



CITY OF COLLEGE PARK ADVISORY PLANNING COMMISSION
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ADVISORY PLANNING COMMISSION

Approved Minutes of Meeting
November 7, 2013 – 7:30 P.M.
City Hall Council Chambers

<u>Members</u>	<u>Present</u>	<u>Absent</u>
Mary Cook, Chair	<u> x </u>	<u> </u>
Clay Gump, Vice-Chair	<u> x </u>	<u> </u>
Lawrence Bleau	<u> x </u>	<u> </u>
James McFadden	<u> </u>	<u> x </u>
Charles Smolka	<u> </u>	<u> x </u>
Rose Greene Colby	<u> </u>	<u> x </u>
Christopher Gill	<u> x </u>	<u> </u>

Also Present: Planning Staff- Terry Schum, Miriam Bader and Theresheia Williams; Public Services Staff: Jeannie Ripley; Attorney – Sue Ford.

I. Call to Order: Mary Cook called the meeting to order at 7:40 p.m.

II. Approval of Minutes:

Lawrence Bleau moved to accept the minutes of September 5, 2013. Clay Gump 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 Hearings:

**CNU-2013-03: Certification of Nonconforming Use to Allow a
Multi-family Apartment Building to Continue
Applicant: University Gardens Apartment
Location: 4620, 4622, 4624 and 4626 Knox Road**

The applicant submitted a written request on November 1, 2013 requesting a postponement until the Advisory Planning Commission December 5, 2013 meeting. Lawrence Bleau moved to postpone CNU-2013-03 until the December 5, 2013 meeting. Christopher Gill seconded. Motion carried 4-0-0.

CPV-2013-05: Variance to Exceed Lot Coverage
Applicant: John J. Dollymore
Location: 4710 Tecumseh Street

Mary Cook explained the hearing procedures and placed witnesses under oath. Miriam Bader summarized the staff report. The applicant is requesting a variance of 262.7 square feet or 3.4% from the 30% maximum allowable lot coverage to construct an addition of 22.02' by 19.08'. The property is located in the Berwyn neighborhood and was constructed in 1924, which predates the Zoning Ordinance in 1949. The property is improved with a 1.5-story frame single-family house with basement, detached garage and long partially graveled driveway. The driveway contains a permeable surface, made up of a mixture of pea gravel, dirt and grass. The property has an area of 7,747 square feet and has an irregular, trapezoidal shape. The front property line measures 62.33 square feet, the rear property line measures 46 feet, the west property line measures 141.93 feet and the east property line measures 145.7 feet. The purpose of the addition is to expand the kitchen. The house footprint only covers 13% of the lot while the garage and driveway cover 15% of the lot. This situation precludes the construction of a reasonably sized addition to modernize an original kitchen built in 1924 and add other amenities. Staff recommends approval of the variance of 262.7 square feet or 3.4% from the 30% maximum allowable lot coverage to permit the construction of an addition in the rear yard.

Miriam Bader submitted the staff report, Exhibits 1- 12 (which includes a letter of support and a sample of pea gravel) and the PowerPoint presentation into the record. Commissioners accepted unanimously.

Clay Gump asked how much of the 15% lot coverage is the driveway length?

Miriam Bader stated 10%, which counts towards lot coverage.

Christopher Gill asked if paving the driveway would require an additional variance?

Miriam Bader stated no, because it would be the same request, whether it was paved or not.

John & Christine Dollymore, applicants, testified that their current kitchen is very small, it is only 10 x 10. She stated that the sink is 13 x 16 compared to the size of a standard sink which is 22 x 24. She stated that the existing kitchen will be turned into a pantry because they have limited storage space. The kitchen storage is spread over three different rooms in the house. The proposed addition will include an eat-in kitchen area. The renovation will also help to repair a lot of roof problems that have been brought on with the age of the house and water damage. Mr. Dollymore stated that they plan to reside in College Park for a long time and would like to have a fully useable kitchen. He stated that the gravel for the driveway was installed in March and it helped with the drainage onto other properties.

