



Memo

To: Tracey Douglas, City Administrator
From: Jeff Ulysse, Director of Com. & Econ. Development & City Planner
Date: February 7, 2025
Re: Zoning Variance Request V-93-24 – 6006 Queens Chapel Rd, Hyattsville
Attachments: Application for Variance (Appeal No. V-93-24)
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-93-24, for the subject property located at 6006 Queens Chapel Rd, Hyattsville.

Summary of Variance Conditions:

The petitioner(s), Alfred Thomas Diotte, IV has made an appeal to the Prince George's County Board of Zoning Appeals (BZA) for a zoning variance to validate existing conditions for a rear lot line setback. The petitioner(s) requests a variance for an accessory rear lot line setback to obtain a building permit to reconstruct an existing non-conforming 16' x 14' wood deck.

The requested variances are outlined in the table below:

Residential Use Table	Description	Variance Requested
Section 27-11003 (a)	Requires that decks, porches (screened or unscreened), stoops, or exterior stairways may extend up to five feet into any required yard, except those decks and porches on a dwelling, townhouse; dwelling, two-family; or dwelling, three-family may extend to a rear lot line that abuts permanent open space or to within three (3) feet of a rear lot line that abuts another Rural and Agricultural or Residential lot.	Variance of 6.33' ft rear lot line setback

Property Description

The subject property was built in 1985 and is located in Queens Chapel Manor Subdivision, City Council Ward 4 and not in a residential parking zone. This 0.1590 ac or 6,933 sf parcel is improved with a detached single-family dwelling, rear wood deck, residential storage shed, and asphalt driveway. The property is also classified under the current zoning district of RSF-65 with a prior zoning district of R-55.

