



CITY OF COLLEGE PARK ADVISORY PLANNING COMMISSION
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ADVISORY PLANNING COMMISSION

Approved Minutes of Meeting

March 1, 2018 – 7:30 P.M.

City Hall – Council Chambers

<u>Members</u>	<u>Present</u>	<u>Absent</u>
Lawrence Bleau	<u> x </u>	<u> </u>
Santosh Chelliah	<u> x </u>	<u> </u>
Rose Greene Colby	<u> </u>	<u> x </u>
Ben Flamm	<u> x </u>	<u> </u>
Christopher Gill, Chair	<u> x </u>	<u> </u>
James McFadden	<u> x </u>	<u> </u>
Stephanie Stullich	<u> </u>	<u> x </u>

Also Present: Planning Staff – Terry Schum, Miriam Bader and Theresheia Williams; Interpreter Leslie Belchick; Attorney – Susan Cook

I. Call to Order: Christopher Gill called the meeting to order at 7:31 p.m.

II. Approval of Minutes:

James McFadden moved to adopt the minutes of November 2, 2017 and January 4, 2018. Christopher Gill seconded. Motion carried 5-0-0.

III. Amendments to Agenda:

Update on Development Activity was added to the agenda after item VII.

IV. Public Remarks on Non-Agenda Items: There were no Public Remarks on Non-Agenda Items.

V. CPV-2017-12 Variance to construct a house, detached garage and driveway
Applicant: Robert Kidwell
Location: 4714 Howard Lane

Christopher Gill explained the hearing procedures and placed witnesses under oath. Miriam Bader summarized the staff report. The applicant is requesting a variance to construct a house, detached garage and driveway. The property is a corner, rectangular lot with a width of 60 feet and a length of 92.5 feet for an area of 5,550 feet. The lot is currently undeveloped but proposed improvements include: a two-story house, a covered rear porch, detached garage and driveway. This property is the second of seven properties to be developed on Howard Lane. The property is in the Old Town College Park Historic District, which requires a Historic Area Work Permit prior to construction.

Staff recommends approval of the requested 11% lot coverage variance. Miriam Bader submitted the staff report, Exhibits 1-5 and the PowerPoint presentation into the record.

Lawrence Bleau stated that the narrowness of the one-way street should have been included as an extraordinary condition under criteria #1.

Robert Kidwell, applicant, testified that he is listed as the property owner, but the applicant is Jason Yizar. There will be a total of seven homes, which will be owner-occupied. This is the second house that has been built on Howard Lane. He stated that the neighbors are pleased with the first house and accept the design. For the proposed house, there is an existing curb-cut on Dartmouth Avenue, which the designer is utilizing to make a shorter driveway and larger open space in the front. He stated that after the 10-year period expires, he hopes that the owners will want to stay in the house.

R.M. Holland, architect, testified that no house will be the same, everyone will be unique to the owner.

Jason Yizar, potential owner, testified that his family moved here from Huntsville Alabama about 3 years ago. His wife relocated to this area for her job and they have been residing in Clarksville, MD. They have been looking for a house that they could afford. He stated that they like the walkable areas in College Park.

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

- 1) There is an extraordinary situation associated with the property because constructing a new home with features such as porches and detached garages to comply with the Old Town College Park Historic District Guidelines results in increased lot coverage. On-street parking is limited to only one side of the street, increasing the need to provide off-street parking.
- 2) The strict application of the Zoning Ordinance will result in peculiar and unusual practical difficulties to the applicant by inhibiting the ability to follow the recommendations of the Historic District Guidelines and to provide features that are attractive to owner occupants.
- 3) Granting the lot coverage variance will strengthen the intent, purpose and integrity of the Old Town College Park Historic District Guidelines by facilitating compliance with the guidelines and the City's goal of increasing homeownership in the Old Town neighborhood.

James McFadden moved to recommend approval of the variance because the request meets the criteria for granting the variance for the reasons stated above. Santosh Chelliah seconded. Motion carried 5-0-0.

- VI. CPV-2018-01** Variance to construct a driveway in the front yard
Applicant: Walter Carbajal
Location: 9036 48th Avenue

Christopher Gill explained the hearing procedures and placed witnesses under oath. Miriam Bader summarized the staff report. The applicant is requesting a variance to construct a driveway partially in the front yard of the dwelling. The original subject house was constructed in 1943. The house is currently undergoing a major renovation. The property is rectangular and measures 50.30 feet wide by 100 feet long for an area of 5,030 square feet. The recommended driveway is 10 feet. The applicant would like to park two vehicles, one behind the other, on the property. There is an existing curb-cut on the north side of the lot. The south side is constrained by a large tree, a slope which would necessitate a retaining wall and a gas line. There is no permit parking in the neighborhood and on-street parking is very limited. The Department of Permitting, Inspections and Enforcement requires a driveway setback of 2.5 feet from the side property line in order to accommodate the standard driveway apron.

