

OFFICE OF ZONING HEARING EXAMINER
FOR PRINCE GEORGE'S COUNTY, MARYLAND

NOTICE OF DECISION

Councilmanic District: 9
Two Farms, Inc.
Application to Authorize the Issuance of
Building Permits for Structures within a
Proposed Right-a-Way

Case Number

On the 11th day of January, 2021, the attached Decision of the Zoning Hearing Examiner in Case No. Authorization to Build in Planned Right-of-Way – Two Farms, Inc. was filed with the District Council. This is not the final decision, only the recommendation of the Hearing Examiner to the District Council.

Within 30 calendar days after the above date, any person of record may file exceptions with the Clerk of the Council to any portion of this Decision, and may request oral argument thereon before the District Council.* If oral argument is requested, all persons of record will be notified of the date scheduled for oral argument before the District Council. In the event no exception or request for oral argument is filed with the Clerk of the Council within 30 calendar days from the above date, the District Council may act upon the application and must decide within 120 days or the case will be considered denied. Persons of record will be notified in writing of the action of the District Council.

Zoning Hearing Examiner
County Administration Building
Upper Marlboro, MD 20772
952-3644

Your failure to note an appeal may result in a waiver of your rights to an appeal.

*Instructions regarding exceptions and requests for oral argument are found on the reverse side of this notice.

cc: Matthew Tedesco, Esquire, 6411 Ivy Lane, Suite 200, Greenbelt, Maryland 20770
Larry Taub, Esquire, 11785 Beltsville Drive, 10th Floor, Calverton, MD 20707
Persons of Record (303)
Rajesh A. Kumar, Counsel to the District Council (Hand Delivered)
Stan D. Brown, People's Zoning Counsel, 1300 Caraway Court, Suite 101, Largo, MD 20774

INSTRUCTIONS FOR FILING

I. Exception(s) Taken to the Examiner's Decision Shall Be:

- a) In writing;
- b) Numbered in sequence;
- c) Specific as to the error(s) which are claimed to have been committed by the Examiner;

(The page and paragraph numbers of the Examiner's Decision should be identified.)

- d) Specific as to those portions of the record, including the Hearing Examiner's Decision, relied upon to support your allegation of error(s) committed by the Examiner.

(The exhibit number, transcript page number, and/or the page and paragraph numbers of the Examiner's Decision should be identified.)

II. Requests for Oral Argument:

If you desire oral argument before the District Council, request must be made, in writing, at the time of filing your exception(s).

III. Notification to All Persons of Record:

Your request for oral argument and/or exception(s) must contain a certificate of service to the effect that a copy thereof was sent by you to all persons of record by regular mail.

(A list of these persons and their addresses is included in this notice of Examiner's decision sent to you herewith or is available from the Clerk to the Council.)

IV. Due to the current health pandemic and County building closure, the District Council is not scheduling hearings on land use applications and has tolled the period within which any appeal or other relief must be filed with the Council. Any appeal or exception must be filed within the time period referenced above once the tolling period is lifted. Please contact the Clerk of the Council if you have questions about the tolling period.

V. When to File:

Your request for oral argument and/or exception(s) must be filed within 30 calendar days after the Examiner's Decision has been filed with the District Council.

VI. Where to File:

Clerk of the County Council
County Administration Building
Upper Marlboro, Maryland 20772
Phone: 301-952-3600

VII. Aggrievement

Section 25-212 of the Maryland Annotated Code Land Use Article may require you to show you are aggrieved if you request a review of this decision. Section 25-212 provides as follows:

“In Prince George’s County, a person may make a request to the District Council for the review of a decision of the Zoning Hearing Examiner or the Planning Board only if:

- (1) The person is an aggrieved person that appeared at the hearing before the Zoning Hearing Examiner or Planning Board in person, by an attorney, or in writing; and
- (2) The review is expressly authorized under this division. [Division 2 of the Land Use Article].”

