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**A G E N D A   I T E M   S U M M A R Y**

**Reference No:** CB-21-1991

**Draft No:** 2

**P r i n c e   G e o r g e ' s**

**Meeting Date:** 5/21/91

**C o u n t y   C o u n c i l**

**Requester:** WI

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**Item Title:** An Ordinance for purposes of providing that Director of DER transmit a copy of any petition to revoke or modify an approved Special Exception to the property owner(s).

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**Sponsors** WI   B

<b>Date Presented</b>	3/19/91	<b>Executive Action</b>	<u>      </u> / <u>      </u> / <u>      </u> —
<b>Committee Referral</b>	(1) 3/19/91    P&Z	<b>Effective Date</b>	<u>6/30/91</u> —
<b>Committee Action</b>	(1) 4/25/91    FAV(A)		
<b>Date Introduced</b>	4/30/91		
<b>Pub. Hearing Date</b>	(1) 5/21/91    1:30    PM		
<b>Council Action</b>	(1) 5/21/91    Enacted		
<b>Council Votes</b>	CA: A_, B_: -_, C_: A_, D_: A_, F_: A_, MC: A_, M_: A_, P_: A_, WI: A_, ___: ___, ___: ___, ___: __		
<b>Pass/Fail</b>	P		

**Remarks** \_\_\_\_\_

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**Drafter:** Maurene Epps, Dep. Cnsl. **Resource Personnel:** to the District Council

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**LEGISLATIVE HISTORY**

PLANNING AND ZONING COMMITTEE REPORT

DATE: 4/25/91

Committee Vote: Favorable as amended, 5-1-0 (In favor: Council Members Del Giudice, Fletcher, MacKinnon, Mills and Wineland; in opposition: Council Member Casula.

Staff explained that it is DER's current practice to notify the property owner, attorney of record, and applicant, if different from the property owner, when a petition of this type is going to be filed. They also attempt to make personal contact with the property owner, and the Zoning Ordinance requires that the Zoning Hearing Examiner notify the property owner of the public hearing. For these reasons, DER believes this legislation is unnecessary, and inserts another costly notice into the process. The Chamber of Commerce and

Association of Realtors support the legislation, and the Planning Board supports it, provided the applicant, if different from the property owner, is also notified. The Committee agreed to this amendment.

The Municipal Association proposed another amendment, requiring notice also be sent to a municipality if the subject property is within its boundaries or within one mile. The Committee accepted this amendment, provided affected civic associations are also notified. Staff noted that it would be extremely difficult for DER to know which civic associations should receive notice, since their boundaries are not as specific or as clearly delineated as those of municipalities. However, the Committee supported the amendment.

**BACKGROUND INFORMATION/FISCAL IMPACT**

**(Includes reason for proposal, as well as any unique statutory requirements)**

This legislation would provide that, in addition to transmitting a copy to the Planning Board, a copy of any petition submitted to the District Council to revoke, modify, suspend, or impose additional conditions on an approved Special Exception be sent by certified mail to the property owner(s).