



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

Reviewer: Miriam Bader

Date: July 1, 2016

A. APPEAL INFORMATION

Appeal No.: CPV-2016-07

Hearing Date: July 7, 2016

Petitioners: Limin Zhao and Wenxin Ma

Address: 5027 Mineola Road

Election District: 1

Subdivision: Hollywood

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 5 feet in width and 19 feet in length or 95 square feet of parking area in the front of the dwelling.

Property Characteristics:

1. The subject house was constructed in 1950.
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.

Neighborhood
Characteristics:

4. The house footprint is 34.6 feet wide by 24.0 feet deep or 830.4 square feet.
 5. There is a chain-link fence along the side and rear property lines.
 6. There is a 10-foot by 8-foot shed in the rear yard.
1. The neighborhood is zoned R-55, single-family residential.
 2. Steep topography on the north side of Mineola (Exhibit 6) limits the number of driveways and increases demand for on-street parking.
 3. There is no permit parking on Mineola Street.
 4. Single-wide driveways partially encroaching in front of the house are a characteristic of this neighborhood (Exhibit 5)

Other Information:

1. The applicant does not currently have any driveway or curb-cut.
2. This property is the only property on the south side of the block without a driveway (Exhibit 5).
3. The recommended driveway size for a single-wide driveway is 10 feet by 19 feet.
4. The Department of Permitting, Inspections and Enforcement (DPIE) requires a driveway setback of 3.5 feet from the side property line.

CRITERIA FOR GRANTING A VARIANCE

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

The narrow side yard combined with the driveway setback requirement makes it impossible to provide a functional driveway without encroaching in front of the house.

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 strict application of the County Zoning Ordinance will result in a peculiar and unusual practical difficulty to the Applicants by preventing them from having any off-street parking, a practice shared by most of the properties on their side of the street (Exhibit 5). On-street parking is very limited in this area. The Applicants wants to park their vehicle on their Property due to crime and safety of their young children.

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

Granting the driveway variance will not substantially impair the intent and purpose of the applicable County General Plan or County Master Plan, because single-wide driveways partially encroaching in front of the house are characteristic in this neighborhood (Exhibit 5) and it is the minimum necessary.

C. RECOMMENDATION

Staff recommends approval of the requested variance (not to exceed 5 feet in width and 19 feet in length or 95 square feet of parking area in the front of the dwelling).

D. EXHIBITS

1. Application including 6 neighbors signatures supporting the request
2. Proposed Site Plan
3. Location Map
4. Zoning and Building Footprint Map
5. Neighboring Driveways
6. Topography at 2-foot Intervals Map
7. Staff Photos



City of College Park Advisory Planning (

4500 Knox Road • College Park, MD

Phone: 240-487-3538 • Facsimile: 301-

www.collegeparkmd.gov

EXHIBIT 1

City of College Park

Planning Department

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) Limin Zhao / Wenxin Ma

Address of Property 5027 Mineola RD. College park.

Do you reside in the property? Yes No

If no, provide home address 7804 Honeybee Ct. Bethesda, MD 20817

Telephone 205-266-1656 Fax _____ E-mail lmzh@hotmail.com

Name of Agent/Representative (if any) _____

Address _____ Telephone _____

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

<u>Hollywood</u>	<u>9</u>	<u>P</u>	
Subdivision	Lot	Block	Parcel
<u>R-55</u>		<u>5000</u>	
Zoning		Total Area (Sq ft)	
<u>North College Park Citizens Association</u>			
Civic Association Name			

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) 27-120.01(c), Parking in the front yard.
- 2) _____
- 3) _____
- 4) _____
- 5) _____

PURPOSE OF VARIANCE

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

Construct a single car driveway in the front yard.
 The permit of building a driveway needs the
 variance.

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).

The property is 5000 Sf (50' (w) x 100' (L)), and the house occupied 34.6' in 50' wide. Each side of the house has only 7-8' wide. The single car parking driveway needs 10' at least wide and 3.5' away from property line. So the side area is not enough to build a single car parking. So the parking driveway has to be build on front yard and this is not characteristic of other property in the neighborhood.

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.

