

Case No.: S.E. 3588/02

Applicant: Sang K. and Young H. Cha

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

ZONING ORDINANCE NO. 1 - 2007

AN ORDINANCE to approve an amendment of conditions attached to a special exception, and to reapprove the special exception, with amended conditions.

WHEREAS, in April 1985, the District Council approved Application No. S.E. 3588, for a gas station and auto parts store on property described as about 0.5 acres of land in the C-S-C Zone, on the north side of Riggs Road, at its intersection with Chillum Road, Chillum, with street address 5818 Riggs Road; and

WHEREAS, in April 1989, in PGCPB No. 89-178, the Planning Board approved a minor amendment to the S.E. 3588 site plan, to allow (a) replacement of fuel storage tanks with fiberglass tanks, (b) replacement of six fuel pumps with three multiple product dispensing (MPD) units, and (c) replacement of the canopy; and

WHEREAS, the applicant has filed a request with the District Council to amend conditions imposed by the Planning Board, which required a "channelized entranceway" onto Chillum Road, and other site plan revisions; and

WHEREAS, the Technical Staff and the Zoning Hearing

Examiner have reviewed the proposed amendments and have filed

recommendations with the District Council; and

WHEREAS, the applicant's request was posted prior to public hearing, in accordance with all requirements of law; and

WHEREAS, on September 20, 2006, the applicant's request was reviewed in public hearing before the Zoning Hearing Examiner; and

WHEREAS, having reviewed the record, the District Council has determined that the application should be granted; and

WHEREAS, to protect adjacent properties and the surrounding neighborhood, this special exception is reapproved subject to conditions; and

WHEREAS, as the basis for this action, the District Council adopts the recommendations of the Zoning Hearing Examiner as its findings of fact and conclusions of law in this case.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland, is hereby amended by reapproving the special exception, Application No. S.E. 3588/02, with amended conditions.

SECTION 2. The applicant's requested amendments are hereby approved, subject to the condition that a revised site plan must be submitted for approval to the Office of the Zoning Hearing Examiner.

SECTION 3. This Ordinance shall take effect on the date of its enactment.

Enacted this 22nd day of January, 2007, by the following vote:

In Favor: Council Members Exum, Bland, Campos, Dean, Dernoga, Olson and Turner

Opposed:

Abstained:

Absent: Council Members Harrington and Knotts

Vote:

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: _____
Camille A. Exum, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council