



**MEETING OF  
UNIVERSITY PARK MAYOR AND COMMON COUNCIL**

**UNIVERSITY PARK ELEMENTARY SCHOOL  
4315 UNDERWOOD STREET**

**7:30 p.m.  
July 11, 2016  
MINUTES**

**1. CALL TO ORDER: *Mayor Lenford Carey* at 7:30 p.m.**

**Present:** Mr. Thompson, Mr. Gekas, Mr. Hess, Ms. Verrill, Mr. Caskey, Mr. Cron, Mr. Alvarez  
**Absent:** None  
**Excused:** None

**2. PLEDGE OF ALLEGIANCE** was led by Mr. Gekas.

**3. APPROVAL OF THE AGENDA**

**Moved by:** Mr. Cron                      **Seconded by:** Mr. Thompson  
**Yea:** 7    **Nay:** 0    **Abstain:** 0

**4. PRESENTATIONS**

Mayor Carey introduced Mr. Craig Brown as the new Code Compliance Officer for the Town of University Park, which is a part time position and reports to the Chief of Police. Mr. Brown is a resident of University Park and has a background as a Maryland home improvement certified contractor.

Council members suggested that a report of incidents be presented periodically.

**5. PERMITS**

**A. BUILDING PERMIT APPLICATION WITH VARIANCE FOR A 6' FENCE  
(Camille Jackson and Matt Weaver, 4412 Van Buren Street) Ward 3**

**Motion:** To approve the request for a building permit with special exception for a non-conforming 6' fence, located on Lot 35 & 36, Block 15, Section 3 at 4412 Van Buren Street. Council approved the request for a building permit on the basis that the requirements of Sections 4-115 had been met and a showing of need for the variance based on unusual circumstances: 1) the proximity of the property to the periphery of the Town boundary being one lot removed from Rt. 1, the busiest roadway bordering Town, and 2) the increased foot and automobile traffic that will be accessing the Whole Foods - Riverdale Park Station directly in front of the residence.

**Section 4-115. Special Exceptions**

The Common Council may consider an application for a special exception based upon a particular case or situation, and may approve the application provided that there is a showing of hardship, unique topography, unusual circumstances or safety considerations that warrant an exception. Special exceptions shall be granted by the Council only if it finds that such exception:

- (a) will not adversely affect the public health, safety, welfare or interest, nor the reasonable use of adjoining properties;
- (b) will not violate any covenants applicable to the property;
- (c) can be granted without substantial impairment of the purpose and intent of the Town building regulations;
- (d) will not interfere with or obstruct the visibility of motorists or cyclists; and
- (e) will not unduly impede the enforcement of any other applicable law. (Revised, effective December 12, 1989, February 28, 1998)

**Moved by:** Mr. Hess

**Seconded by:** Mr. Thompson

**Roll Call Vote:**

Thompson	Nay
Gekas	Yea
Hess	Yea
Verrill	Nay
Caskey	Yea
Cron	Yea
Alvarez	Nay

**Yea:** 4

**Nay:** 3

**Abstain:** 0

**Mayor Carey vetoed this motion stating that these are not unusual circumstances.**

**Motion:** To approve the request for a building permit with special exception for a non-conforming 6' fence 14 feet in length to replace an existing 42-inch high fence (Section A, as shown in the attached drawing) due to showing of unusual circumstance of connecting the house to an existing 6' fence encompassing the rest of the yard. Also, to acknowledge and validate three pre-existing sections of fence 6 feet in height and approximately 112 feet of length in three sections (Sections B, C, and D as shown). Also, to permit construction of fence of 4 feet in height and totaling approximately 60 feet in length in two additional sections (Sections E and F) which are joined at a corner. All sections (A through F as shown) are located on Lot 35 & 36, Block 15, Section 3 at 4412 Van Buren Street. Council makes the requisite findings to approve this Special Exception per Section 4-115 Sub-sections A-E of the Town Code.