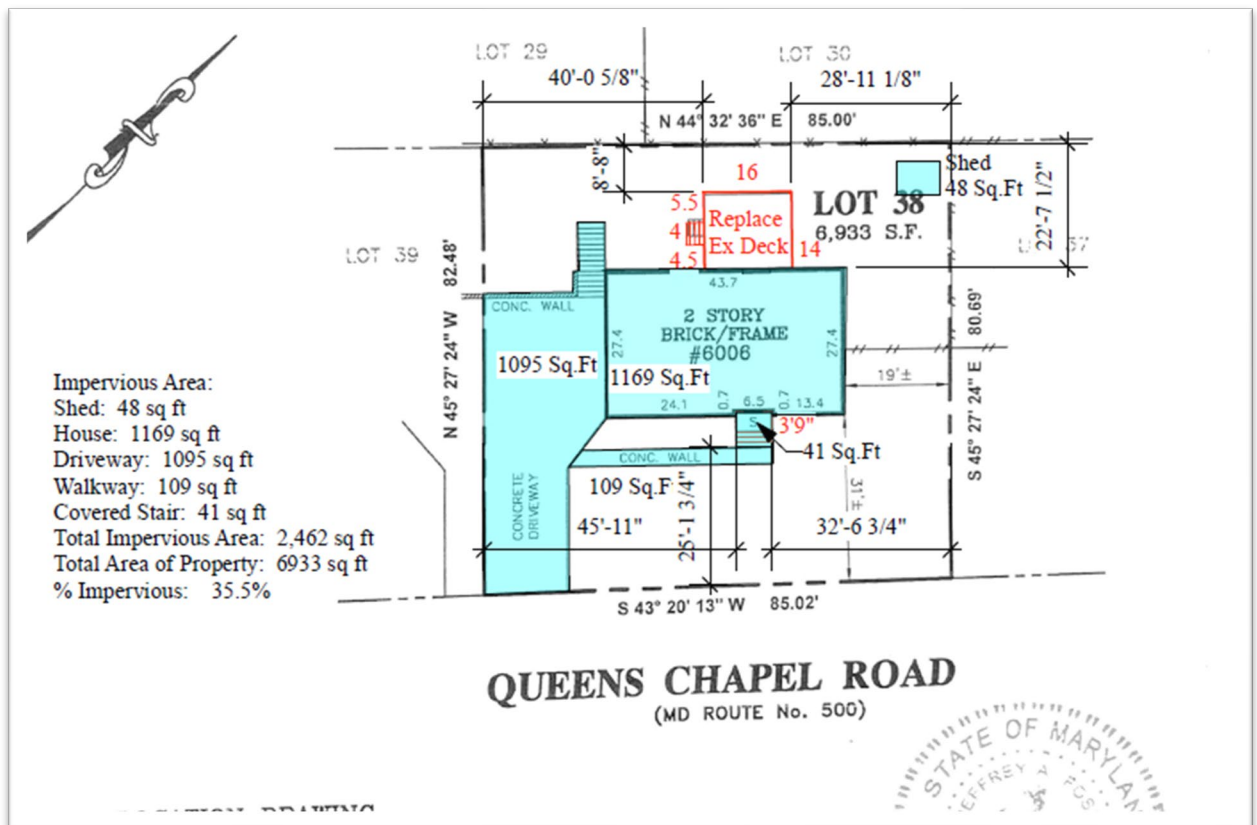


Figure 1 Site Plan

Findings & Justification

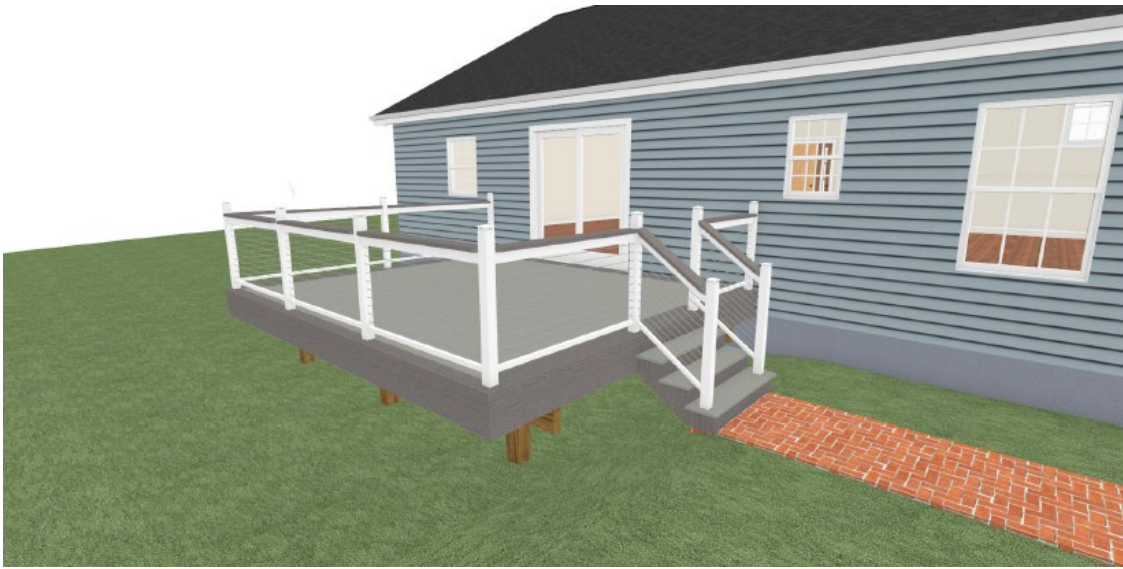
Under the RSF-65 zoning district the subject parcel is required to comply with certain prescribed dimensional regulations. Prince Georges County code section 27-1003(a) Decks, porches, and balconies prescribe that decks, porches (screened or unscreened), stoops, or exterior stairways may extend up to five feet into any required yard.

The petitioner is requesting a variance of 6.33 ft. The subject property features a distinctive topography, with a steep grade at the southeast elevation of the parcel that restricts the buildable square footage. This unique topography (figure 2) likely influenced the placement of the principal structure, which was constructed 31 ft from the front lot line despite a required set back of 25 ft and as a result constrains the rear yard.



These existing conditions create a degree of non-conformity impacting the petitioner's ability to comply. Upon review, its staff's understanding that the existing deck was constructed without the benefit of a building permit.

Figure 2 Southeast Elevation



Although it is not entirely clear when the existing rear deck was built, the City is not in receipt of any reported violations or complaints. Staff has determined that a ‘like and kind’ reconstruction of the rear deck will not have a negative impact on the character of the surrounding area and does not create significant privacy concerns. The existing 6ft fence effectively screens the accessory structure, mitigating visual impacts on adjacent properties. While the rear deck structure is in the required rear yard, the intent of the setback requirement is to maintain aesthetic and functional consistency.



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 the above findings, staff recommend the City Council support variance application V-93-24 for the subject property located at 6006 Queens Chapel Rd, Hyattsville for the requested zoning relief related to rear lot line setback.