

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK
ADOPTING THE RECOMMENDATION OF THE ADVISORY PLANNING
COMMISSION REGARDING VARIANCE APPLICATION NUMBER CPV-2023-01,
7501 WELLESLEY DRIVE, COLLEGE PARK, MARYLAND, AND APPROVING TWO
VARIANCES: A 13-FOOT STREET SIDE YARD SETBACK VARIANCE, AND A 2-
FOOT REAR YARD SETBACK VARIANCE FROM SECTION 27-4202 (E) (2) OF THE
PRINCE GEORGE'S COUNTY ZONING ORDINANCE, TO CONVERT AND WIDEN A
ONE-CAR CARPORT INTO A TWO-CAR GARAGE**

WHEREAS, the City has, pursuant to §190-1 *et seq.* of the City Code, and in accordance with Section 27-924 of the Prince George's County Zoning Ordinance ("Zoning Ordinance"), enacted procedural regulations governing any or all of the following: departures from design and landscaping standards, parking and loading standards, sign design standards, and variances for lot size, setback and similar requirements for land within the corporate boundaries of the City, alternative compliance from landscaping requirements, certification, revocation, and revision of nonconforming uses, and minor changes to approved special exceptions; and

WHEREAS, the City is authorized to grant an application for a variance where:

A specific parcel of land is physically unique and unusual in a manner different from the nature of surrounding properties with respect to exceptional narrowness, shallowness, shape, exceptional topographic conditions, or other extraordinary conditions peculiar to the specific parcel (such as historical significance or environmentally sensitive features);

The particular uniqueness and peculiarity of the specific property causes a zoning provision to impact disproportionately upon that property, such that strict application of the provision will result in peculiar and unusual practical difficulties to the owner of the property;

Such variance is the minimum reasonably necessary to overcome the exceptional physical conditions;

Such variance can be granted without substantial impairment to the intent, purpose and integrity of the general plan or any functional master plan, area master plan, or sector plan affecting the subject property;

Such variance will not substantially impair the use and enjoyment of adjacent properties; and a variance may not be granted if the practical difficulty is self-inflicted; and

WHEREAS, the Advisory Planning Commission ("APC") is authorized by §190-3 of the City Code to hear requests for variances from the terms of the Zoning Ordinance with respect to setbacks, and similar requirements, including variances from Section 27-4202 (e) (2) of the Zoning Ordinance, and to make recommendations to the City Council in connection therewith; and

WHEREAS, Section 27-4202 (e) (2) of the Zoning Ordinance specifies a street side yard setback of 25 feet for corner lots in the RSF-65 zone; and


- 1.6 According to Zoning Ordinance definitions, the front yard faces Citadel Drive. The street side yard faces Wellesley Drive. The rear yard is opposite the front yard. The remaining side yard is opposite Wellesley Drive.
- 1.7 The property and immediate neighborhood are zoned RSF-65, single-family residential.
- 1.8 Wellesley Drive is not centered in the right-of-way. The paved street (back of curb) is 11-feet away from the property line, and there is no sidewalk. This gives the visual impression that the house and garage are setback farther from the road lessening the impact of the street side yard setback variance. Also, the yard opposite Citadel Drive is the rear yard but due to the orientation of the house, it appears and functions like a side yard.
- 1.9 Both the street side yard and rear yard variances are measured from the closest corner of the garage. The amount of variance then decreases due to the angle of the construction.
- 1.10 The property owners have a young child. For the safety of the child, it is important for the property owners to be able to park off-street, close to an entrance to the house.
- 1.11 The property owners purchased the house in September, 2022.

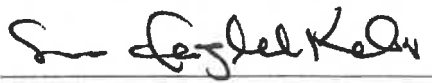
Section 2 Conclusions of Law

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of College Park to approve CPV-2023-02 for a 13-foot street side yard setback variance, and a 2-foot rear yard setback variance to allow the conversion of a one-car carport to a two-car garage.

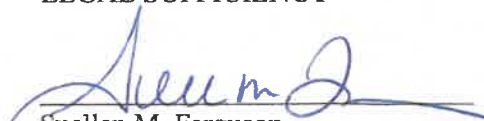
ADOPTED, by the Mayor and Council of the City of College Park at a regular meeting on the 16th day of May 2023.

CITY OF COLLEGE PARK


Janeen S. Miller, CMC, CERA
City Clerk


Fazlul Kabir, Mayor
City of College Park

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY


Suellen M. Ferguson
City Attorney