics:

1. The immediate neighborhood is zoned R-55, single-family residential and has many narrow side yards with single and double-wide driveways in front of the homes.

Other Information:

1. The applicant does not currently have any driveway or curb-cut.

2. The recommended driveway size for a single-wide driveway is 10 feet by 19 feet.

3. The Department of Permitting, Inspections and Enforcement (DPIE) requires a driveway setback of 3.5 feet from the side property line.

4. There is no permit parking on Huron Street and on-street parking is very limited.

CRITERIA FOR GRANTING A VARIANCE

1. **Property has exceptional narrowness, shallowness, or shape, exceptional topographic conditions or other extraordinary situations or conditions.**

   The side yards are exceptionally narrow (7.6-feet wide for the western side yard and 6-feet wide for the eastern side yard), and are not sufficient for providing a functional driveway without encroaching in front of the house. In addition,

2. **The strict application of the County Zoning Ordinance will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon the property owner.**

   Providing any off-street parking without partially encroaching in the front yard is a practical difficulty.

3. **The variance will not substantially impair the intent, purpose or integrity of any applicable County General Plan or County Master Plan.**

   If the driveway width is minimized to provide more open space then granting a variance will not substantially impair the intent, purpose and integrity of the applicable County General Plan or County Master Plan

C. RECOMMENDATION

Staff recommends approval of the following variance to minimize encroachment in front of the residence:

1. A variance not to exceed 10 feet in width and 19 feet in length or 190 square feet of parking area in the front of the dwelling.

D. EXHIBITS

1. Application
2. Proposed Site Plan
3. Letters of Support from neighboring property owners
4. Location Map
5. Zoning and Building Footprint Map
6. Neighboring Driveways
7. Staff Photos

City of College Park Advisory Planning C
4500 Knox Road • College Park, MD
Phone: 240-487-3538 • Facsimile: 301-
www.collegeparkmd.gov

EXHIBIT 1

APPLICATION FOR VARIANCE FROM THE STRICT APPLICATION OF THE PRINCE GEORGE'S COUNTY ZONING ORDINANCE

Instructions: Please complete and e-mail to Miriam Bader at mbader@collegeparkmd.gov. or print out and mail to the address above. All required information must be provided before an application is accepted for processing. An appointment with the City Planning Staff must be made to review the application prior to acceptance. Please call (240) 487-3538 to schedule an appointment. The following items must accompany the application: 1) an accurate plat or site plan drawn to scale that, includes all existing structures, driveway and additions; 2) filing fee or financial hardship waiver request.

OWNER INFORMATION

Name of Property Owner (s) ERIKA RUBIO SOSA

Address of Property 5008 HURON ST.

Do you reside in the property? ☑ Yes ☐ No

If no, provide home address _____

Telephone 240-603-1431 **Fax** _____ **E-mail** erika.sosa1227@gmail.

Name of Agent/Representative (if any) LUIS CHAVEZ

Address 5002 STEWART CT. COLLEGE PARK MD. 20740 **Telephone** 202.449.9598

Have you applied for and been denied a permit? ☐ Yes ☑ No

Have you received a violation notice? ☐ Yes ☑ No **If yes, date of notice** _____

Has property been the subject of a previous appeal or zoning application? ☐ Yes ☑ No

If yes, provide case number(s) and dates _____

DESCRIPTION OF PROPERTY

DANIEL'S PARK	17, 18	22	
Subdivision	**Lot**	**Block**	**Parcel**
R-55		5000	
Zoning		**Total Area (Sq ft)**	

North college Park citizen Association

Civic Association Name

5007, 5009, 5011 all have double-wide driveways in front of their homes. No permit restricted parking. Limited on street parking. Very small side yards due to house placement.

VARIANCE REQUEST

List each required variance on a separate line and cite the section of the Zoning Ordinance from which the variance is requested.

1) Sec. 27-120.01

2)

3)

4)

5)

PURPOSE OF VARIANCE

Describe what you propose to do and why you need a variance.

CONSTRUCT A 24' X 24' DRIVEWAY IN FRONT OF THE HOUSE

IN ORDER FOR A VARIANCE TO BE GRANTED, ALL OF THE FOLLOWING CRITERIA MUST BE MET. PLEASE INDICATE HOW YOU COMPLY WITH EACH OF THESE.

