



# Memo

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

From: Taylor Robey, City Planner

CC: Tracey Nicholson, City Administrator

Date: March 29, 2022

Re: Zoning Variance Request V-133-21 – 3107 Lancer Place, Hyattsville

Attachments: Application for Variance (Appeal No. V-133-21)  
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-133-21, for the subject property located at 3107 Lancer Place, Hyattsville, Maryland, 20781.

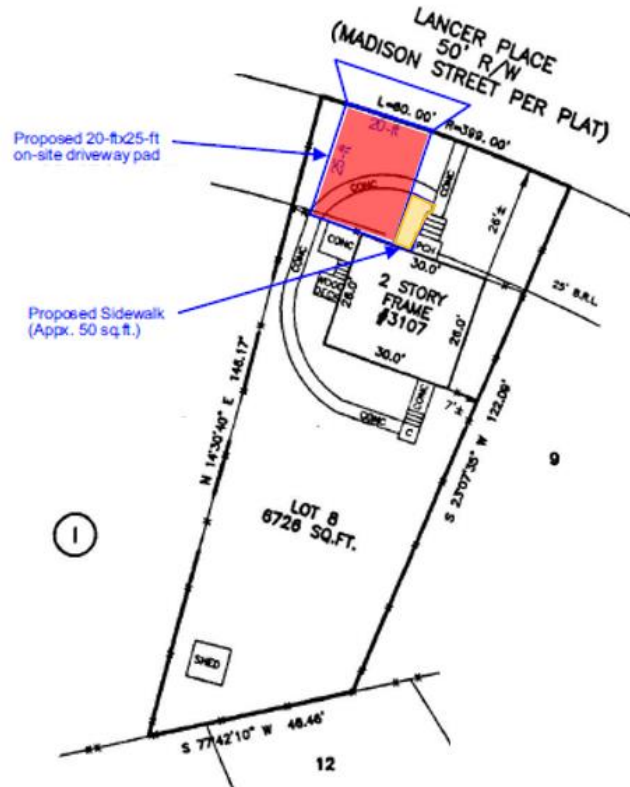
**Summary of Variance Conditions:**

The applicant, Olga Rubio, has applied to the Prince George’s County Board of Zoning Appeals for a zoning variance with regards to replacement of an existing parking pad and the addition of 50 square foot of sidewalk between the existing front sidewalk and parking pad. Specific violations of the Zoning Ordinance and requested variance is outlined in the table below:

Residential Zone Use Table	Description	Variance Requested
Section 27-442. (e) Table IV	Requires each lot shall have a front yard at least 25 feet in depth and a side yard at least 8 feet in width.	Variances of 3 feet front yard depth and 1 foot side yard width
Section 27-442. (d) Table III	Requires each lot shall have a minimum width of 65 feet measured along the front of the building line.	Variance of 8 feet front building line width
Section 27-120.01 (c)	Requires that no parking space, parking area, or parking structure other than a driveway no wider than its associated garage, carport, or other parking structure may be built in the front yard of a dwelling in the area between the front street line and sides of the dwelling	Waiver of parking area location

The subject property includes an existing single-family detached residential structure and is zoned R-55 (One-Family Detached Residential). It is located in City Council Ward 4 and Residential Parking Zone 8. The proposed parking pad and sidewalk extension is shown in Exhibit A below.

**Exhibit A. 7103 Lancer Place, Hyattsville**



Per §68-8 of the City Code – Impervious surfaces on residential properties: A. Notwithstanding the Prince George’s County Code provisions related to impervious surface coverage, the impervious surface area of the front yard of any residential property in the City of Hyattsville shall not exceed twenty-five percent (25%) of the total area of the front yard.

**Definitions:**

“Front yard” shall mean in addition to the definition in this Chapter, that for buildings on corner lots where the building faces an intersection rather than either of the streets, the front yard shall be the triangular area between the paved streets and a line drawn across that side of the building nearest the street and facing the intersection.

“Impervious surface” shall include, but not be limited to, concrete, asphalt, pavers, brick and gravel, and all paved and prepared drivable surfaces pursuant to §114-72.1 of this Code. Non-drivable surfaces, including a sidewalk no wider than 42”, shall not be counted as impervious surface for purposes of this subsection.

The applicant’s front yard is 1,300 square feet and includes a 500 square feet impervious surface driveway, representing 38.46% coverage of the front yard area.

**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 upon the findings of the application and corresponding Variance Policy, City Staff recommends the City Council oppose V-133-21 and the applicant revise and resubmit. Given the existing drive pad surface area exceeds 25% front yard coverage, staff recommends additional improvements beyond in-kind replacement utilize pervious materials. The applicant is subject to a City of Hyattsville driveway construction permit prior to making these proposed improvements.