1. Satty : A. The kids ^{get} take on and off car
 B. the car is the safe in the front parking ^(private)
2. The street parking busy.
 Some-times have to parking ^{far} away and it is not easy to bring Food / shopping stuff back
3. My neighborhood has the same parking lot.

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).

On the Mineola Road around our house, most properties have a parking driveway that not be in conflict with the public interest / county general plan.

NAMES & MAILING ADDRESSES OF ALL ADJOINING PROPERTY OWNERS

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

5025 Mineola RD	Elea Valdez Brandon Fitchett	same
Property Address	Owner's Name	Owner's Address
9802 51st Ave	Kexin Zhang	same
Property Address	Owner's Name	Owner's Address
5628 Mineola RD	Irene Anderson Jim Scott	same
Property Address	Owner's Name	Owner's Address
9804 51st Ave	Jose + Virginia Jose Reyes	same
Property Address	Owner's Name	Owner's Address
5034 Mangum	Robert Daniels	
Property Address	Owner's Name	Owner's Address
9800 51st Ave	Harrison Cox	same
5032 Mangum	Nicholas J Tahlambanis	same
<u>U Me</u>	et al	5/29/16
Signature of Owner(s)		Date
5026 Mineola Road	Tamara Sadowski	same

VARIANCE REFERRAL

5/12/2016
Date

23242-2016-00RGW
Permit No.

205-266-1650
Applicant's Phone Number

Jelani Braun
M-NCPPC Permit Reviewer

Limin Zhao
Applicant's Name

Lmzh@hotmail.com
Applicant's E-mail

301-836-2072
M-NCPPC Telephone No.

The site plan submitted with this Permit application does not meet the following requirements of the Prince George's County Zoning Ordinance.

Section	Requirement
29-120.01 (c)	Parking in the front yard

You must either revise the site plan to meet the requirements, or you must obtain a Variance to deviate from these requirements. If the property is located within one of the following municipalities, you must obtain the Variance from the appropriate entity:

City of Bowie
15901 Excalibur Road
Bowie, MD 20715
(301) 809-3047

City of College Park
4500 Knox Road
College Park, MD 20740
(240) 487-3538

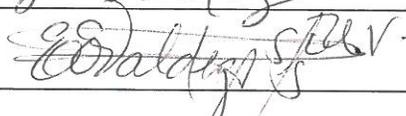
City of Greenbelt
15 Crescent Road, #200
Greenbelt, MD 20770
(301) 345-5417

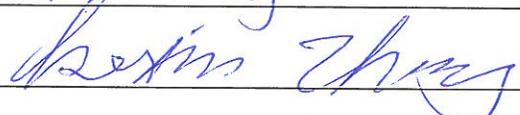
City of New Carrollton
6016 Princess Garden Parkway
New Carrollton, MD 20784
(301) 459-3771

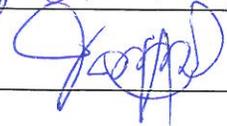
If the property is located elsewhere in the County, you must obtain the Variance from the Prince George's County Board of Zoning Appeals located at 14741 Governor Oden Bowie Drive, Upper Marlboro, Maryland 20772, (301) 952-3220.

Limin Zhao/Wenxin Ma
5027 Mineola RD
College Park, MD 20740

We plan to construct the single car driveway on front-right side of the house. The driveway area will be 10'x20' total. We need our neighborhood to support to apply the permit. Please sign below consent form if you agree with it. We are really appreciated!

I agree with our neighbor to build the driveway. (<input checked="" type="checkbox"/>)	
I don't agree with our neighbor to build the driveway. (<input type="checkbox"/>)	
Address: 5025 Mineola Rd College Park MD 20740	
Name: Eley Valdez	Phone: (202)374-7518
Signature 	

I agree with our neighbor to build the driveway. (<input checked="" type="checkbox"/>)	
I don't agree with our neighbor to build the driveway. (<input type="checkbox"/>)	
Address: 9802 51st Ave.	
Name: Kexin Zhang	Phone: 917 379 6158
Signature 	

