

CITY OF COLLEGE PARK
MARYLAND

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CITY COUNCIL

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REGULAR MAYOR AND COUNCIL MEETING:
ORAL ARGUMENT IN CASE CPV-2019-03,
GREGORY SEARS, 9604 51st Place

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TUESDAY
JULY 9, 2019

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The City of College Park Council
convened a Regular Mayor and Council Meeting in
Council Chambers, City Hall, 4500 Knox Road,
College Park, Maryland, pursuant to notice at
7:30 p.m., Patrick L. Wojahn, Mayor, presiding.

CITY COUNCIL MEMBERS PRESENT:

PATRICK L. WOJAHN, Mayor
P.J. BRENNAN, Member
ROBERT W. DAY, Member
MONROE DENNIS, Mayor Pro Temp
FAZLUL KABIR, Member
KATE KENNEDY, Member
DUSTYN BURKART KUJAWA, Member
JOHN RIGG, Member

STAFF PRESENT:

YVETTE T. ALLEN, Assistant City Clerk
BILL GARDINER, Assistant City Manager
MIRIAM BADER, Senior Planner
SUELLEN M. FERGUSON, City Attorney

P-R-O-C-E-E-D-I-N-G-S

8:16 p.m.

1
2
3 MAYOR WOJAHN: We will move on to the
4 first of our two oral arguments for the evening
5 and that is CPV-2019-03, relating to a request
6 for a variance at 9604 51st Place. And Ms.
7 Ferguson, will you be starting us off?

8 MS. FERGUSON: Thank you. Ms. Schum
9 usually takes this spot, and goes over the rules
10 for you for the hearings -- for both of the
11 hearings -- that will be held this evening, but
12 in her absence she has asked me to go over the
13 rules.

14 This is an appeal from the Advisory
15 Planning Commission, both of these variance cases
16 are. The order of presentation will be as
17 follows: you will have an orientation by planning
18 staff; oral argument against the recommendation
19 of the Advisory Planning Commission, and in both
20 of those it is the property owner, in these
21 cases; oral argument in favor of the
22 recommendation of the Advisory Planning

1 Commission, if any; and rebuttal, if any.

2 And then at the oral argument, on each
3 side, is limited to 30 minutes each. And no
4 person shall be given fewer than five minutes to
5 speak. So, the decision of the Mayor and Council
6 as to the recommendation of the APC, it must be
7 in writing, stating the reasons for your action
8 and you may accept, deny or modify the
9 recommendation of the APC, or return the variance
10 application to the APC for further testimony or
11 reconsideration.

12 MAYOR WOJAHN: Okay. Thank you, Ms.
13 Ferguson. Are there any questions about the
14 process?

15 I see none. We will proceed with Ms.
16 Bader to report on the request for a variance.

17 MS. BADER: Good evening, Mayor and
18 Council. For the record, Miriam Bader, Senior
19 Planner.

20 On April 4th, 2019, the Advisory
21 Planning Commission, which I will refer to as the
22 APC, conducted a hearing and recommended approval

1 of a variance of a front yard setback for an
2 existing front porch, with conditions, and denial
3 of a lot coverage variance.

4 Tonight there is an appeal by the
5 property owner concerning the recommendation of
6 denial of the lot coverage variance.

7 The property is located at 9604 51st
8 Place, in the Hollywood neighborhood, south of
9 Hollywood Road and east of Rhode Island Avenue.

10 The property, which is outlined in
11 blue and has that red dot, and immediate
12 neighborhood are all zoned R-55, which is shown
13 in yellow.

14 This is an aerial photograph of the
15 property.

16 This map shows the impervious surface
17 for the property and the adjoining properties.
18 The brown shows you the structures and the grey
19 shows you pavement. And then there is a lighter
20 grey that shows you -- it is a different kind of
21 pavement. The dark grey is asphalt and the
22 lighter grey could be, like, paving stones.

