

March 20, 2014

MEMORANDUM

TO: The Prince George's County Planning Board

VIA: Jimi Jones, Supervisor, Zoning Review Section, Development Review Division

FROM: Taslima Alam, Senior Planner, Zoning Review Section, Development Review Division

SUBJECT: **Addendum to Certification of Nonconforming Use Application No. CNU-2764-12
Atlas Foundations of Washington, LLC**

This case was originally set in for a public hearing on February 20, 2014. The applicant wanted to afford time to further evaluate conformance of the site to the requirements of the Commercial Miscellaneous (C-M) Zone and to the original site plan per Permit 4071-1982-CGU. The site was posted as required by the Zoning Ordinance on January 13, 2014. Subsequently, the applicant's representative, Mr. Calvert Steuart, requested three additional weeks of continuance from the Planning Board hearing date of March 13, 2014 to April 3, 2014 due to a scheduling conflict for a court trial. The Planning Board, once again, unanimously made a motion for continuance of this case on March 13, 2014. Meanwhile, zoning staff requested the applicant to provide a copy of a revised site plan, signed and sealed by a registered engineer, demonstrating restoration of the site to the previously approved site plan and exhibiting that the subject site is in conformance with the required zoning regulation at the time it was nonconforming. In addition, a memorandum was also requested for the the newly proposed use for the subject site. No new documentation was provided to staff for further review. The applicant's verbal agreement is not sufficient for staff to recommend approval of Certification of Nonconforming Use CNU-2764-12, as the existing use does not meet any zoning regulations.

RECOMMENDATION

Staff therefore stands with its original recommendation that the Planning Board DISAPPROVE Certification of Nonconforming Use Application No. CNU-2764-12.