

RESOLUTION

WHEREAS, the Prince George’s County Planning Board has reviewed DDS-590 requesting a departure of 11 feet from the required 22-foot driveway width in accordance with Subtitle 27 of the Prince George’s County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on December 17, 2009, the Prince George's County Planning Board finds:

A. **Location and Field Inspection:** The subject property is a narrow, rectangular-shaped lot located on the north side of College Avenue, approximately 150 feet west of Rhode Island Avenue, also known as 4618 College Avenue. The site is improved with a historic single-family dwelling (divided into three units) known as the Holbrook House and a ten-foot by ten-foot shed. Parking is provided at the rear of the structure for six vehicles. A six-foot-high wooden fence extends along the western property line from the street line to the end of the dwelling. The site has access to College Avenue via a variable width, two-way driveway, a portion of which includes a shared 12-foot-wide driveway easement.

B. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	R-18	R-18
Use(s)	Multifamily dwelling	Two-family dwelling
Acreage	0.23	0.23
Lots	Lot 5	Lot 5

C. **History:** The 1989 *Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity and Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67* retained the property in the R-18 (Multifamily Medium Density Residential) Zone. Subsequent to the adoption of the master plan, the dwelling on the property, referred to as Holbrook House, was designated a historic site (66-021-31) within the Old Town College Park Historic District (66-021). Holbrook House, which was constructed in 1927, is one of two known examples in Prince George’s County of the Alhambra model of Sears, Roebuck and Company mail-order homes.

The structure has a history of use as a rooming house and multifamily dwelling. In 1967, the owner, Mrs. Holbrook, rented three rooms upstairs and a basement apartment. A year later she rented an additional room upstairs. The house continued to operate as a rental property under the next owner who purchased the property in 1973. In 1978, the house was again sold and the new owner indicated the property was owner-occupied. When the property was sold yet again in 2001, the new owner obtained rental licenses for two units and a Historic Area Work Permit for the construction of an addition to the rear of the house. Although a county use and occupancy permit was issued in 2002 when the addition was completed, it was for a single-family dwelling, not a

three-unit multifamily dwelling. The City of College Park inspected the property and issued a rental license for three units. The current owner, Steven Behr, purchased the property in 2006.

- D. **Master Plan Recommendation:** The application does not strictly conform to the land use recommendations of the 1989 Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity. The master plan recommends an urban residential land use with a density between 12.0 and 16.9 dwelling units per acre. The applicant is proposing a density of 8.6 dwelling units per acre, in compliance with Section 27-442(h) of the Zoning Ordinance which restricts the property to a maximum of two dwelling units on 0.23 acre. The application is compatible with the goal to preserve historic resources in the county.

The 2002 *Prince George's County Approved General Plan* places this property in the Developed Tier. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods.

- E. **Request:** The applicant is requesting a departure from design standards from Section 27-560(a) of the Zoning Ordinance, which requires a 22-foot-wide driveway for two-way traffic. The site plan shows that a portion of the existing access drive is only 11 feet wide. The applicant has provided a copy of a joint driveway agreement (Liber 14700, Folio 382) with the adjacent property owner (Lot 6) which provides an additional six feet of driveway width to the east. The applicant is requesting an associated special exception (SE-4611) for an adaptive use of a historic site pursuant to Section 330.02 of the Zoning Ordinance, to allow the legal conversion of a single-family dwelling to a two-family dwelling. The conversion of single-family dwellings is not permitted in the R-18 Zone, except by this provision.
- F. **Parking and Loading Requirements:** Per Section 27-568 of the Zoning Ordinance, the applicant is required to provide a minimum of four parking spaces for the proposed two-family use. The site plan shows that six parking spaces, including one handicap space, are provided. Because the applicant has amended the original application to propose a two-family detached dwelling, it is recommended that the handicap space be replaced with a standard parking space. A handicap parking space is not required for the proposed use. Loading spaces are neither required nor provided.
- G. **Required Findings:**

Section 27-239.01(b)(7)(a) of the Zoning Ordinance provides that in order for the Planning Board to grant the departure, it shall make the following findings:

- (i) **The purposes of this Subtitle will be equally well or better served by the applicant's proposal;**

The purposes of the Parking Regulations will be equally well served by the applicant's proposal. The purposes of parking design standards are contained in Section 27-550 of the Zoning Ordinance. The purposes pertain to the following:

- Providing sufficient parking to serve the needs of all persons associated with the building and uses.
- Relieving traffic congestion on streets by reducing the use of streets for parking.
- Protecting the residential character of residential areas.
- Providing parking areas that are convenient and increase the amenities in the Regional District.