1 This is a curbside view of the
2 property.

3 The purpose of the request is to cover
4 an existing front porch concrete stoop, which is
5 four by 15, with a roof. The zoning ordinance
6 restricts maximum lot coverage to 30 percent and
7 specifies a minimum front yard setback of 25
8 feet.

9 The Applicant is requesting two
10 variances. One is to increase lot coverage from
11 a previously granted lot coverage variance for an
12 additional 1.91 percent, from 35.7 percent to
13 37.61 percent. And also, they are requesting to
14 reduce the minimum front yard setback by three
15 feet, from the 25 feet to 22 feet.

16 This is the site plan of the property.
17 What's outlined in red is where they would like
18 to cover the front porch. The property has a
19 skewed rectangular shape with each property line
20 having a different dimension.

21 The property's improved the one story,
22 single-family framed structure, a concrete stoop,

1 two sheds located side-by-side, for a total
2 square footage of 250 square feet. A driveway, a
3 concrete walkway and a concrete paver patio. The
4 concrete walkway and concrete paver patio range
5 in width from nine feet to 10' wide and are
6 connected to the driveway.

7 The existing house is a total area of
8 1,904 square feet and there is no basement.

9 This slide shows the 4' by 15' front
10 stoop porch that the Applicant would like to
11 cover with a roof in order to protect residence,
12 visitors and packages from inclement weather.

13 The Applicant has an increasing number
14 of packages delivered to his house and they are
15 getting wet from the rain.

16 This slide shows the house. The
17 original house was built in 1953. An addition
18 was constructed in 2007. You can also see the
19 retaining wall in the front yard to the north of
20 the steps. The Applicant appeared before the APC
21 in 2003 to validate his parking, to obtain a
22 permit to repair his roof. The Applicant was

1 granted variances from the minimum net lot area,
2 the minimum lot width, the front building line
3 and the minimum depth of both side areas combined
4 and the minimum side yard depth for the southern
5 side yard for an existing side yard deck.

6 The Applicant also appeared before the
7 APC in 2007 to request the following variances,
8 to construct a driveway and to build an addition.
9 He requested a 6.9 percent lot coverage variance,
10 a two foot minimum side yard setback variance for
11 the northern side yard and a waiver of the front
12 yard parking prohibition.

13 These variances were granted, except
14 the lot coverage request was reduced to 5.7
15 percent, with the condition that the smaller 8'
16 X 10' shed be removed. You can see on the slide,
17 in green was the shed to remain and then in red
18 was the shed that was requested as a condition to
19 be removed.

20 A hundred foot, square foot shed has
21 since been placed next to the 150 foot shed
22 without obtaining a permit and increasing lot

1 coverage to 36.7 percent. So, the APC granted
2 the lot coverage for --- to 35.7 percent with the
3 removal of the shed, and then this one was added,
4 so then it increased lot coverage.

5 This slide shows the two side-by-side
6 sheds located in the rear yard. And see this is
7 the one that was added.

8 MAYOR WOJAHN: Sorry, Ms. Bader, I'm
9 just trying to follow along here. So when this
10 additional shed was added, now it is at 36.7
11 percent lot coverage?

12 MS. BADER: Yes.

13 MAYOR WOJAHN: Okay. So it's in --
14 so, it's currently not in compliance even without
15 the ---

16 MS. BADER: Yes, see this was what was
17 presented before to the APC, and then the APC
18 said, well, we'll give you part of the lot
19 coverage, just keep one of these sheds, remove
20 this one. And then over here, then this was
21 added. So, this was the one that was allowed to
22 remain and then this one was added. Okay. And

1 right, and then that went above what was
2 approved.

3 This slide just shows some of the
4 debris in the backyard. Just to get a feeling
5 for the character.

6 This shows you the front retaining
7 wall. If the height of the retaining wall in the
8 front yard is more than 36 inches, a railing
9 needs to be installed according to code, just
10 also background information.

11 This photo was taken from the rear
12 yard towards the street and this shows you --
13 this is from the side yard, okay, facing the
14 street -- shows the pavers and the concrete
15 sidewalk that connects the driveway.

