



Memo

To: Tracey Douglas, City Administrator
From: Jeff Ulysse, Director, Com. & Econ. Development & City Planner
Date: November 7, 2024
Re: Zoning Variance Request V-70-24 – 5408 40th Ave, Hyattsville
Attachments: Application for Variance (Appeal No. V-70-24)
City of Hyattsville Variance Policy

The purpose of this memorandum is to provide the City Administrator with a briefing on the Zoning Variance request V-70-24, for the subject property located at 5408 40th Ave, Hyattsville.

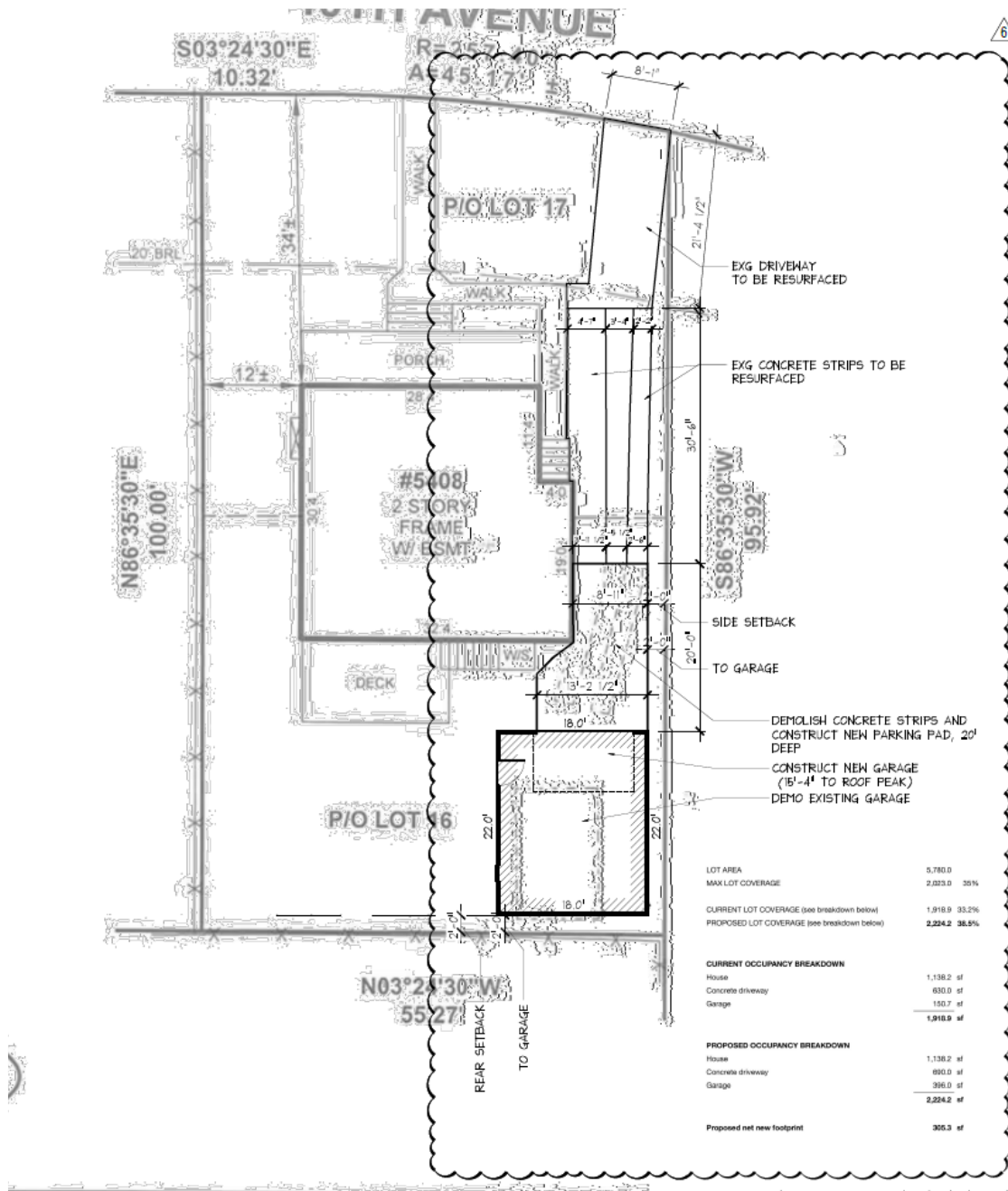
Summary of Variance Conditions:

The petitioner, Kelly Geishauser, has made an appeal to the Prince George's County Board of Zoning Appeals (BZA) for a zoning variance to validate existing conditions (net lot area and lot width at the building line). The petitioner also requests a variance for net lot coverage to obtain a building permit to construct a 18'x22' garage and extending a concrete driveway.