**Moved by:** Mr. Caskey

**Seconded by:** Mr. Hess

**Roll Call Vote:**

Thompson	Yea
Gekas	Yea
Hess	Yea
Verrill	Yea
Caskey	Yea
Cron	Yea
Alvarez	Yea

**Yea:** 7

**Nay:** 0

**Abstain:** 0

*Note: The question about the location of the Town right-of-way has been resolved via 1996 drawings by the town engineer demonstrating that no part of the fence is on the Town right of way.*

**B. BUILDING PERMIT APPLICATION TO REPLACE EXISTING FENCE  
(Reid and Rebecca Bingham of 6805 Forest Hill Drive) Ward 6**

**Motion:** To approve the request for a building permit to replace existing 4' fence located on Lot 2 and Block 35 at 6805 Forest Hill Drive.

**Moved by:** Mr. Cron

**Seconded by:** Mr. Gekas

**Yea:** 7

**Nay:** 0

**Abstain:** 0

**C. BUILDING PERMIT APPLICATION TO REPLACE STAIR AND LANDING  
(Michael Small of 4206 Tuckerman Street) Ward 2**

**Motion:** To approve the request for a building permit to replace existing front stair and landing located on Lot 9, Block 2 and Section 2 at 4206 Tuckerman Street.

**Moved by:** Mr. Gekas

**Seconded by:** Mr. Hess

**Yea:** 7

**Nay:** 0

**Abstain:** 0

**D. BUILDING PERMIT APPLICATION TO INSTALL A SHED  
(Asis Segundo of 6723 44th Avenue) Ward 3**

**Motion:** To approve the request for a building permit to install a 8'x 7.5' shed located on Lot 23, Block 15 and Section 3 at 6723 44<sup>th</sup> Avenue.

**Moved by:** Mr. Hess

**Seconded by:** Ms. Verrill

**Yea:** 7

**Nay:** 0

**Abstain:** 0

**6. PUBLIC COMMENT**

None.

**7. CONTINUING BUSINESS**

**A. FISCAL YEAR 2017 BUDGET AMENDMENT**

**Motion:** To approve LR 16-O-04 to amend the fiscal 2017 budget and approve a transfer of an amount not to exceed \$ 35,000 from Unreserved Designated Funds Line Item F1 Vehicle Replacement to Public Works Capital Line Item W16 Equipment, to enable purchase of a 2016 all-wheel replacement vehicle for the Director of Public Works.

**Moved by:** Mr. Thompson

**Seconded by:** Mr. Hess

**Yea:** 7

**Nay:** 0

**Abstain:** 0

## 8. NEW BUSINESS

### A. BIKE SHARE DREAMS AND ASPIRATIONS

**Motion:** To approve a statement of dreams and aspirations regarding bike share and to authorize this communication by the mayor and Town staff.

**Moved by:** Mr. Gekas      **Seconded by:** Mr. Cron  
**Yea:** 7      **Nay:** 0      **Abstain:** 0

## 9. APPROVAL OF MINUTES: *June 20, 2016*

**Moved by:** Mr. Thompson      **Seconded by:** Mr. Alvarez  
**Yea:** 7      **Nay:** 0      **Abstain:** 0

## 10. DEPARTMENT AND COUNCIL REPORTS

### A. MAYOR'S REPORT

- The District Council resolution regarding Prince Georges Plaza Area TDDP was emailed to the Council members along with the Staff Analysis of Testimony from the May 31 hearing. Mayor Carey said that the oral and written testimonies from the municipalities were not considered. The District Council will have to pass another ordinance before they can apply bonus density. The language concerning stormwater management was softened. There will be a final vote on the resolution on July 19.
- The former president of the Woman's Club, Margaret Callahan passed away.
- The University of Maryland Department of Geographical Sciences has made available remote sensing imagery and data of University Park. An intern from University of Maryland will help the Town make use of the imagery to plan tree plantings and improvements in tree canopy throughout Town.

### B. COUNCIL REPORTS

None

### C. REPORT OF THE TOWN TREASURER ~ *Dan Baden*

June 2016 Treasurer's Report was distributed.

### D. REPORT ON POLICE DEPARTMENT ACTIVITIES ~ *Chief Wynnyk*

June 2016 Crime Report was distributed.

- The speed sign has been placed on Rt. 1.
- Gave away bicycle helmets at the July 4<sup>th</sup> parade to promote safety.

