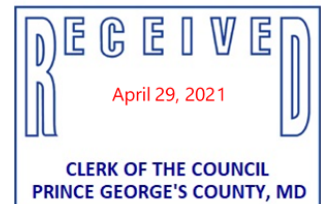


April 28, 2021



MEMORANDUM

TO: Donna J. Brown
Clerk of the Council

FROM: James Hunt, Division Chief *JH*
Development Review Division

SUBJECT: Notification of Recommendation for Certification of Nonconforming Use

Permit Application Number: **4285-2021-U**

Specific Use(s): **Used car sales with outdoor display area**

Location of Property: **5611 Marlboro Pike
District Heights**

Current Zone(s): **R-18**

Sign Posting Date: **April 8, 2021**

Reason for Certification: **Permit 8426-88-CGU/05 was issued by the Department of Environmental Resources on August 13, 1990. The Marlboro Pike Sector Plan and Sectional Map Amendment was adopted on 11/17/09 and rezoned the property from C-M to R-18. Used car sales is prohibited in the R-18 Zone. The applicant has provided adequate documentation of continuous operation of the used car sales until is ceased operation on October 15, 2020.**

This is to advise that the above-captioned permit application relating to certification of a nonconforming use has been reviewed by this office. It has been found to fulfill the requirements of the Zoning Ordinance for administrative certification of the use in question, and no request for the Planning Board to conduct a public hearing was received within the time period specified on the public notice sign. Therefore, we are recommending that the use be

certified as nonconforming.

Pursuant to Section 27-244(e) of the Zoning Ordinance (as amended by CB-78-1991), the District Council has the option of reviewing this recommendation, provided it votes to do so within 30 days of receipt of the recommendation. If you advise us that the Council has not elected to review this recommendation after expiration of the 30-day period, we will certify this use as nonconforming and transmit that action to the Department of Environmental Resources, so that the permit may be issued.

APPLICATION FORM

DO NOT WRITE IN THIS SPACE

Application No.(s): _____ Planning Board Review Planning Director Review
 Acceptance Date: _____ 70-day limit: _____ Limit waived–New limit: _____
 Posting Waived Posting Date: _____ No. of Signs Posted: _____ Agenda Date: _____
 Application Fee: _____ Posting Fee: _____ Case Reviewer: _____
 Subdivision Development Review Committee Date: _____
 Referral Mail-Out Date: _____ Referral Due Date: _____
 Date of Informational Mailing: _____ Date of Acceptance Mailing: _____

APPLICATION TYPE: CNU Revision of Case # 4285-2021-00 Companion Cases: _____

Payment option: Check (payable to M-NCPPC) Credit Card General Plan Growth Policy:

PROJECT NAME: Bob & Paul Auto Mall

Complete address (if applicable) 5611 Marlboro Pike, District Heights MD 20747 Tax Account #: 0651349

Geographic Location (distance related to or near major intersection) Police District #: VIII

APPROX. 1800 FT SW of intersection Of Marlboro Pike and Walker Mill Road

Total Acreage: <u>1.24</u>	Aviation Policy Area:	Election District: <u>6</u>
Tax Map/Grid: <u>081A2</u>	Current Zone(s): <u>R-18</u>	Council District: <u>7</u>
WSSC Grid: <u>203SE05</u>	Existing Lots/Blocks/Parcels: <u>097</u>	Dev. Review District:
Planning Area: <u>75A</u>	In Municipal Boundary:	Is development exempt from grading permit pursuant to 32-127(a)(6)(A): <input type="checkbox"/> Y <input type="checkbox"/> N

(2002) General Plan Tier: Developed Developing Rural Area of proposed LOD:

Proposed Use of Property and Request of Proposal:
U&O permit, Non-Conforming Use for used car sales.

Please list and provide copies of resolutions of previously approved applications affecting the subject property:

Applicant Name, Address & Phone:
Hares Yasini
8970 Hoes Rd Lorton VA 22079
7034709006

Consultant Name, Address & Phone:

Owner Name, Address & Phone:
(if same as applicant indicate same/corporation see Disclosure)
John J Tak
7805 New London Dr

Contact Name, Phone & E-mail:

SIGNATURE (Sign where appropriate; include Application Form Disclosure for additional owner's signatures)

