

BOARD OF APPEALS  
EXHIBIT SHEET  
VARIANCES

APPLICATION NO. V-70-24

PETITIONER: Kelly Geishawser

No. Description

---

1. Application
2. Statement of Justification
3. Site Plan
4. Elevation Plans
5. Subdivision Plat
6. Color Photos, A thru G
7. SDAT Property Printout
8. PGAtlas Printout
9. Aerial Photos, A thru F
10. Neighboring Properties, A thru D
11. Lot Coverage Worksheet
12. Notice of Virtual Hearing, 10/8/2024
13. Persons of Record List, 10/8/2024
14. Certified Mail Receipts
15. Certification of Posting Signs, w/Photos, 10/10/2024
- 16.
- 17.
- 18.
- 19.
- 20.



# BOARD of APPEALS

## Zoning and Administrative

Wayne K. Curry Administration Building  
1301 McCormick Drive, 3<sup>rd</sup> Floor  
Largo Maryland 20774  
(301) 952-3220  
[boardofappeals@co.pg.md.us](mailto:boardofappeals@co.pg.md.us)

**Rec: 9/4/2024**

Received Stamp

### APPLICATION FOR A VIRTUAL VARIANCE

**(USE BLACK INK ONLY)**

**PLEASE READ ALL INSTRUCTIONS BEFORE FILLING OUT APPLICATION**

Owner(s) of Property KELLY GEISHAUSER  
(AS SHOWN ON DEED)  
Address of Owner(s) 5408 40TH AVE  
City HYATTSVILLE State MD Zip Code 20781  
Telephone Number (home) \_\_\_\_\_ (cell) 301 356 2679 (work) \_\_\_\_\_  
E-mail address: GEISHAUSER@CHA.EDU

#### Location and Legal Description of the Property involved:

Street Address 5408 40TH AVE  
City HYATTSVILLE  
Lot(s) 16 & 17 Block 7 Parcel -  
Subdivision Name HYATTSVILLE HILLS

#### Professional Service:

► Engineer ► Contractor ► Architect ► Permit Service: (circle one) **If none, use N/A:**  
Business Name: ROMERO ARCHITECTS Phone Number: 202 436 2200  
Representative Name: MICHAEL ROMERO Email Address: MICHAEL@ROMEROARCHITECTS.COM  
Address: 1106 GALLATIN ST HYATTSVILLE MD 20781

#### Attorney representing applicant: If none, use N/A

Name: N/A Law Office of \_\_\_\_\_  
Address: \_\_\_\_\_  
Email Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

All Legal Representatives must submit a letter of representation.

EXH. # 1  
V-70-24

**Homeowners/Citizens/Civic and/or Community. If none, use N/A:**

Name: N/A

Address: \_\_\_\_\_

**Municipality (Incorporated City/Town) If none, use N/A**

Name HATTYSVILLE

**PROPOSED WORK:**

**What will be or has been constructed on the property which has required a variance?** \_\_\_\_\_

PROPOSED GARAGE ACCESSORY TO SINGLE FAMILY DWELLING

27-1202 (e) TABLE 2

SEE JUSTIFICATION LETTER

For increase in fence height or wall height, please see below.

**Security Exemption Plan Approval (Section 27-6610)**

For increase in fences height or wall height over the allowable height indicated in Section 27-6603.

**If none, use N/A:**

Please indicate the requested increase in fence/wall height: N/A

Reason for increase: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Has a Correction Order / Stop Work Order / Violation Notice been issued to the Property Owner regarding the subject property? If none, use N/A:**

Correction Order: No  Yes \_\_\_\_\_ Stop Work Order: No  Yes \_\_\_\_\_

Violation Notice: No  Yes \_\_\_\_\_ No. # \_\_\_\_\_ Date Issued: \_\_\_\_\_

Inspector's Name: \_\_\_\_\_

A copy of any issued Order (all pages, front and back) must be provided to the Board. Do not submit Citations.

**Do you need the services of a foreign language interpreter or sign language interpreter at your hearing? (\$30.00 fee required) If none, use N/A:**

Foreign Language Yes \_\_\_\_\_ No  Sign Language Yes \_\_\_\_\_ No

Foreign Language: \_\_\_\_\_

---

**SIGNATURE PAGE**

**No Electronic Signatures are permitted. Wet Signatures only.**



\_\_\_\_\_  
Signature of Property Owner by deed

\_\_\_\_\_  
Legal Representative (Attorney)

KELLY GEISHAUSER

Printed Name

9 | 5 | 2024

Date:

**IMPORTANT:**

**Failure to provide complete and accurate information on this application may delay or jeopardize consideration of the request. Applications on which all required information is not furnished will be returned for completion before processing. When complete, please forward completed application and documents to [boardofappeals@co.pg.md.us](mailto:boardofappeals@co.pg.md.us)**

**Approval of a variance is not a guarantee that further review will not be necessary by other governmental authorities. For further information regarding Board of Zoning Appeals policies and procedures, see Sections 27-3303, 27-3613 and 27-3616 of the County Zoning Ordinance and/or the Board's website at <http://pgccouncil.us/BOA>**

## **JUSTIFICATION STATEMENT**

Property: 5408 40th Avenue, Hyattsville, MD 20781. S HLF LTS 16.17 EQ 17B, Part of Hyattsville Hills

Land Area: 5,780 square feet

Petitioner: Kelly Geishauser, Owner

Request: Accessory, detached garage that is greater than allowable Lot Coverage. Section 27-4202 (e), Table (2), Lot Coverage

Zone: RSF-65

### **Factual Background**

The existing lot is a middle of the block lot with a 25' front yard setback on the east property line, a 7' side yard setback on the north and south property line, and a 20' rear yard setback on the west property line (See Drawings). Section 27-442(c) Table II, Lot coverage of the Prince George's County Zoning Ordinance states that the maximum Lot Coverage in the RSF-65 zone is 35%. Petitioner purchased the existing property with the existing structures (house and garage) and concrete driveway. The existing garage is not suited for contemporary automobile sizes and sits at the rear of the lot. The Petitioner wishes to build a new, larger garage of 18' wide x 22' deep for his truck and a workshop area. Associated with this proposed garage, he is required by Code to account for a drive from the proposed garage to the street at the front of the lot.

### **Reason for Appeal**

The proposed construction of the garage and the required drive would result in a Lot Coverage of 38.5%, or 3.5% above what is currently allowed.

### **Applicable Portion of Zoning Code**

Petitioner is seeking a variance for the garage under Prince George County Zoning Ordinance Section 27-3613 and 27-3303 due to the lot-specific conditions that a strict interpretation of the Zoning Ordinance would cause Petitioner hardship, through no fault of his own. The lot is in Hyattsville, zoned RSF-65. Petitioner's proposed project exceeds 27-4202 (e), Table (2), Lot coverage.

<b>EXH. #</b> <u>2</u> <b>V-70-24</b>
--

### Evidence Supporting Variance

Section 27-3613 (d) of the Zoning Ordinance states that a variance may once be granted when the Board of Zoning Appeals finds that:

***(1) 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 lot size is 5,780 sf. The existing garage is currently located in the rear of the property. The garage was constructed long before Petitioner purchased the house. Due to the garage's location, the driveway connecting the street to the garage is exceptionally long. The driveway accounts for 690 sf (or 11.9%) of the 5,780 sf lot. Also, the house itself sits further back than houses on typical RSF-65 lots. RSF-65 Front Setback is 25 feet, but Petitioner's house is set back 34 feet. This precludes any proposed garage pushed away from the rear property line, which would reduce the required drive length.

***(2) 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;***

The original house was built in 1924, the garage at the rear and the long driveway sometime later. The sum of these interventions created the existing non-conforming nature of the property, through no fault of the Petitioner's own. The proposed garage only adds a net 305 sf (5.3%) toward the Lot Coverage as the proposed garage sits in the same area as the existing.

The Petitioner explored other locations for the garage on the southern part of the lot, as this is where the existing drive and curb-cut is located. The house sites only 10.87' from the south property line so a garage adjacent to the house would be too thin to be functional. It also would abut the existing house, eliminating desirable windows into first floor living spaces. A garage could be located in the northern area of the lot, but would require an introduction of a new curb-cut and drive, at great expense.

As such, a strict application would be greatly detrimental to the house and the Petitioner.

***(3) Such variance is the minimum reasonably necessary to overcome the exceptional physical conditions;***

The Petitioner is required to connect any proposed garage to the street with a drive. Granting a variance would allow the Petitioner to reasonably enjoy his property as his neighbors and other RSF-65 zoned lots are able.

***(4) 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;***

This is not applicable.

***(5) Such variance will not substantially impair the use and enjoyment of adjacent properties; and***

The proposed garage will not substantially impair the use and enjoyment of adjacent properties. The garage, being at the rear of the lot, will have minimal visual impact from the street. The scale, massing, and the architecture of the garage is in keeping with the surrounding character of the neighboring properties.

***(6) A variance may not be granted if the practical difficulty is self-inflicted by the owner of the property.***

The existing situation is not self-inflicted.

