

Resolution No. R-02-2021

Adopted: March 8, 2021

A Resolution of the Town Council of Kensington to grant a parking area Variance for 10311 Summit Avenue.

WHEREAS, an application for a front plane parking area has been filed by Kevin and Kristi Jones, (“Applicants”), for certain real property located at 10311 Summit Avenue (“the property”); and

WHEREAS, the purpose of the Variance is to allow the installation of a 190 square foot parking area, adjacent to the existing driveway, within the front plane of the property, as regulated within Section 5-107 of the Town Code; and

WHEREAS, the Town Council may grant a petition for a Variance after a hearing when the Council finds that:

1. Strict application of the Town regulations would result in peculiar and unusual practical difficulties to, or exceptional or undue hardship, upon the owner of the property;
2. The variance is the minimum reasonably necessary to overcome any exceptional conditions; and
3. The variance can be granted without substantial impairment of the intent, purpose, and integrity of this article.

WHEREAS, the Mayor and Council, conducted a Public Hearing on the Variance request on February 8, 2021, at a public meeting, after due notice to the public and to the adjacent neighbors, and received testimony on the requested Variance. The Council closed the record following the Public Hearing.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of Kensington, based on the testimony presented at the Public Hearing on February 8, 2021, and evidence submitted, adopts the following findings of fact and conclusions of law:

Findings of Fact:

1. Kevin and Kristi Jones (“Applicants”), are the owners of 10311 Summit Avenue in Kensington, Maryland, which is zoned single family residential (“the Property”).
2. The property has an existing driveway which is 11’x47’ (517 square feet), of which 275 square feet are located within the front plane of the property.

3. The Town allows a maximum of 35 percent surface parking area within the front plane of a residential property; the property would have an allowance of 438 square feet of surface parking within the front plane.
4. The proposed parking area ("Parking Pad") would add an additional 190 square feet to the surface parking area at the property for coverage of 37 percent.
5. The Montgomery County Department of Transportation restricts street parking along the east side of Summit Avenue between 4:00 pm – 6:00 pm, Monday – Friday.
6. The Applicants wish to construct the parking pad to help with egress/ingress related to traffic volume issues, along with parking restrictions, along Summit Avenue.

Conclusions of Law:

1. Strict application of Town regulations would result in undue hardship considering the traffic volumes and parking restrictions along Summit Avenue.
2. The proposed Variance is the minimum necessary to overcome the unique condition of the hardship by allowing a three-point-turn and removing a vehicle from parking along Summit Avenue.
3. The Variance can be granted without impairment of the intent, purpose, and integrity of this article.

BE IT FURTHER RESOLVED THAT the additional 190 square feet of surface parking area at the property at 10311 Summit Avenue be and it is hereby granted.

ADOPTED by the Town Council of Kensington, Maryland at the regular public meeting assembled on the 8th day of March, 2021.

EFFECTIVE the 8th day of March, 2021.

ATTEST: TOWN OF KENSINGTON, MARYLAND

By: 
Susan C. Engels, Clerk – Treasurer


Tracey C. Furman, Mayor