
A G E N D A I T E M S U M M A R Y**Reference No:** CB-31-1990**Draft No:** 3**P r i n c e G e o r g e ' s****Meeting Date:** 6/5/90**C o u n t y C o u n c i l****Requestor:** C

Item Title: An Ordinance to require applicants before the Board of Zoning Appeals to post the subject property, etc.

Sponsors C

Date Presented	3/27/90	Executive Action	___/___/___	___
Committee Referral	(1) 3/27/90	F&P	Effective Date	7/6/90
Committee Action	(1) 4/16/90	FAV(A)		
Date Introduced	5/1/90			
Pub. Hearing Date	(1) 6/5/90	1:30	PM	
Council Action	(1) 6/5/90	Enacted		
Council Votes	B_: A_, CA: A_, C_: A_, CI: A_, M_: -_, P_: A_, W_: -_, WI: A_, __: __, __: __, __: __, __: __			
Pass/Fail	P			

Remarks

Mary Lane	Resource	Joyce Birkel
Drafter: Committee Director	Personnel:	Principal Counsel

LEGISLATIVE HISTORYFISCAL AND PLANNING COMMITTEE REPORT

DATE: 4/16/90

Committee Vote: Favorable as amended, 3-0-1 (In favor: Council Members Casula, Wilson and Wineland; In opposition: Council Member Castaldi)

Joyce Birkel, Principal Counsel to the District Council, briefed the Committee on the background of, and the need for, this legislation. It was stated that in the past, specifically in an instance in Beltsville, neighbors have been unaware of variances being requested, since they are not abutting the subject property. Residents may be adversely affected by the waiver of regulations, but they are not notified of the hearing and therefore are not afforded the opportunity to testify. In many cases, the Board is unaware of any opposition to a request, and therefore grants a variance.

Lois Burch, from the Board of Appeals, spoke regarding the impact of the proposal on the Board. She cited the large number of cases heard by

the Board, and the extra time and expense associated with this type of administrative procedure. She also stated that Council members are notified of requests in their Districts, and in most cases, affected citizens' associations are notified.

Committee members were concerned about the additional time involved in this process, and the cost to the Board of Appeals. The following amendments were made to the legislation.

1.) Property shall be posted 15 days prior to the scheduled hearing, rather than 30 days (as was originally proposed).

2.) A ten dollar fee shall be charged to the applicant to cover the cost of the sign materials.

BACKGROUND INFORMATION/FISCAL IMPACT

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

Current procedures for the Board of Zoning Appeals require only that the owners of property abutting the subject property be notified of the public hearing. Since many decisions made by the Board of Zoning Appeals impact other residents within a neighborhood, this legislation proposes a process that will provide these residents with an awareness of the appeal and an opportunity to comment.