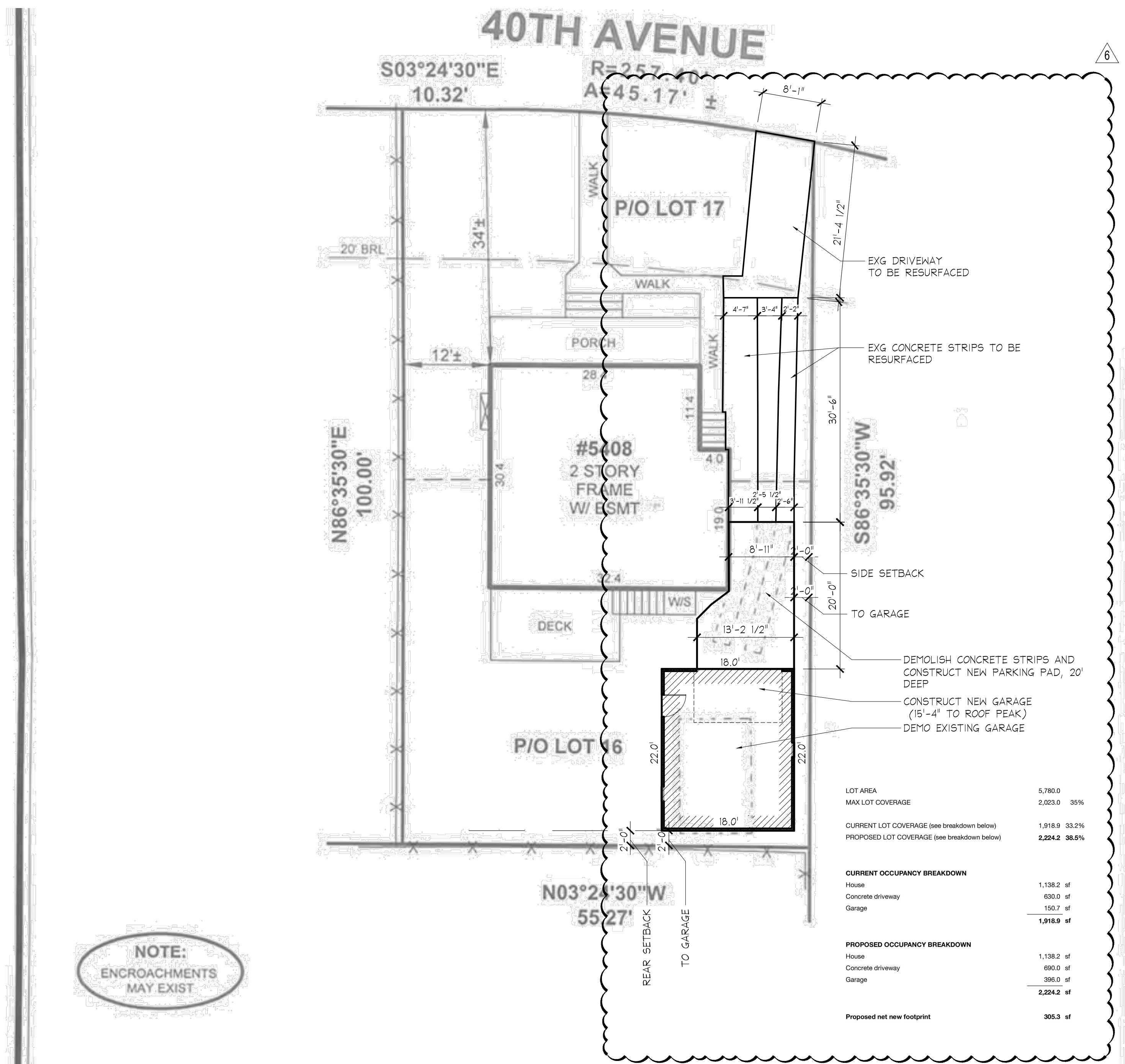
### **Conclusion**

Petitioner submits that the subject application meets the evidentiary requirement of demonstrating the subject property's unique and unusual situation when compared to adjoining properties and the current neighborhood; and that this uniqueness causes the zoning requirements to disproportionately impact the reasonable use and enjoyment of this property, thus creating a practical difficulty.

Respectfully submitted,



Michael Romero, Licensed Architect  
Romero Architects  
4106 Gallatin Street  
Hyattsville, MD 20781  
Phone: 202.436.2200  
[michael@romeroarchitects.com](mailto:michael@romeroarchitects.com)  
Agent for Petitioner



**NOTE:**  
ENCROACHMENTS  
MAY EXIST

LOT AREA	5,780.0
MAX LOT COVERAGE	2,023.0 35%
CURRENT LOT COVERAGE (see breakdown below)	1,918.9 33.2%
PROPOSED LOT COVERAGE (see breakdown below)	2,224.2 38.5%
<b>CURRENT OCCUPANCY BREAKDOWN</b>	
House	1,138.2 sf
Concrete driveway	630.0 sf
Garage	150.7 sf
	1,918.9 sf
<b>PROPOSED OCCUPANCY BREAKDOWN</b>	
House	1,138.2 sf
Concrete driveway	890.0 sf
Garage	396.0 sf
	2,224.2 sf
Proposed net new footprint	305.3 sf

LOCATION DRAWING OF:  
**#5408 40TH AVENUE**  
P/O LOTS 16 & 17  
BLOCK 7  
**HYATTSTVILLE HILLS**  
PLAT BOOK 2, PLAT 64  
PRINCE GEORGE'S COUNTY, MARYLAND  
SCALE: 1"=20' DATE: 10-9-15  
DRAWN BY: CP/AP FILE #: 156767-200

**LEGEND:**  
 X - FENCE  
 B/E - BASEMENT ENTRANCE  
 B/W - BAY WINDOW  
 BR - BRICK  
 BRL - BLDG. RESTRICTION LINE  
 BSMT - BASEMENT  
 C/S - CONCRETE STOOP  
 CONC - CONCRETE  
 D/W - DRIVEWAY  
 FR - FRAME  
 MAC - MACADAM  
 OH - OVERHANG  
 PUE - PUBLIC UTILITY ESMT  
**COLOR KEY:**  
 (RED) - RECORD INFORMATION  
 (BLUE) - IMPROVEMENTS  
 (GREEN) - ESMTS & RESTRICTION LINES

A Land Surveying Company  
**DULEY and Associates, Inc.**  
Serving D.C. and MD.  
14604 Elm Street, Upper Marlboro, MD 20772  
Phone: 301-888-1111 Fax: 301-888-1114  
Email: orders@duley.biz On the web: www.duley.biz



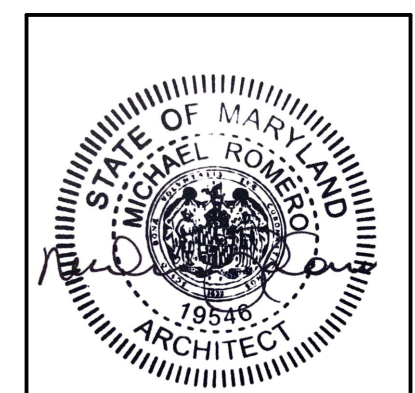
**SURVEYOR'S CERTIFICATE**  
EXH. # 3 V-70-24  
I HEREBY STATE THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS DRAWING AND THE SURVEY WORK REFLECTED HEREIN AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 12 CHAPTER 09 13 08 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. THIS SURVEY IS NOT TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF FENCES, BUILDING, OR OTHER IMPROVEMENTS. THIS PLAT 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 REFINANCING. THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY INsofar as IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENTS IN CONNECTION WITH THE CONTEMPLATED TRANSFER, FINANCING OR REFINANCING. THE LEVEL OF ACCURACY FOR THIS DRAWING IS 1". NO TITLE REPORT WAS FURNISHED TO NOR DONE BY THIS COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENTS OF RECORD. BUILDING RESTRICTION LINES AND EASEMENTS MAY NOT BE SHOWN ON THIS SURVEY. IMPROVEMENTS WHICH IN THE SURVEYOR'S OPINION APPEAR TO BE IN A STATE OF DISREPAIR OR MAY BE CONSIDERED "TEMPORARY" MAY NOT BE SHOWN. IF IT APPEARS ENCROACHMENTS MAY EXIST, A BOUNDARY SURVEY IS RECOMMENDED.

**DULEY & ASSOC.**  
WILL GIVE YOU A 100% FULL CREDIT TOWARDS UPGRADING THIS SURVEY TO A "BOUNDARY/STAKE" SURVEY FOR ONE YEAR FROM THE DATE OF THIS SURVEY.  
(EXCLUDING D.C. & BALT CITY)

1 SITE PLAN  
SP1 SCALE = 1"=10'-0"

EXH. # 3 V-70-24

ROMERO ARCHITECTS, LLC  
4106 GALLATIN STREET  
HYATTSTVILLE MD 20781  
202.436.2200  
info@romeroarchitects.com



- REVISIONS:**
- 1 03.13.24 FOR PERMIT COMMENTS
  - 2 04.08.24 FOR PERMIT COMMENTS
  - 3 05.12.24 FOR PERMIT COMMENTS
  - 4 05.22.24 FOR PERMIT COMMENTS
  - 5 08.29.24 FOR VARIANCE SUBMISSION
  - 6 09.03.24 FOR VARIANCE SUBMISSION

**GEISHAUSER RESIDENCE  
DETACHED GARAGE**  
5408 40TH AVENUE | HYATTSTVILLE MD | 20781

PROFESSIONAL CERTIFICATION:  
I, MICHAEL ROMERO, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 15546, EXPIRATION DATE JULY 11, 2024.

