

Case No: S.E. 4703 ACE Cash Express

Applicant: Ace Cash Express, Inc.

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

ZONING ORDINANCE NO. 1 - 2014

AN ORDINANCE to approve a Special Exception for the use of 2.14 acres of C-M (Miscellaneous Commercial) and R-55 (One-Family Detached Residential) zoned land for a Check Cashing Business.

WHEREAS, Application S.E. 4703 was filed to request permission to use 1,659 square feet of a 17,500 square foot Shopping Center located on a 2.14-acre property in the C-M (Miscellaneous Commercial) and R-55 (One-Family Detached Residential) Zones for a Check Cashing Business, located on the east side of Baltimore Avenue (US 1), between Chestnut Ridge Drive and Locust Grove Drive, and identified as 14265-A Baltimore Avenue, Laurel, 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 4703 is APPROVED with the following conditions:

1. Prior to the issuance of permits, Applicant may submit a revised Special Exception Site Plan to the Office of the Zoning Hearing Examiner for review, approval and inclusion in the record. The revised site plan must include within its highlighted boundaries the actual unit in which the Check Cashing Business is located, any parking associated with the use, and the access to a roadway.
2. The limits of this Special Exception (SE-4703) shall be restricted to the unit identified as, 14265-A Baltimore Avenue, Laurel, Maryland, Maryland 20707 (the "Unit") and shall be outlined on the Special Exception Site Plan. The overall Property in which the Unit is located shall be outlined on the site plan and shown for purposes of evaluating site requirements such as access, parking and loading, etc. Any relocation or expansion of the Check Cashing Business beyond the approximately 1,649 square feet of the Unit approved by S.E. 4703 within the Property as shown on the site plan shall require an amendment of the Special Exception in accordance with the Zoning Ordinance. Any requests for permit or approval or site improvements on the Property which are permitted under the Zoning Ordinance that do not require separate approval of a special exception, and do not reduce the number of access points, parking spaces or loading spaces on the S.E. 4704 site plan below that required by the Zoning Ordinance, shall not be required to amend this Special Exception Site Plan SE-4703. Any such uses or alterations shall comply with all ordinances and permit requirements, as applicable.
3. Within one hundred twenty (120) days from adoption of this order by the District Council all existing unpermitted or illegal signs shall be removed from the building and the Applicant may install a permanent sign, in accordance with the sign regulations, on the building in which the Check Cashing Business is located.
4. The following occurrences shall be deemed not to require the amendment of the Special Exception:
 - a. The placement of a permanent sign on the building in which the Check Cashing Business is located; and
 - b. Any change in tenancies in the other units that do not require Special Exception approval.

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

Enacted this 27th day of January, 2014, by the following vote:

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

Opposed:

Abstained:

Absent: Council Members Harrison and Toles.

Vote: 7-0

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: _____
Mel Franklin, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council