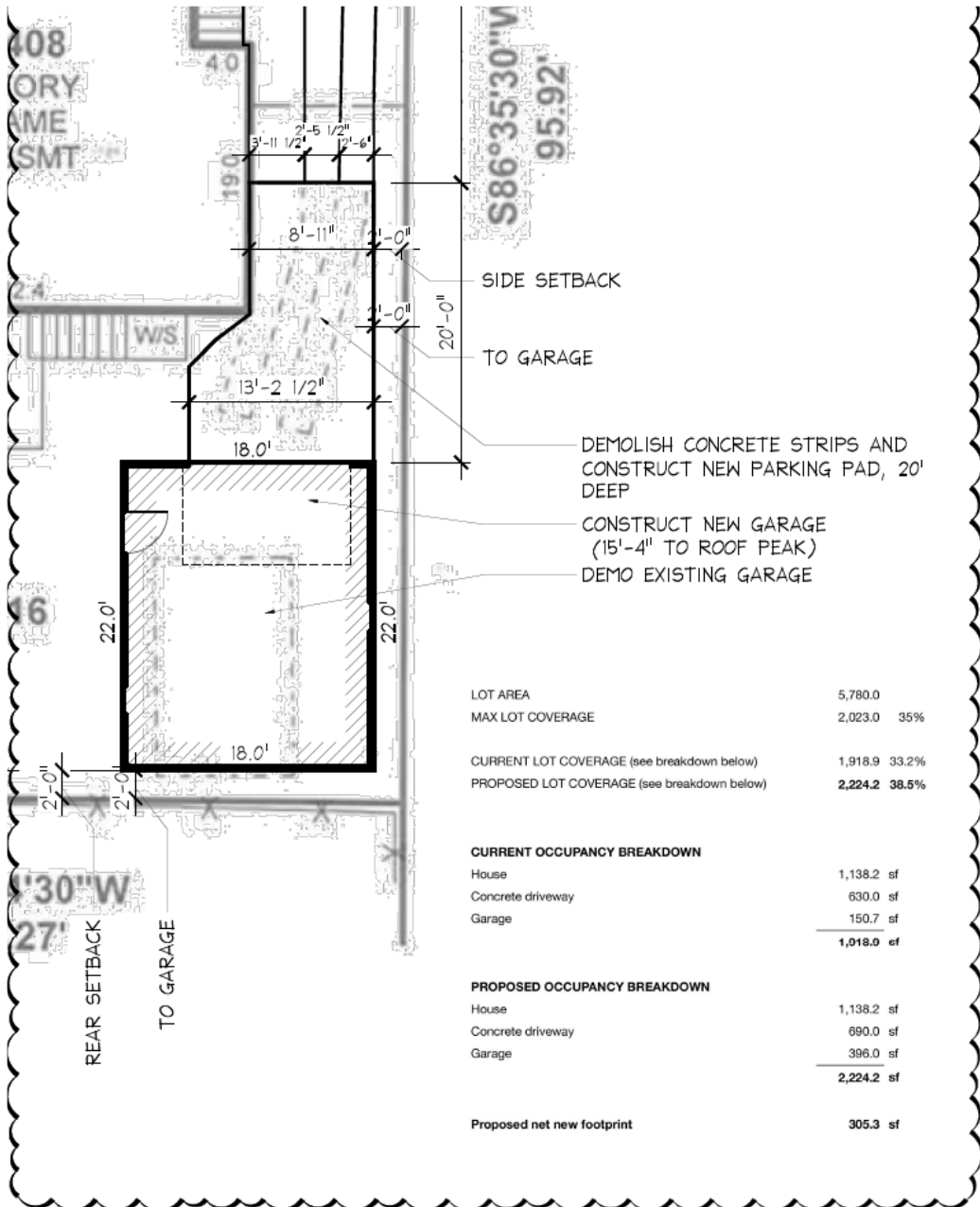
The requested variances are outlined in the table below:

Residential Zone Use Table	Description	Variance Requested
Section 27-4202 (e)	Requires that each lot in the RSF-65 zoning district have a net lot area of 6,500 square feet	Variance of 720 sf of net lot area
Section 27-4202 (e)(1)	Requires that a lot shall have a minimum width of 65 feet at the building line; requires that	Variance of 8.7 feet lot width at the building line
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 3.5% net lot coverage.