DATE	PURPOSE
11.20.23	SCHEMATIC DESIGN
12.07.23	SCHEMATIC DESIGN 1
01.09.24	SCHEMATIC DESIGN 1.1
01.12.24	SCHEMATIC DESIGN 1.2
02.14.24	PERMIT SET

DRAWN BY:  
MJR  
PROJECT NUMBER:  
23105

SITE PLAN

SP1



ELEVATION KEYNOTES:

- 1 30 YR. ASPHALT SHINGLE ROOFING
- 2 DUTCH LAP VINYL SIDING - MATCH EXISTING
- 3 NEW 5/8x4 PVC WINDOW TRIM ON TOP/SIDES WITH 2" HISTORIC SILL
- 4 5/8x4 PVC CORNER BOARD
- 5 ATTIC WINDOW - CONSULT OWNER

ROMERO ARCHITECTS, LLC  
 4106 GALLATIN STREET  
 HYATTSVILLE MD 20781  
 202.436.2200  
 info@romeroarchitects.com



REVISIONS:

- 1 03.13.24 FOR PERMIT COMMENTS
- 2 04.08.24 FOR PERMIT COMMENTS
- 3 05.12.24 FOR PERMIT COMMENTS
- 4 05.22.24 FOR PERMIT COMMENTS
- 5 08.29.24 FOR VARIANCE SUBMISSION
- 6 09.03.24 FOR VARIANCE SUBMISSION

GEISHAUSER RESIDENCE  
 DETACHED GARAGE  
 5408 40TH AVENUE | HYATTSVILLE MD | 20781

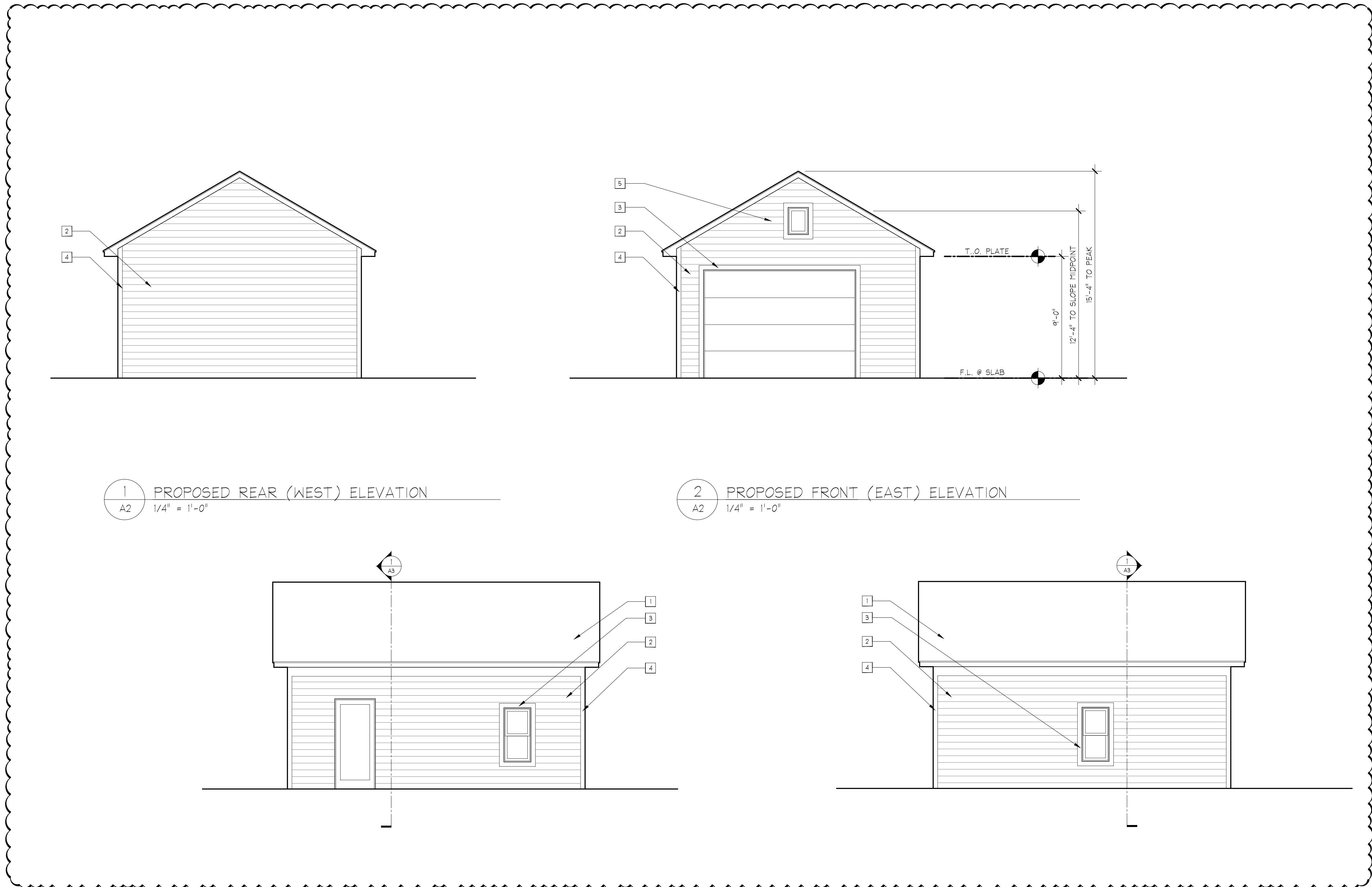
PROFESSIONAL CERTIFICATION:  
 I, MICHAEL ROMERO, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 19546, EXPIRATION DATE JULY 11, 2024.

DATE	PURPOSE
11.20.23	SCHEMATIC DESIGN
12.07.23	SCHEMATIC DESIGN 1
01.09.24	SCHEMATIC DESIGN 1.1
01.12.24	SCHEMATIC DESIGN 1.2
02.14.24	PERMIT SET

DRAWN BY:  
 MJR  
 PROJECT NUMBER:  
 23105

EXTERIOR  
 ELEVATIONS

A2



6

EXH. # 4  
 V-70-24

APPROVED DEC 29, 1922.

RECORD MAP

# HYATTSVILLE HILLS, MD.

Being a resubdivision of Blocks 3-8, 12-15, 17-18 & 22-27 of JOHNSON & WINES 3rd Addition to HYATTSVILLE.

# 64

## O. B. ZANTZINGER

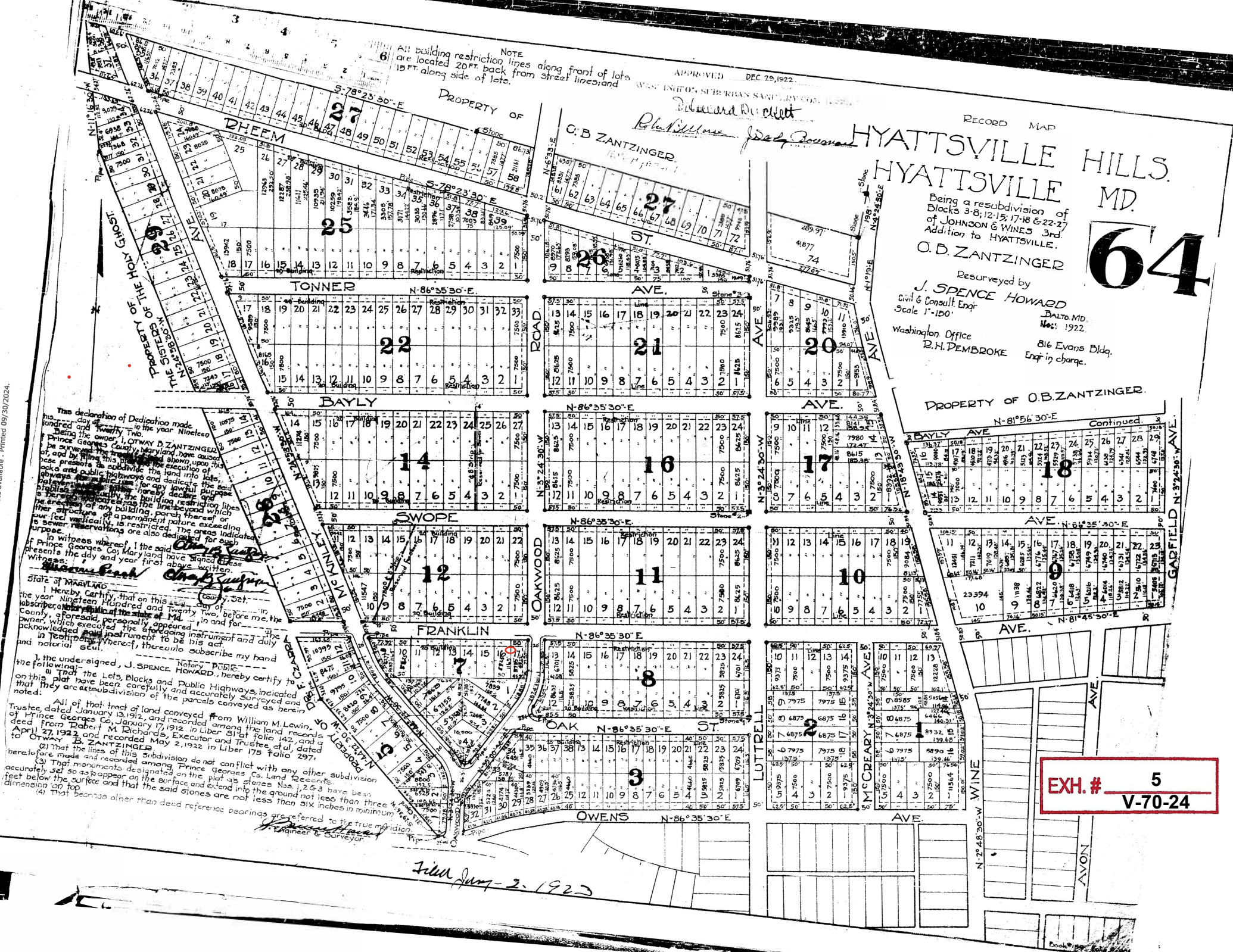
Resurveyed by  
**J. SPENCE HOWARD**  
Civil & Consult. Engr  
Scale 1"-150'  
Washington Office  
**D. H. DEMBROKE** Engr in charge.  
BALTO MD.  
No. 1922.  
816 Evans Bldg.

