

Case No.: A-10042  
Brandywine Waldorf Medical  
Dental Clinic

Applicant: Brandywine Waldorf Medical  
Dental Clinic, Inc./Karen  
Dobson

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

ZONING ORDINANCE NO. 10 - 2018

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. 10042 (A-10042) is a request for the rezoning of approximately ±3.90 acres from the C-O (Commercial Shopping Center) Zone to the M-X-T (Mixed Use Transportation) Zone. The property includes two adjoining lots, Parcel 93, addressed as 13518 Brandywine Rd., and part of Parcel 65, addressed as 13600 Brandywine Rd. The property is located at the northwest quadrant of the intersection of Brandywine Road (MD 381) and Branch Avenue (MD 5), in Brandywine, Maryland; 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 all of Parcel 93 and part of Parcel 65 from the C-O (Commercial Shopping Center) Zone to the M-X-T (Mixed Use Transportation) Zone should be APPROVED; and

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

WHEREAS, on February 21, 2018, an evidentiary hearing was held on the proposed rezoning before the Zoning Hearing Examiner; and

WHEREAS, at the close of the evidentiary hearing the record was left open to allow Applicant time to submit an additional exhibit, and upon receipt of which, the record was closed on February 26, 2018; and

WHEREAS, on May 23, 2018, the Zoning Hearing Examiner issued a notice of decision;  
and

WHEREAS, the Examiner recommended that the request to rezone the subject property from the C-O (Commercial Shopping Center) Zone to the M-X-T (Mixed Use Transportation) 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 accepts 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 Examiner's decision issued on May 23, 2018; and

WHEREAS, the plat submitted by the Applicant identified Parcel 93 as  $\pm 0.994$  acres instead of  $\pm 1.99$  acres; and

WHEREAS, the total area of the subject property to be rezoned is ±3.90 acres; and

WHEREAS, the Applicant satisfied the additional Two Hundred Dollar (\$200.00) filing fee required for the additional acreage with the Maryland-National Capital Park and Planning Commission.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The request to rezone approximately ±3.90 acres from the C-O (Commercial Shopping Center) Zone to the M-X-T (Mixed Use Transportation) Zone is hereby APPROVED.

SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall become effective on the date of its enactment.

ENACTED this 9<sup>th</sup> day of July, 2018, by the following vote:

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

Opposed:

Abstained:

Absent: Council Member Glaros, Patterson, Toles.

Vote: 6-0.

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: \_\_\_\_\_  
Dannielle M. Glaros, Chair

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council