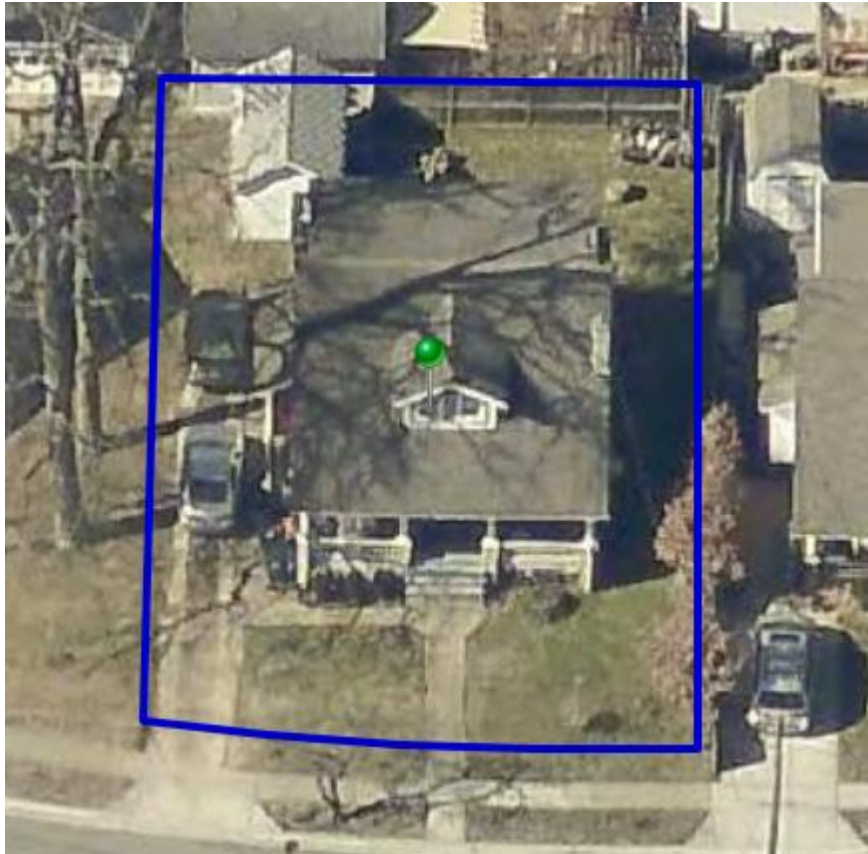
Illustrated in the figure below, the subject property includes an existing single-family detached residential dwelling, covered front porch, rear wood deck, residential storage shed and asphalt driveway. The subject property is located in City Council Ward 2 and is not located within a residential parking zone.



Furthermore, the subject property is in the RSF-65 zoning district and is required to comply with the prescribed dimensional regulations. Built in 1924, the subject property maintains a pre-existing width of 56.3ft, where 65ft is required and net lot area of 5,780 sf where a minimum of 6500sf is required under the provisions of the zoning code. These existing conditions create a degree of non-conformity impacting the petitioner's ability to comply.



The principal structure, storage shed, concrete driveway and decking all contribute to the overall lot coverage calculation. The petitioner provided lot coverage calculations, indicating that the existing improvements on the subject property result in a net lot coverage of 33.2%. The petitioner proposes the demolition of the existing storage shed with the construction of an 18'x22' one car garage. Lot coverage permitted under RSF-65 zoning district is 35% (2023 sf), however the proposal would increase the permitted allowable net lot coverage by an additional 3.5% or 201 sf.



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 and front yard width are typically granted due to non-conforming conditions created because of pre-existing zoning regulations. However, Staff recommends the City Council oppose V-70-24 for the subject property at 5408 40th ave, Hyattsville due to the request for additional lot coverage. Increase in impervious surfaces within the city exacerbates challenges with stormwater management and potential flood risks thus increasing the need for additional mitigation.