Criteria #1. Property has exceptional narrowness, shallowness, or shape, exceptional topographic conditions or other extraordinary situations or conditions. (*Describe any special conditions and/or circumstances which are peculiar or unique to the property and, that are not characteristic of other property in the neighborhood).*

DUE TO A LOCATION OF THE HOUSE HAS A NARROW SIDE YARDS 6'+ and 7'+ (dimensions)

Criteria #2. The strict application of the County Zoning Ordinance will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon the property owner. *(The property owner is deprived of property rights commonly enjoyed by neighboring property owners because of the property's unusual features or conditions). Hardship cannot be self-imposed.*

- there's hardship parking the car close to the house and with small children
- Small lots very limited parking space
- DURING SNOW STORM there sideview MIRROR WAS broken off

Criteria # 3. The variance will not substantially impair the intent, purpose or integrity of any applicable County General Plan or County Master Plan. *(Granting of the variance will not be in conflict with the public interest as requested in these plans).*

this will not impair the master plan of the community.

Fits with the character of neighborhood and houses accross street already done

NAMES & MAILING ADDRESSES OF *ALL* ADJOINING PROPERTY OWNERS

(These include properties located on either side, behind and across the street from your property).

Call county and ask for a list of adjoining property owners

Property Address	Owner's Name	Owner's Address
5011 Huron Street	Philip / Yvette Robins	301-952-3208
5004 Huron St	James / DONNA Dearstine	5004 Huron St. College Pk. Md. 20740
5006 HURON ST.	LAWRENCE / MARIE SOMIN	5006 HURON ST. COLLEGE PK. 20740
5010 Huron St	Louis Falasco	5010 Huron St College Pk MD 20740
5009 Iroquois St.	Claire Gilbert	5009 Iroquois St.

Signature of Owner(s) **Date**

- 5009 Huron St. ~~James~~ Michael & Thelma James — 5009 Huron St. College Park 20740
- 5007 Iroquois St William & Ida Newhouse — 5007 Iroquois St, College Park 20740

