



# Prince George's County Council

## Sitting as the District Council

### Zoning Agenda Item Summary

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**Case No.:** ROW- Two Farms, Inc.      **Councilmanic District:** 9  
**Meeting Date:** 7/13/2021      **Zone(s):** C-S-C  
**Case Name:** Royal Farms #220 (Accokeek) (Remand)  
**Applicant:** Two Farms, Inc.  
**Location:** Located on the west side of MD 210 (Indian Head Highway), in the southwest quadrant of its intersection with MD 375 (Livingston Road) (2.94 Acres; C-S-C Zone).  
**Request:** Requesting approval of a application to Authorize the Issuance of Building Permits for Structures Within a Proposed Right-of-Way (ROW) for two (2) pylon signs, 22 parking spaces, free air station, five (5) multi dispenser gasoline pumps with canopy, large vehicle parking areas, all of the required landscaping, and a stormwater management facility, all within the proposed rights-of-way for F-11 and C-525.  
**Companion Case(s):** SE-4816

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#### DECISIONS/RECOMMENDATION:

**Technical Staff:**  
**Planning Board:**  
**Zoning Hearing Examiner:** Approval with Conditions  
**Municipality:**  
**Opposition:** Sangee and Sulojana Tharmarajah, et al.

#### LEGAL DEADLINES:

**Appeal date:** 2/10/2021  
**Review date:**  
**Action date:** 6/10/2021

*Comments:*

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**Staff:**

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#### HISTORY:

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Acting Body:	Date:	Action:
Zoning Hearing Examiner	05/01/2019	approval
Person of Record	05/31/2019	appealed
<b>Notes:</b> Ms. Sangee Tharmarajah and Sulojana Tharmarajah filed an appeal of the Zoning Hearing Examiner's decision and requested Oral Argument.		
Clerk of the Council	06/05/2019	mailed
Sitting as the District Council	06/10/2019	announced hearing date

Applicant	06/28/2019	filed
<b>Notes:</b> <i>Matthew C. Tedesco, Esq., attorney for the applicant, filed a response to the 5/31/2019 Exceptions and requested to dismiss the Exceptions to the Zoning Hearing Examiner's decision for lack of standing.</i>		
Sitting as the District Council	07/08/2019	hearing held; case taken under advisement
Sitting as the District Council	10/07/2019	referred for document
Sitting as the District Council	10/28/2019	remanded
<b>Notes:</b> <i>Council adopted the prepared Order of remand to the Zoning Hearing Examiner (Vote: 8-0; Absent: Council Members Dernoga, Franklin, and Glaros).</i>		
Clerk of the Council	11/01/2019	mailed
<b>Notes:</b> <i>The Notice of Decision of the District Council was mailed to Persons of Record.</i>		
Clerk of the Council	11/01/2019	transmitted
<b>Notes:</b> <i>The Clerk returned the entire case file to the Zoning Hearing Examiner's (ZHE) Office in accordance with the 10/28/2019 Order of Remand.</i>		
Zoning Hearing Examiner	01/11/2021	approval with conditions
Sitting as the District Council	01/25/2021	elected to make the final decision
<b>Notes:</b> <i>People's Zoning Counsel, Stan Brown, provided an orientation, recommending that Council elect to review the ROW and Special Exception cases given many appellants concerns regarding receipt of the decision and time to appeal. Council elected to review (Vote: 10-0-1: Abstain: Council Member Franklin).</i>		
Aye:	10	Hawkins, Anderson-Walker, Davis, Dernoga, Glaros, Harrison, Ivey, Streeter, Taveras and Turner
Absent:	1	Franklin
Person of Record	02/05/2021	appealed
<b>Notes:</b> <i>Rev. Dr. Robert L. Screen filed exceptions to the Zoning Hearing Examiner's Decision in opposition to the proposal.</i>		
Person of Record	02/09/2021	appealed
<b>Notes:</b> <i>G. Macy Nelson, Esq., attorney for the Dharam Singh Goraya, et al., filed an appeal of the Zoning Hearing Examiner's Decision and requested Oral Argument.</i>		
Person of Record	02/10/2021	appealed
<b>Notes:</b> <i>Madeline Kochen Esq., Pro Se Opponent, filed an appeal of the Zoning Hearing Examiner's Decision and requested Oral Argument.</i>		
Clerk of the Council	03/04/2021	mailed
<b>Notes:</b> <i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>		
Person of Record	03/23/2021	appealed
<b>Notes:</b> <i>J. Carroll Holzer, Esq. and Sean P. Canavan, Esq., attorneys for Accokeek, Mattawoman, Piscataway Creeks Communities Council, Inc. (AMP Creeks</i>		