The applicant is providing parking above the minimum required amount in the Zoning Ordinance to serve the needs of the future residents of Holbrook House. Safe and efficient access to the parking area will not be compromised if the departure is granted. Only a portion of the driveway width is less than 22 feet wide on the subject property and this deficiency is improved by an additional six feet of width provided on the adjacent property pursuant to a shared driveway agreement.

(ii) The departure is the minimum necessary, given the specific circumstances of the request;

Comment: The departure is the minimum necessary given the specific circumstances of the request. The lot is extremely narrow. The minimum lot width in the R-18 Zone is generally 100 feet. The subject property has a lot width of only 50 feet. The shared driveway represents an improvement to the access situation. There are no other means available to increase the width of the driveway on the subject property without impacting the historic structure.

(iii) The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949;

The original single-family dwelling was constructed in 1927, prior to current parking and access requirements. As noted previously, properties in the R-18 Zone are currently required to be at least 100 feet at the front street line. The narrowness of the lot necessitates that required parking be located at the rear of the lot. A driveway is required to access the parking spaces; however, the narrow lot width severely limits the applicant's ability to provide the required driveway width. For this reason, the departure is necessary to alleviate circumstances unique to the site.

(iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.

The Transportation Planning Section, in a memorandum dated September 30, 2009 (Masog to Fenton), specifically referenced the requested departure and offered the following comments:

Within the side yard, the applicant is proposing an 11-foot-wide portion of the driveway. This does not meet the minimum requirements of the Zoning Ordinance, which is 22 feet. The proposed circulation pattern shows vehicles entering the site from College Avenue and parking at the rear of the site, and exiting the site via the same driveway onto College Avenue. The existing paved area extends beyond the subject site onto the adjacent property (Lot 6). The driveway on the subject Lot 5 is currently shared with Lot 6 (which contains an existing multifamily dwelling) for ingress and egress purposes. This shared driveway includes an easement that runs along the property boundary of Lots 5 and 6. This easement is the subject of a joint driveway agreement which was submitted with the application and is recorded in the County Land Records. The total existing shared, paved driveway area between Lots 5 and 6 is approximately 16 feet wide, with 11 feet shown on the subject Lot 5, and approximately five feet of paved area shown on Lot 6. It widens to 22 feet at the rear of the site where the 90 degree parking is located. The section of driveway that is 11 feet wide appears to contain parking. The Board, in an effort to facilitate emergency access, recommends that parking in the driveways be prohibited. Given the very limited uses and number of parking spaces which access the subject driveway, along with the fact that there is sufficient width to accommodate two-way operations at very low speeds within the overall easement, the departure is acceptable with the condition noted above.

Based on the above, the departure will not impair the functional quality of the site. The site plan indicates that a thicket of existing bamboo along the rear property line and a small portion of the western property line will be removed. Because it provides screening, staff recommends it be trimmed and maintained so as to not encroach into the parking area and to enhance the environmental setting. As the applicant is not proposing any structural changes to the dwelling or other changes to the property, the departure will not impair the visual or environmental quality of the site or the integrity of the surrounding neighborhood.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the above-noted application, subject to the following condition:

1. Parking shall be prohibited in the driveway at all times. The applicant shall post signage stating this prohibition in a visible location.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council for Prince George's County, Maryland within thirty (30) days of the final notice of the Planning Board's decision.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Vaughns and Parker voting in favor of the motion, and with Commissioner Cavitt voting against the motion at its regular meeting held on Thursday, December 17, 2009, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of January 2010.

Patricia Colihan Barney
Acting Executive Director

By Frances J. Guertin
Planning Board Administrator

PCB:FJG:CF:arj