

Case No: S.E./VSE 4783  
Chuck's Used Auto Parts

Applicant: CC Clifton Road, LLC/  
Chuck's Used Auto Parts, Inc.

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

ZONING ORDINANCE NO. 3 - 2018

AN ORDINANCE to approve a Special Exception and a Variance.

WHEREAS, Application S.E. 4783 was filed to request permission to use approximately 0.99 acre of land in the I-1 (Light Industrial) Zone, located on the west side of Clifton Road, approximately 688 feet south of St. Barnabas Road (MD 414), also identified as 4743 Clifton Road, Temple Hills, Maryland, to operate a Vehicle Salvage Yard. Applicant is also requesting approval of VSE-4783, a two (2) foot variance to Section 27-474(a)(1) of the Zoning Ordinance, which requires a thirty (30) foot side yard setback from adjoining land in any nonresidential zone, for the existing one-story brick building, and a waiver of this setback requirement for the proposed eight-foot-tall sight-tight fence to be located on the property line; 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; 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, as the basis for this action, the District Council adopts the findings of fact,

conclusions of the Zoning Hearing Examiner.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

1. Prior to the issuance of permits, the Applicant shall revise the Special Exception Site Plan to include notes that address the following:
  - a. The parking area by the 22-foot gate opening that leads to the rear storage area shall be regraded and repaired.
  - b. Applicant shall provide an on-site dust-free loading space.
  - c. The height of the outdoor storage shall not exceed the height of the eight-foot-high fence. This shall include stacked vehicles awaiting salvage. Any existing material on-site which would be visible beyond the fence at ground level shall be removed, and the storage racks shall be reduced in height to ensure this.
  - d. Vehicle fluid recovery and all operations on site shall be done in strict compliance with all state and federal regulations and the Stormwater Pollution Prevention Plan. (Exhibit 3(i)).
  - e. Replace chain link fence with eight-foot-high sight-tight fence.
2. The revised Site Plan shall be submitted to the Office of the Zoning Hearing Examiner for approval and inclusion in the record, prior to the issuance of permits.

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

Enacted this 26<sup>th</sup> day of February, 2018, by the following vote:

In Favor: Council Members Davis, Franklin, Glaros, Lehman, Patterson, Taveras, Toles and Turner.

Opposed:

Abstained:

Absent: Council Member Harrison.

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: \_\_\_\_\_  
Dannielle M. Glaros, Chair

ATTEST:

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