

Case No. CNU-33101-2010
Diamond City Auto Sales

Applicant: Lucy Hwang, LLC

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

ORDER AFFIRMING PLANNING BOARD CERTIFICATION
OF NONCONFORMING USE, WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the Zoning Hearing Examiner's decision in CNU-33101-2010, to approve certification of a Nonconforming Used Auto Sales and Display, on approximately 7,702 square feet of a 1.55 acre strip shopping center in the C-S-C (Commercial Shopping Center) Zone, located at 3610 Old Silver Hill Road Unit C, Suitland, Maryland, is:

AFFIRMED, as the basis for this action, the District council adopts the findings of fact, conclusions, and decision of the Zoning Hearing Examiner, as its findings and conclusions in this case, except as otherwise provided herein.

Affirmance of the Zoning Hearing Examiner decision is subject to the following conditions, prior to the issuance of permits:

1. The applicant shall submit a revised Site Plan, to the Office the Zoning Hearing Examiner for approval and inclusion in the record, that accurately depicts what is on the site, including the exact nature, size and location of the office structure and the display area.

In order to protect adjacent properties and the surrounding neighborhood, affirmance is also subject to the following additional conditions by the District Council.

2. The applicant shall submit competent evidence, to the Zoning Hearing Examiner for approval and inclusion in the record, that Diamond City Auto Sales, LLC, is in good standing with the Maryland State Department of Assessment and Taxation (SDAT). Good standing shall mean that Diamond City Auto Sales, LLC, is an entity that has filed the current year's Annual Report/Personal Property Return, and does not owe a late filing penalty with the SDAT.

3. The applicant shall submit competent evidence, to the Zoning Hearing Examiner for approval and inclusion in the record, that Lucy Hwang, LLC, is in good standing with the Maryland State Department of Assessment and Taxation (SDAT). Good standing shall mean that Lucy Hwang, LLC, is an entity that has filed the current year's Annual Report/Personal Property Return, and does not owe a late filing penalty with the SDAT.

ORDERED this 5th day of November, 2012, by the following vote:

In Favor: Council Members Campos, Davis, Franklin, Harrison, Lehman, Olson and Patterson.

Opposed:

Abstained: Council Members Toles and Turner.

Absent:

Vote: 7-0-2

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: _____
Andrea C. Harrison, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council