



# Prince George's County Council

## Sitting as the District Council

### Zoning Agenda Item Summary

---

**Case No.:** SE-4774 **Councilmanic District:** 8  
**Meeting Date:** 5/10/2021 **Zone(s):** R-E  
**Case Name:** Palmer Road Class 3 Fill Facility  
**Applicant:** Palmer Road Landfill, Inc./ Palmer Road Landfill Company and Palmer Road, LLC.  
**Location:** Located on the northern side of Palmer Road, abutting the western side of Tucker Road, and identified as 1500 and 1611 Ferguson Lane, Fort Washington, Maryland (173.584 Acres; R-E Zone).  
**Request:** Requesting approval of a Special Exception to continue using approximately 173.584 acres of land in the R-E (Residential-Estate) Zone as a Class III Fill. Also requesting a variance from the requirement that the use not be located within a three (3) mile radius of properties containing an active or pre-existing approved or nonconforming Class III Fill, sanitary landfill, transfer station, rubble fill, recycling facility, mining facility, processing facility, sand and gravel operation, or wash plant.

#### Companion

**Case(s):**

---

#### DECISIONS/RECOMMENDATION:

**Technical Staff:** Approval, with Conditions  
**Planning Board:** No Motion to Consider  
**Zoning Hearing Examiner:** Approval, with Conditions

#### LEGAL DEADLINES:

**Appeal date:** 8/21/2017  
**Review date:** 9/20/2017  
**Action date:** 2/19/2018

**Municipality:**

*Comments:*

**Opposition:** Stephen Briggs, et. al.

---

**Staff:** Christina Pompa

---

#### HISTORY:

---

Acting Body:	Date:	Action:
M-NCPPC Technical Staff	03/15/2017	approval with conditions
M-NCPPC Planning Board	03/30/2017	no motion to consider
Zoning Hearing Examiner	07/21/2017	approval with conditions
Sitting as the District Council	09/11/2017	elected to make the final decision

**Notes:** Council elected to make the final decision on this item (Vote: 9-0).

Aye: 9 Davis, Glaros, Franklin, Harrison, Lehman, Patterson, Taveras,  
Toles and Turner

Clerk of the Council 09/21/2017 mailed

**Notes:** *Notice of Oral Argument Hearing was mailed to Persons of Record.*

Sitting as the District Council 10/23/2017 hearing held; case taken under advisement

**Notes:** *Taslima Alam, M-NCPPC, provided an overview of the Special Exception application. Arthur Horne, Esq., spoke in support, on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.*

*The Oral Argument hearing was held and Council took this case under advisement.*

Sitting as the District Council 02/12/2018 referred for document

**Notes:** *Council referred item to staff for preparation of a disapproving document (Vote: 8-0; Absent: Council Member Toles).*

Aye: 8 Glaros, Davis, Franklin, Harrison, Lehman, Patterson, Taveras  
and Turner

Absent: 1 Toles

Sitting as the District Council 02/12/2018 disapproval

**Notes:** *Council adopted the prepared Order of Denial (Vote: 8-0; Absent: Council Member Toles).*

Aye: 8 Glaros, Davis, Franklin, Harrison, Lehman, Patterson, Taveras  
and Turner

Absent: 1 Toles

Clerk of the Council 02/15/2018 mailed

**Notes:** *The Notice of Final Decision of the District Council was mailed to Persons of Record.*

Applicant 02/21/2018 filed

**Notes:** *Mr. Arthur Horne, Esquire, attorney for the applicant, requested reconsideration of the District Council's February 12, 2018 decision.*

Sitting as the District Council 02/26/2018 case taken under advisement

**Notes:** *Council took this case under advisement.*

Applicant 03/13/2018 filed

**Notes:** *Dennis Whitley II, Esquire, attorney for the applicant, filed a Petition for Judicial Review in Circuit Court.*

Applicant 03/20/2018 withdrawn

**Notes:** *Arthur J. Horne, Jr., Esquire, attorney for the applicant, withdrew his request for District Council to reconsider its action since the Council took it under*

*advisement and the applicant has filed an appeal to the Circuit Court.*

Sitting as the District Council                      03/26/2018

**Notes:** *Chair Glaros announced that the request for reconsideration was withdrawn; therefore, no action was required by the District Council.*

Sitting as the District Council                      05/10/2021

---

**Document(s):** SE-4774 Zoning Hearing Examiner Decision, SE-4774 PORL, SE-4774 Technical Staff Report