5008 Huron St
College Park, MD 20740

STATE OF MARYLAND
HUMPHREY A. ONGONDO
21657
PROFESSIONAL LAND SURVEYOR
3/28/16

LOCATION DR

EXHIBIT 2

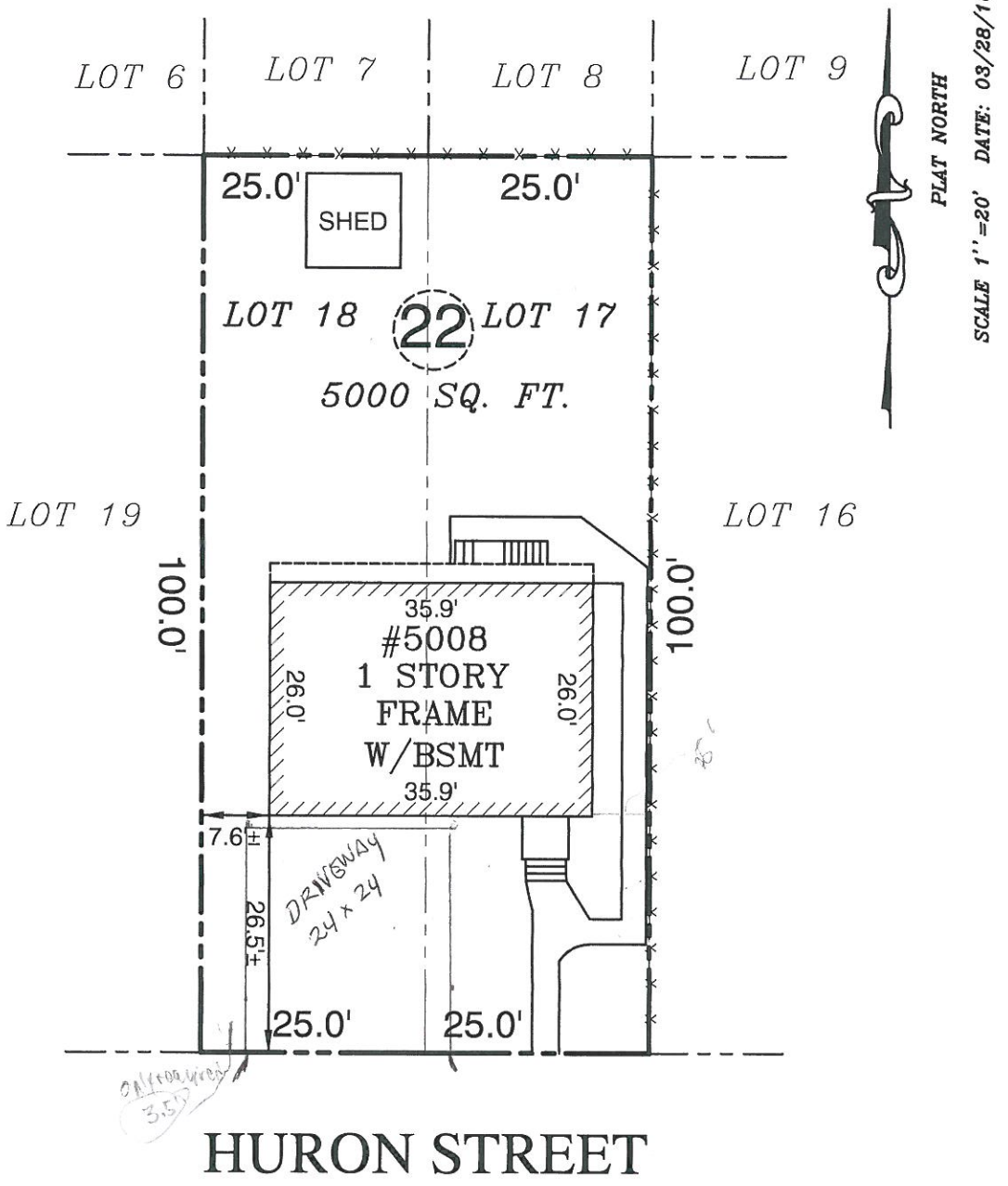
PROPERTY INFORM

5008 HURON STREET COLLEGE PAR

LOTS 18 AND 18 ADDITION TO DANIEL'S PARK BLOCK 22 PLAT E-2747
L.34323 F.411 PRINCE GEORGES COUNTY

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY SHOWN HEREON FOR THE PURPOSE OF LOCATING THE IMPROVEMENTS ONLY, AND THE IMPROVEMENTS ARE LOCATED AS SHOWN. EXACT PROPERTY CORNERS HAVE NOT BEEN ESTABLISHED OR SET, WE ASSUME NO RESPONSIBILITY OR LIABILITY FOR ANY RIGHT-OF-WAYS OR EASEMENTS RECORDED OR UNRECORDED. NO TITLE REPORT FURNISHED.



HURON STREET

NOTE:
THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY INSOFAR AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENT IN CONNECTION WITH CONTEMPLATED TRANSFER, FINANCING OR RE-FINANCING; IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OR LOCATION OF FENCES, GARAGES, BUILDINGS, OR OTHER EXISTING OR FUTURE IMPROVEMENTS; AND DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OR PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING. FENCES IF SHOWN ARE APPROXIMATE ONLY AND DO NOT CERTIFY TO OWNERSHIP.

SITE DEVELOPMENT CONSULTANTS LLC

SURVEYORS, ENGINEERS, CONTRACTORS
4421 FORBES BOULEVARD SUITE L
LANHAM MARYLAND 20706
TEL: 301-459-5380
FAX: 301-459-5381
www.sitedevelopmentconsultants.com

EXHIBIT 3

Miriam Bader

From: jim dearstine [dgmjim33@verizon.net]
Sent: Tuesday, April 12, 2016 7:57 PM
To: Miriam Bader
Subject: 5008 huron street driveway

Categories: Reference

James & Donna Dearstine
5004 Huron Street
College Park Md 20740
hm 301-345-2507
cel 240-645-9429

Jim & Donna Dearstine support our neighbors in their request for installing a driveway. The parking on our street is horrendous due to the amount of rooms being rented in in homes on our block. I myself struggle to enter my own driveway at times let alone try to move my trailer. Parking enforcement is well aware of the situation in the 5000 block of Huron street.

Miriam Bader

From: Lawrence Somin [somin13@gmail.com]
Sent: Thursday, April 14, 2016 8:39 PM
To: Miriam Bader
Subject: variance for driveway a 5008 Huron Street.

Follow Up Flag: Flag for follow up
Flag Status: Flagged

I, Lawrence Somin, being the owner and occupant of 5006 Huron Street, College Park, MD hereby indicate that I am not opposed, in any manner, to a proposed driveway for 5008 Huron Street, Several other homes in the area have driveways, and I feel that they help reduce parking problems for me and my neighbors.

