

# INTER-OFFICE MEMORANDUM PRINCE GEORGE'S COUNTY, MARYLAND

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September 26, 2019

TO: Jackie Brown,  
Planning, Housing and Economic Development Committee Director

FROM: Maurene Epps McNeill *MEM*  
Chief Zoning Hearing Examiner

RE: CB-45-2019

Thank you for the opportunity to provide the following comments on the above-referenced bill.

1. The uses are already permitted in the C-S-C Zone, by Special Exception. Accordingly, its purpose clause on p.1 line 3 should be revised by inserting "by right" after "permitting."
2. On Page 1, line 3 put the end quote after "store" and delete the end quote after "station" on line 4.
3. The remainder of the bill permits, by right, four uses that are currently permitted by Special Exception in the C-S-C (Commercial- Shopping-Center) Zone. These uses will be subject to Detailed Site Plan approval,

Section 22-201 (b) of the State Land Use Article mandates that zoning laws "be uniform for each class or kind of development throughout a district or zone." However, the main basis for treating these uses differently from the same uses elsewhere in the zone that require Special Exception approval appears to be the fact that the property on which the use is located "is a minimum of fifty acres in size at the time of preliminary plan of subdivision". I am not sure what this language means – is each use the sole use

of the fifty acres ; are all four uses sharing the 50 acres; or, are any combination of the four uses on the 50 acres with additional uses?

Once these questions are addressed, will be easier to ascertain whether there is a violation of the uniformity requirements.

Cc: Michele La Rocca, Esq.  
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Bridgette Greer, Esq.