



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council
301-952-3600

March 24, 2026

**RE: ERR-001-2025 (Hofmann Brothers Towing, Inc)
Hofmann Brothers Towing Inc, Applicant**

NOTICE OF FINAL DECISION OF THE DISTRICT COUNCIL

Pursuant to the provisions of Section 27-3416 of the Zoning Ordinance of Prince George's County, Maryland requiring notice of decision of the District Council, you will find enclosed a copy of Zoning Ordinance No. 2 - 2026 setting forth the action taken by the District Council in this case on March 9, 2026.

CERTIFICATE OF SERVICE

This is to certify that on March 24, 2026, this notice and attached Council order were mailed, postage prepaid, to all persons of record.

A handwritten signature in cursive script that reads "Donna J. Brown".

Donna J. Brown
Clerk of the Council

Case No.: ERR-001-2025

Applicant: Hofmann Brothers Towing, Inc.

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

ZONING ORDINANCE NO. 2 - 2026

AN ORDINANCE to approve a request for validation of Permit No. U14196 issued in error in 1967 by the predecessor to the Department of Permitting, Inspections and Enforcement (“DPIE”) to allow the Applicant to operate a “towing wrecked vehicle and sales of used cars” business in the RR (Rural Residential) Zone, on approximately 2.36 acres in size, composed of Parcel 15 (recorded in the Prince George’s County Land Records in Liber 38740 Folio 37), Parcel 16 (recorded in the Prince George’s County Land Records in Liber 38740 Folio 46), Parcel 76 (recorded in the Prince George’s County Land Records in Liber 33134 Folio11), and Parcel 78 (recorded in the Prince George’s County Land Records Liber 33134 Folio 16), located on the north side of Sandy Spring Road and identified as 7808 Sandy Spring Road, Laurel, Maryland.

WHEREAS, in accordance with the law, the application for validation was given public notice, and public hearings were held before the Zoning Hearing Examiner on June 18, 2025, July 16, 2025, and August 19, 2025; and

WHEREAS, no one appeared in opposition to the request at the initial hearing before the Examiner, but an additional hearing was held at the request of Thomas Harrah, who appeared virtually at the original hearing but was unable to hear all of the testimony or testify himself to express his concerns over the application request; and

WHEREAS, the disposition recommendation of the Zoning Hearing Examiner was duly filed on September 11, 2025; and

WHEREAS, on October 21, 2025, the District Council elected to review the application request and make the final decision; and

WHEREAS, on January 7, 2026, notice of oral argument was sent to all persons of record; and

WHEREAS, on February 9, 2026, using oral argument procedures, the District Council took the matter under advisement after an overview of the application from Staff of the Planning Department, comments from People Zoning Counsel, and comments from the Applicant; and

WHEREAS, on February 23, 2026, the District Council referred this matter to staff for a document of approval with condition; and

WHEREAS, a validation of a permit issued in error may only be approved if the applicant demonstrates by substantial competent evidence in the record that:

- 1) No fraud or misrepresentation occurred in obtaining the permit;
- 2) At the time of the permit's issuance, no appeal or controversy regarding its issuance was pending before any review body;
- 3) The applicant has acted in good faith on the permit approval, expending monies or incurring other obligations in reliance on the permit; and
- 4) **The validation will not adversely affect the public interest or the health, safety, or welfare of the County landowners and residents.** ZHE Decision at 6 (Emphasis added).

WHEREAS, certain purposes of Subtitle 27 of the County Code or the Zoning Ordinance are to protect and promote the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the County; promote the most beneficial relationship between the uses of land and buildings and protect landowners from adverse impacts of adjoining development; protect the established character of residential communities and neighborhoods; protect the County from fire, flood, panic, and other dangers; and protect against undue noise, and air and water pollution,

and to encourage the preservation of stream valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas, and other similar features; and

WHEREAS, evidence in the record demonstrates that the use at the subject property has stormwater runoff that adversely impacts surrounding property owners and residents due to, among other things, expansion and asphalt paving, which must be corrected to control such adverse impacts in order to maintain and enhance the public health, safety and general welfare of surrounding property owners and residents; and

WHEREAS, in *People's Counsel for Balt. County v. Surina*, 400 Md. 662, 929 A.2d 899 (2007), the Supreme Court of Maryland explained that stormwater management facilities are not exempt from regulation of a Zoning Ordinance merely because they are not mentioned in the permitted use of enumerations and infrastructure improvements in the development approval process are not immune from appropriate zoning requirements where improvements are required as conditions; and

WHEREAS, under the Subtitle 32 of the County Code, adverse impact is any deleterious effect on waters or wetlands, including their quality, quantity, surface area, species composition, aesthetics or usefulness for human or natural uses which are or may potentially be harmful or injurious to human health, welfare, safety or property, to biological productivity, diversity, or stability or which unreasonably interfere with the enjoyment of life, property, and including outdoor recreation; and

WHEREAS, the District Council has determined that the application request for validation of Permit No. U14196 issued in error in 1967 by the predecessor to DPIE to allow the Applicant to operate a "towing wrecked vehicle and sales of used cars" business in the RR (Rural Residential) Zone, should only be conditionally approved; and

WHEREAS, as the basis for this final action, the District Council adopts and incorporates, as modified herein, the disposition recommendation of the Zoning Hearing Examiner.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. Permit No. U14196 issued in error in 1967 by the predecessor to DPIE to allow the Applicant to operate a “towing wrecked vehicle and sales of used cars” on site (ZHE Exhibit 2) in the RR (Rural Residential) Zone, in accordance with the Use and Occupancy Site Plan (ZHE Exhibit 3), is hereby conditionally validated.

SECTION 2. The use shown on the 1967 Site Plan shall be Certified as a Non-Conforming Use, subject only to conditions of approval herein.

SECTION 3. No wrecked vehicle may be stored on site for more than 90 days.

SECTION 4. Prior to certification, the Applicant shall submit clear pictures of the six-foot-high board on board fence that surrounds the rear of the subject property to verify that it is in good repair and adequately prevents or controls any detrimental effect upon the neighboring properties.

SECTION 5. Prior to issuance of any use and occupancy (U&O) permit for the subject property, the Applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review and approval by DPIE and the Maryland Department of the Environment (MDE), which shall address any and all stormwater runoff on the subject property that adversely impacts surrounding property owners and residents.

SECTION 6. Prior to certification, in accordance with Subtitle 32 of the County Code, to help to restore, as close as possible to predevelopment conditions, enhance, and maintain the chemical, physical, and biological integrity of streams, minimize damage to public and private property, and reduce the impacts of land development, the Applicant shall make a charitable contribution of Five

Thousand Dollars (\$5,000.00) to Laurel for the Patuxent (<https://www.laurelforthepatuxent.org>), and present written proof of such charitable contribution to the Zoning Hearing Examiner.

SECTION 7. In accordance with the County Code, any violation of this approval or conditions herein shall be sufficient basis for DPIE to initiate revocation proceedings to invalidate Permit No. U14196 as a certified non-conforming use.

SECTION 8. This Ordinance shall take effect on the date of its enactment.

Enacted this 9th day of March 2026, by the following vote:

In Favor: Council Members Adams, Adams-Stafford, Dernoga, Harrison, Hunter, Olson and Ivey.

Opposed:

Abstained:

Absent: Council Members Blegay, Burroughs, Fisher and Oriadha.


Vote: 7-0.

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: 

Krystal Oriadha, Chair

ATTEST:



Donna J. Brown
Clerk of the Council