Staff recommends approval of the requested variance not to exceed 5.5 feet in width and 25 feet in length. Miriam Bader submitted the staff report, Exhibits 1-9 and the PowerPoint presentation into the record.

Christopher Gill asked if the lot is narrower than similar lots on the street?

Miriam Bader stated, yes

Christopher Gill asked if the pool creates a lot coverage issue?

Miriam Bader stated that pools don't count against lot coverage. The pool is filled in and is now grass.

Walter Carbajal, applicant, testified through the interpreter, Leslie Belchick, that he would like the variance to be approved.

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

- 1) The property has both exceptional narrowness and other extraordinary conditions. The narrow side yard (7.0-feet) combined with the driveway side yard setback requirement (2.5-feet) makes it difficult to provide a functional driveway using the original curb-cut without encroaching in front of the house. The house was originally sited on the lot in 1943 in such a way that a driveway with an appropriate width and setback could not be built without being located at least partially (5.5 feet) in the front yard. This was not an issue until 2002 when the law prohibiting driveways in the front yard was enacted.

- 2) The strict application of the Zoning Ordinance will result in practical difficulties to the property owner because it would prevent the use of an existing curb-cut and require the removal of a mature tree, impact the location of a gas line and necessitate the construction of a retaining wall in the front yard.
- 3) Granting the variance will not substantially impair the intent and purpose of the applicable County General Plan or County Master Plan, because similarly- configured driveways are characteristic of the neighborhood and the front yard encroachment is the minimum necessary.

Lawrence Bleau moved to recommend approval of the variance because the request meets the criteria for granting the variance for the reasons stated above. Ben Flamm seconded. Motion carried 5-0-0.

VII. Discussion of Amended Fence Ordinance and Proposed Chain Link Fence Removal Incentive Program

Fence Ordinance – The City of College Park Fence Ordinance §87-23, “Fences,” was amended and adopted by the City Council in November 2017. Staff distributed copies of the amended ordinance and discussed some of the changes, which consist of: authorizing front yard and garden fences, changing the variance criteria for fences, conforming to County Code Requirements and definitions, clarifying that a variance is not required to replace an existing fence with similar materials, or materials such as wrought iron, split rail, or picket, and clarifying existing requirements.

Chain Link Fence Incentive Program – The goal of this program is to provide financial assistance to encourage the removal of existing chain link fences in front yards and along public streets in residential neighbors. Grants of up to a maximum of \$2,500 per property are available to pay for the costs associated with the removal and disposal of chain link fences as well as the purchase and installation of replacement fences. There is currently \$10,000 in the budget, but staff intends to propose an increase for next year’s budget if the program is successful. Staff distributed the draft application and guidelines to commissioners for review. Staff informed Commissioners that comments or proposed revisions are welcomed. It is scheduled for the Council’s March 6th agenda.

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

Chick-Fil-A – The developer has acquired the property to the east adjoining the U-Haul site to increase the amount of space. They are still proposing a drive-thru. There have been no additional meetings with the City Council staff or Civic Associations.

Gilbane at College Park Metro – Proposed property has been approved for a subdivision plan. The proposed site will be a mixed-use apartment complex with ground floor retail. A Detailed Site plan is expected to be filed soon.

New Public Storage – The proposed facility is located on the west side of Baltimore Avenue and South of the Town Place Suites under construction. A pre-application was submitted but has not yet been accepted.

IX. Review of Draft 2017 Annual Report

Commissioners reviewed and discussed the draft Annual Report and suggested the following items to be addressed: Residential Permit Parking, Zoning Rewrite and the Sector plan. Christopher Gill will draft wording and submit to commissioners for review before submitting to Council.

X. Other Business:

Terry discussed the APC 2018 Operating Budget and indicated that it is now combined with the Planning & Zoning budget. She stated that the budget consists of training, dues, supplies and attending local conferences. Since there has been more use for an interpreter, this budget item will be increased for FY 2019.

XI. Adjourn: There being no further business, the meeting was adjourned at 9:12 p.m.

Minutes prepared by Theresheia Williams