

Case No.: A-10037
American Rescue Workers

Applicant: American Rescue Workers,
Inc.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ZONING ORDINANCE NO. 9 – 2017

AN ORDINANCE to amend the Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland, by an individual Zoning Map Amendment.

WHEREAS, Zoning Map Amendment Application No. 10037 (A-10037) is a request to rezone approximately 10.602 acres of land, located on the east side of Ritchie Road, approximately 2,200 feet north of its intersection with Walker Mill Road, also identified as 716 Ritchie Road, Capital Heights, Maryland, Councilmanic District 6, from the R-R (Rural Residential)/M-I-O (Military Installation Overlay) Zone to the I-2 (Heavy Industrial)/M-I-O Zone; and

WHEREAS, the application was advertised and the property was posted prior to public hearings, in accordance with all requirement of law; and

WHEREAS, the application was reviewed by the Planning Department's Technical Staff; and

WHEREAS, Technical Staff recommended that the request to rezone the subject property from the R-R (Rural Residential)/M-I-O (Military Installation Overlay) Zone to the I-2 (Heavy Industrial)/M-I-O (Military Installation Overlay) Zone should be DENIED; and

WHEREAS, Technical Staff recommended that rezoning of the subject property from the R-R (Rural Residential)/M-I-O (Military Installation Overlay) Zone to the I-1 (Light-Industrial) Zone should be APPROVED; and

WHEREAS, the Planning Board elected to adopt the recommendations of Technical Staff;
and

WHEREAS, on May 10 and May 25, 2017, evidentiary hearings were held on the proposed rezoning before the Zoning Hearing Examiner; and

WHEREAS, on June 13, 2017, the Zoning Hearing Examiner issued a notice of decision;
and

WHEREAS, the Examiner recommended that the request to rezone the subject property from the R-R (Rural Residential)/M-I-O (Military Installation Overlay) Zone to the I-2 (Heavy Industrial)/M-I-O (Military Installation Overlay) Zone should be DENIED; and

WHEREAS, the Examiner recommended that the request to rezone the subject property from the R-R (Rural Residential)/M-I-O (Military Installation Overlay) Zone to the I-1 (Light-Industrial) Zone should be APPROVED; and

WHEREAS, pursuant to Section 27-131 of the County Code, an appeal or exceptions to a decision of the Zoning Hearing Examiner shall be filed within thirty (30) days after the written decision of the Examiner; and

WHEREAS, pursuant to law, the District Council finds that no timely appeal or exceptions were filed; and

WHEREAS, having reviewed the record, the District Council hereby adopts the disposition recommendation of the Zoning Hearing Examiner; and

WHEREAS, as the basis for its final decision, the District Council adopts and incorporates by reference, as if fully stated herein, the findings of fact and conclusions of law within the Examiner's decision issued on June 13, 2017.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The request to rezone approximately 10.602 acres of land, located on the east side of Ritchie Road, approximately 2,200 feet north of its intersection with Walker Mill Road, also identified as 716 Ritchie Road, Capital Heights, Maryland, Councilmanic District 6, from the R-R (Rural Residential)/M-I-O (Military Installation Overlay) Zone to the I-2 (Heavy Industrial)/M-I-O (Military Installation Overlay) Zone is hereby DENIED.

SECTION 2. Rezoning of the subject property from the R-R (Rural Residential) Zone to the I-1 (Light Industrial) Zone is hereby APPROVED.

SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall become effective on the date of its enactment.

ENACTED this 17th day of July, 2017, by the following vote:

In Favor: Council Members Davis, Glaros, Harrison, Lehman, Patterson, Taveras, and Turner.

Opposed:

Abstained:

Absent: Council Members Franklin and Toles.

Vote: 7-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF THE
MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

By: _____
Derrick Leon Davis, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council