16 Staff is recommending a condition be
17 added to any variance approval that requires the
18 installation of a barrier, such as a concrete
19 planter or fence between the driveway and the
20 concrete walkway to ensure cars do not park on
21 the walkway, which is accessible -- which if
22 accessible to cars would be included against the

1 lot coverage.

2 So, in other words, this is not
3 currently parked on, and so I did not calculate
4 it as part of lot coverage because it only gets
5 calculated if you put a car on it. However, it
6 is possible they could put a car on it, so that
7 is why the recommendation of the APC was to add a
8 planter or something here to block it from the
9 driveway. The driveway is in front of this.

10 The APC recommended by a four to one
11 vote approval of the three foot front yard set-
12 back variance for a covered porch and denial of
13 the lot coverage variance, subject to the
14 following conditions: that within 180 days from
15 Mayor and Council approval of the variance the
16 Applicant must: 1) install a barrier such as a
17 concrete planter or fence between the driveway
18 and concrete walkway to ensure cars do not park
19 on the walkway, which, if accessible to cars in
20 the driveway, would have to be included in the
21 lot coverage calculation, and 2) submit a revised
22 site plan to the City Planning Department that

1 shows compliance with lot coverage not to exceed
2 35.7 percent prior to obtaining a county building
3 permit for the covered front porch.

4 This recommendation was based on
5 previously mentioned findings of facts and the
6 following conclusions of law. The first
7 conclusion of law, we -- I split it up by
8 variance --- so, first I will go over the setback
9 variance for the covered porch and then the
10 second would be the lot coverage variance.

11
12 Regarding the setback variance, the
13 siting -- the house is in exceptional condition.
14 The house is located to the front of the lot.
15 Any additional encroachment towards the street
16 would result in a violation of setback
17 requirements. So, it meets the criteria for the
18 covered porch.

19 Regarding lot coverage variance, the
20 APC concluded that there is no exceptional, nor
21 extraordinary condition to justify additional lot
22 coverage from what was previously granted.

1 Conclusion two -- one regarding the
2 setback variance -- the strict application of the
3 county zoning ordinance will result in a
4 practical difficulty for the Applicant by not
5 allowing a covered front stoop. The Applicant
6 seeking to protect his packages, residence and
7 visitors from inclement weather, which are
8 currently insufficiently protected due to the
9 very narrow roof overhang. And the second
10 conclusion regarding lot coverage -- the APC
11 concluded there would be no hardship or practical
12 difficulty on the Applicant if he complies with
13 the previous lot coverage variance that was
14 granted in 2007.

15 The third conclusion of law regarding
16 the setback, granting the three foot front yard
17 setback variance does not substantially impair
18 the intent purpose and integrity of any
19 applicable plans because the existing front stoop
20 will now be enlarged, and is already constructed
21 on an impervious surface. In addition, the three
22 foot setback variance is the minimum necessary to

1 adequately cover the front stoop.

2 Regarding the lot coverage variance,
3 increasing lot coverage beyond the previously
4 granted 35.7 percent, to the requested 37.61
5 percent, does impair the intent purpose and
6 integrity of applicable plans because the lot,
7 with the house addition, large shed and driveway
8 is becoming overbuilt for the neighborhood. This
9 concludes the review of the case.

10 The Applicant is here and he will
11 speak to this.

12 MAYOR WOJAHN: Okay, thank you, Ms.
13 Bader. So, I just want to make sure that we are
14 all clear. So the requested variance, would the
15 37.61 percent -- that would allow the shed to
16 remain -- all the sheds to remain that are there,
17 plus the front porch overhang?

18 MS. BADER: Correct.

19 MAYOR WOJAHN: The -- going with the
20 APC's decision -- if that were to be upheld, that
21 would allow for the front porch overhang, but
22 require the Applicant to remove a -- a portion --

1 at least a portion of one of those sheds.

2 MS. BADER: Correct, correct. It
3 might be all of the shed, or he might have to
4 come up with a new configuration, maybe reduce
5 both of them and replace it with something new,
6 but he needs to do something with the sheds,
7 correct.