John J Tak John J
 Owner's Signature typed & signed 03/25/21
 Date

Hares Hares
 Applicant's Signature typed & signed 03/25/21
 Date

Contract Purchaser's Signature typed & signed _____ Date _____

Applicant's Signature typed & signed _____ Date _____

SUBDIVISION CASES – PRELIMINARY PLAN/CONSERVATION SKETCH PLAN:**Type of Application (Check all that apply)**

Conventional <input type="checkbox"/>	Comprehensive Design <input type="checkbox"/>	Conservation Sketch Plan <input type="checkbox"/>	Pre-Preliminary Plan <input type="checkbox"/>
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Variation, Variance or Alternative Compliance Request(s) Yes <input type="checkbox"/> No <input type="checkbox"/>	Applicable Zoning/Subdivision Regulation Section(s):
--	--

Total Number of Proposed:
 Lots _____ Outlots _____ Parcels _____ Outparcels _____

Number of Dwelling Units: Attached _____ Detached _____ Multifamily _____	Gross Floor Area (Nonresidential portion only):
--	---

SUBDIVISION CASES – FINAL PLAT:

Water/Sewer: DER <input type="checkbox"/> Health Dept. <input type="checkbox"/>	Number of Plats:
---	------------------

CSP/DSP/SDP No.:	WSSC Authorization No.:
------------------	-------------------------

Preliminary Plan No.:

Approval Date of Preliminary Plan:

URBAN DESIGN AND ZONING CASES:

Details of Request:	Zoning Ordinance Section(s):
---------------------	------------------------------

Total Number of Proposed:
 Lots _____ Outlots _____ Parcels _____ Outparcels _____

Number of Dwelling Units: Attached _____ Detached _____ Multifamily _____	Gross Floor Area (Nonresidential portion only):
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Variance Request Yes <input type="checkbox"/> No <input type="checkbox"/>	Applicable Zoning/Subdivision Regulation Section(s):
--	--

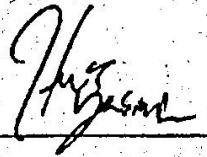
Departure Request Yes <input type="checkbox"/> No <input type="checkbox"/>	Application Filed Yes <input type="checkbox"/> No <input type="checkbox"/>
---	---

Alternative Compliance Request Yes <input type="checkbox"/> No <input type="checkbox"/>	Application Filed Yes <input type="checkbox"/> No <input type="checkbox"/>
--	---

SIGN POSTING AND INSPECTION AFFIDAVIT - PLANNING DIRECTOR REVIEW

I, Harez Yasini, hereby certify that the subject property was posted with
(print or type name)

One (1) sign(s) on April 8th, 2021
(specify number) (date)

Signature: 

Application Number: CNU-4285-2021 Name: BOB & PAUL AUTO MALL

Date: April 8, 2021

Address: 5611 Marlboro Pike, District Heights
MD 20747

Telephone: 703-470-9006

Capacity in which you are acting: Owner
(owner, applicant, agent)

NOTE: Take legible photograph(s) showing sign(s) in place, (see attached map for posting locations) and return (email) this affidavit and photographs, saved as one PDF to PGCReferrals@ppd.mncppc.org Subject: CaseNo-CaseName and "Posting Affidavit"

* * * * *
The affidavit must be received prior to the end of the 20-day (30 days for all CBCA conservation plans) posting period.

NOTICE
RIGHT TO REQUEST
PUBLIC HEARING
Public Hearing Notice
301-890-2411
APPLICATION# CNU-4285-2021
REQUEST outdoor sign
The following information is for informational purposes only. It is not intended to constitute an offer of any financial product or service. The information is provided for informational purposes only. It is not intended to constitute an offer of any financial product or service. The information is provided for informational purposes only. It is not intended to constitute an offer of any financial product or service.
www.mncppc.org





M-NCPPC – Development Review Division

Prince George's County Planning Department • 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772 • 301-952-3530

SIGN POSTING INFORMATION – PLANNING DIRECTOR REVIEW

Application Number: CNU-4285-2021

Application Name: BOB & PAUL AUTO MALL

Date sign(s) were transmitted to applicant or applicant=s agent: 4-8-2021

Number of signs transmitted: ONE

Person to whom signs were transmitted: Hares Yasini (Print)

Understands the sign posting affidavit must be emailed to PGCReferrals@ppd.mncppc.org with subject: Case Number-Name "Posting Affidavit"

Hares Yasini (Signature)

Capacity in which that person was acting: Owner
(owner, applicant, agent)