Lawrence Bleau asked what practical difficulty would they encounter if the variance was not granted?

Christine Dollymore stated that she would have to continue to operate in a kitchen that is too small. The kitchen cannot comfortably accommodate two people at the same time and the kitchen storage is in three different rooms. The back porch of the house was built in 1924 and is ready to fall off and needs to be replaced. She would like to have a place to sit and eat her food, other than her lap.

Lawrence Bleau asked how would she characterize her kitchen and if there is any way to remodel the kitchen to a reasonable size without an addition?

Christine Dollymore stated that she would characterize the existing kitchen as substandard. She stated that she spoke with several contractors about remodeling the existing kitchen, but it was not feasible. Most of the walls are just support walls.

Commissioners reviewed the evidence and testimony submitted and determined that:

- 1) The property has an exceptional shape, an exceptionally narrow rear property width and an exceptionally long driveway. Standard lots are rectangular in shape. This property has a trapezoidal shape. If the lot was the standard rectangular shape and maintained the front property line width, the lot size would have been 8,846 square feet, an increase of 1,099 square feet. The addition, as proposed, would have been able to meet lot coverage standards if the lot was a standard rectangular shape and not trapezoidal (2586.77 sq. ft. divided by 8846 sq. ft. equals 29.2% lot coverage, under the maximum 30%). The width of the front yard is 62.33 feet but it narrows to a width of 46.00 feet at the rear property line. A detached garage is located 106 feet back from the front property line, necessitating the driveway to be exceptionally long with a length of 106 feet. The house was built in 1924, predating the first County Zoning Ordinance in 1949.
- 2) The strict application of the County Zoning Ordinance will result in a peculiar and unusual practical difficulty to the property owner. The existing lot coverage is 28%. The house footprint covers only 13% of the lot while the garage and driveway cover 15% of the lot. This situation precludes the construction of a reasonably sized addition to modernize an original kitchen built in 1924 and add other amenities. The kitchen is substandard. It cannot comfortably accommodate two people at the same time. There is no room to dine in the kitchen. There is no room for a pantry or adequate counter space to prepare food.
- 3) Granting the requested variance will not substantially impair the intent, purpose or integrity of the applicable County General Plan or County Master Plan. The house is located in an older neighborhood. The request is reasonable and granting the variance will not negatively impact the character of the neighborhood. The applicants are using a pervious driveway material on their long driveway which minimizes lot coverage impact.

Lawrence Bleau moved to approve the variance because the request meets the criteria for granting the variance for the reasons stated above. Christopher Gill seconded. Motion carried 4-0-0.

13-0798: Review of Inspection Report
Applicant: Samuel Bronstein
Location: 9026 Autoville Drive

Sue Ford, attorney, stated that the new member, Christopher Gill, listened to the audio recordings of Mr. Bronstein's previous hearings to be able to participate in tonight's voting.

Samuel Bronstein, appellant, testified that he has spent over \$7,000 dollars and put in a lot of working hours cleaning his property. He has had some health issues, which kept him from finishing the project. He is in the process of purchasing a new home and will be moving from 9026 Autoville Drive and putting it on the market for sale. He stated that his goal is to arrange for more help to clean his current property before he puts it on the market. He would like to request an extension until the end of the year to have everything completed.

Jeannie Ripley, Code Enforcement Manager, testified that she took pictures on Tuesday, November 5, 2013, that show the progress made on the property. Ms. Ripley stated that there is still a lot of stuff that need to be removed to bring the property into compliance. There is still debris on both sides and in the rear of the house. There is also a carport structure with a car stored inside and the deck has stuff stored on it. Mr. Bronstein also has items stored on Park & Planning property, which is located behind his property. She also stated that after researching the files, it was discovered that there are no permits for the two sheds located on the property.

Ms. Ripley submitted current photos of the property that was entered into the record as Exhibits 11A – 11F. Commissioners accepted unanimously.