8 MAYOR WOJAHN: Okay. All right, thank
9 you, Ms. Bader. Are there additional questions
10 for staff? Dr. Kabir.

11 MEMBER KABIR: So, thank you for the
12 presentation. What is the standard lot coverage
13 limit? Is it 30 percent?

14 MS. BADER: Yes, correct, 30 percent.

15 MEMBER KABIR: Okay, so they are
16 already over the limit, like ---

17 (Simultaneous speaking.)

18 MS. BADER: Right. He has already
19 requested a variance once from APC and they ---

20 MEMBER KABIR: But APC can accept up
21 to 35.7 percent, with some conditions?

22 MS. BADER: Yes, so that's what was

1 previously granted.

2 MEMBER KABIR: Okay.

3 MS. BADER: So it would just keep it
4 to what it was previously granted.

5 MEMBER KABIR: Okay. And APC also
6 agreed to have the porch -- or the covers, at the
7 front, as well, correct?

8 MS. BADER: Oh, in -- for this brand
9 new variance? Yes. The APC voted for the set-
10 back, because the concrete porch is already
11 there ---

12 MEMBER KABIR: Already there ---

13 (Simultaneous speaking.)

14 MS. BADER: -- so the -- what he is
15 asking for is just to put a roof over it -- it
16 doesn't increase the lot coverage, because the
17 stoop is already there.

18 (Simultaneous speaking.)

19 MEMBER KABIR: Yes, what he is
20 covering is concrete --- so it is already --

21 MS. BADER: Yes, it's already
22 concrete, so ---

1 MEMBER KABIR: -- it doesn't really
2 make sense ---

3 MEMBER KENNEDY: It doesn't count.

4 MS. BADER: I'm sorry?

5 MEMBER KABIR: It does count, right?
6 Because it is concrete.

7 MS. BADER: Okay, you're right. It --
8 yes, you are right. Technically it doesn't
9 count, but in terms of environment, it is
10 impervious. So, the roof doesn't increase the
11 amount of impervious. The way our ordinance is
12 written, Ms. Kennedy, is -- Ms. Kennedy is right
13 in that it doesn't count against lot coverage.

14 MEMBER KABIR: If a grassy surface is
15 covered by concrete, so that increases the
16 coverage, or rather, decreases the coverage,
17 right?

18 MEMBER RIGG: It depends. It depends
19 ---

20 MEMBER KABIR: It depends on if it is
21 impervious or not?

22 MEMBER RIGG: It depends on what you

1 do with it, right? If you walk on it, if it is a
2 patio, it doesn't count against lot coverage.

3 MEMBER KABIR: All right.

4 MEMBER RIGG: If it is a walkway it
5 doesn't count against lot coverage, but if you
6 park your car it does, which is why they have the
7 wall.

8 MS. BADER: So, if you think about it
9 environmentally, there is pervious surface and
10 impervious -- so, it's impervious. But according
11 to the way the ordinance is written, it is only
12 when it's roofed or if a car can go on it. Then
13 the zoning ordinance definition applies.

14 MEMBER KABIR: You've got it covered,
15 okay, and see, that's -- in this case it's not
16 covered because it's not ---

17 MS. BADER: Right.

18 MEMBER KABIR: It's not a driveway
19 that can ---

20 MS. BADER: Right -- as it stands
21 today it's not roofed, so they ---

22 MEMBER KABIR: Thank you.

1 MAYOR WOJAHN: So, you've got Ms.
2 Kennedy and then Mr. Rigg.

3 MS. KENNEDY: I just wanted to
4 confirm, it was the same owner over this history
5 that you were talking about, right? Okay.

6 (Simultaneous speaking.)