**RETURN THIS PORTION to Lillian Fairley
Lillian will prepare the memo to COUNCILMEMBER'S OFFICE**

Bob & Paul Auto Mall
5611 Marlboro Pike
District Heights, MD
20747

Statement Of Justification

Case Number: 4285-2021-00

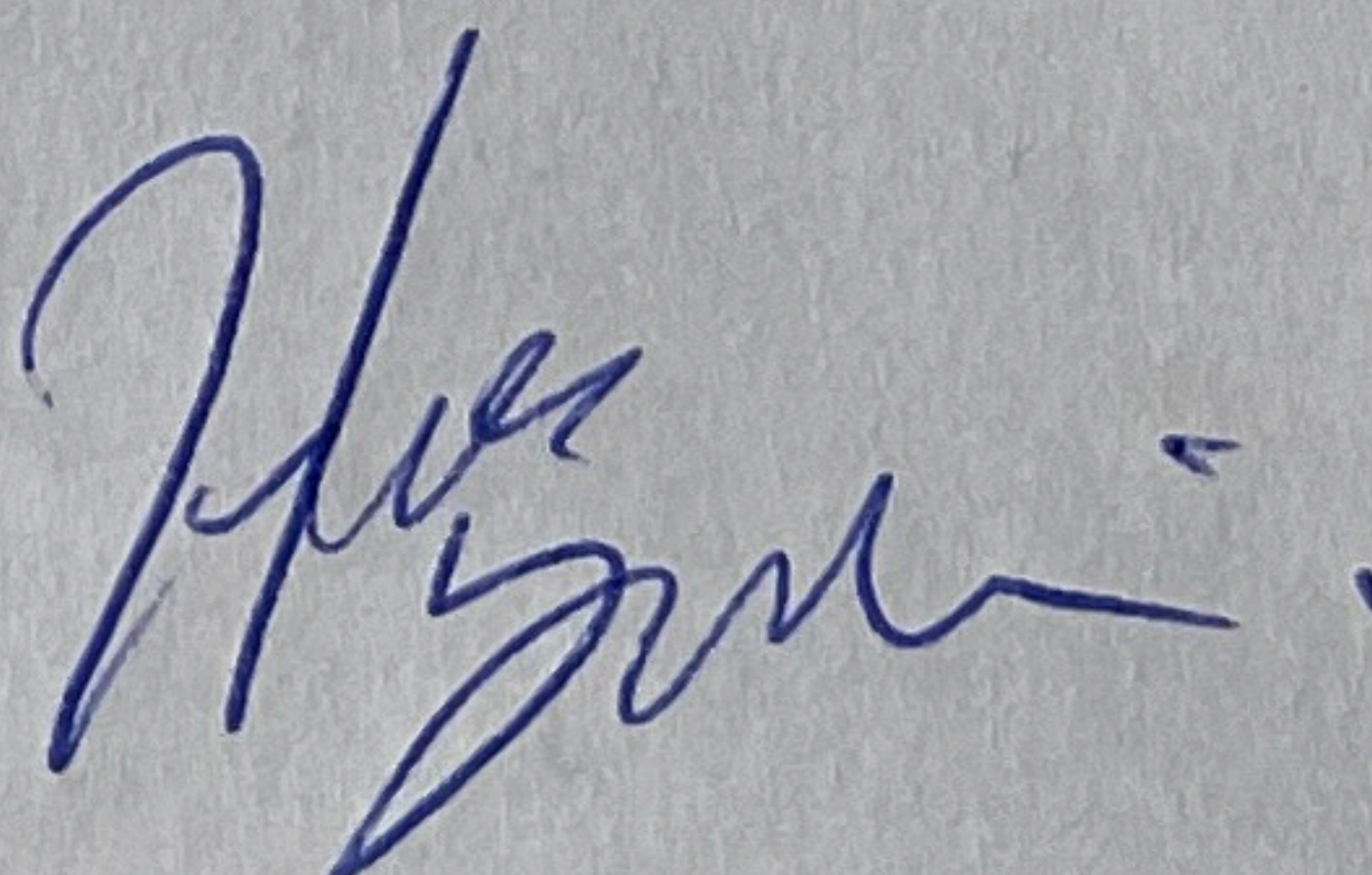
Description of proposed use/request:

The use of the premises is auto & other motor vehicle retail and auto servicing. The premises have operated as auto sale and auto repair with valid occupancy permit (3162-83-U) (522-83-GU) (8426-88-CGU) since Oct. 1983... On Nov. 17 2009, the premises changed from CM to R18, prohibiting the use of used car sales. This premises has operated for used car sales for the last 38 years with no breaks in operations. Considering the premises have operated lawfully without any break in operation of over 180 days, we are proposing to continue this use, and are requesting for certification of non-conforming use on the grounds that there has been on-going and continuous Used Auto Sales use by AMKO Auto, without any break of operation at 5611 Marlboro Pike, District Heights, MD, 20747 since the last certificate. The Purpose of this application is for a use and occupancy permit which will identify the use as non-conforming. The premises have been operating as an auto motor vehicle retail location without discontinuance up to date.

