

Case No.: ATBROW-7501  
SMO, Inc., 7501  
Allentown Road

Applicant: SMO, Inc.

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

ZONING ORDINANCE NO. 12 -2016

AN ORDINANCE, approving Authorization to Build in Planned Right-of-Way 7501 (ATBROW-7501).

WHEREAS, Authorization to Build in Planned Right-of-Way 7501 (ATBROW-7501) is a request to by an existing Gas Station to build within a proposed right-of-way for Allentown Road due to the reconfiguration of the existing pump islands and the enlargement of a canopy. The existing Gas Station is located on the northeast side of Allentown Road at its intersection with Webster Lane and is identified as 7501 Allentown Road, Fort Washington, Maryland, in Councilmanic District 8; and

WHEREAS, the application was advertised and the property was posted prior to public hearings, in accordance with all requirement of law; and

WHEREAS, the application was reviewed by the Technical Staff and the Planning Board, which filed recommendations with the District Council; and

WHEREAS, public hearings on the application were held before the Prince George's County Zoning Hearing Examiner, which filed a recommendation of approval; and

WHEREAS, having reviewed the record in this case, the District Council has determined that Authorization to Build in Planned Right-of-Way 7501, should be granted; and

WHEREAS, as the basis for this decision, the District Council adopts and incorporates by reference, as if fully stated herein, the findings, conclusions and disposition recommendation of the Zoning Hearing Examiner.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The request by an existing Gas station for authorization to build within the proposed right-of-way for Allenton Road due to the reconfiguration of the existing pump islands and the enlargement of a canopy is hereby conditionally APPROVED. In order to protect adjacent properties, the surrounding neighborhood, and to enhance the overall structure of the building, approval is subject to the following conditions:

1. The Applicant shall be allowed to operate the gas station as approved in the companion case, ROSP-997-05, subject to the condition that any new improvements constructed within the right-of-way be removed or altered if removal or alteration is required. *See* Section 27-259(h).
2. The dimensions and location of that portion of the gas station structures within the proposed right of way will be shown on Exhibits 11(a)-(e). The Applicant shall add a Note to the Special Exception Site Plan approved in ROSP-997-05 to reflect Condition 1, and a signed copy of the revised Site Plan shall be included in the record of this application prior to the issuance of permits.

SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall become effective on the date of its enactment.

ENACTED this 19<sup>th</sup> day of September, 2016, by the following vote:

In Favor: Council Members Davis, Glaros, Harrison, Lehman, Patterson, Taveras, Toles, and Turner.

Opposed:

Abstained:

Absent: Council Member Franklin

Vote: 8-0

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: \_\_\_\_\_  
Derrick L. Davis, Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council