I agree with our neighbor to build the driveway. (<input checked="" type="checkbox"/>)	
I don't agree with our neighbor to build the driveway. (<input type="checkbox"/>)	
Address: 9804 51st ave, college Park, MD. 20740	
Name: Josep Reyes	Phone: 301-343-7441
Signature 	

Limin Zhao/Wenxin Ma
5027 Mineola RD
College Park, MD 20740

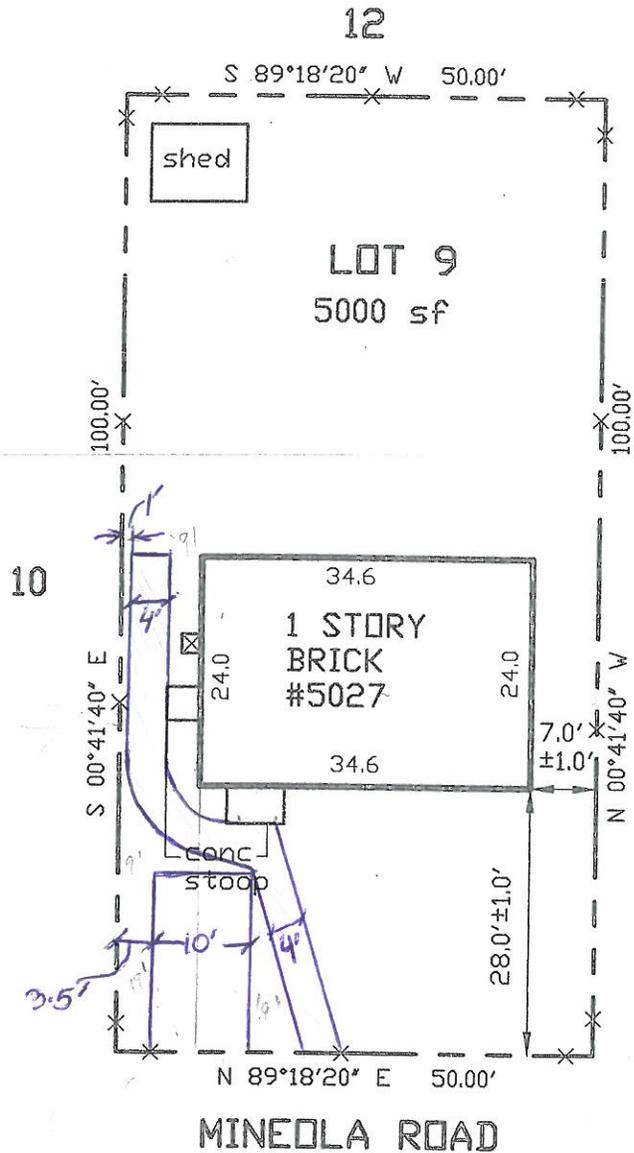
We plan to construct the single car driveway on front-right side of the house. The driveway area will be 10'x20' total. We need our neighborhood to support to apply the permit. Please sign below consent form if you agree with it. We are really appreciated!

I agree with our neighbor to build the driveway. (X)	
I don't agree with our neighbor to build the driveway. ()	
Address: 5034 Mangum Rd	
Name: <i>Thelma Minter</i>	Phone: 301-275-3330
Signature <i>Thelma Minter / Robert Daniels</i>	

Robert Daniels

I agree with our neighbor to build the driveway. (X)	
I don't agree with our neighbor to build the driveway. ()	
Address: 5028 MINEOLA RD College PARK Md 20740	
Name: <i>Tim Scott</i>	Phone: 301-803-8038
Signature <i>Tim Scott</i>	

I agree with our neighbor to build the driveway. ()	
I don't agree with our neighbor to build the driveway. ()	
Address:	
Name:	Phone:
Signature	



R55 300%
 A 11000-1500
 House - \$30.4
 Shed \$0
 D/W - 200
 Total 1110.4



Apparent occupation shown.
 No evidence of property corners was found.