Summary/conclusion of request:

The purpose of this application is to obtain a use and occupancy permit that certified used car sales as a non-conforming use. The application is in conformance with the appropriate zoning code or Prince George's County Zoning Ordinance for the continuation of use as non-conforming. Additionally, this location has had all appropriate permits and licenses for the premises required for operation. It is respectfully requested that the applicant be approved for a valid use and occupancy permit to certify the use of used auto car sales

Respectfully Submitted and signed,
Hares Yasini
Bob & Paul Auto Mall



NOTE: APPROVAL IS BASED ON THE SITE PLAN & USE AS SHOWN. ANY CHANGE OF USE OR INTERIOR PARTITIONING OF ORIGINAL BUILDING MAY BE SUBJECT TO ADDITIONAL PARKING AND/OR LOADING SPACES.

By direction of the Department of Environmental Resources, it is the owner's/developer's responsibility to properly mark all plants (ground cover and vines excluded) with identifying labels listing genus, species, and variety, if applicable. These labels are NOT to be removed until after the Use and Occupancy permit is closed out.

M.N.C.P.P.C.R.C.S
APPROVED 8/8/90
PERMIT # 8-26-88-140
OK as revised



TEMPORARY SEDIMENT TRAP WITH DIVERSION DIKE

CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY THAT THE GRADING SHOWN HEREON CONFORMS WITH PRINCE GEORGE'S COUNTY BUILDING CODE.

PREPARER

ARCHITECT

WON I. KIM AIA

8513 WILKESBORO LANE
POTOMAC, MD. 20854
TEL: (301) 983-0647 (H)
(301) 840-1100 (O)

13. SILTATION AND EROSION CONTROL MEASURES WILL BE PROVIDED DURING CONSTRUCTION IN CONFORMANCE TO STATE RULES & REGULATIONS

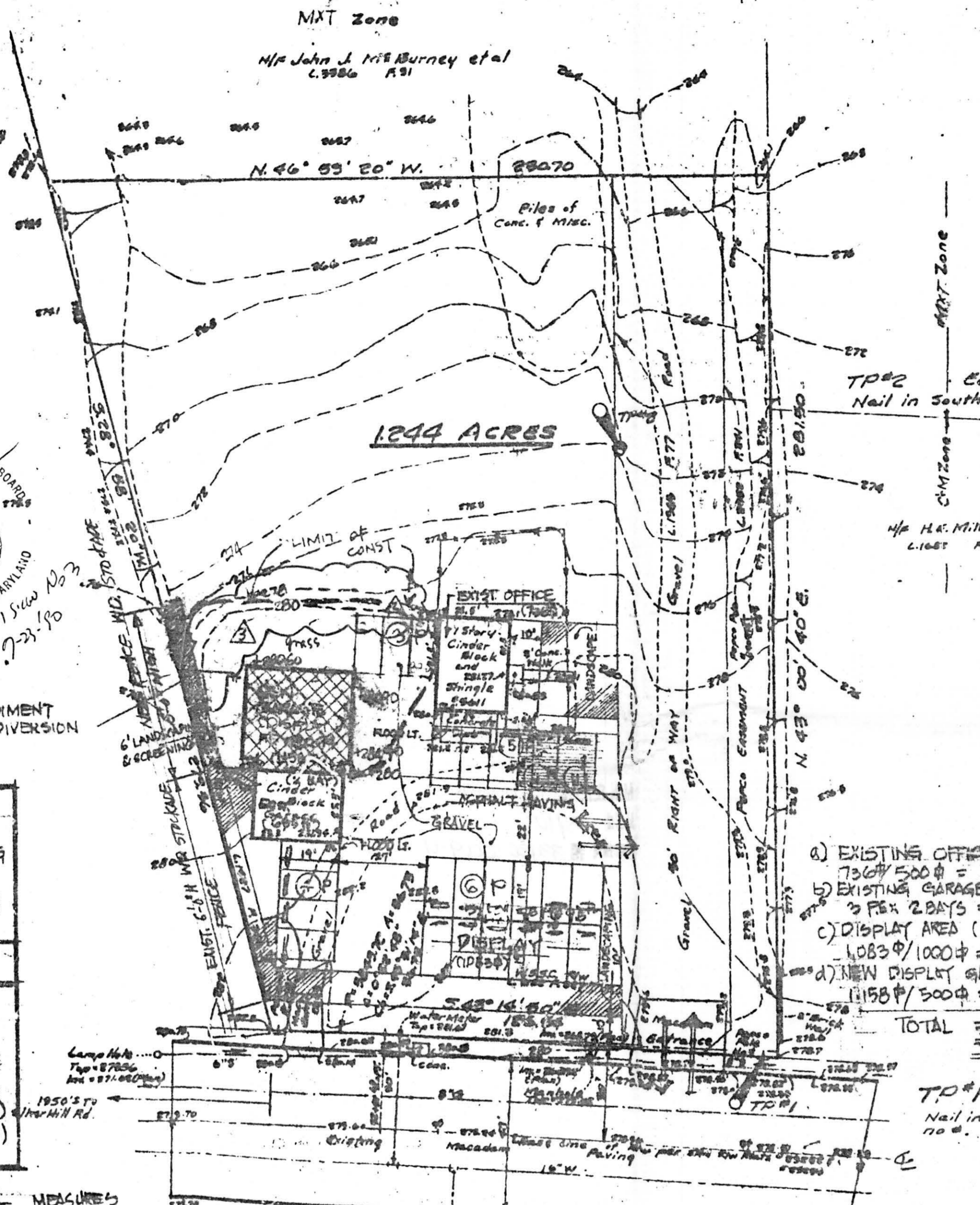
14. SITE WORK WAS APPROVED AND EXECUTED IN SEPARATE APPLICATION PREVIOUSLY. DRAWING REVISED FOR THIS APPLICATION NOTED

