



# Memo

To: Tracey Douglas, City Administrator  
From: Jeff Ulysse, Director, Com. & Econ. Development & City Planner  
Date: October 24, 2024  
Re: Zoning Variance Request V-65-24 – 5803 33<sup>rd</sup> Ave  
Attachments: Application for Variance (Appeal No. V-65-24)  
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-65-24, for the subject property located at 5803 33<sup>rd</sup> Ave, Hyattsville.

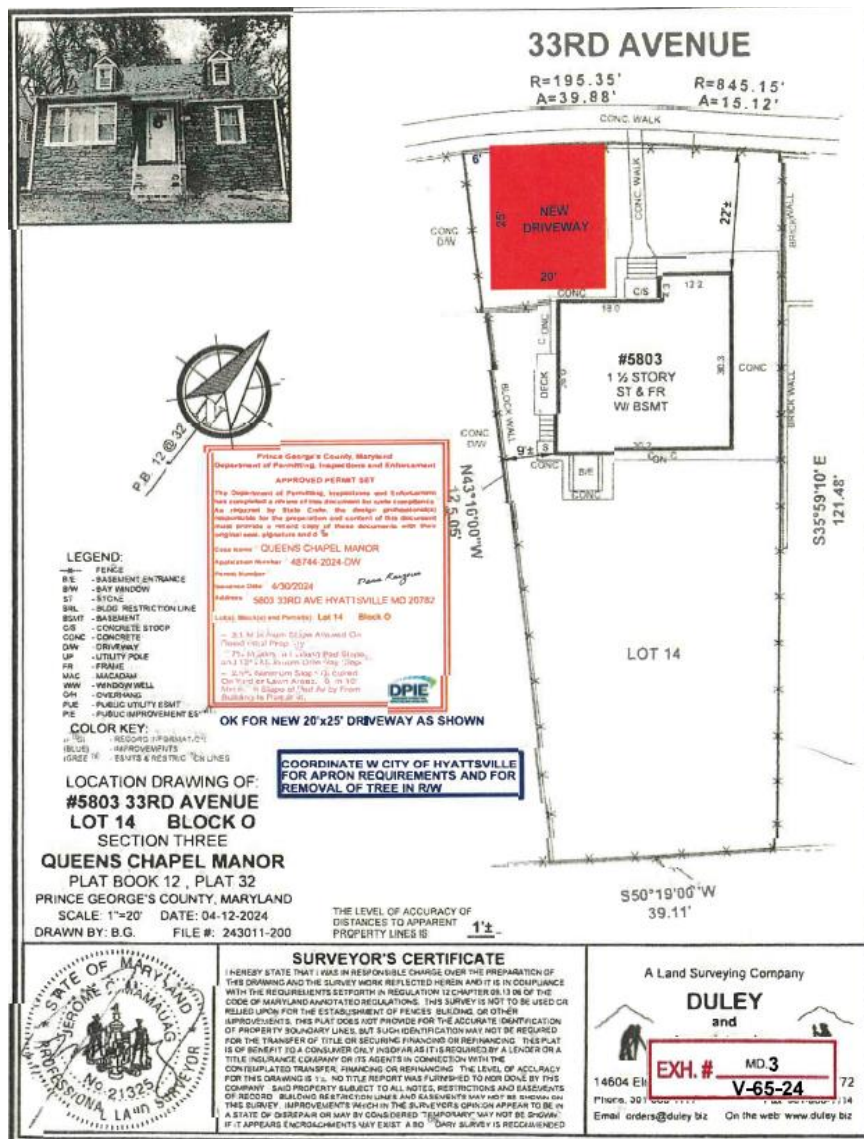
## Summary of Variance Conditions:

The applicant, Kesete Gebrehiwot Kidane, 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, lot width at the building line, front yard depth) and waiver of the parking area location to obtain a building permit for a proposed 25’x20’ driveway.

The requested variances are outlined in the table below:

Residential Zone Use Table	Description	Variance Requested
Section 27-4202 (e)	Requires that a lot shall have a minimum net lot area of 6,500 square feet	Variance of <b>600</b> square feet net lot area
Section 27-4202 (e)(1)	Requires that a lot shall have a minimum width of 65 feet at the building line and a lot frontage minimum width of 52 feet at front street line.	Variance of <b>6</b> feet lot width at the building line
Section 27-4202(e)(2)	Requires that a lot shall have a minimum front yard depth of 25 feet	Variance of <b>3’</b> front yard depth
Section 27-11002 (1)(a)	Requires that No parking space, parking area, or parking surface other than a driveway no wider than its associate garage, carport, or other parking structure may be built in the front yard of a dwelling, except a “dwelling, townhouse” or “dwelling, multifamily”, in the area between the front street line and the sides of the dwelling	Waiver of parking area location requirement

The petitioner is requesting a variance to allow them to construct a new driveway partially in front of the existing dwelling. Pursuant to § 27-11002 (a) of the county code, the dwelling was not constructed with the benefit of a garage and/or carport and therefore is required to construct a driveway *“between the front street line and the sides of the dwelling”*. The proposed location of the driveway does not conform with this standard and as a consequence would require a variance.



On October 28<sup>th</sup> staff performed a site inspection and discovered an existing street tree situated between 33<sup>rd</sup> ave and subject dwelling. The current location of street tree would effectively obstruct the ability for the applicant to place an apron and driveway at the subject site.



Street trees are an invaluable resource for our neighborhood's; contributing to the environmental health of our communities, providing shade to pedestrians and supporting the overall beautification of our streetscape. Removing or altering the tree could harm the natural character of the neighborhood and reduce aforementioned benefits.

### **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."

Staff recommends the City Council oppose V-65-24 for the subject property located at 5803 33<sup>rd</sup> Ave, Hyattsville. The net lot area, lot width at the building line and front yard depth are existing conditions of the subject property and is commensurate with the surrounding area. However, the request for waiver of the parking area location standard will present a significant adverse environmental effect and diminish the functioning appearance of the surrounding area as a whole. Staff recommends exploring alternative solutions that preserve the tree and maintain the community's aesthetic and environmental quality