



Hyattsville City Council Agenda Item Report

Meeting Date: December 16, 2019

Submitted by: Jim Chandler

Submitting Department: Community & Economic Development

Item Type: Planning & Development

Agenda Section:

SUBJECT

Board of Zoning Appeals Variance (V-130-19): 3709 Jefferson Street, Hyattsville

HCC-160-FY20

Recommendation:

I move the City Council authorize the Mayor to provide correspondence to the Prince George's County Board of Zoning Appeals in support of zoning variance application V-130-19, a request to permit variances of 5-foot front building line width and 2-foot side lot line setback for an accessory building for the subject property located at 3709 Jefferson Street, Hyattsville.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Memo - V-130-19.docx](#)

[Application V-130-19.pdf](#)

[Site Plan V-130-19.pdf](#)

Summary Background:

The applicant, Manuel Salvador, has applied to the Prince George's County Board of Zoning Appeals for a zoning variance to validate existing condition (lot/width frontage) and obtain a building permit for unauthorized construction of a gazebo. Specific violations of the Zoning Ordinance are outlined below:

- Section 27-442(d)(Table III) prescribes that each lot shall have a minimum width of 65 feet measured along the front building line.
- Section 27-442(i)(Table VIII) prescribes that accessory buildings shall be set back 2 feet from any side or rear lot line.

Variances of 5 feet front building line width and 2 feet side lot line setback for an accessory building have been requested.

The property resides in a R-55 (One-Family Detached Residential) Property Zone. It is within the Gateway Arts Development District Overlay and part of the Traditional Residential Neighborhood Character Area. The subject property contains a 1 ½ story residence with a basement.

The applicant informed the City, through their application, that they have already built a rooftop on their driveway (i.e. gazebo) to protect their vehicle from the elements. The gazebo is 10.75' x 16' and located adjacent to a 9.5' x 17' shed.

Next Steps:

The Board of Zoning Appeals, upon correspondence from the City of Hyattsville regarding this matter, will be rendering a decision at its next meeting in January 2020.

Fiscal Impact:

N/A

City Administrator Comments:

Staff recommends the City Council support the applicant's variance request of a 5 feet front building line width, as it is an existing condition of the property and there is no feasible way for the applicant to obtain additional street frontage.

Staff recommends the City Council support the applicant's variance request of a 2 feet side lot line setback for an accessory building, as it is consistent with the configuration of the property's driveway and shed. The impacted adjacent property owner, Mr. Schwedes, informed City Staff that they are not concerned with the location and construction of the proposed gazebo, and that he supports the applicant's variance request.

Staff has requested that the variance case remain open until Council provides feedback. The Board of Zoning Appeals hearing is scheduled for early 2020.

Community Engagement:

The owner of the neighboring property, 3711 Jefferson Street, provided the City with an email stating support for the proposed variance to permit the gazebo structure.

Strategic Goals:

Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?

N/A