



CITY OF COLLEGE PARK ADVISORY PLANNING COMMISSION
8400 BALTIMORE AVENUE, COLLEGE PARK, MARYLAND 20740
TELEPHONE: (240) 487-3538

ADVISORY PLANNING COMMISSION
Approved Minutes of Meeting
June 4, 2020
(Due to COVID-19 Pandemic, this was a Virtual Meeting)

<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> </u>	<u> x </u>
Christopher Gill	<u> x </u>	<u> </u>
James McFadden	<u> x </u>	<u> </u>
Stephanie Stulich, Vice-Chair	<u> x </u>	<u> </u>
Llatetra Brown Esters	<u> </u>	<u> x </u>

Also Present: Planning Staff – Terry Schum, Miriam Bader and Theresheia Williams;
 Department of Public Services Staff, Code Officer Carlos Parada; Attorney Susan Cook

- I. **Call to Order and Approval of the Agenda:** Lawrence Bleau called the meeting to order at 7:40 p.m. Commissioners voted 4-0-0 to approve the agenda as published.

- II. **Approval of Minutes:**
 Santosh Chelliah moved to adopt the minutes of April 2, 2020. Christopher Gill 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-2020-04** Front yard setback variance to construct a covered front porch
Applicant: Keith Busiere
Location: 9621 52nd Avenue

Lawrence Bleau explained the hearing procedures and placed witnesses under oath. Miriam Bader summarized the staff report. The applicant is requesting a variance of 6 feet from the minimum front yard setback of 25 feet to construct a roof over an existing front porch. The property has an area of 8,417 square feet and is improved with a 1-story, frame house. The property was constructed in 1954 and is an odd-shaped corner lot with a depth of 125 feet and a width exceeding 55-feet. The house is set back 26 feet from the front property line with a 6’-6” x 20’ uncovered front porch that extends into the front yard. The house contains a basement that is only accessible from the outside and there are no interior stairs. Seven of the nine adjacent properties have covered front porches. The applicant is proposing several improvements to the house including a second story and renovating the interior first floor, basement and deck. These improvements do not require a variance.

Staff recommends approval of a 6-foot front yard setback to allow the construction of a roof over an existing front porch.

Miriam Bader submitted the staff report, Exhibits 1-9, and the PowerPoint presentation into the records.

Keith Busiere, applicant, presented a PowerPoint presentation that included photos of homes in the neighborhood with a covered patio. He stated that he purchased the house about 18 months ago but is living with his brother while permits are being obtained. The house is small and the basement is unfinished and is only accessible from an exterior door located on the side of the house. He stated that a house without a covered patio just looks plain and bare. The space between the concrete stoop and the house allows water to come into the house, which creates significant water issues that he would like to avoid. If a porch is installed, it will help to protect the residents and visitors from inclement weather when entering or exiting the house.

Santosh Chelliah asked when were the other homes in the photo constructed?

Miriam Bader stated that the applicants house was constructed in 1954 and the other houses were probably constructed during the same time period.

Lawrence Bleau asked what would be the hardship if the variance were not granted?

Keith Busiere stated that there is a potential for safety issues when rainwater or melting snow/ice makes navigating the front porch to enter/exit the house or the basement difficult during inclement weather. He stated that they are forced to go outside and reenter the home to take laundry to the basement in inclement weather. It can be hazardous for his 70-year-old father entering and exiting the home.

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

- 1) The unique circumstance for this property is the fact that the basement is only accessible from the outside. The residents are forced to take laundry to and from the basement in all weather, and the front porch has no roof to protect them from potentially hazardous conditions. Rainwater or melting snow/ice can make navigating the front porch to enter/exit the house or the basement difficult during inclement weather.
- 2) The strict application of the County Zoning Ordinance results in peculiar and unusual practical difficulties for the applicant by preventing the construction of a roof over a long-existing front porch even though it would provide safety and protection from inclement weather for persons entering and exiting the house and the basement.

- 3) Granting the 6-foot front yard setback variance will not substantially impair the intent, purpose, and integrity of any applicable plans because the front porch itself is already existing. Once the roof is completed, the front porch will harmoniously blend in with the surrounding neighborhood. Covered porches are common features of many of the houses surrounding the property (8 out of 10 properties have covered front steps or porches).

Stephanie Stulich moved to recommend approval of variance CPV-2020-04 based on the amended criteria outlined in the discussion. Santosh Chelliah seconded. Motion carried 5-0-0.

- VI. 20-432** Appeal of Violation for Inoperative Vehicle parked in the driveway
- Applicant:** Thomas E. Wilson
Location: 9504 49th Avenue

Lawrence Bleau explained the hearing procedures and placed witnesses under oath. CEO Carlos Parada summarized the staff report. CEO Prada stated that Mr. Wilson is unable to join the meeting. He stated that Mr. Wilson is no longer in violation because the vehicle has been removed from the property.

Lawrence Bleau asked if he has complied with the appeal?

Carlos Parada stated yes.

Christopher Gill moved to deny the request for waiver 20-000432 and affirm the violation issued by CEO Parada. Lawrence Bleau seconded. Motion carried 5-0-0.

VII. Update on APC Membership

Terry Schum reported that an updated notice was sent out from the City Clerks office that the City Council extended the expiration of all memberships which were due to end on June 30, 2020 to August 15, 2020. There are several vacancies in the committees dealing with every subject area in the City. The desire is to extend the deadline to allow more time for interested persons to apply. Since Chris has opted not to be reappointed, there is one vacancy on the APC and one application for this opening has already been received.

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

The Standard – This is a big student housing project proposed for Hartwick Road where the Hartwick office building now stands. The proposed project will consist of 900 beds of student housing, mixed-use with some ground-floor retail. The City Council will be taking a final position next week. The staff recommendation is approval with conditions.

Branchville Gardens – This proposed project will consist of affordable housing on Branchville Road right across from the Branchville Volunteer Fire Department. It will include around 100 units of income-restricted housing for renters. This project has been on the books for years and went through subdivision 10 or 15 years ago but it was never built. The detailed site plan has been submitted and the project is proceeding.

College Park Marriott – This property is located across from the College Park Metro Station. The subdivision was approved about a year ago and they are now submitting the Detailed Site Plan. They are proposing a Residence Inn Marriott with ground-floor retail. It will be heard by the Council in early July and the Planning Board at the end of July.

IX. Other Business: There was no Other Business.

IX. Adjourn: There being no further business, the meeting was adjourned at 8:25 p.m.

Minutes prepared by Theresheia Williams