

Case No.: ERR-214 (Remand)

Applicant: Jianping Wu

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

ZONING ORDINANCE NO. 5- 2014

AN ORDINANCE to approve the validation of Multi-Family Rental Permit No. M-682.

WHEREAS, Multi-Family Rental Permit No. M-682 was issued in error on September 17, 1991, for seven (7) apartment units; and

WHEREAS, the subject property is improved with seven (7) apartment units located on approximately .5915 acre of land, in the R-55 (One-Family Detached Residential) Zone, and is identified as 3607 Longfellow Street, Hyattsville, Maryland, located within the Gateway Arts Development District Overlay Zone in the Traditional Residential Neighborhood Character Area; and

WHEREAS, the applicant has appealed to the District Council for an ordinance to approve the Multi-Family Rental Permit which were issued in error; and

WHEREAS, the application for validation was given public notice, in accordance with all requirements of law, and a public hearing on the application was held on April 10, 2014, before the Zoning Hearing Examiner; and

WHEREAS, the recommendations of the Zoning Hearing Examiner were duly filed and considered by the District Council along the Applicant's request for a remand; and

WHEREAS, the District Council, on February 24, 2014, issued an Order of Remand to the Zoning Hearing Examiner "for additional testimony or evidence concerning the habitability of the two (2) units within the basement as it pertains to the applicant for validation of a multi-family rental permit (No. M-682), issued in error," and

WHEREAS, having reviewed the record, the District Council has determined that the application to validate Multi-Family Rental Permit M-682 should be approved as recommended by the Zoning Hearing Examiner on remand; and

WHEREAS, as the basis for this action, the District Council adopts the recommendations of the Zoning Hearing Examiner on remand as its findings of fact and conclusions in this case.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. Multi-Family Rental Permit M-682 is hereby approved, but only to allow five (5) apartment units. The Floor Plan should be revised to add a Note to this effect and to delete the bedrooms located in the basement.

SECTION 3. This Ordinance shall take effect on the date of its enactment.

Enacted this 2nd day of June, 2014 by the following vote:

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

Opposed:

Abstained:

Absent: Council Member Davis.

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: _____
Mel Franklin, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council