

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2009 Legislative Session**

Bill No. _____ CB-43-2009 _____

Chapter No. _____

Proposed and Presented by _____ Council Member Olson _____

Introduced by _____ Council Member Olson _____

Co-Sponsors _____

Date of Introduction _____ October 20, 2009 _____

ZONING BILL

1 AN ORDINANCE concerning

2 R-R Zone

3 For the purpose of modifying the minimum lot size requirements of certain lots in the R-R Zone
4 recorded prior to November 29, 1949.

5 BY repealing and reenacting with amendments:

6 Section 27-442(b),

7 The Zoning Ordinance of Prince George's County, Maryland,

8 being also

9 **SUBTITLE 27. ZONING.**

10 The Prince George's County Code

11 (2007 Edition, 2008 Supplement).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
13 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
14 District in Prince George's County, Maryland, that Section 27-442 (b) of the Zoning Ordinance
15 of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County
16 Code, be and the same is hereby repealed and reenacted with the following amendments:

17 **SUBTITLE 27. ZONING.**

18 **PART 5. RESIDENTIAL ZONES.**

19 **DIVISION 4. REGULATIONS.**

Sec. 27-442. Regulations.

(b) TABLE I – NET LOT AREA.

USE	ZONE								
	R-O-S	O-S	R-A	R-E	R-R	R-80	R-55	R-35	R-20
One Family detached dwelling:									
* * * * *	*	*	*	*	*	*	*	*	*
Lot shown on a plat recorded prior to November 29, 1949		10,000 ¹⁵	10,000 ¹⁵	10,000 ¹⁵	10,000 ¹⁵	6,000 ¹⁵	5,000	5,000	5,000
* * * * *	*	*	*	*	*	*	*	*	*

* * * * *

- 15 (A) No variance of a lot size less than ten thousand (10,000) square feet (six thousand (6,000) square feet in the R-80 Zone) shall be considered except in (D) below.
- (B) When two or more lots are combined to provide a single building site, the lots shall be consolidated in accordance with Section 24-108(a)(3) of the Subdivision Regulations prior to the issuance of a building permit so as to create a single lot, unless the residence is to be built on a portion of each of the existing lots.
- (C) If a lot (or combination of lots) has a width of at least forty (40) feet, and was recorded prior to April 17, 1928, it can be used for a one-family dwelling provided the lot (or combination of lots) meets the minimum net lot area requirements of the appropriate zone.
- (D) In Revitalization Tax Credit Areas or municipalities, a variance may be obtained to reduce the minimum lot size to five thousand (5,000) square feet.
- (E) Until March 1, 2004, if a single owner combines lots, as provided in (B) above, to form at least thirty-five (35) buildable lots ten thousand (10,000) square feet or more in area, and if all such buildable lots are within one thousand five hundred (1,500) feet of one another and were unimproved on July 1, 2001, then the owner may combine lots for up to four combination lots which are seven thousand five hundred (7,500) square feet or more in area.
- (F) If the original lot size was ten thousand (10,000) square feet but reduced in size due to a right of way taking or some other public purpose, the minimum lot size may be reduced to five thousand (5,000) square feet. Such reduction is not permitted where an adjacent lot in the same ownership may be combined with the lot under ten thousand (10,000) square feet to reduce or eliminate the area deficiency. Such reduction is not allowed unless a building permit has been obtained prior to July 1, 2003 except as provided in subsection (G). Buffering for adjoining properties shall be provided on each lot less than ten thousand (10,000) square feet.
- (G) The minimum lot size may be reduced to five thousand (5,000) square feet in the R-R Zone if the original lot size was ten thousand (10,000) square feet but reduced in size due to a right-of-way taking for a lot which was the subject of approved variances, except lot size, and said variances were approved prior to the right-of-way taking. Any other lots under the same ownership shall be combined to achieve a lot that meets the 10,000 square foot standard.

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1 SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five (45)
2 calendar days after its adoption.

Adopted this 17th day of November , 2009

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: _____
Marilynn M. Bland
Chairperson

ATTEST:

Redis C. Floyd
Clerk of the Council

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.