

**MINUTES**  
**Special Meeting of the College Park City Council**  
**Monday, January 8, 2007**  
**8:00 P.M.**

**PRESENT:** Mayor Brayman; Councilmembers Milligan, Krouse, Catlin, Perry, Fellows (left at 9:30 p.m.) and Hampton

**ABSENT:** None.

**ALSO PRESENT:** Joe Nagro, City Manager; Janeen Miller, City Clerk; Karen Ruff, City Attorney; Bob Ryan, Director of Public Services, Terry Schum, Director of Planning, Elisa Vitale, Planner; Dorothy Friedman, Planner; and members of the Advisory Planning Commission: Larry Bleau, Jim McFadden, Robert Day, Leo Shapiro, and Andrew Rose.

The meeting convened at 8:15 p.m. Mayor Brayman opened the meeting by thanking the members of the APC for their service to the City. He explained that the purpose of the meeting was to give the APC a general sense of the parameters that the Mayor and Council consider important in addressing issues that come before the APC, particularly cases involving front yard variances. He stated that there would not be discussion of any specific cases. Mayor Brayman stated that the meeting was not expected to provide the APC with a “rule book.”

Council asked Ms. Schum for a clarification of Revitalization Tax Credit Districts referenced on her handout.

Mayor Brayman stated his belief that the County and the City Council are moving in the direction that it should be pretty tough for an applicant to get a variance for something to go in their front yard. It was acknowledged that there are certain cases where it should be allowable, such as narrow side yards. There was further discussion about various front yard scenarios that come before the APC.

There was extensive discussion about the determination of a “hardship” that would be used in granting a variance. Ms. Ruff stated that the burden of proof of a “hardship” is on the applicant.

There was extensive discussion about the various reasons listed by the APC for approval of a variance. Councilmember Krouse stated that he does not believe that “driveways in the front yard are characteristic of other properties on the street” is a valid rationale for approval of a variance request. Mayor Brayman does not believe “convenience” is a valid reason. “Safety issues” were generally considered valid reasons for approval.

“Unique locational features or characteristics” were generally considered valid reasons for approval.

Ms. Ruff stated that each variance is considered on its own merits, and that one variance that may be granted does not set a precedent.

Mayor Brayman does not believe everyone has a right to have two off-street parking spaces.

There was discussion of the applicability of the General Plan.

There was general agreement about the need to consider “the character of the neighborhood” when considering the granting of a variance.

Mr. McFadden stated that many of these decisions are very difficult for the APC and are often not unanimous.

Mayor Brayman raised the issue of un-permitted work that is taking place on weekends.

Councilmember Krouse does not believe that someone should get a double wide curb-cut in order to get a double wide driveway – it should remain a single curb-cut because otherwise you are taking away on-street parking and not gaining anything.

Councilmember Perry’s main concern is lot coverage.

In closing, Mayor Brayman suggested it might be a good idea to have this be an annual meeting to help resolve questions and ensure that everyone is on the same page in the approaches they use to address these issues.

The meeting was adjourned at 9:52 p.m.

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Janeen S. Miller, City Clerk