Richard Duckett  
R. H. Billow  
D. H. Rowland

C. B. ZANTZINGER

PROPERTY OF O. B. ZANTZINGER.

Continued



The declaration of Dedication made on this day of \_\_\_\_\_ in the year Nineteen \_\_\_\_\_ being the \_\_\_\_\_ day of \_\_\_\_\_, 1922.

Prince Georges County, Maryland, have adopted or, and by filing this plat as shown upon these presents, to dedicate the land hereunto set apart and public highways and dedicate the easements and rights therein for any lawful purposes, and to dedicate the building restriction lines hereon to the effect that no building shall be erected or any structure of a permanent nature exceeding in height vertically, is restricted. The areas indicated as sewer reservations are also dedicated for such purpose.

In witness whereof, I the said \_\_\_\_\_ of Prince Georges County, Maryland, have signed these presents the day and year first above written.

Witness: \_\_\_\_\_

State of Maryland  
I, \_\_\_\_\_, Notary Public for Prince Georges County, Md., do hereby certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 1922, before me, the subscriber, \_\_\_\_\_, of the County of \_\_\_\_\_, in and for the County of \_\_\_\_\_, personally appeared \_\_\_\_\_, the owner, aforesaid, who acknowledged and duly acknowledged and instrument to be his act and material fact.

In testimony whereof, I have subscribed my hand and the following: \_\_\_\_\_

Notary Public

I, the undersigned, J. SPENCE HOWARD, hereby certify that the Lots, Blocks and Public Highways indicated on this plat have been carefully and accurately surveyed and noted that they are a resubdivision of the parcels conveyed as herein.

All of that tract of land conveyed from William M. Lewin, of Prince Georges Co., January 17, 1912, in Liber 31 at folio 142, and a deed from Robert M. Richards, Executor and Trustee et al, dated April 27, 1922, and recorded May 2, 1922 in Liber 175 folio 297, to O. B. ZANTZINGER.

(2) That the lines of this subdivision do not conflict with any other subdivision heretofore made and recorded among Prince Georges Co. Land Records.

(3) That monuments designated on the plat as stones Nos. 1, 2 & 3 have been accurately set so as to appear on the surface and extend into the ground not less than three feet below the surface and that the said stones are not less than six inches in minimum dimension on top.

(4) That bearings other than dead reference bearings are referred to the true meridian.

\_\_\_\_\_  
Engineer & Surveyor

EXH. # 5  
V-70-24

Filed July - 2 - 1923

2025 RELEASE UNDER E.O. 14176



6(A)

EXH. # 6(A-H)  
V-70-24



6(B)



6(C)



6(D)









6(G)

Real Property Data Search ( )  
 Search Result for PRINCE GEORGE'S COUNTY

[View Map](#)      [View GroundRent Redemption](#)      [View GroundRent Registration](#)

Special Tax Recapture: None

**Account Identifier:** District - 16 Account Number - 1816644

**Owner Information**

**Owner Name:** GEISHAUSER KELLY      **Use:** RESIDENTIAL  
**Mailing Address:** 5408 40TH AVE      **Principal Residence:** YES  
 HYATTSVILLE MD 20781-1821      **Deed Reference:** /30749/ 00117

**Location & Structure Information**

**Premises Address:** 5408 40TH AVE      **Legal Description:** S HLF LTS 16.17 EQ  
 HYATTSVILLE 20781-0000      17B

**Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:** E-0943  
 0042 00B4 0000 16024700.17 4700 7 2025      **Plat Ref:**

**Town:** HYATTSVILLE

**Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use**  
 1924 1,269 SF 5,780 SF 001

**StoriesBasementType ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements**  
 1 1/2 YES STANDARD UNITFRAME/3 3 full

**Value Information**

	Base Value	Value As of 01/01/2022	Phase-in Assessments	
			As of 07/01/2024	As of 07/01/2025
<b>Land:</b>	140,300	140,300		
<b>Improvements</b>	264,400	264,400		
<b>Total:</b>	404,700	404,700	404,700	
<b>Preferential Land:</b>	0			

**Transfer Information**

**Seller:** JP MORGAN CHASE BANK N A      **Date:** 06/26/2009      **Price:** \$157,500  
**Type:** NON-ARMS LENGTH OTHER      **Deed1:** /30749/ 00117      **Deed2:**

**Seller:** CASTRO-CAMPOS, CARLOS      **Date:** 06/26/2009      **Price:** \$255,850  
**Type:** NON-ARMS LENGTH OTHER      **Deed1:** /30749/ 00112      **Deed2:**

**Seller:** U S BANK NATIONAL ASSOCIATION      **Date:** 03/27/2007      **Price:** \$319,900  
**Type:** NON-ARMS LENGTH OTHER      **Deed1:** /27473/ 00107      **Deed2:**

**Exemption Information**

Partial Exempt Assessments:	Class	07/01/2024	07/01/2025
<b>County:</b>	000	0.00	
<b>State:</b>	000	0.00	
<b>Municipal:</b>	000	0.00	0.00

Special Tax Recapture: None

**Homestead Application Information**

**Homestead Application Status:** Approved 08/18/2020

**Homeowners' Tax Credit Application Information**

**Homeowners' Tax Credit Application Status:** No Application      **Date:**

EXH. # 7  
V-70-24

### Property

**Tax Account:** 1816644  
**Owner Name:** GEISHAUSER KELLY  
**Premise Address:** 5408 40th Ave, Hyattsville, MD 20781

Parcel Details	Ownership Information	Administrative Details
<b>Tax Account #:</b> 1816644 <b>Assessment District:</b> 16 <b>Lot: Block: 7 Parcel:</b> <b>Description:</b> S HLF LTS 16.17 EQ 17B <b>Plat:</b> E16-0943 <b>Subdivision:</b> HYATTSVILLE HILLS <b>Acreage:</b> 0.1330	<b>Owner Name:</b> GEISHAUSER KELLY <b>Owner Address:</b> 5408 40th Ave, Hyattsville, MD 20781 <b>Liber:</b> 30749 <b>Folio:</b> 117 <b>Transfer Date:</b> 6/26/2009 <b>Current Assessment:</b> \$404,700.00 <b>Land Valuation:</b> \$140,300.00 <b>Improvement Valuation:</b> \$264,400.00 <b>Sale Price:</b> \$157,500.00 <b>Structure Area (Sq Ft):</b> 1269	<b>Tax Map Grid:</b> 042B4 <b>WSSC Grid:</b> 206NE03 <b>Councilmanic District:</b>

### Historic District National Register (HAWP Not Required)

**Name:** Hyattsville Historic District  
**ID:** 68-010-00

### Legislative District (2014)

**Legislative District:** 22  
**Member 1:** Paul G. Pinsky  
**Party 1:** Democrat  
**Member 2:** Anne Healey  
**Party 2:** Democrat  
**Member 3:** Alonzo T. Washington  
**Party 3:** Democrat  
**Member 4:** Nicole A. Williams  
**Party 4:** Democrat

### Prior Development District Overlay (Prior)

**Overlay Zone:** D-D-O  
**Plan Name:** GATEWAY ARTS DISTRICT SECTOR PLAN AND SMA  
**Resolution:** CR-78-2004  
**Adoption Date:** 11/30/2004  
**Acreage:** 1907.699336

### Councilmanic District (2014)

**District:** 2  
**Councilmember:** Deni Taveras  
**Political Party:** Democrat  
**Telephone:** 301-952-4436  
**Email:** dltaveras@co.pg.md.us

EXH. # 8  
 V-70-24

**District:** Null  
**Councilmember:** Mel Franklin (At Large)  
**Political Party:** Democrat  
**Telephone:** 301-952-2638  
**Email:** mfranklin1@co.pg.md.us  
**District:** Null  
**Councilmember:** Calvin S. Hawkins, II (At Large)  
**Political Party:** Democrat  
**Telephone:** 301-952-2195  
**Email:** at-largememberhawkins@co.pg.md.us

## Tax Grid

**Map Grid:** 42-B4

## Watershed (DOE)

**Name:** NORTHWEST BRANCH (ANA)

## Watershed - 12 digit (DNR)

**MDE 6 Digit Code:** 021402  
**MDE 6 Digit Name:** WASHINGTON METROPOLITAN  
**MDE 8 Digit Code:** 02140205  
**MDE 8 Digit Name:** Anacostia River  
**Watershed Code:** 0818  
**DNR 12 Digit Designator:** 021402050818  
**Tributary Strategy Watershed:** MIDDLE POTOMAC  
**NRCS HUA14 Digit Code:** 02070010030130  
**NRCS HUA11 Digit Code:** 02070010030  
**NRCS HUA8 Digit Code:** 02070010  
**Acreage:** 4987.130371

