



Memo

To: Debi Sandlin, Interim Director, Com. & Econ. Development
From: Jeff Ulysse, City Planner
CC: Tracey Douglas, City Administrator
Date: May 15, 2024
Re: Zoning Variance Request V-14-24 – 5800 30th Ave, Hyattsville
Attachments: Application for Variance (Appeal No. V-14-24)
City of Hyattsville Variance Policy

The purpose of this memorandum is to provide the Director of Community & Economic Development with a briefing on the Zoning Variance request V-14-24, for the subject property located at 5800 30th Ave, Hyattsville.

Summary of Variance Conditions:

The applicant(s), Simona Gallardo Castillo and Jennifer Barrios, has applied to the Prince George's County Board of Zoning Appeals (BZA) for a zoning variance to validate existing conditions (net lot area, lot width, lot frontage, front yard depth, side yard width) and to obtain a building permit for the construction of a 14'x14' one story addition.

The requested variances are outlined in the table below:

Residential Zone Use Table	Description	Variance Requested
Section 27-4202 (e)(2)(1)	Requires each lot shall have not more than 35% of the net lot area shall be covered by buildings and off-street parking.	Variance of 14.5% net lot coverage.
Section 27-4202 (e)(2)(2)	Requires each lot shall have a minimum lot frontage at street line front yard at least 25 feet in width.	Variance of 2 feet front yard depth.
Section 27-4202 (e)(3)	Requires each lot shall have a side yard at least 8 feet in width.	Variance of 5 feet side yard width.
Section 27-4202 (e)(2)	Requires each lot shall have a minimum net lot area of 6,500 sf	Variance of 1,000 sf lot area .

The subject property includes an existing single-family detached residential structure, a residential storage shed and detached gazebo. This is further illustrated in the survey shown in Figure 2 below. The property is located within the RSF-65 (Residential, Single-Family – 65) zoning district, as illustrated in Figure 1. The subject property is also situated in City Council Ward 4 and is located within a Residential Parking Zone 8.

