

Resolution No. R-15-2024

Adopted: July 10, 2024

A Resolution of the Mayor and Town Council of Kensington approving a Variance to allow the installation of a driveway with a width of 13 feet, 10 inches (13' 10") located at 3505 Kent Street, in accordance with Section 5-107 (e), "Driveways and Parking Surfaces", of the Town Code.

WHEREAS, the Town received a permit application for the installation of a thirteen-foot, ten-inch (13' 10") driveway by Jeremy and Katie Schappert ("the Applicants"), for certain real property located at 3505 Kent Street, ("the Property"); and

WHEREAS, the driveway would exceed the maximum width of eleven feet (11') for a driveway of a residential property, in accordance with Section 5-107, "Driveways and Parking Surfaces", of the Town Code; and

WHEREAS, the Applicant has filed a Variance request before the Town Council to allow for a driveway with the width of 13' 10" located at 3505 Kent Street; 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 at the June 12, 2024, Council 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 June 12, 2024, and evidence submitted, adopts the following findings of fact and conclusions of law:

Findings of Fact:

1. Jeremy and Katie Schappert, (“the Applicants”), are the owners of 3505 Kent Street, Kensington, Maryland, which is zoned single-family residential (“the property”).
2. The Applicant has requested to install a driveway with a width of 13’ 10” due to the grade of the driveway and difficulty of caregivers to maneuver children in and out of the car.
3. The property owner at 3507 Kent Street, Julie Anderson, provided a letter in support of the Variance.
4. The property owners at 10200 Frederick Avenue, Katherine and TJ Monahan, provided a letter in support of the Variance.

Conclusions of Law:

1. The Strict application of the Town’s regulations would result in peculiar and unusual practical difficulties due to the steep grade of the property and safety issues.
2. The proposed Variance is the minimum necessary to overcome the unique condition of the topography.
3. The Variance can be granted without impairment of the intent, purpose, and integrity of this article.

BE IT FURTHER RESOLVED THAT the Variance request to install a driveway with a width of 13 feet, 10 inches (13’ 10”) located at 3505 Kent Street be and it is hereby granted.

ADOPTED by the Town Council of Kensington, Maryland at the regular public meeting assembled on the 10th day of July, 2024.

EFFECTIVE the 10th day of July, 2024.

ATTEST: TOWN OF KENSINGTON, MARYLAND

By: 
Susan C. Engels, Clerk – Treasurer

Tracey C. Furman, Mayor