*Council), filed an appeal of the Zoning Hearing Examiner's Decision and requested Oral Argument.*

Sitting as the District Council                      03/29/2021                      announced hearing date

Applicant    04/06/2021                      withdrawn

**Notes:** *Lawrence N. Taub, Esq., attorney for Property Owners, and Matthew C. Tedesco, Esq., attorney for Applicant, filed a request to formally withdraw both SE-4816 and ROW Royal Farms #220 (Accokeek) applications.*

Applicant    04/08/2021                      withdrawn

**Notes:** *Lawrence N. Taub, Esq., attorney for Property Owners, and Matthew C. Tedesco, Esq., attorney for Applicant, filed a second request to formally withdraw both SE-4816 and ROW Royal Farms #220 (Accokeek) applications.*

Sitting as the District Council                      04/12/2021                      referred for document

**Notes:** *Stan Brown, People's Zoning Counsel, provided a procedural and process overview of the current posture of the Special Exception and Right-of-Way cases. Subsequently, Council referred item to staff for preparation of a document of dismissal pursuant to the applicant's request for administrative withdrawal in accordance with Section 27-299 (Vote: 8-0; Absent: Council Members Dernoga, Franklin, and Glaros).*

Aye:                      8     Hawkins, Anderson-Walker, Davis, Harrison, Ivey, Streeter, Taveras and Turner

Absent:                3     Dernoga, Franklin and Glaros

Sitting as the District Council                      05/10/2021                      dismissed

**Notes:** *Council adopted the prepared order of Dismissal (Vote: 8-0; Absent: Council Members Dernoga, Franklin, and Glaros).*

Aye:                      8     Hawkins, Anderson-Walker, Davis, Harrison, Ivey, Streeter, Taveras and Turner

Absent:                3     Dernoga, Franklin and Glaros

Clerk of the Council                                      05/12/2021                      mailed

**Notes:** *Notice of District Council Final Decision was mailed to all Persons of Record.*

Person of Record    06/12/2021                      filed

**Notes:** *Madeline Kochen, Esq., Person of Record appearing pro se, filed a request for Reconsideration and Amendment of Final Decision.*

Sitting as the District Council                      07/13/2021                      denied for reconsideration

**Notes:** *After a procedural and posture orientation by Stan Brown, People's Zoning Counsel, Council denied the request for reconsideration (Vote: 8-0; Absent: Council Members Dernoga, Franklin, and Glaros).*

Aye:                      8     Hawkins, Anderson-Walker, Davis, Harrison, Ivey, Streeter, Taveras and Turner

Absent:                3     Dernoga, Franklin and Glaros

Clerk of the Council

07/30/2021

mailed

**Notes:** *Notice of Decision on Reconsideration request was mailed to Persons of Record.*

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**Document(s):** ROW Royal Farms Zoning Agenda Item Summary, ROW Royal Farms Notice of District Council Final Decision, SE-4816 and ROW Royal Farms Reconsideration Letter Denial, ROW & SE-4816 Kochen to Brown\_Reconsideration 6-12-21, ROW Royal Farms 220 Remand\_Notice of District Council Hearing, ROW Royal Farms #220\_Remand\_Notice of Decision, ROW Royal Farms #220\_Remand\_ZHE Decision, ROW Royal Farms #220\_Remand\_PORL, ROW Royal Farms #220\_Remand\_Case File, SE-4816 ROW Screen\_appeal 02-05-2021, ROW Royal Farms #220\_Remand\_Nelson to Brown\_appeal\_2-9-21, SE-4816 ROW Kochen to Brown\_appeal\_2-10-21, SE-4816 ROW Holzer and Canavan to Brown\_appeal 3-23-2021, SE-4816 ROW Tedesco and Taub to Brown\_withdrawal 4-6-2021, SE-4816 ROW Tedesco and Taub to Brown\_2nd withdrawal email 4-08-2021, SE-4816 ROW Tedesco and Taub to Brown\_2nd withdrawal 4-08-2021