## WSSC Grid

**Grid:** 206NE03

## Zip Code

**Zip Code:** 20781  
**City:** Hyattsville  
**Alternate Names:** N/A

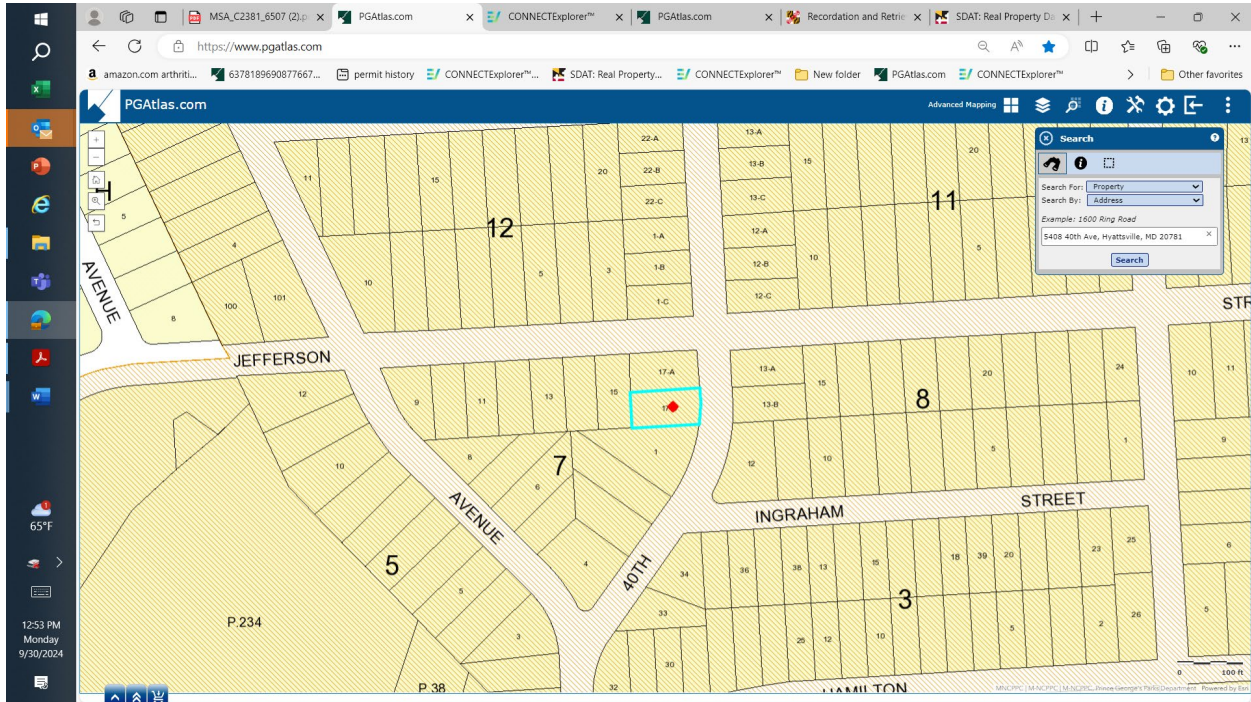
## Zoning (Current)

**Class:** RSF-65 (Residential, Single-Family - 65)  
**Zone Type:** Residential

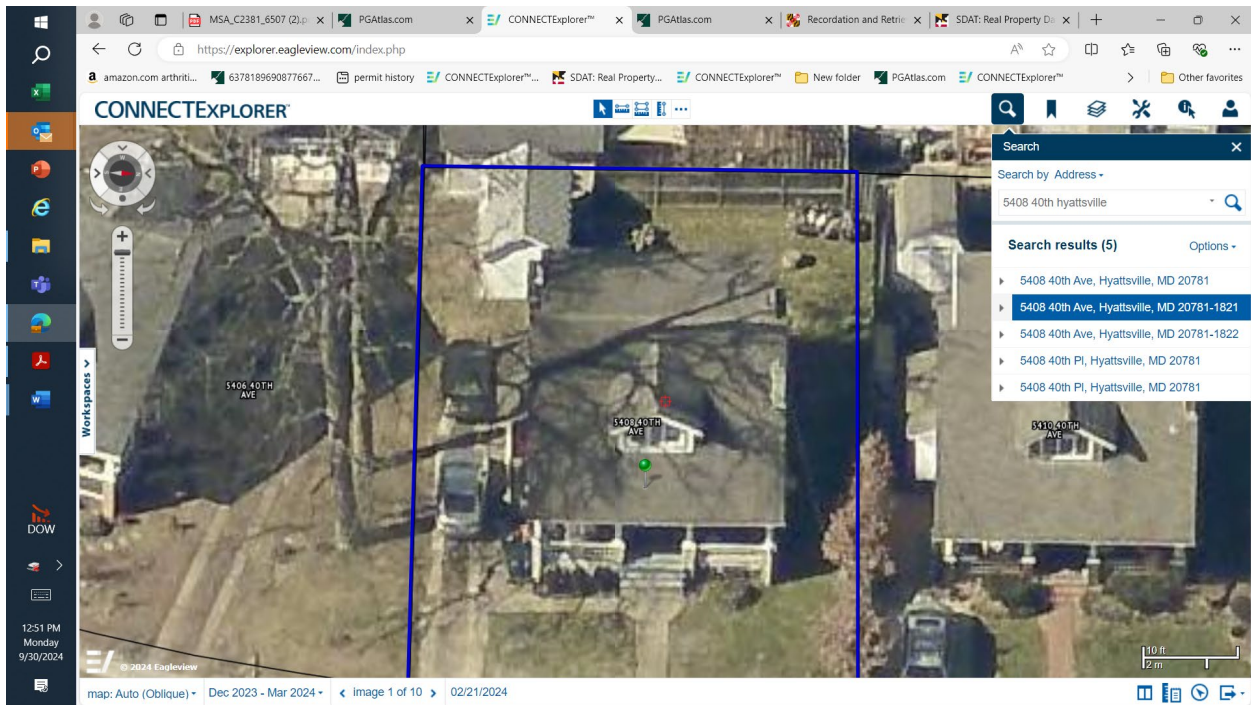
## Zoning (Prior)

**Class:** R-55 (One-Family Detached Residential)  
**Zone Type:** Residential

V-70-24  
Aerial Photos



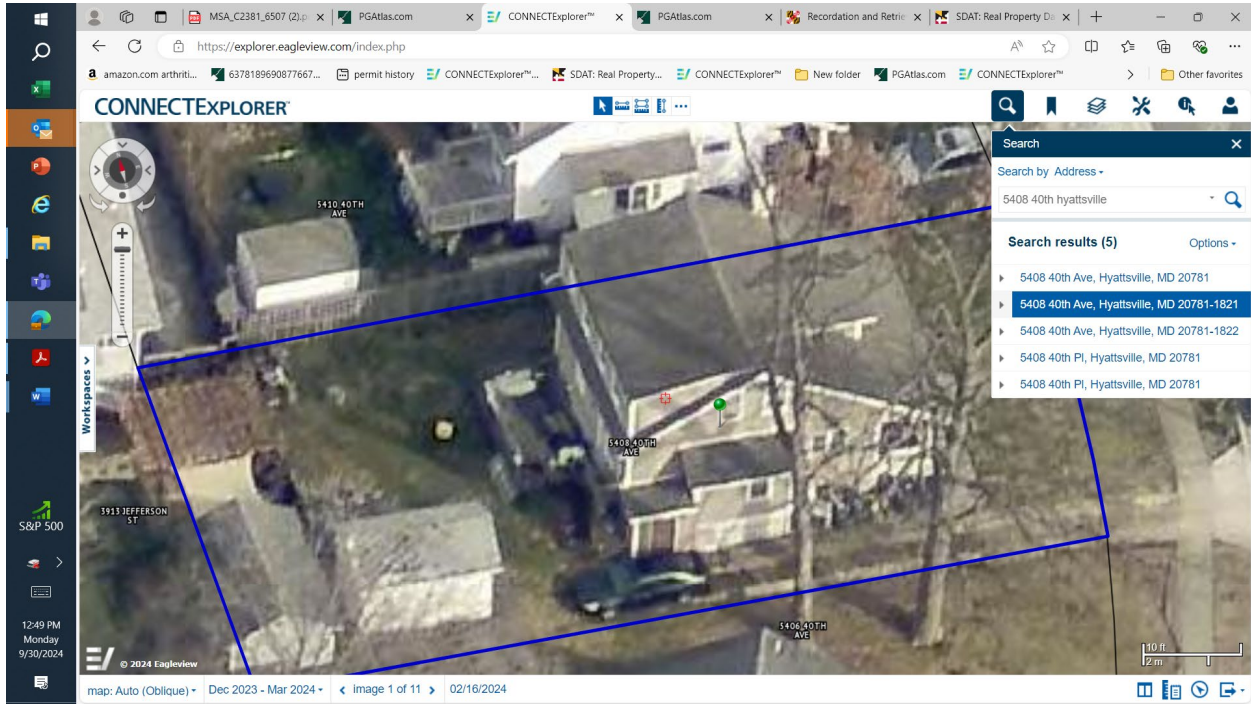
9(A)



