



CITY OF COLLEGE PARK ADVISORY PLANNING COMMISSION
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ADVISORY PLANNING COMMISSION
Approved Minutes of Meeting
May 2, 2019 – 7:30 P.M.
City Hall – Council Chambers

<u>Members</u>	<u>Present</u>	<u>Absent</u>
Lawrence Bleau, Chair	<u> x </u>	<u> </u>
Santosh Chelliah	<u> x </u>	<u> </u>
Ben Flamm	<u> x </u>	<u> </u>
Christopher Gill	<u> </u>	<u> x </u>
James McFadden	<u> x </u>	<u> </u>
Stephanie Stullich, Vice Chair	<u> x </u>	<u> </u>
Llatetra Brown Esters	<u> x </u>	<u> </u>

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

I. Call to Order and Approval of the Agenda: Lawrence Bleau called the meeting to order at 7:31 p.m. Commissioners voted 5-0-0 to approve the agenda as published.

II. Approval of Minutes:

Santosh Chelliah moved to adopt the minutes of April 4, 2019. Ben Flamm seconded. Motion carried 5-0-0.

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. CPV-2019-04 Variance to expand a driveway
Applicant: Charlotte Hu
Location: 5105 Iroquois Street

Lawrence Bleau explained the hearing procedures and placed witnesses under oath. Miriam Bader summarized the staff report. The applicant is requesting a variance of 276 square feet of parking area in the front yard to widen a driveway and validate existing front yard encroachment. The property is rectangular with an average width of 50.25 feet and an average length of 152.14 feet for a total square footage of 7,575 square feet. The western side yard has a width of 9-feet and the eastern side yard has a width of 8-feet. The property is improved with a one-story frame house, shed, a covered play area and driveway. The existing driveway is 36-feet long and varies in width from 9-feet wide alongside the house to 11-feet wide in front of the house where it encroaches by 3-feet. The house was built in 1949 and the current owner purchased the house on February 21, 2019.

The applicant installed curb ramps between the sidewalk and existing driveway apron to facilitate access to the front yard for parking. The applicant did not obtain a permit from the City Engineer for this ramp and was cited by Code Enforcement. The ramp has since been removed. The applicant would like to widen her apron to accommodate the widened driveway. The requested variance would not exceed lot coverage if a barrier separates the requested driveway from the adjoining pavers.

Staff recommends validating the existing 3-foot driveway encroachment for the existing 11-foot wide driveway but denial of any additional encroachment with the following condition:

1. Separate the existing driveway from the pavers in the front yard with a fence, planter or other barrier to prevent parking in this area.

Miriam Bader submitted the staff report, Exhibits 1-11, and the PowerPoint presentation into the record.

James McFadden asked if permits are required to install curb ramps?

Terry Schum stated that installation of curb ramps would require permission from the City Engineer, and nothing can be installed in the City right-of-way.

Charlotte Hu, applicant, testified that she has put down compost and sod where the pavers were and is planning to re-sod that area. She stated that her biggest concern is that she has a three-year-old and her 74-year-old mother-in-law living with her. At various times, vehicles are bringing in one or the other and they would prefer not to enter and exit the vehicle on the street. She really does not like her 3-year-old having to get out of the car in the street or walk across the street. She would prefer if she could exit the vehicle in the driveway area. She stated that her mother-in-law is not handicapped, but she moves slowly. She is not always aware, when cars are coming down the street and opens the door when cars are coming by.

Llatetra Brown Esters asked how many cars at the house belong to the owners?

Charlotte Hu stated that there are three.

Llatetra Brown Esters asked how is space for parking utilized?

Charlotte Hu stated that they park anywhere they can. She stated that they park one behind the other or wherever there is parking available. It depends on who is arriving home first, and which vehicle is being used for a specific function. She stated that they can't always park on the street in front of the house, because someone else may be parked there. There are so many cars parked on their street, that it functions as a one-way street. She stated that sometimes she has to park a block away. On the rare occasion that she parks in her driveway, twice she was almost hit driving out of the driveway. The speed limit is 25 mph on her street, but she never drives more than 15 mph because kids run from in between the cars.

Santosh Chelliah asked how long has she lived in the property?

Charlotte Hu stated that they purchased the house in February 2019.

Lawrence Bleau asked if a variance is needed for the fence.

Miriam Bader stated no because the City allows fences up to 3-feet high.

Santosh Chelliah asked how wide the walkway is after the pavers have been removed?

Charlotte Hu stated that the walkway is around 5 ½ feet.

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

- 1) The property has an extraordinary condition in that the original 1949 construction of the house, long before the driveway encroachment amendment to the County Zoning Ordinance in 2002, creates two narrow side yards of 8 feet and 9 feet that cannot accommodate a compliant driveway without encroaching in the front yard. However, this condition does not justify the requested widening of the driveway beyond the existing driveway.
- 2) The strict application of the County Zoning Ordinance to require the removal of the original driveway will result in undue hardship upon the applicant. However, denying widening of the driveway from its current 11-foot width will not create a peculiar or unusual practical difficulty or exceptional or undue hardship upon the property owner as street parking is available and the existing 36-foot driveway is long enough to accommodate the parking of two cars, one behind the other.
- 3) Granting the expanded driveway variance will substantially impair the intent, purpose and integrity of the County General Plan and County Master Plan because most of the homes in this area have single width driveways that do not encroach in front of the home.

Lawrence Bleau moved to validate the existing driveway and deny the variance for the widening of the driveway for CPV-2019-04. Ben Flamm seconded. Motion carried 5-1-0, with James McFadden voting nay.

VI. Review of Proposed New Zones, Decision Matrix and Public Participation Program

Terry Schum stated that information on this topic has been submitted to the commission for review because there were some changes at the County Council level and this process was not initiated as expected. Staff is not prepared tonight to go forward with this topic. This is just to give you some background and the decision matrix for College Park. It will be back on future meeting agendas to go deeper into the process. The County has not initiated the process or released a map.

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

EZ Storage – Scheduled before the City Council on May 7th to look at their new Detailed Site Plan for their facility on Branchville Road. In the new plan, the height increases from two to five stories to avoid floodplain issues. The parking lot will decrease because the County has changed its regulations for building in the floodplain. It is scheduled before the Planning Board in the next two weeks.

College Park Metro Apartments – Scheduled to meet with the City Council in June. This will be the first mixed-use residential unit in this area. Meeting with Planning Board is scheduled for mid-June.

VIII. Other Business: There was no Other Business.

XI. Adjourn: There being no further business, the meeting was adjourned at 8:53 p.m.

Minutes prepared by Theresheia Williams