

Case No: S.E. 4698 A-1 Vehicle Salvage Yard

Applicant: W & C Property Management, LLC

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

ZONING ORDINANCE NO. 9 - 2013

AN ORDINANCE to approve a Special Exception for the use of 1.7583 acres of I-1 (Light Industrial) zoned land for a Vehicle Salvage Yard.

WHEREAS, Application S.E. 4698 was filed to request permission to use 1.7583 acres of I-1 (Light Industrial) zoned land for a Vehicle Salvage Yard, defined in the Zoning Ordinance as “a facility for the reclamation or storage of wrecked or abandoned vehicles or parts from vehicles, ‘Trailers’ or ‘Mobile Homes’, which may include the sale of the parts” (Prince George’s County Code, Section 27-107.01(a)(25)) located on the north and south sides of Kilmer Place, approximately 280 feet east of its intersection with 52nd Avenue, and identified as 5225 Kilmer Place and 3409 52nd Avenue, Hyattsville, 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 and Planning Board, which filed recommendations with the District Council; and

WHEREAS, a public hearing on the application was held before the Zoning Hearing Examiner; and

WHEREAS, the Zoning Hearing Examiner’s recommendations were filed with and considered by the District Council; and

WHEREAS, pursuant to Section 27-132 of the Zoning Ordinance and Section 25-204 of the Land Use Article, as the basis for this action, the District Council adopts the findings of fact, conclusions, and decision of the Zoning Hearing Examiner.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

Section 1: Special Exception 4698 is APPROVED, subject to the following conditions:

1. Prior to the issuance of permits Applicant shall revise the Special Exception Site Plan by outlining the boundaries of the Special Exception in red, as required by the Zoning Ordinance;
2. Prior to the issuance of permits the Landscape Plan shall be revised to plant with low-growing shrubs and/or oaks that portion of Lot 3 located at the northeast quadrant of the intersection of 52nd Avenue and Kilmer Place running easterly from 52nd Avenue for a distance of 75 feet (unless the point of curvature necessitates the planting of a slightly smaller number of feet);
3. Prior to the issuance of permits the Special Exception Site Plan shall be revised to include a note indicating that there will be no outdoor storage of vehicles, and all operations and storage for the business will occur within the building on Lot 2;
4. Prior to the issuance of permits Applicant shall submit evidence from the Building Officer for Prince George's County, or designee, that the building will be fireproofed in an acceptable manner;
5. Prior to the issuance of permits, remove reference to Variance 4698 from the Special Exception Site Plan, or note that it was withdrawn; and
6. The revised Plans shall be submitted to the Office of the Zoning Hearing Examiner for review and approval prior to the issuance of permits.

Section 2: This Ordinance shall take effect on the date of its enactment.

Enacted this 21st day of October 2013 by the following vote:

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

Opposed:

Abstained:

Absent: Council Member Olson.

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: _____
Andrea C. Harrison, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council