



Memo

To: Jim Chandler, Assistant City Administrator and Director, Community & Economic Development

From: Holly Simmons, City Planner

CC: Tracey Douglas, City Administrator

Date: November 29, 2022

Re: Zoning Variance Request V-74-22 – 4708 Banner Street

Attachments: Application for Variance (Appeal No. V-74-22)
City of Hyattsville Variance Policy

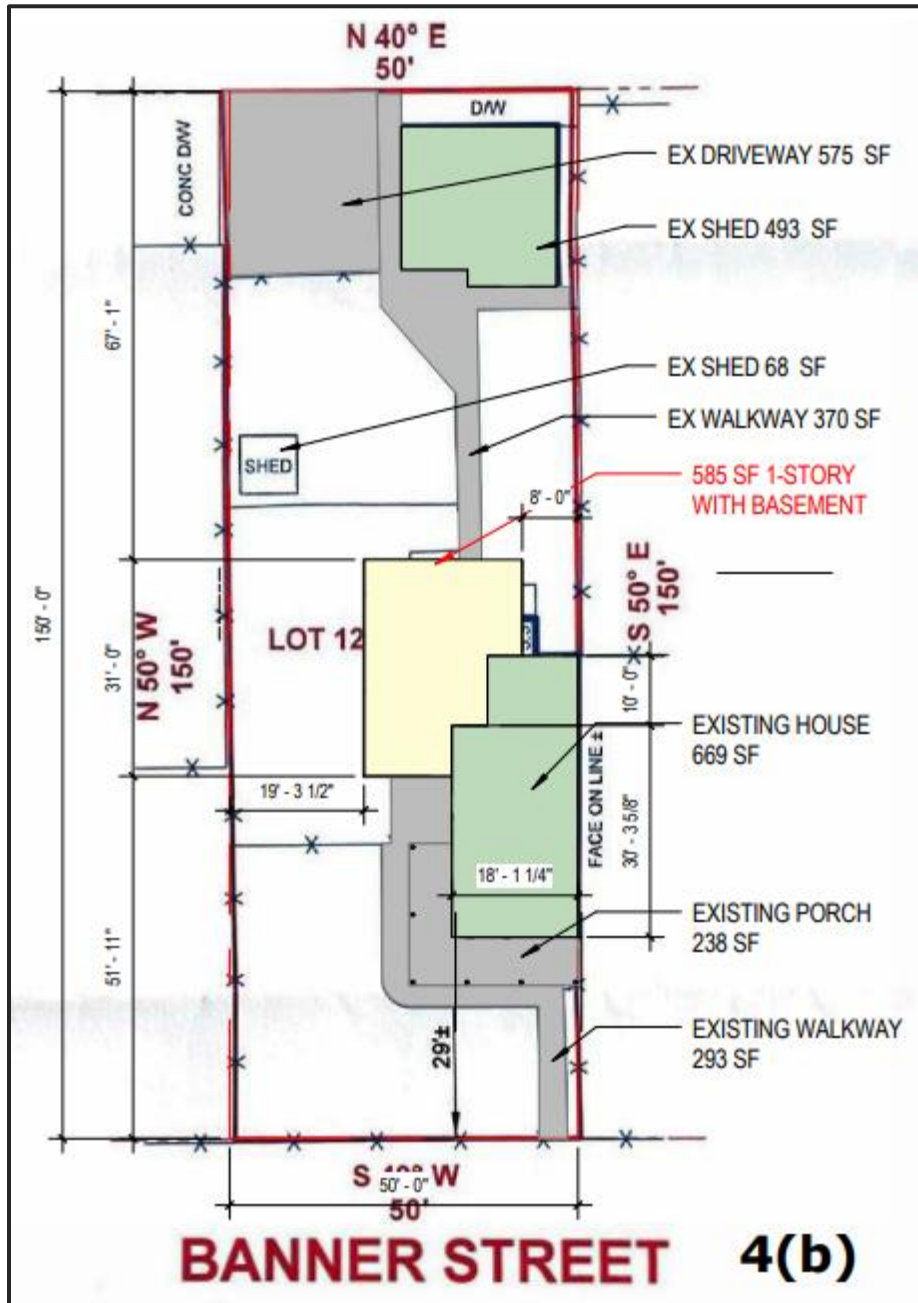
The purpose of this memorandum is to provide the Director of Community & Economic Development with a briefing on the Zoning Variance request V-74-22, for the subject property located at 4708 Banner Street, Hyattsville, Maryland.

Summary of Variance Conditions:

The applicants, Adam and Maria Betalvi, have applied to the Prince George’s County Board of Zoning Appeals for a zoning variance to validate existing conditions (lot width, lot frontage (width) at front street line and front yard depth) and obtain a building permit for the construction of a one-story addition with basement. Specific violations of the Zoning Ordinance and requested variance is outlined in the table below:

Residential Zone Use Table	Description	Variance Requested
Section 27-4202 (e)(1)	Requires each lot shall have a minimum width of 65 feet measured along the front building line and 52 feet measured along the front street line and not more than 35% of the net lot area shall be covered by buildings and off-street parking.	Variance of 15 feet front building line width, 2 feet front street line width, and 10% net lot coverage.
Section 27-4202 (e)(2)	Requires each lot shall have a front yard at least 25 feet in depth.	Variance of 2 feet front yard depth.

Exhibit A. Proposed addition at 4708 Banner Street, Hyattsville



The subject property includes an existing single-family detached residential structure and two shed structures. This is further illustrated in the aerial photo shown in Exhibit B below. The property is zoned RSF-65 (Residential, Single-Family - 65). It is located in City Council Ward 1 and is not located within a Residential Parking Zone.

Exhibit B. Aerial Imagery of 4708 Banner Street, Hyattsville



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."

Based on materials submitted with the application, the applicants have proposed a total lot coverage of 45%, exceeding the maximum permissible lot coverage (35%) by 10%. While the front building line width, feet front street line width, and front yard depth requests are generally acceptable, the BZA referral must be considered as a whole with either a recommendation of 'support' or 'denial' and cannot be conditioned.

Based upon the application and the City's Variance Policy, City Staff recommends the City Council oppose V-74-22 for the subject property at 4708 Banner Street, Hyattsville, and request 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.