Councilmember Denise Mitchell, District 4, testified that Mr. Bronstein has made a considerable effort to try to alleviate his situation. She stated that there have been some medical conditions that have put him in a situation where he could not come into compliance by a current date. She stated that he should be allowed the opportunity to bring his property into compliance and have his deadline extended until May 2014.

Councilmember Elect, Alen Hew, District 4, testified that he is an Autoville resident and has known Samuel Bronstein for 8 years. He stated that he reiterate and agree with everything Councilmember Mitchell said. He stated that he was not aware of Mr. Bronstein's situation, and is willing to help him with bringing his property into compliance.

Lawrence Bleau asked Mr. Hew if he had a time frame in mind for the extension deadline?

Mr. Hew stated that he thinks that May 2014 is a fair time frame, because the weather can present challenges.

Christopher Gill asked when was the original citation issued?

Sue Ford stated that the first notice of violation was issued October 6, 2012.

Clay Gump asked if the storage bins in the back yard are new.

Samuel Bronstein stated that they have been there for a long time.

Mary Cook asked Ms. Ripley if she thinks that the applicant has removed a lot of material from the property?

Jeannie Ripley stated that some materials have been removed, but there is still a lot of work to be done to bring the property into compliance.

Clay Gump moved to extend the compliance deadline for 120 days, until the March 2014 APC meeting, with the understanding that if there is unusually bad weather or Mr. Bronstein's health deteriorates, the correction order will be revisited. Lawrence Bleau seconded. Motion carried 4-0-0.

VI. Update on Development Activity Terry Schum reported on the following:

Knox Village (Formerly Knox Boxes) - The developers, Toll Brothers, are proposing a mixed use project consisting of 445 multi-family dwelling units contained in a mix of apartments and townhomes to be used for student housing. The project will also include 12,325 square feet of retail and 470 parking spaces. City Council approved the plan with conditions on October 22nd and a Planning Board hearing on the Detailed Site Plan is scheduled for November 14th. The demolition of the current units is expected to begin after the end of spring semester.

JPI East - Metropolitan – Development of up to 290 units consisting of 235 multifamily dwellings and 55 townhomes. The plan will be discussed with the City Council on November 19th and before the Planning Board on December 5th.

JPI West -Monument – Development of 235 apartments and retail of 4,800 square feet along Route 1. The application is being submitted for staff-level review. The City Council will hear a presentation on the revised plans at the December 3rd worksession. The developer has met several times with the community to address concerns.

Koons Ford – The developers will be meeting with staff next week for an amendment to the Detailed Site Plan for an apartment building along Berwyn House Road. It adjoins the Koons Ford Redevelopment project. The existing office building that sits between Parkside Apartments and Koons Ford will be removed.

Prince George's County General Plan – The Prince George's County Planning Board and the County Council will hold a joint public hearing on ***Preliminary Plan Prince George's 2035***. The hearing will be held at the County Administration Building on Tuesday, November 12, 2013 at 7:30 p.m. You can submit written comments until Tuesday, November 27, 2013. To register to speak or to get more information call 301-952-3594 or visit the website at www.planpgc2035.com.

Transit District Overlay Zone (TDOZ) – The third community workshop is scheduled for November 20, 2013. The workshop will discuss the update of the development plan for the area around the Metro Station. The workshop will be focusing on zoning, connectivity issues and M Square. The City of College Park and Park & Planning will hold a food truck event on Wednesday, November 13, 2013 from 11:00 a.m. until 2:00 p.m, to get the employees out of the office buildings to learn about the study and fill out a questionnaire.

VII. Other Business:

- Code Enforcement Supervisor Jeannie Ripley discussed sign code regulations changes with the commission. She stated that she is working with Prince George’s County and there are still changes in progress. She will keep APC updated with the changes and procedures.
- Commissioners also discussed with Ms. Ripley the definitions of City Code Section 132-4(A) and Section 125.10(N) of the City Code, which describes the meaning of litter/trash and other illegal items on private property and the responsibility of the property owner to remove such items.

VIII. Adjourn: There being no further business, the meeting was adjourned at 9:20 p.m.

Minutes prepared by Theresheia Williams