Lawrence E. Somin
301-452-7013
somin13@gmail.com

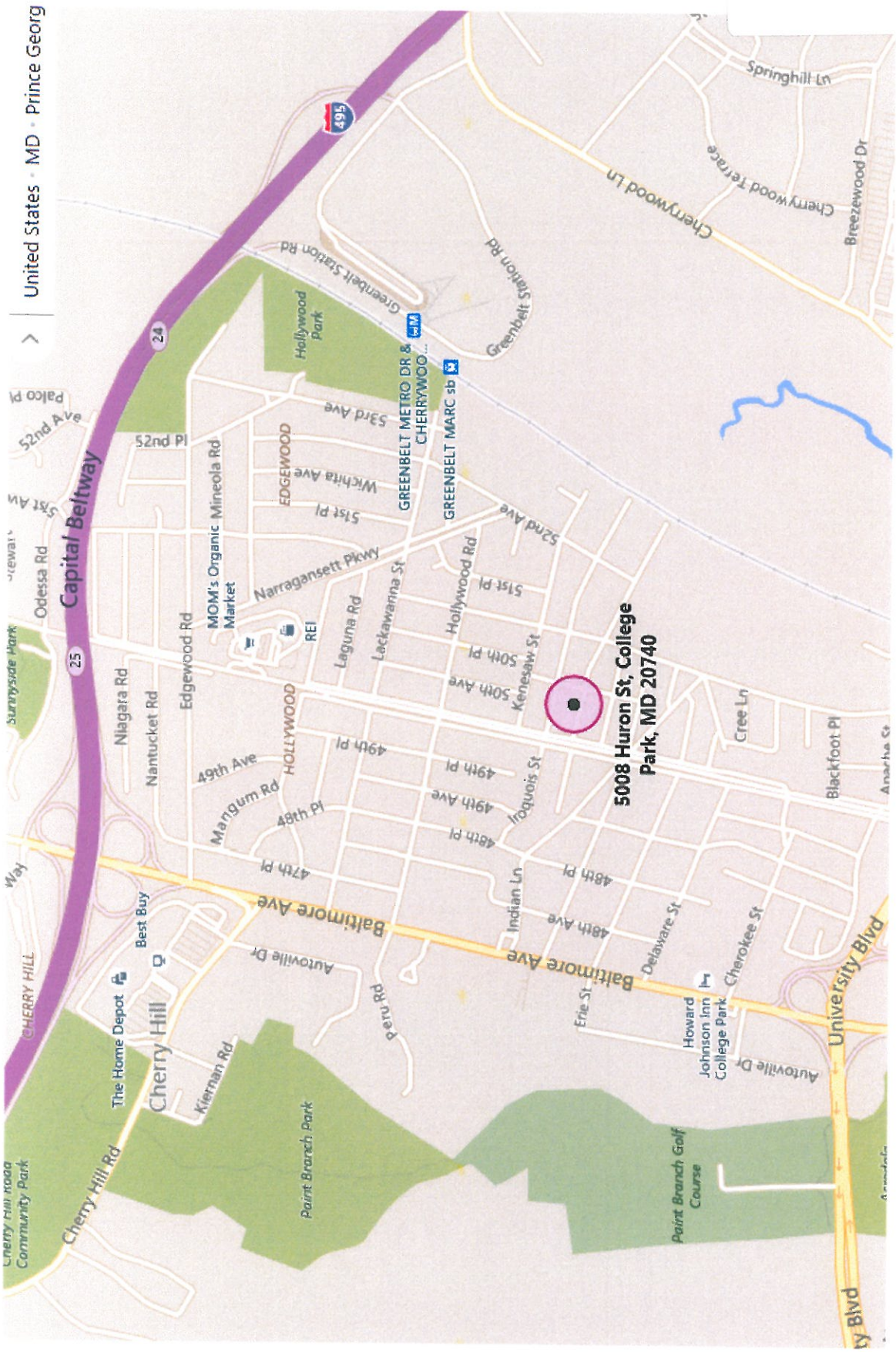

United States · MD · Prince Georg
5008 Huron St, College Park, MD 20740
Capital Beltway
Baltimore Ave
University Blvd
Cherry Hill
Cherry Hill Rd
Paint Branch Park
Paint Branch Golf Course
Howard Johnson Inn College Park
The Home Depot
Best Buy
MOM's Organic Market
REI
GREENBELT METRO DR & CHERRYWOO...
GREENBELT MARC sb
Hollywood Park
Springhill Ln
Cherrywood Ln
Cherrywood Terrace
Breezewood Dr
Greenbelt Station Rd
Greenbelt Station Rd
52nd Ave
52nd Pl
53rd Ave
51st Pl
Wichita Ave
EDGEWOOD
Mineola Rd
Narragansett Pkwy
Odessa Rd
Niagara Rd
Nantucket Rd
Edgewood Rd
Laguna Rd
Lackawanna St
Hollywood Rd
Kenesaw St
50th Ave
50th Pl
49th Ave
49th Pl
HOLLYWOOD
Mangum Rd
48th Pl
47th Pl
Iroquois St
Indian Ln
Delaware St
Erie St
Cherokee St
Cree Ln
Blackfoot Pl
Autoville Dr
Kiernan Rd
Peru Rd
Sunnyside Park
Cherry Hill Road Community Park

