

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
1998 Legislative Session

Bill No. _____ CB-11-1998
 Chapter No. _____ 4
 Proposed and Presented by _____ The Chairman (by request – Board of Appeals)
 Introduced by _____ Council Member Del Giudice
 Co-Sponsors _____
 Date of Introduction _____ February 17, 1998

ZONING BILL

1 AN ORDINANCE concerning

2 Variances

3 For the purpose of authorizing the Planning Board to grant variances in conjunction with certain
 4 applications.

5 BY repealing and reenacting with amendments:

6 Sections 27-239.03 and 27-239.04,

7 The Zoning Ordinance of Prince George's County, Maryland,

8 being also

9 SUBTITLE 27. ZONING.

10 The Prince George's County Code

11 (1995 Edition, 1996 Supplement).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 13 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
 14 District in Prince George's County, Maryland, that Sections 27-239.03 and
 15 27-239.04 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27
 16 of the Prince George's County Code, be and the same are hereby repealed and reenacted with the
 17 following amendments:

18 **SUBTITLE 27. ZONING.**

19 **PART 3. ADMINISTRATION.**

20 **DIVISION 5. APPEALS AND VARIANCES.**

Subdivision 5. Variances in Conjunction with Other Approvals.

Sec. 27-239.03. District Council and Planning Board authority.

When the District Council or Planning Board makes a final decision in a zoning case, site plan, or other request, the District Council or Planning Board shall have the authority to grant variances from the strict application of this Subtitle in conjunction with its approval. The Council and Planning Board shall be governed by the provisions of Section 27-230 when it grants the variance.

Sec. 27-239.04. Procedures.

(a) Applicants for a zoning case, site plan, or other request who want the Council or Planning Board to consider a variance shall submit a written request for the variance to the body or official with whom the application was filed at least twenty-one (21) days prior to the evidentiary hearing date for the zoning case, site plan, or other request. The applicable fee set forth in Section 2-122 of this Code shall be charged for the expenses of the request.

(b) An evidentiary hearing shall be held on each request for a variance at the same time as the hearing for the zoning case, site plan, or other request.

(c) Notice of the hearing shall be in accordance with Section 27-231.

(d) If the need for a variance does not arise until the evidentiary hearing on the case, the case shall be continued, and notice of the hearing on the variance shall be provided in accordance with Section 27-231.

SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect on the date of its adoption.

Adopted this 17th day of March, 1998.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART
OF THE MARYLAND-WASHINGTON
REGIONAL DISTRICT IN PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Ronald V. Russell
Chairman

ATTEST:

Joyce T. Sweeney
Clerk of the Council

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.