Date: 4-27-16 Scale: 1" = 20' Drn: R.c.d.
 Plat Book: 17
 Plat No.: 58 NO TITLE REPORT FURNISHED
 Work Order: 16-1194
 Address: 5027 MINEOLA ROAD
 District: 21
 Jurisdiction: PRINCE GEORGES COUNTY, MARYLAND

LOCATION DRAWING

LOT 9
 BLOCK P
 HOLLYWOOD

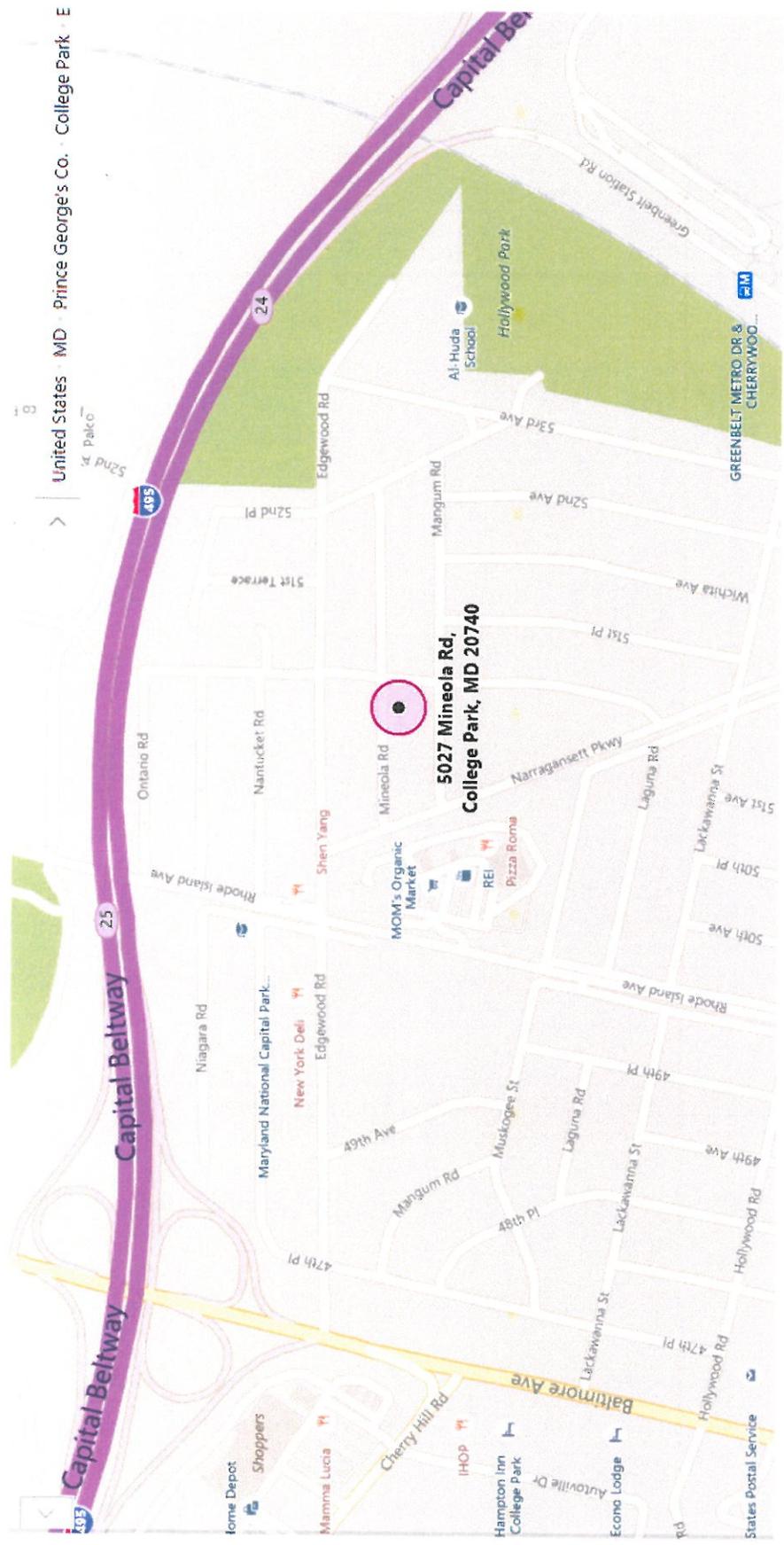
Surveyor's Certification
 My License expires February 10, 2018

I hereby certify that the survey shown hereon is correct to the best of my knowledge and that, unless noted otherwise, it has been prepared utilizing description of record. This survey is not a boundary survey and the location or existence of property corners is neither guaranteed nor implied. Fence lines, if shown, are approximate in location. Building restriction lines shown are per available information and are subject to the interpretation of the originator.