EXHIBIT 5

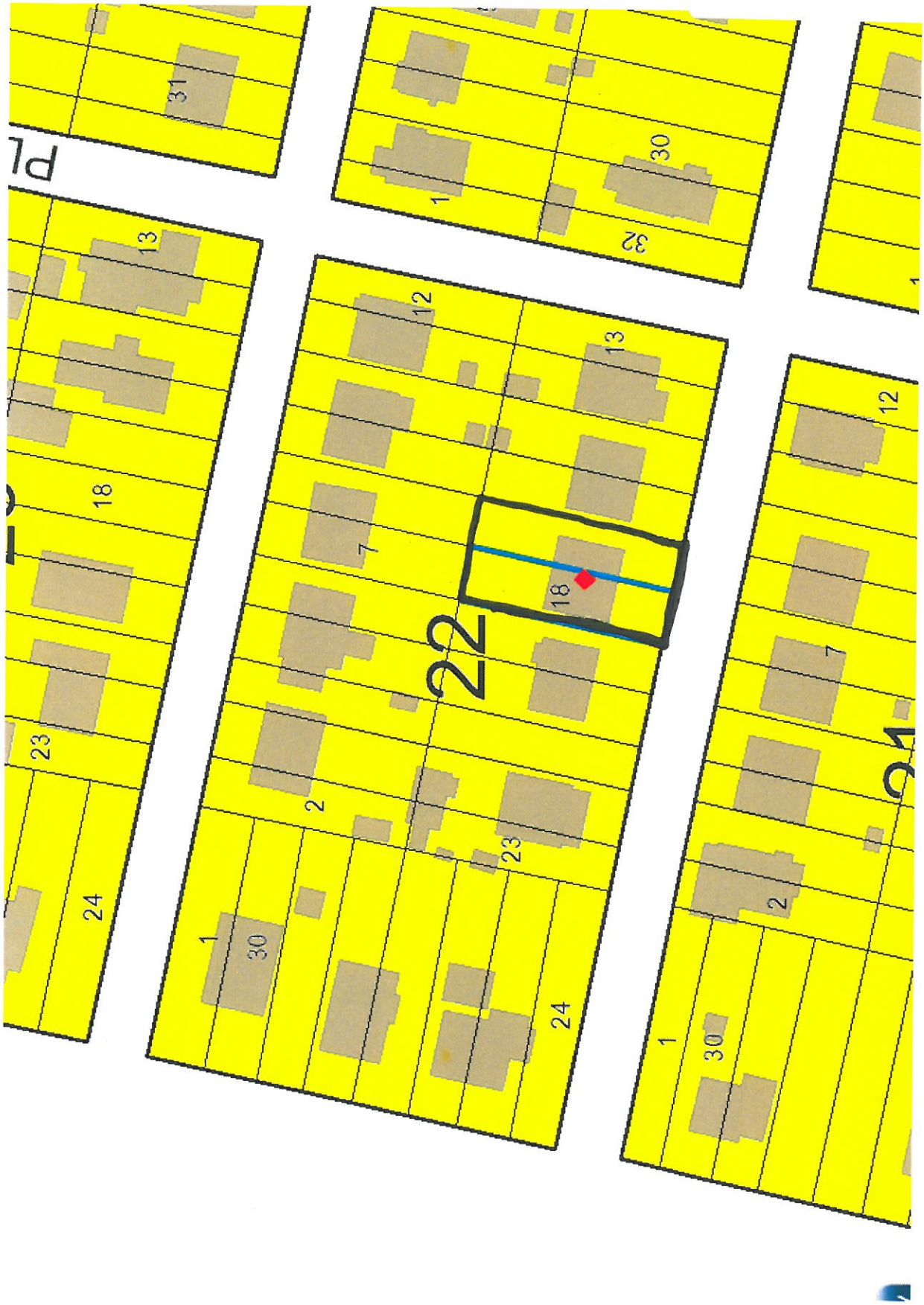


EXHIBIT 6

Exhibit 7

A: Subject Property, 5008 Huron Street

B: Limited on-street parking

C: Double-wide and single-wide driveways across the street

D. Another picture of driveways across the street