7 MS. BADER: Correct. Yes.

8 MAYOR WOJAHN: Mr. Rigg?

9 MEMBER RIGG: I just wanted to clarify
10 for Council and Ms. Bader should feel free to
11 correct me -- or -- I think, you know, to meet
12 the 35 percent threshold wouldn't necessarily
13 mean that he has to do something with the shed.
14 He could do something with another part of the
15 impervious surface that is used for parking upon.
16 It just has to meet the threshold, you know,
17 through the sum total of impervious surfaces
18 excluding walkways and patios -- and, yeah.

19 MS. BADER: Yes, that is absolutely
20 correct. So, he could reduce his driveway.

21 MEMBER RIGG: Right, so it's a slight
22 modification to what you had asserted, but I

1 wanted to make sure that Council were aware that
2 that's an option that is available to the
3 Applicant, should we keep the APC ruling.

4 MS. BADER: Right. So the APC was
5 discussing, should we just require him to remove
6 that additional shed, or should we -- but then we
7 just decided to leave it up to the Applicant --
8 that he could, you know -- as long as he can get
9 the number back to what was approved with the
10 other APC case in 2007.

11 MAYOR WOJAHN: Okay. Any further
12 questions for Ms. Bader?

13 All right. So now I will invite the
14 Applicant, Mr. Sears, to come forward and
15 present.

16 Good evening, sir, one thing before
17 you start. We have some rules that we have to
18 follow with these proceedings and one is that we
19 can only talk about things that are currently on
20 the record in the case. So, we can't hear any
21 additional evidence other than what you presented
22 to the Advisory Planning Commission.

1 MR. SEARS: Yup.

2 MAYOR WOJAHN: And if you go beyond
3 that then I am going to have to stop you and, so
4 I appreciate your cooperation and, with that
5 proceed.

6 MR. SEARS: Ah, what do you need to
7 know, I mean ---

8 MAYOR WOJAHN: Just anything that you
9 want to say in support of your case -- your
10 application for a variance ---

11 (Simultaneous speaking.)

12 MR. SEARS: Well, I mean, they say
13 that it's not going to be a hardship. I feel it
14 is a hardship. I can't feel how they can
15 determine from their livelihood, or their life,
16 what is a hardship on me. I feel not having a
17 porch --- a covered porch -- is a hardship.

18 I mean, that is basically it. They
19 are determining my -- what is going to affect me
20 by what affects them. I don't think that is
21 fair. That is my feeling on the whole subject.

22 MAYOR WOJAHN: All right. Thank you,

1 Mr. Sears. I'll open it up for questions from
2 the Council. Mr. Sears, Dr. Kabir.

3 MEMBER KABIR: I hope I am within the
4 record. So, looks like we are pretty close what
5 APC has decided and what you have been asking.
6 There has been -- he's currently non-compliant
7 with 37.6 percent of coverage, but APC has agreed
8 to have 35.7 percent, which is not a big
9 difference. So, one way, as my colleague
10 suggested, to reduce the problem, reduce the
11 driveway area, to be compliant. You can keep the
12 shed, but reduce the driveway. Would that be an
13 option?

14 MR. SEARS: If I reduce my driveway it
15 will become useless because my car -- my truck is
16 already -- what is -- it is an Avalanche, and it
17 is already only giving me a foot on either side
18 of the truck if I park in it. So if I reduce it,
19 where am I going to park it? I have, you know,
20 that's -- reducing the driveway would become a
21 hardship, see?

22 MEMBER KABIR: Can you cannot park two

1 cars, two vehicles, that's the only ---

2 (Simultaneous speaking.)

3 MR. SEARS: No, it's only big enough
4 for one vehicle.

5 MEMBER KABIR: So, only one vehicle.

6 MR. SEARS: It's only a vehicle big
7 enough for one vehicle. It's ten by, I don't
8 know, fifteen or so. It is only big enough for
9 one vehicle. I mean, I wish I could show
10 pictures, but -- I wish I could show pictures of
11 it, but if my truck is, my truck is parked there
12 ---

13 MEMBER KABIR: Here is the driveway --
14 -

15 MR. SEARS: Yeah, if my truck is
16 there, the whole thing is covered. So, making it
17 smaller, I mean, it's already standard size for a
18 driveway. Making it smaller becomes pointless to
19 have a driveway.