## 11. ADJOURNMENT by consent at 10:05 p.m.

- CONSUMER INFORMATION NOTES:**
1. This plan is a benefit to a consumer insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
  2. This plan is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
  3. This plan does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or re-financing.
  4. Building line and/or Flood Zone information is taken from available sources and is subject to interpretation of originator.
  5. No Title Report furnished.

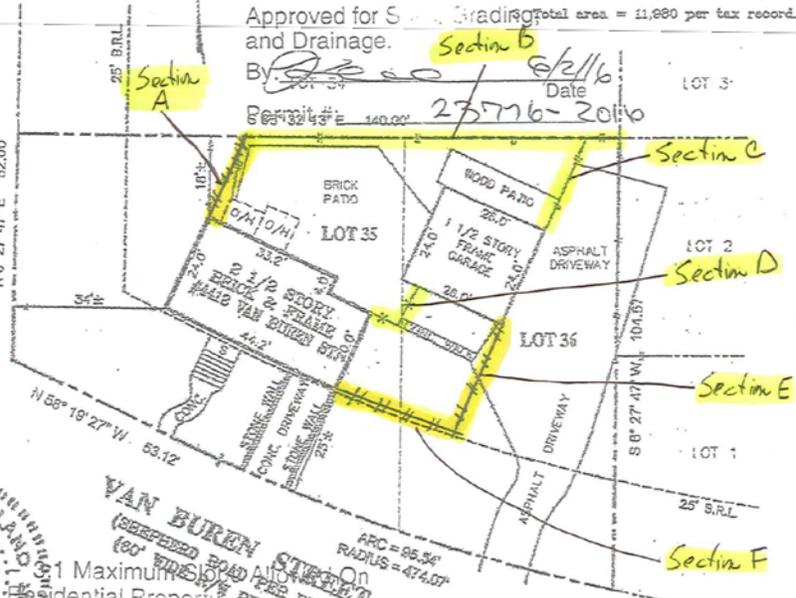
*Handwritten:* Weaver  
 9 Steps  
 6-2-16  
 23776-2016-200  
 Fence  
 Approved for 6' High

*Handwritten:* J. Snider

- Notes:**
1. Setback distances as shown to the principal structure from property lines are approximate. The level of accuracy for this drawing should be taken to be no greater than plus or minus 3 feet.
  2. Fences, if shown, have been located by approximate methods.

Approved for S... Grading and Drainage. **Section B**  
 B.V. # 23776-2016 Date 6/2/16  
 Permit # 14000 23776-2016

APPROVED  
 THE MARYLAND NATIONAL  
 PARK AND PLANNING COMMISSION



**VAN BUREN STREET**  
 (SPEEDER ROAD ALTERNATE)  
 10' WIDE PER PLAT  
 12% Maximum Driveway Slope  
 5% Minimum Slope Required  
 5" In  
 Slope Of Pad Away  
 from building is Required.

LOCATION DRAWING  
 LOTS 35 & 36, BLOCK 15  
 SECTION THREE  
 UNIVERSITY PARK  
 PRINCE GEORGE'S COUNTY, MARYLAND

<b>SURVEYOR'S CERTIFICATE</b>		<b>REFERENCES</b>			<b>SNIDER &amp; ASSOCIATES</b> LAND SURVEYORS 20270 Goldenrod Lane, Suite 110 Germantown, Maryland 20876 301/948-5100 Fax 301/948-1286	
THE INFORMATION SHOWN HEREON HAS BEEN BASED UPON THE RESULTS OF A FIELD INSPECTION PURSUANT TO THE DEED OR PLAT OF RECORD. EXISTING STRUCTURES SHOWN HAVE BEEN FIELD LOCATED BASED UPON MEASUREMENTS FROM PROPERTY MARKERS FOUND OR FROM EVIDENCE OF LINES OF APPARENT OCCUPATION.		PLAT BK. 8	PLAT NO. 18		DATE OF LOCATIONS	SCALE: 1" = 30'
<i>Jeffrey A. Foster</i> MARYLAND PROPERTY LINE SURVEYOR REG. NO. 587 EXPIRES: 04-06-2017		LIBER 88365	FOLIO 19	FIELD CHECK:	DRAWN BY: E.H.	
				SEE. LOC.: 03-25-2016	JOB NO.: 16-00857	