Stephen J. Wentz

Meridian Surveys, Inc.
 PO BOX 549
 FREDERICK, MD 21705
 (301) 721-9400

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 refinancing. This plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future 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.





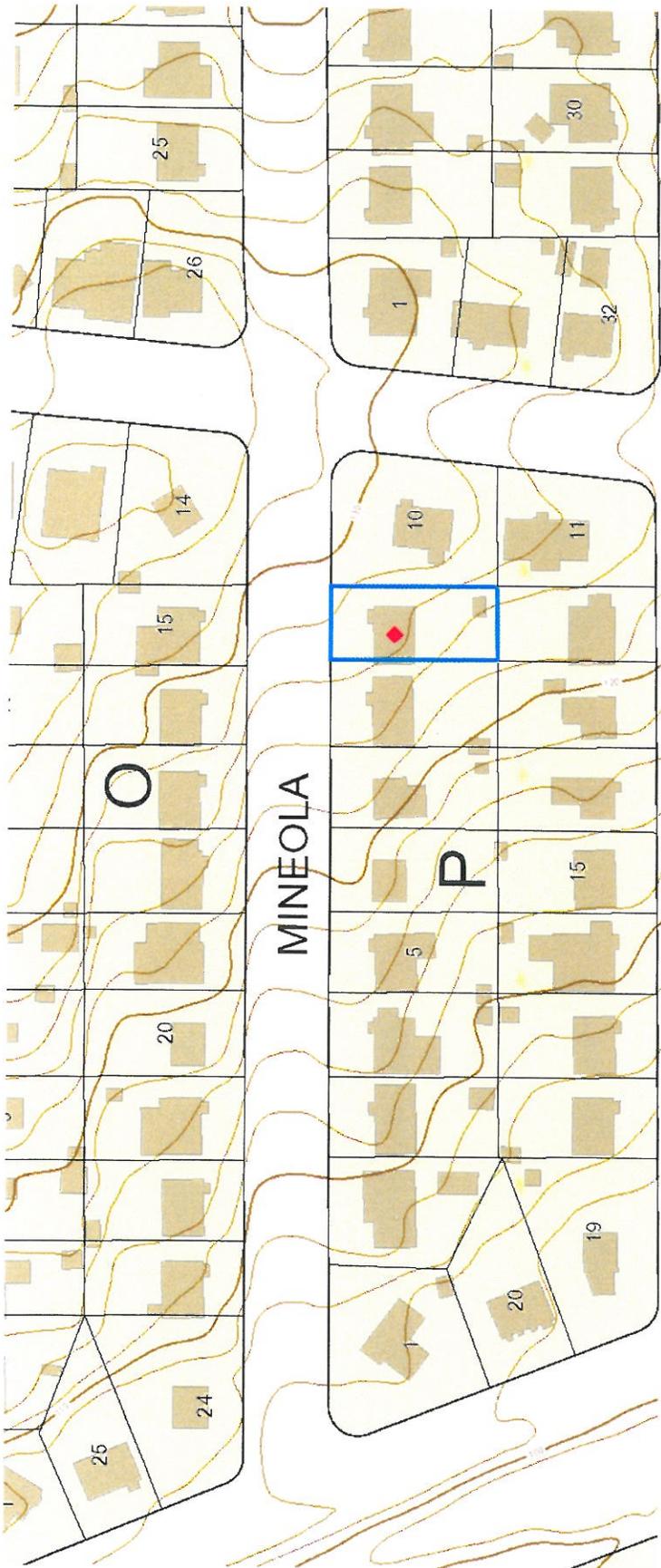


Exhibit 7



A: Subject Property, 5027 Mineola Road



B: Looking west, down the south side of the street



C: Looking west, down the north side of the street



D. Steep slope on north side of street