SITE PLAN PHASE I

OWNER
JOHN J. TAK
9320 MARSEILLE DR.
POTOMAC, MARYLAND
20854 (301) 736-4600 (O)
TEL: (301) 299-5175 (H)

OWNER		REVISIONS			DRAWN	DATE
NO	DATE	BY	DESCRIPTION	CK'D	YK	DATE
1	3/31/83	YK	ADDITIONAL PARKING REQ'D.			12-20-82
2	10/6/88	W.K.	ADD GARAGE FOR CAR DISPLAY	W.K.	GRADED	DATE
3	7/23/90	W.K.	REVISED GRADE LINE	W.K.		
					CHECKED	DATE

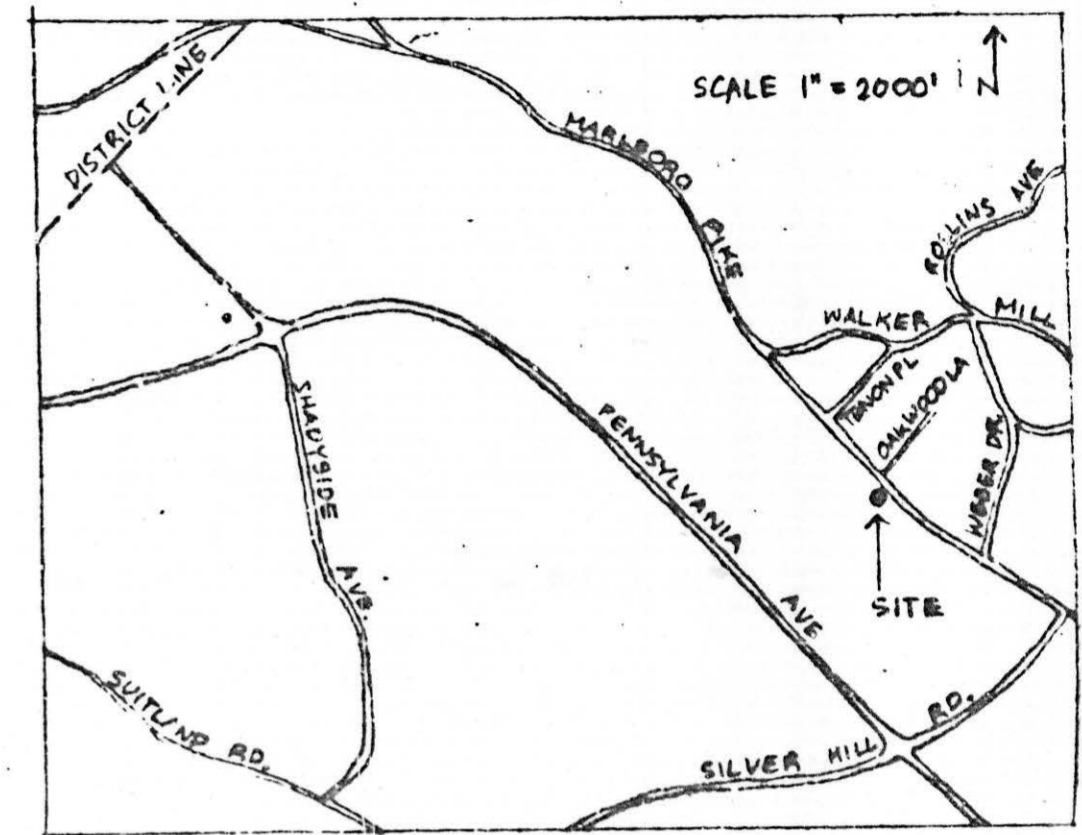
MARLBORO (60' R/W) PIKE



- a) EXISTING OFFICE (736 ϕ)
736 ϕ /500 ϕ = 1.47 PS
 - b) EXISTING GARAGE (683 ϕ , 2 BAYS)
3 PS x 2 BAYS = 6 PS
 - c) DISPLAY AREA (1,083 ϕ)
1,083 ϕ /1000 ϕ = 1.08 PS
 - d) NEW DISPLAY GARAGE (1,158 ϕ)
1,158 ϕ /500 ϕ = 2.32 PS
- TOTAL = 10.87 PS
= 11 PS

TP#1 ELEV = 279.33
Nail in East side Popo Pole

VICINITY MAP

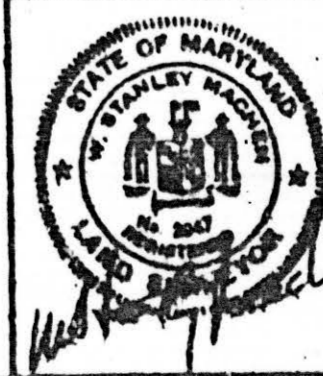


NOTE:

1. Levels shown hereon are based on W.S.C. Datum.
2. Information concerning underground utilities taken from available records and as observed on the surface and does not necessarily represent all existing utilities; exact location and elevation of mains utilized should be determined by digging test pits prior to construction in the vicinity.
