

Case No.: S.E. 4496

Applicant: Latchkey Day Care Center

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

ZONING ORDINANCE NO. 11 - 2008

AN ORDINANCE to approve a special exception.

WHEREAS, Application No. S.E. 4496 was filed for a special exception for a day care center for children on property described as approximately 1.26 acres of land in the R-R Zone, located on the north side of Owens Road, approximately 200 feet west of Wheeler Road, identified as 2408 Owens Road, Oxon Hill, Maryland; and

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

WHEREAS, the application was reviewed by the Technical Staff, which filed recommendations with the District Council; and

WHEREAS, the Zoning Hearing Examiner held a public hearing on the application and filed recommendations with the District Council; and

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

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

WHEREAS, as the basis for this action, the District Council adopts the decision and 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 of the Maryland-Washington Regional District in Prince George's County, Maryland, is hereby amended to show an approved special exception for a day care center for children on the property which is the subject of Application No. S.E. 4496. All development and use of the subject property under this special exception shall conform to the revised site plan to be filed in accordance with this decision.

Section 2. The special exception approved herein is subject to the following conditions:

1. The maximum number of children to be enrolled is 70. No more than 50 children shall be in the play area at one time.
2. The hours of operation shall be from 6:30 a.m. to 6:00 p.m., Monday through Friday.
3. The hours of operation for the play area shall be from 9:00 a.m. to 4:00 p.m., Monday through Friday.
4. Prior to the issuance of any permits, the applicant shall revise the Type II Tree Conservation Plan (TCPII/143/92) to accurately reflect all existing and proposed conditions on site, have it signed by the qualified professional who prepared it, and submit a signed and dated copy of the revised plan to the Zoning Hearing Examiner for approval.
5. Prior to the issuance of any permits, the Special Exception Site Plan shall be revised as follows, and submitted to the Office of the Zoning Hearing Examiner for approval:
  - a. All required and provided setbacks must be reflected in the site data/landscape schedule.
  - b. The height (i.e., number of feet) of the existing and proposed structure must be shown. The actual square footage of the addition (7,200 square feet) shall be stated, and all inconsistent numbers removed.
  - c. Fence details must be provided. The height of the fence must be shown on the plan and not in the notes.
  - d. The language concerning playground hours that conflicts with condition 3, above, shall be deleted.
6. The addition shall be substantially similar to the drawings and elevations submitted in the record as Exhibits 40 and 41, respectively, to ensure compatibility with the surrounding neighborhood.
7. Prior to the issuance of permits, the applicant shall petition the Department of Environmental Resources to initiate revocation proceedings for SE-4048.
8. Prior to the issuance of permits, the applicant shall obtain approval of a detailed site plan, in accordance

with Part 3, Division 9, of the Zoning Ordinance.

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

Enacted this 14th day of April, 2008, by the following vote:

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

Opposed:

Abstained:

Absent:

Vote: 8-0

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: \_\_\_\_\_  
Samuel H. Dean, Chairman

ATTEST:

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