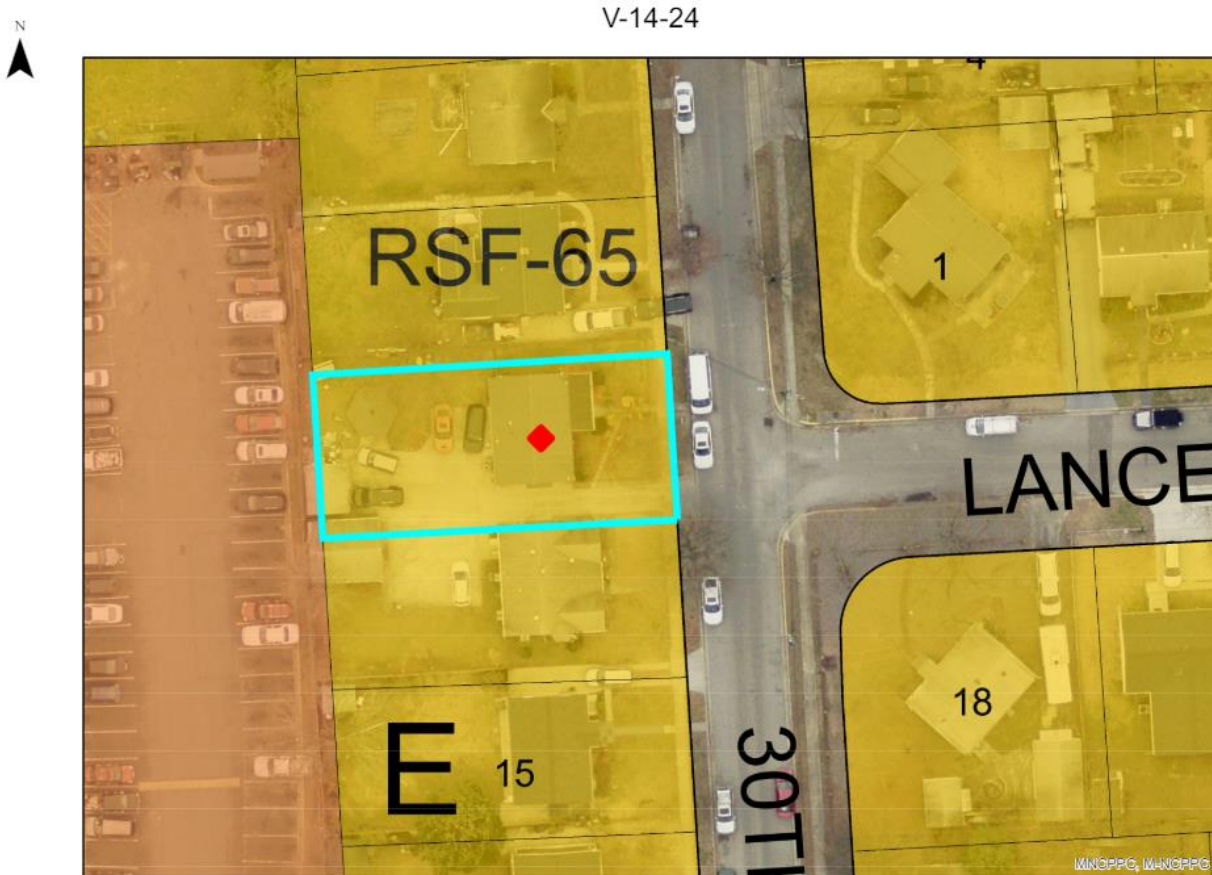


Figure 1. Zoning at 5800 30th Ave, Hyattsville

Data provided by Prince George's County Planning Department - 1

The existing dwelling was built in 1940 prior to modern zoning standards, and is located as close as 6.5 feet to the existing side yard lot line and as close as 26.64 feet to the existing front yard lot line. The addition would not be located closer to the side yard or front yard lot lines than the existing dwelling. The existing dwelling footprint is shown on Figure 2, and the proposed one story addition is shown in bold to the rear of the subject property.

Figure 3 illustrates the existing concrete driveway in the front yard of the subject property extending to the rear yard, resulting in additional coverage to the overall property. The Prince Georges County Code defines lot coverage as the following:

“The percentage of a lot which is covered by all “buildings”, covered structures and areas of vehicular access and parking of vehicles.”

ADDRESS: 5800 30TH AVENUE
HYATTSVILLE, MD 20782

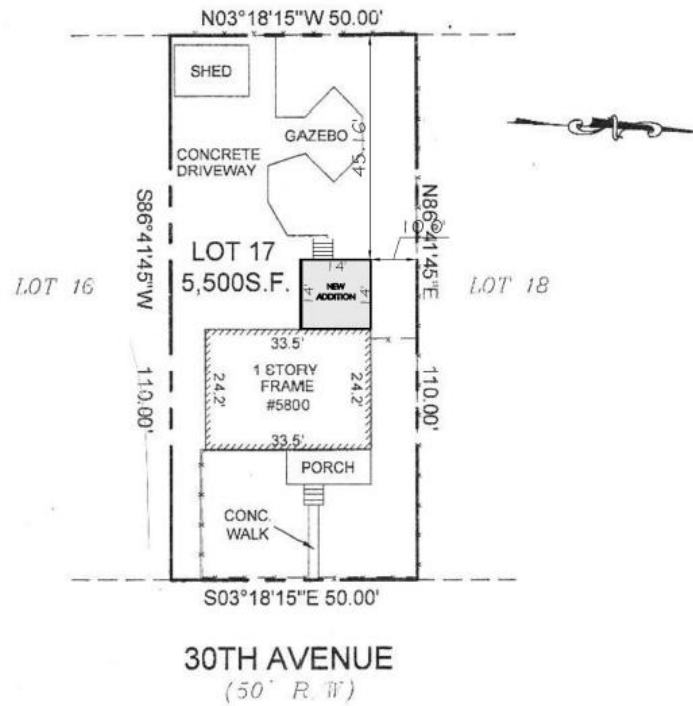


Figure 2. Proposed Addition



Figure 3. Rear Yard hardscaping

Recommendation:

The City's Variance Policy states that "the City shall as a matter of policy provide letters of support for residents to document a 'non-conforming lot' as part of the normal permitting process for projects complying with all other aspects of zoning regulations, unless the matter at hand is the certification of a non-conforming use on a non-conforming lot."

Support for the requested zoning relief related to net lot area, front yard width and side yard depth are typically granted due to non-conforming conditions created because of pre-existing zoning regulations. The BZA referral must be considered as **a whole** with either a recommendation of 'support' or 'denial' and cannot be conditioned.

Based on materials submitted with this application, the petitioners have proposed a total lot coverage of 49.5%, exceeding the maximum permissible lot coverage (35%) by 14.5%. The proposal includes a large amount of lot coverage associated with an existing concrete driveway (2,527sf existing and an additional 196sf proposed). Based upon the application and the City's Variance Policy, City Staff recommends the City Council oppose V-14-24 for the subject property at 5800 30th ave, Hyattsville, and requests that the Board of Zoning Appeals deny this application. Staff also recommends that correspondence include language to Prince George's County Department of Permitting, Inspections, and Enforcement (DPIE) requesting a reasonable degree of remediation to restore permeable surface to the subject property.