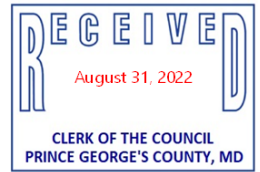


OFFICE OF ZONING HEARING EXAMINER  
FOR PRINCE GEORGE'S COUNTY, MARYLAND

NOTICE OF DECISION



Councilmanic District: 9

SE-4859  
301 Tobacco (Marlton Plaza)  
Case Number

On the day of August 31, 2022, the attached Decision of the Zoning Hearing Examiner in Case No. SE-4859 was filed with the District Council.

The Zoning Hearing Examiner's decision may be appealed to the District Council within 30 days after the above filing date by any person of record. If appealed, all persons of record may testify before the District Council. Persons arguing shall adhere to the District Council's rules of procedures, and argument shall be limited to thirty (30) minutes for each side, and to the record of the hearing.

Please address all appeals in writing to the:

Clerk of the County Council  
Wayne K. Curry Building  
1301 McCormick Drive, 2<sup>nd</sup> Floor  
Largo, MD 20774

**Your failure to note an appeal may result in a waiver of your rights to an appeal.**

**Notice and Decision sent via Mail to 8 Persons of Record.**

**Notice and Decision sent via Email to the Following, Read Receipt Requested:**

cc:

Rajesh A. Kumar, Principal Counsel to the District Council  
Stan D. Brown, People's Zoning Counsel  
Nathanial Forman, Esq.  
POR (8)-Emailed

## INSTRUCTIONS FOR FILING

### I. Appeal of the Examiner's Decision Shall Be:

- a) In writing;
- b) In a format in which each ground for appeal is numbered in sequence;
- c) Specific as to the error(s) which are claimed to have been committed by the Examiner;

(The page and paragraph numbers of the Examiner's Decision should be identified.)

- d) Specific as to those portions of the record, including the Hearing Examiner's Decision, relied upon to support your allegation of error(s) committed by the Examiner.

(The Exhibit number, transcript page number, and/or the page and paragraph numbers of the Examiner's Decision should be identified.)

- e) In writing;
- f) In a format in which each ground for appeal is numbered in sequence;
- g) Specific as to the error(s) which are claimed to have been committed by the Examiner;

(The page and paragraph numbers of the Examiner's Decision should be identified.)

- h) Specific as to those portions of the record, including the Hearing Examiner's Decision, relied upon to support your allegation of error(s) committed by the Examiner.

(The Exhibit number, transcript page number, and/or the page and paragraph numbers of the Examiner's Decision should be identified.)

### II. Requests for Oral Argument:

If you desire oral argument before the District Council, request must be made, in writing, at the time of filing your appeal.

### III. Notification to All Persons of Record:

Your request for oral argument and/or exception(s) must contain a certificate of service to the effect that a copy thereof was sent by you to all persons of record by regular mail.

(A list of these persons is available from the Clerk to the Council.)

IV. When to File:

Your request for oral argument and/or exception(s) must be filed within 30 calendar days after the Examiner's Decision has been filed with the District Council.

V. Where to File: Clerk of the County Council

Wayne K. Curry Building  
1301 McCormick Drive, 2<sup>nd</sup> Floor  
Largo, Maryland 20774 Phone:  
(301)-952-3600  
or via email at  
ClerkoftheCouncil@co.pg.md.us

V. Aggrievement

Section 25-212 of the Maryland Annotated Code Land Use Article may require you to show you are aggrieved if you request a review of this decision. Section 25-212 provides as follows:

“In Prince George’s County, a person may make a request to the District Council for the review of a decision of the Zoning Hearing Examiner or the Planning Board only if:

- (1) The person is an aggrieved person that appeared at the hearing before the Zoning Hearing Examiner or Planning Board in person, by an *attorney*, or in writing; and
- (2) The review is expressly authorized under this division. [Division 2 of the Land Use Article].”