20 MAYOR WOJAHN: Ms. Kennedy, do you
21 have any? Any additional questions for the
22 Applicant? I guess, maybe staff could address

1 this if, so how much, -- right now he is
2 currently -- if you were to add on to the front
3 porch overhang it would be a 37 point -- it would
4 be a 37.61 percent coverage. What would he --
5 how much -- how many square feet of driveway, if
6 he were to reduce the driveway? How many square
7 feet of driveway would he have to take off to
8 come into compliance then, with the current
9 variance?

10 MS. FERGUSON: You need a microphone.

11 MS. BADER: I'm looking at my notes
12 and if I'm reading it right, then he's 62 square
13 feet over. So he needs to reduce 62 square feet.

14 MAYOR WOJAHN: And what are the ---

15 MS. BADER: So, you know, he could
16 reduce the -- he could remove that additional
17 shed. I do agree with the driveway, it is ten by
18 18 feet. When you look at the slide, that part
19 that looks longer, this was what I was talking
20 about before -- that we were talking about
21 putting a barrier right here, because this part
22 was not in the calculation. I only counted this

1 part of the driveway -- ten by 18. Okay? So ---

2 MAYOR WOJAHN: So, he has to take out
3 about four feet of driveway to be in compliance -
4 - he'd have a six feet wide driveway then, right?

5 MS. BADER: Ten by seven -- I'm sorry,
6 what was your ---

7 MAYOR WOJAHN: You said it was ten by
8 18, so to reduce 62 square feet you would have to
9 reduce about four feet of the width, so you would
10 be at a six foot wide driveway.

11 (Simultaneous speaking.)

12 MEMBER KABIR: Between three and four
13 feet.

14 MAYOR WOJAHN: Hm?

15 MEMBER KABIR: Between three and four
16 feet.

17 MAYOR WOJAHN: Between three and four
18 feet, yeah, so you would have to -- or reduce
19 some of the length of it, but that would -- then
20 it wouldn't come as far as -- that would be --

21 MS. BADER: Yes, I don't ---

22 MAYOR WOJAHN: -- he'd have to reduce

1 about six and a half square feet at the end.

2 MS. BADER: The standard recommended
3 width is 10 feet, so I wouldn't reduce that.

4 MAYOR WOJAHN: Yeah, you wouldn't want
5 to narrow it -- but you could -- I suppose you
6 could reduce about six and a half square feet at
7 the -- at the end.

8 MS. BADER: Yeah.

9 MAYOR WOJAHN: And it's 18 square
10 feet, so that would put you at about 12 feet
11 long? I mean ---

12 MS. BADER: Right, a typical parking
13 space is nine by 18, so --

14 MAYOR WOJAHN: Okay, so you're not
15 really -- you can't -- you wouldn't really be
16 able to fit anything there, if you ---

17 MS. BADER: Yeah, right. Pretty much
18 what he has -- ten by 18 is like your typical
19 parking space for one car, so ---

20 MAYOR WOJAHN: So, what he said is
21 accurate, that he really can't reduce the
22 driveway.

1 MS. BADER: Right. No, that's true.

2 MAYOR WOJAHN: Okay. Any additional
3 questions from the Council?

4 Okay. All right. Thank you, Mr.
5 Sears. I will open it up for discussion from the
6 Council and I'll proceed. Ms. Kennedy?

7 MEMBER KENNEDY: I will just -- thank
8 you, Mr. Sears, for coming out and speaking. I
9 know -- and I appreciate you speaking to the
10 hardship and I know that this is difficult and
11 making these adjustments to your home -- it is
12 important. I -- myself and others up here have
13 been on the APC before and we've gone through
14 these, and we know -- and I read the transcript
15 here, and I know how much they worked and how
16 much Ms. Bader worked to try to come to a
17 resolution and work with you and I appreciate
18 that. I appreciate you working with them and
19 them working with you.