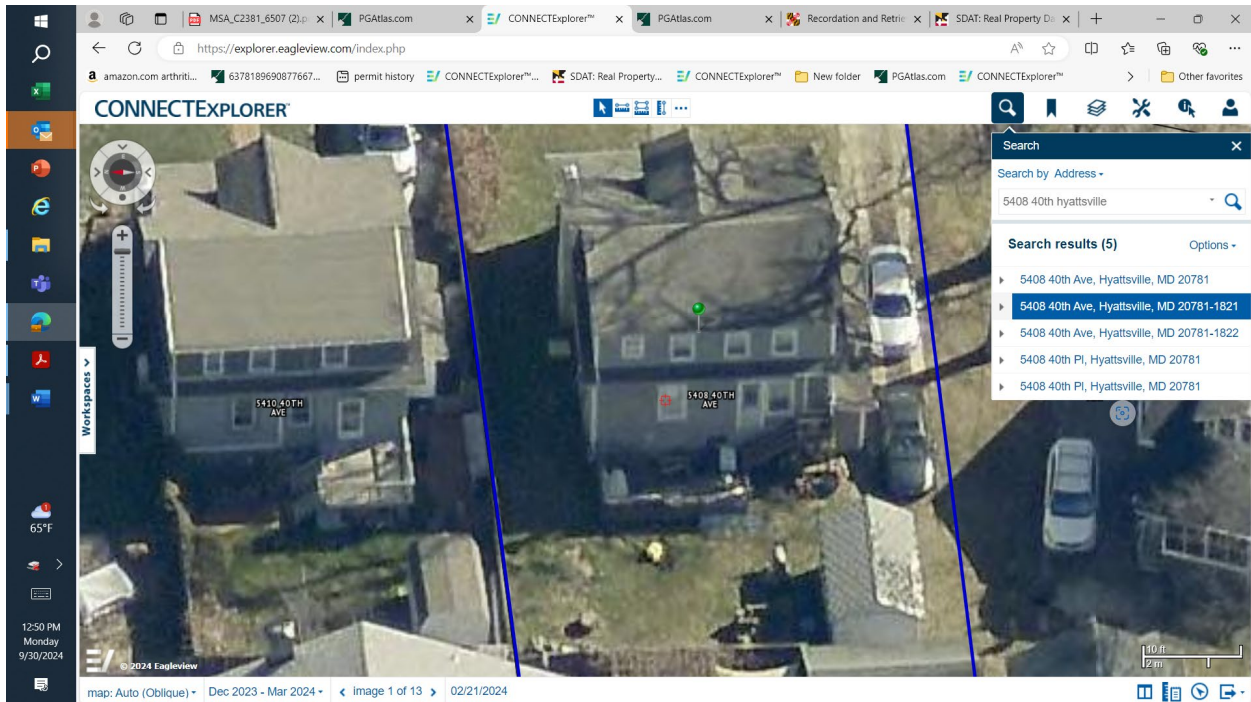
9(B)

EXH. # 9(A-F)  
V-70-24

V-70-24  
Aerial Photos

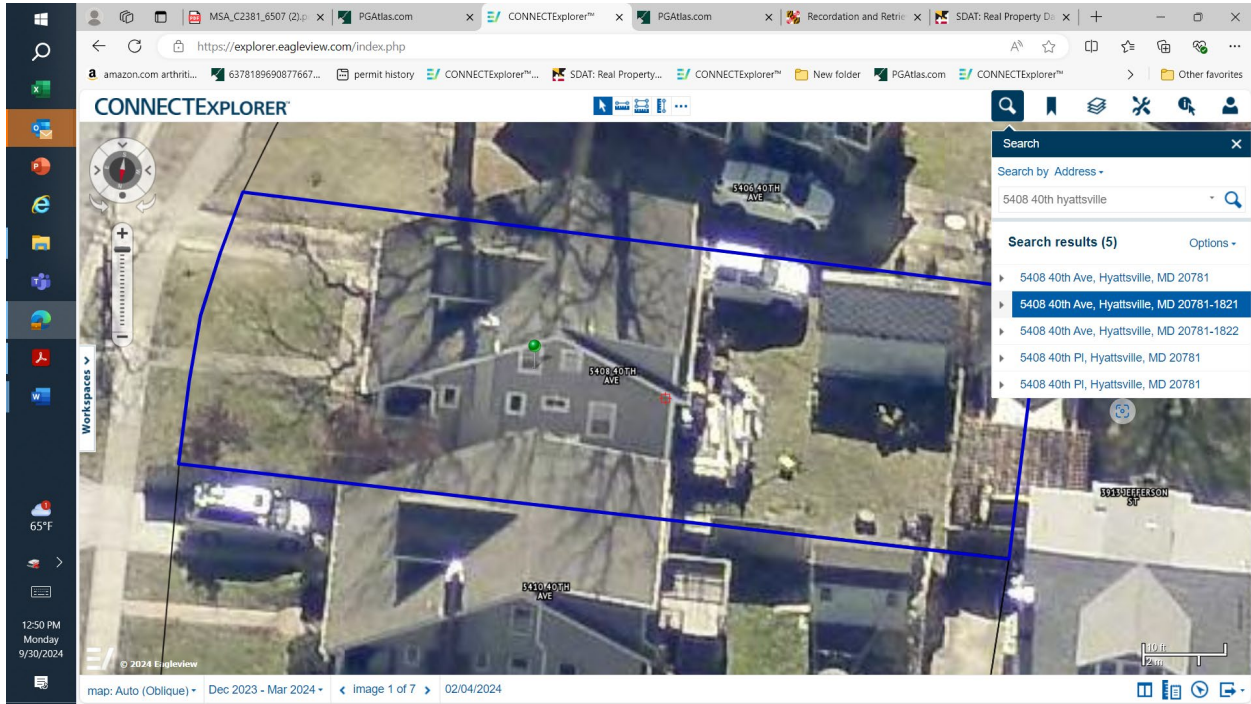


9(C)

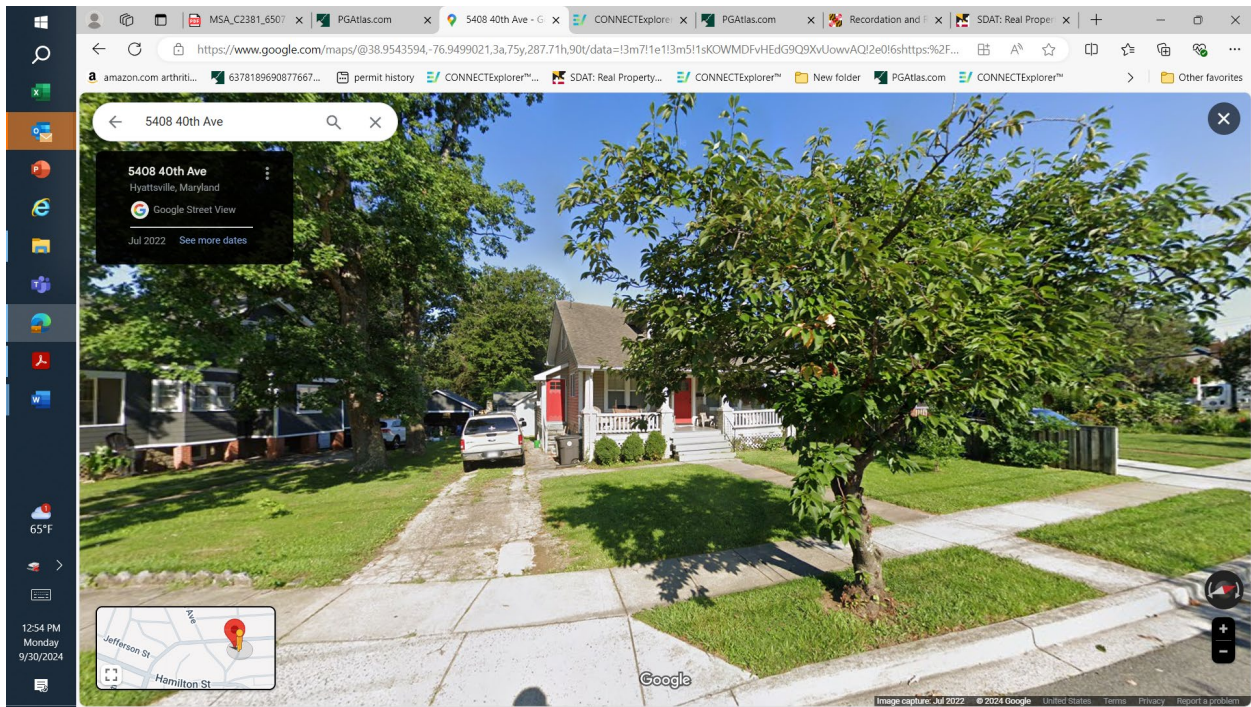


9(D)

V-70-24  
Aerial Photos

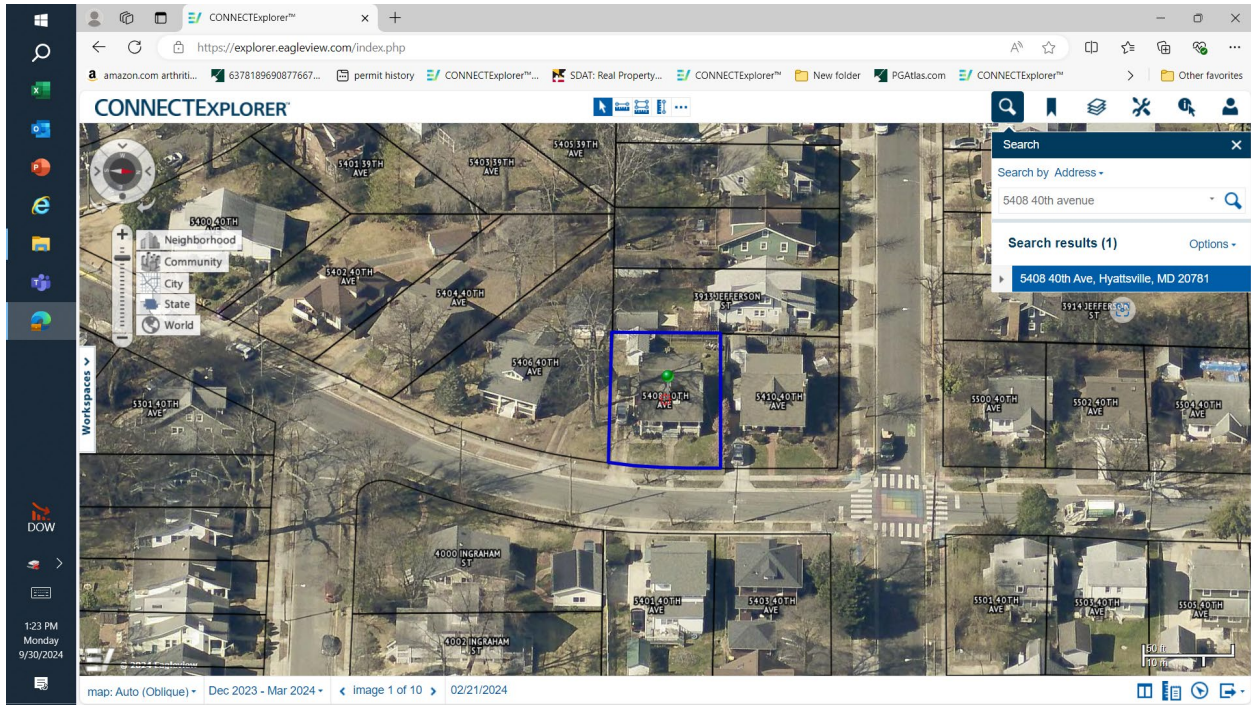


9(E)