3. Contour interval = 2'
4. Zoning: C-M
5. USE ————— AUTOMOBILE SALES & SERVICING
6. SITE AREA ————— 54,188.64 SQ. FT. OR 1.244 AC.
7. DISTURBED AREA ————— 10,463 SQ. FT.
8. PARKING REQ'D. —————

EXIST. OFFICE: 1.47 PS	TOTAL 11 SPACES
EXIST. GARAGE: 6 PS	
NEW DISPLAY GARAGE: 2.32 PS	
9. HANDICAP PARKING REQ'D. — (FOR LESS THAN 25 P.S.) = 1 P.S.
PROVIDED ————— 2 P.S. (H)
10. INTERNAL LANDSCAPING
COMPOUND ————— 10,463 SQ. FT.
REQ'D ————— 523 SQ. FT. (5%)
PROVIDED ————— 1,115 SQ. FT.
11. GREEN AREA: REQ'D. — 5,419 SQ. FT. (10% OF SITE AREA)
PROVIDED ————— 23,540 SQ. FT.
(NOT INCLUDING 6' SIDE YARD & 6' FRONT YARD LANDSCAPE STRIP)
12. ALL CURB AND GUTTER TO BE PRINCE GEORGE'S COUNTY STANDARD #1

PLAT OF TOPOGRAPHY
PROPERTY OF
STELLA S. WOHLFARTH
LIBER 2814 FOLIO 539
MARLBORO PIKE
PRINCE GEORGE'S COUNTY, MARYLAND



SCALE: 1" = 30'
DATE: APRIL 6, 1982

OFFICE OF
W. STANLEY MACHEN
REGISTERED LAND SURVEYOR
4328 FARRAGUT ST.
HYATTSVILLE, MD.
UNION 4-5115

DRAWN BY W.K.M.
REVISED
DRAWING NUMBER
C-1