



Legislation Text

File #: HCC-143-FY23, **Version:** 1

Submitted by: At the Request of the City Administrator
Submitting Department: Community & Economic Development
Agenda Section: Consent

Item Title:

Zoning Variance Request V-67-22 - 5820 31st Place, Hyattsville

Suggested Action:

I move the City Council support V-67-22 for the subject property at 5820 31st Place, Hyattsville, and request that the Board of Zoning Appeals approve this application for variances to validate existing conditions of the net lot area, front yard depth and side yard width.

Summary Background:

The applicant, Rosario Salgado, has applied to the Prince George's County Board of Zoning Appeals for a zoning variance to validate existing conditions (net lot area, lot width, front yard width, side yard width) and to obtain a building permit for the unauthorized construction of a deck on the property. The subject property includes an existing single-family detached residential structure, a shed structure, and a deck on the back of the residential structure. This is further illustrated in the aerial photo shown in Exhibit B below. The property is zoned R-65 (One-Family Detached Residential). It is located in City Council Ward 4 and is not located within Residential Parking Zone. The specific violations of the Zoning Ordinance are summarized as follows:

- Section 27-4202 (e)(1): Requires each lot shall have a minimum net lot area of 6,500 square feet, minimum width of 65 feet measured along the front building line. **Variance of 578 square feet net lot area, 15 feet front building line width.**
- Section 27-4202 (e)(2): Requires each lot shall have a front yard at least 25 feet in depth. **Variance of 4 feet front yard depth.**
- Section 27-4202 (e)(3): Requires each lot shall have a side yard at least 8 feet in width. **Variance of 3.2 feet side yard width.**

Next Steps:

The City Council's comments will be submitted to the Prince George's County Board of Zoning Appeals for its consideration.

Fiscal Impact:

N/A

City Administrator Comments:

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.

The validation of existing conditions expressed in this application involves documenting a non-conforming lot in regard

to minimum lot size, front build line width, side yard width, and front yard depth. Specifically, the deck structure that was built without adequate permits is flush with an existing structure on the property and therefore does not violate the City's Variance Policy.

Based upon the findings of the application and corresponding Variance Policy, City Staff recommends the City Council support V-67-22 for the subject property at 5820 31st Place, Hyattsville, and request that the Board of Zoning Appeals approve this application.

Community Engagement:

N/A

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

N/A