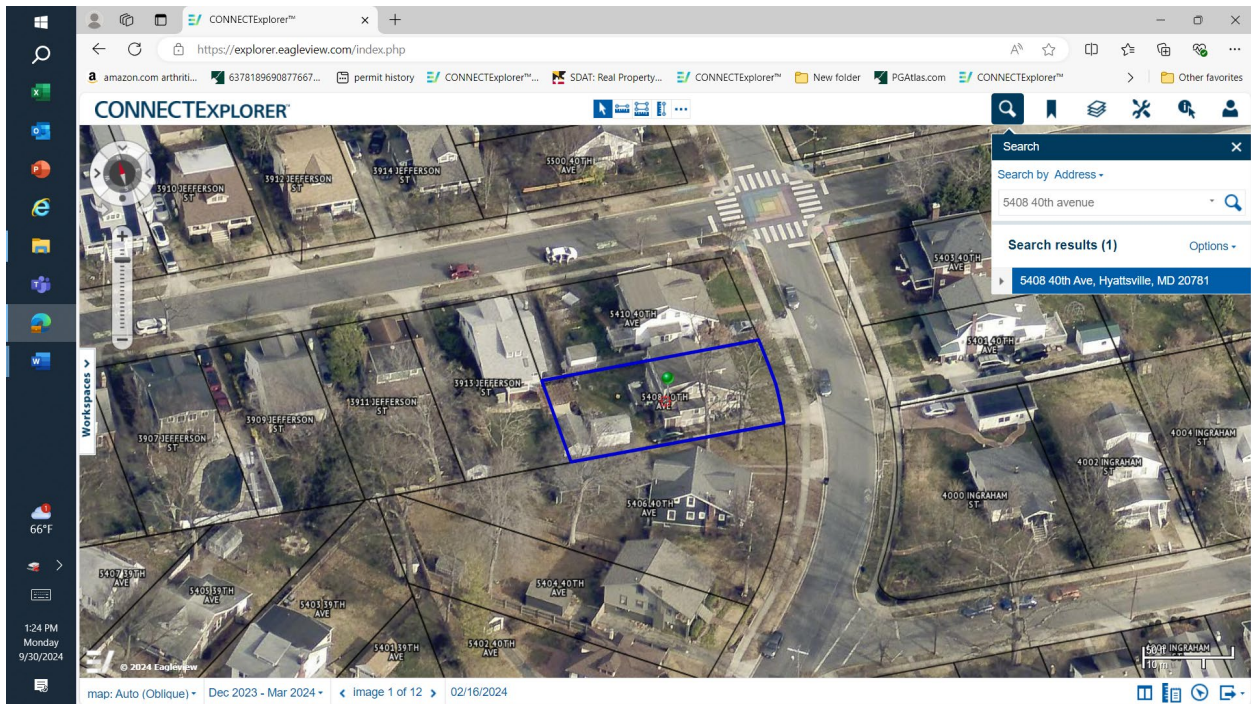


9(F)

V-70-24  
Neighboring Properties



10(A)

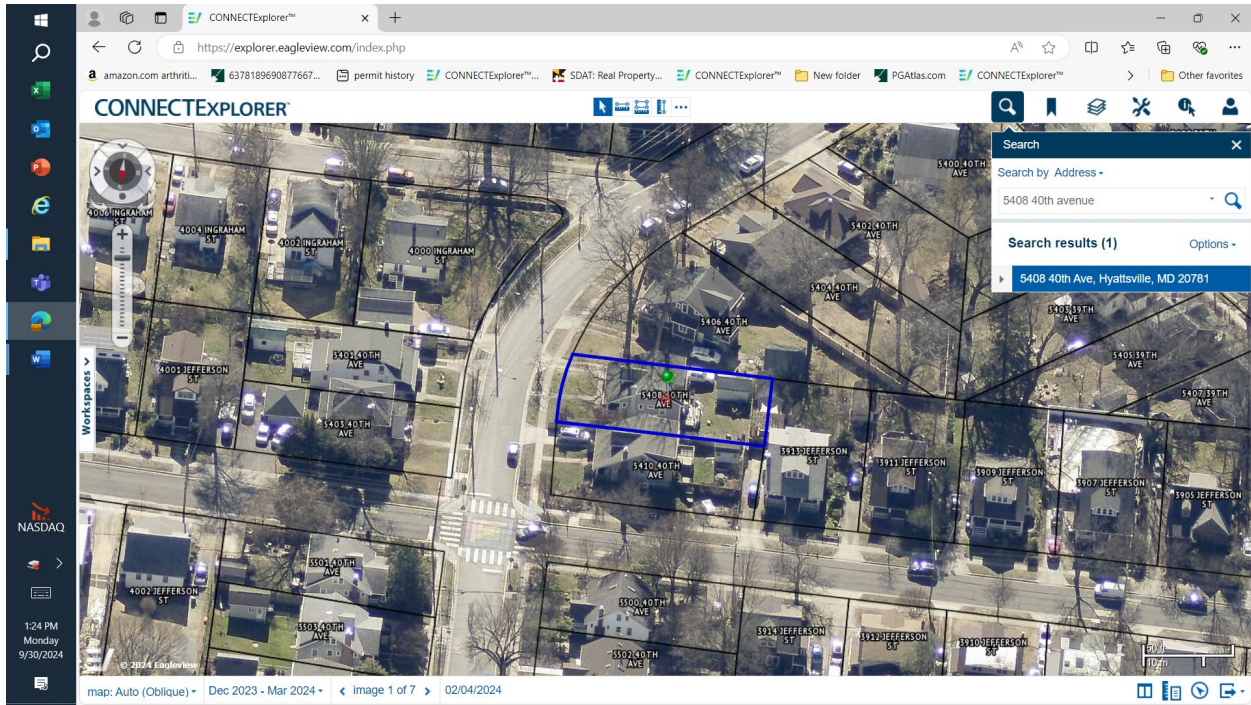


10(B)

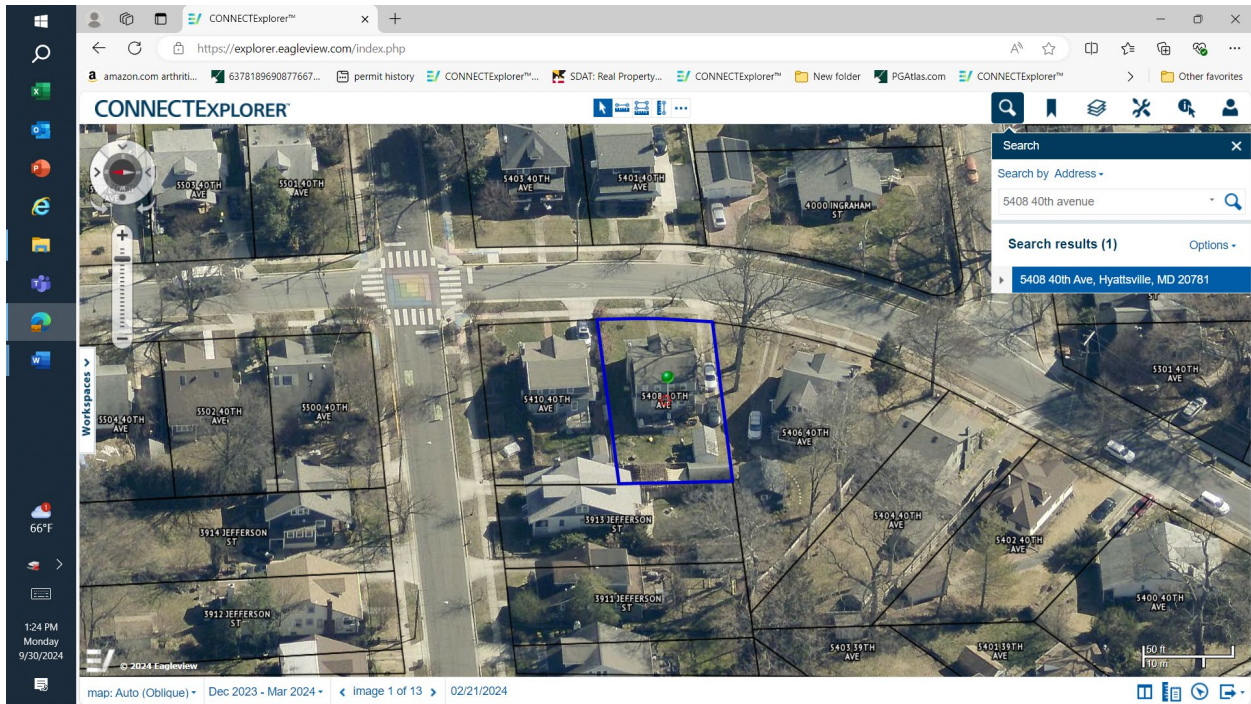
EXH. # 10(A-D)  
V-70-24



V-70-24  
Neighboring Properties



10(C)



10(D)

