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

Reference No: CB-101-1990

Draft No: 2

P r i n c e G e o r g e ' s

Meeting Date:

C o u n t y C o u n c i l

Requestor: M

Item Title: An Ordinance for the purpose of allowing
the Bd. of Appeals to grant a variance from
the screening requirement for a vehicle
towing station in the industrial zones.

Sponsors M

Date Presented 9/4/90 **Executive Action** __/__/__ __

Committee Referral (2) 10/23/90 C.O.W. **Effective Date** __/__/__

Committee Action (1) 10/2/90 FAV(A)

Date Introduced 10/16/90

Pub. Hearing Date () __/__/__ __:__ __

Council Action () __/__/__

Council Votes __: __, __: __, __: __, __: __, __: __, __: __, __: __,
__: __, __: __, __: __, __: __, __: __, __: __

Pass/Fail _

Remarks Intro too late to process

Drafter: Mary Lane

Resource

Personnel: Joyce Beck

LEGISLATIVE HISTORY

COMMITTEE-OF-THE-WHOLE REPORT

DATE: 10/2/90

Committee Vote: Favorable as amended, 7-0-0 (In favor: Council Members Bell, Castaldi, Casula, MacKinnon, Mills, Pemberton and Wilson)

The Committee considered a Proposed Draft 2 of the legislation. This proposal amended the list of powers and duties of the Board of Zoning Appeals, allowing the Board to permit a use in a zone where it is prohibited, and to grant a variance from screening requirements, when the prohibited use and screening requirement under consideration pertain to a vehicle towing station in an Industrial Zone, and provided the subject property adjoins lots only in an Industrial Zone.

It was explained by the sponsor and Martin Shuham, of Knight, Manzi,

Brennan, Ostrom & Ham, that this amendment is necessary to provide relief for a vehicle towing station that is completely surrounded by other vehicle towing stations and other industrial uses. In this instance, the screening requirement serves no purpose, and according to the Police Department, creates a security problem.

M-NCPPC supports the concept of allowing the Board of Zoning Appeals to grant a variance from the screening requirement for this use, as stated in the Planning Board's memorandum of August 7. However, the Board did not have the opportunity to comment on the specific language in the Proposed Draft 2.

The Committee directed that the legislation be amended further to require the Board of Appeals to make a finding that a variance from the screening requirement will not have an adverse impact on any adjoining use.

BACKGROUND INFORMATION/FISCAL IMPACT

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

The proposed legislation would require that the screening requirement of a wall or fence at least six (6) feet high for a vehicle towing station would apply only if it is adjoining land that is not in an industrial zone.