Reference No: CR-89-1991

AGENDA ITEM SUMMARY

Draft No: 2

Prince George's

Meeting Date: 10/29/91

County Council

Requester: CO. EXEC.

Date: October 15, 1991

Item Title: A RESOLUTION authorizing the issuance of a

building permit for a detached building proposed on property owned by Annbar

Corporation

Sponsors F CA

Date Presented __/_/ _ Executive Action __/_/ _ _ Committee Referral(1) 10/1/91 H&ED Effective Date __/_/_

Committee Action (1) 10/15/91 NR(A)

Date Introduced 10/1/91

Pub. Hearing Date (1) __/__/__ _:__ _

Council Action (1) 10/29/91 Adopted

Council Votes CA: A_, B_: A_, C_: A_, D_: N_, F_: A_, MC: A_,

M : A_, P_: A_, WI: A_, __: __, __: __, __: __

Pass/Fail P

Remarks

Barbara L. Holtz Resource Dawn Moore

Drafter: Office of Law Personnel: DER

LEGISLATIVE HISTORY

Housing and Economic Development
Committee Report

Committee Vote: No Recommendation, as amended, 6-0 (In favor: Council

Members Fletcher, Castaldi, Bell, Del Giudice, MacKinnon and Wineland)

Tom Haller, Attorney for the applicant, offered amendments to the resolution regarding the ownership of the property and the proposed use. Mr. Haller indicated that the property is owned by Annbar Corporation, and should be noted in the resolution. Mr. Haller also indicated that references to the construction of a contractor's office should be amended to include a storage yard, which is also planned by the occupant. These amendments were accepted by the committee.

During the discussion, Mr. Haller pointed out that the resolution as written restricts the applicant to the stated use, rather than allowing

any use that is legally permitted in the I-1 Zone. This situation would require any subsequent owner to repeat this Council approval process for a different use even if that use is permitted in the I-1 Zone. The Committee gave no recommendation on the resolution and instructed staff to draft the appropriate amendments allowing development of the property for uses permitted in the I-1 Zone. The Council Legislative Officer indicated that legislation is currently being drafted which will expedite this process in the future.

BACKGROUND INFORMATION/FISCAL IMPACT (Includes reason for proposal, as well as any unique statutory requirements)

Location: This property is located in the 8th Councilmanic District, at 7801 Annbar Lane, Clinton, Maryland.

This Resolution authorizes the Department of Environmental Resources to issue a building permit, provided certain conditions are met, and determines that the private right-of-way designated is adequate for the proposed contractor's office. The subject property is zoned I-1 and does not have frontage on a public right-of-way but has access to Poplar Hill Lane, a public road, by an 30-foot wide private right-of-way.

The M-NCPPC and the Department of Public Works and Transportation staff have determined the proposed use described in the application meets the applicable requirements of the Prince George's County Code.