# LOT COVERAGE WORKSHEET

NET LOT SIZE 5,780 SQUARE FEET

35% LOT COVERAGE ALLOWED 2,033.0 SQUARE FEET

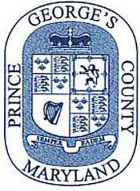
<u>STRUCTURE/PARKING</u>	<u>MEASUREMENTS</u>	<u>SQUARE FOOTAGE</u>
HOUSE	19 x 32.4 _____ 11.4 x 28.4 _____ 2.1 x 2.1 _____	615.6 323.76 4.2
GARAGE/CARPORT Proposed garage	18 x 22 _____ _____ _____	396 _____ _____ _____
DRIVEWAY	690 _____ _____ _____ _____ _____ _____	690 _____ _____ _____ _____ _____ _____
PORCH/SUNROOM	28 x 6 _____ _____	168 _____ _____
SHED(S)	_____ _____	_____ _____
ADDITION(S)	_____ _____ _____	_____ _____ _____
OTHER: _____	_____ _____ _____	_____ _____ _____

TOTAL LOT COVERAGE 2,224.6

TOTAL % NET LOT COVERAGE 38.5

TOTAL % OVER NET LOT COVERAGE 3%( 305.3 sf)

EXH. # 11  
V-70-24



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

BOARD OF ZONING APPEALS

BOARD OF ADMINISTRATIVE APPEALS

WAYNE K. CURRY COUNTY ADMINISTRATION BUILDING, LARGO, MARYLAND 20774  
TELEPHONE (301) 952-3220

## NOTICE OF VIRTUAL HEARING

Date: October 8, 2024

Petitioner: Kelly Geishauser  
Appeal No.: V-70-24  
Hearing Date: WEDNESDAY, OCTOBER 23, 2024, AT 6:00 P.M. **EVENING**  
Place: Virtual Hearing  
Case Reviewer: Olga Antelo Vasquez  
Reviewer E-mail: OAvasquez@co.pg.md.us

Appeal has been made to this Board for permission to validate existing conditions (net lot area and lot width) and obtain a building permit for the extension driveway toward the proposed garage on RSF-65 (Residential, Single-Family-65) Zoned, property known as P/O Lots 16 and 17, Block 7, Hyattsville Hills Subdivision, being 5408 40<sup>th</sup> Avenue, Hyattsville, Prince George's County, Maryland, contrary to the requirements of the Zoning Ordinance.

The specific violation resides in the fact that Zoning Ordinance Section 27-4202(e) prescribes that each lot shall have a minimum net lot area of 6,500 square feet. Section 27-4202(e)(1) prescribes that a lot shall have a minimum width of 65 feet at the building line, and no more than 35% of the net lot area shall be covered by buildings and off-street parking. Variances of 720 (SF) net lot area, 8.7 (ft), and 3% net lot coverage are requested.

Virtual hearing on this Appeal is set for the time and place stated above. **Petitioner, or counsel representing Petitioner, should be present at the hearing. A Petitioner which is a corporation, limited liability company, or other business entity MUST be represented by counsel, licensed to practice in the State of Maryland, at any hearing before the Board. Any non-attorney representative present at the hearing on behalf of the Petitioner (or any other person or entity) shall not be permitted to advocate.**

Adjoining property owners, who are owners of premises either contiguous to or opposite the property involved, are notified of this hearing in order that they may express their views if they so desire. However, their presence is not required unless they have testimony to offer the Board. In order to give verbal testimony during the virtual hearing, you must register with the Board of Appeals at least 5 days prior to the virtual hearing. Please call 301-952-3220 to register. No additional speakers will be allowed to give testimony unless registered with the Board. Please also visit the Board of Appeals website for Virtual Hearing Instructions and procedures at <http://pgccouncil.us/BOA>.

BOARD OF ZONING APPEALS

By: Ellis Watson  
Ellis Watson  
Administrator

cc: Petitioner  
Adjoining Property Owners  
Park and Planning Commission  
Michael Romero, Architect  
City of Hyattsville

EXH. # 12  
V-70-24

V-70-24  
KELLY GEISHAUSER  
5408 40TH AVENUE  
HYATTSVILLE MD 20781

V-70-24  
RICHARD C & PHYLLIS M COLBY  
5406 40TH AVENUE  
HYATTSVILLE MD 20781

V-70-24  
MOLLY ANN MCKEE &  
FRANCIS ATKINSON SEABROOK  
5401 40TH AVENUE  
HYATTSVILLE MD

V-70-24  
LUCAS WYANT & LAURA PILLSBURY  
5410 40TH AVENUE  
HYATTSVILLE MD 20781

V-70-24  
JANET NACKONEY & DEMIAN RYBOCK  
3913 JEFFERSON STREET  
HYATTSVILLE MD 20781

MICHAEL ROMERO  
4106 GALLATIN STREET  
HYATTSVILLE MD 20781

EXH. # 13  
V-70-24

9589 0710 5270 0146 8548 16

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**

For more information, visit our website at [www.usps.com](http://www.usps.com).

**OFFICIAL USE**

V-70-24  
KELLY GEISHAUSER  
5408 40TH AVENUE  
HYATTSTVILLE MD 20781

Postmark Here

Box No.

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0146 8548 61

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**

For more information, visit our website at [www.usps.com](http://www.usps.com).

**OFFICIAL USE**

V-70-24  
JANET NACKONEY & DEMIAN  
RYBOCK  
3913 JEFFERSON STREET  
HYATTSTVILLE MD 20781

Postmark Here

Box No.

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0146 8548 54

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**

For more information, visit our website at [www.usps.com](http://www.usps.com).

**OFFICIAL USE**

V-70-24  
RICHARD C & PHYLLIS M COLBY  
5406 40TH AVENUE  
HYATTSTVILLE MD 20781

Postmark Here

Box No.

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

EXH. # 14  
V-70-24

To be emailed or hand carried to the Board of Appeals with photo of posted sign.

**BOARD OF APPEALS –POSTING OF SIGNS**

Petitioner(s): Kelly Geishauser

Appeal No.: V-70-24

The sign(s) must be posted on the property for a period of at least 15 days prior to the public hearing before the board of appeals. Person who posts sign(s) must complete certification of posting. Person who inspects sign(s) must complete certification of sign inspection. Certification of posting form must be filed, together with photograph(s) of sign(s), with the board of appeals **no later than five (5) business days after the first day of the required 15-day posting period, noted below.**

**SIGN ARE NOT TO BE FASTENED TO ANY TREE or FENCE**

**POSTING PERIOD:** 10/8/24 thru 10/23/24

**RETURN CERTIFICATION OF POSTING, WITH PHOTOGRAPH(S),  
BY NO LATER THAN:** 10/15/24

**CERTIFICATION OF POSTING**

PETITIONER'S REQUEST IN THIS APPEAL WAS POSTED ON THE SUBJECT PROPERTY IN ACCORDANCE WITH SECTION 27-3407 (B)(6)(B)(V) OF THE PRINCE GEORGE'S COUNTY ZONING ORDINANCE ON (Date) 10/8/24, BY (Name) KELLY GEISHAUSER, (Address) 5408 40<sup>TH</sup> AVE, HYATTSVILLE, MD 20781.

**PHOTOGRAPH(S) OF THE SIGN(S) AS POSTED IS/ARE ATTACHED.**

Kelly Geishauser  
Signature of Person Who Posted Sign(s)

KELLY GEISHAUSER  
Printed Name

\*\*\*PLEASE ATTACH PHOTOGRAPH(S) OF SIGN(S)\*\*\*

Affidavit and photos can be emailed to: [boardofappeals@co.pg.md.us](mailto:boardofappeals@co.pg.md.us) The Affidavit and photos may be mailed to the address below:

Wayne K. Curry Administration Building,  
Board of Appeals, 3<sup>rd</sup> Floor  
1301 McCormick Drive  
Largo, Maryland 20774  
(301) 952-3220

EXH. # 15  
V-70-24



**HEARING**  
Board of Appeals

Date: October 23, 2019

Time: 6:00 P.M.

Place of Hearing: Virtual

Case Type: Special Use

Instance: 17-7124 17-7124 17-7124 17-7124

Case Description: Special Use

Case Status: Open

Description of Request: Proved to my neighbor as zoning

**THIS IS AN OPEN HEARING TO THE PUBLIC. ANY INTERESTED PARTY IS WELCOME TO ATTEND.**

If you wish to attend to support or oppose any pending case, you must engage to speak in order to receive the hearing link. Please visit our website main page to register: <http://ppcouncil.org/BOA>

**CONTACT INFORMATION**  
301-952-3220  
[boardappealspg.md.us](http://boardappealspg.md.us)



**HEARING**  
Board of Appeals

Date: October 23, 2024

Time: 6:00 p.m.

Place of Hearing: Virtual

Case Type: Variance

Variance	Case ID #	Address	Legal Description	Zone
Zoning Appeal	<u>V-70-24</u>	<u>5105 40th Avenue</u>	<u>P20 Lot 14, 17, 20 &amp; 21</u>	<u>RSF-65</u>

Description of Request:  
Proposed driveway extension and garage

**THIS IS AN OPEN HEARING TO THE PUBLIC.  
ANY INTERESTED PARTY IS WELCOME TO ATTEND.**

If you wish to attend to support or oppose any pending case, you must register to speak in order to receive the hearing link. Please visit our website's main page to register:  
<http://pgccouncil.us/BOA>

**CONTACT INFORMATION**  
**301-952-3220**  
[boardofappeals@co.pg.md.us](mailto:boardofappeals@co.pg.md.us)

Prince George's County  
Wayne E. Curry Administration Building  
1301 McCormick Drive, Largo, Maryland 20774