20 I tend to agree with the APC's
21 decision, in general, not just here. And I think
22 tonight would be no different. It is important -

1 - this lot coverage to me is very important when
2 it comes to storm water management, and being
3 able to make sure that rain that comes down, it
4 seeps into the ground where it drops to the
5 ground and when there is so much concrete in a
6 space like this, and there is -- I think Ms.
7 Bader is being pretty lenient, in that she is not
8 counting a lot of the walkways -- which you could
9 probably technically count if you tried, some of
10 that -- some of that, walkway, against lot
11 coverage. So, for me it is really important to
12 make sure that we try to keep with -- as best we
13 can, the lower lot coverage.

14 So, for me tonight, I will be
15 supporting the APC's decision. I hope that you
16 will consider and find a way to reduce lot
17 coverage in other parts of your property so that
18 you can. I understand the hardship of wanting,
19 or the need to have a covered porch and I think
20 there is other ways, it looks like here, that you
21 can adjust for that.

22 So, thank you for coming out. I

1 appreciate that and I appreciate the staff
2 working with you to make that happen.

3 MAYOR WOJAHN: Thank you, Ms. Kennedy.
4 Other discussion? Mr. Rigg?

5 MEMBER RIGG: I move to affirm the APC
6 decision as described in the packet.

7 MAYOR WOJAHN: Okay. There is a
8 motion. Is there a second?

9 MEMBER KENNEDY: Second.

10 MAYOR WOJAHN: Seconded by Ms.
11 Kennedy. Further discussion, Mr. Rigg?

12 MEMBER RIGG: No, I think, you know,
13 look through the transcript -- I think Ms.
14 Kennedy described my concern just as well.

15 I tend to be fairly dogmatic about lot
16 coverage. I've always been willing to consider
17 small variances, but in particular in this case
18 since we have a lot coverage overage that
19 occurred as a result as an unlicensed, or an un-
20 permitted variance, it is troubling for me to,
21 sort of, affirm that.

22 So, I think, you know, staff has been

1 very accommodating with prior applicants and I'm
2 sure will continue to be accommodating with Mr.
3 Sears to help him understand what his options
4 might be, to be able to meet that lot coverage
5 requirement. But it is something that I think is
6 important for our city, since we already have
7 such substantial storm water management issues.

8 MAYOR WOJAHN: All right, thank you,
9 Mr. Rigg for the discussion. Dr. Kabir?

10 MEMBER KABIR: I have a question -- I
11 have questions. Mr. Sears can still build a
12 porch, right?

13 MS. BADER: Yes. Our recommendation
14 was that he be allowed to roof the porch. The
15 shed is ten by 25 -- and remember he is 62 over,
16 so the shed is 250 square feet.

17 MEMBER KABIR: Okay.

18 MS. BADER: So we were really leaning
19 towards -- if he removes part of the shed, then
20 he can do his front porch.

21 MEMBER KABIR: Comply with the lot
22 coverage --- yeah.

1 MS. BADER: Right, right, by reducing
2 the shed.

3 MEMBER KABIR: Thank you.

4 MAYOR WOJAHN: Thank you, Dr. Kabir,
5 for the discussion. Seeing none, I'll call the
6 question. All in favor say, aye.

7 (Chorus of aye.)

8 MAYOR WOJAHN: Opposed?

9 Abstentions?

10 Motion carries. All right, thank you
11 very much, Mr. Sears. The staff will work with
12 you on what the requirements of the Advisory
13 Planning Commission are. I know they offered you
14 the flexibility to decide how to get back to the
15 lot coverage restrictions, so, it sounds like you
16 may have some options. But, the staff will work
17 with you on that and I am getting site plan
18 together on how to proceed.

19 (Whereupon, the above-entitled matter
20 was concluded at 8:43 p.m.)

21

22

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Gregory Sears, 9604 51st Place
CASE CPV-2019-03

Before: City Council of College Park

Date: 07-09-19

Place: College Park, MD

was duly recorded and accurately transcribed under
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