

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

SITTING AS THE DISTRICT COUNCIL

Legislative Session _____ 1990 _____

Bill No. _____ CB-65-1990 _____

Chapter No. _____ 42 _____

Proposed and Presented by The Chairman (by request-MNCPPC)

Introduced by Council Members Pemberton and Bell

Co-Sponsors _____

Date of Introduction _____ July 3, 1990 _____

ZONING BILL

AN ORDINANCE concerning

Improvements to Existing Multifamily Development

FOR the purpose of allowing the addition of certain improvements to existing apartment developments without triggering the need to certify a nonconforming use, obtain Special Exception approval, or seek validation of prior permits issued in error, and for the purpose of amending the accessory building regulations to permit the construction of guard booths.

BY repealing and reenacting with amendments:

Sections 27-242,
27-384, and
27-442,

BY adding:

Section 27-419.1,

The Zoning Ordinance of Prince George's County, Maryland,
being also

SUBTITLE 27. ZONING.

The Prince George's County Code

(1987 Edition, 1989 Supplement, as amended
by CB-11-1990).

SECTION 1. BE IT ENACTED by the 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, that Sections 27-242, 27-384, and 27-442 of the
Zoning Ordinance of Prince George's County, Maryland, being also
Subtitle 27 of the Prince George's County Code, be and the same are
hereby repealed and reenacted with the following amendments:

SUBTITLE 27. ZONING.

PART 3. ADMINISTRATION.

DIVISION 6. NONCONFORMING BUILDINGS, STRUCTURES, AND USES.

Subdivision 1. General Requirements and Procedures.

Sec. 27-242. Alteration, extension, or enlargement.

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(b) Exceptions

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(7) Improvements to multifamily development

(A) In multifamily developments existing as of
January 1, 1990, in the R-30, R-30C, R-18, R-18C, R-10, and R-H
Zones, the following improvements do not require a Special
Exception:

- (i) Fence or wall;
- (ii) Trash enclosure;
- (iii) Guard booth;
- (iv) Canopy;

(v) Playground;
(vi) Landscaping; and
(vii) Day care centers in multifamily units.
(B) Such improvements shall conform to any
applicable regulations in this Subtitle.

PART 4. SPECIAL EXCEPTIONS.

**DIVISION 3. ADDITIONAL REQUIREMENTS FOR
SPECIFIC SPECIAL EXCEPTIONS.**

**Sec. 27-384. Nonconforming buildings, structures, and uses;
alteration, enlargement, extension, or
reconstruction.**

(a) The alteration, enlargement, extension, or reconstruction of any nonconforming building or structure, or certified nonconforming use (except those certified nonconforming uses not involving buildings and those within Chesapeake Bay Critical Area Overlay Zones, unless otherwise provided), may be permitted subject to the following:

* * * * *

(4) [A] When not otherwise allowed, a certified nonconforming use may be otherwise altered by the addition or relocation of improvements, such as fencing, landscaping, off-street parking and loading areas, and outdoor trash enclosures, or the relocation of buildings or other improvements within the boundary lines of the lot as it existed as a single lot under single ownership at the time the use became nonconforming.

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PART 5. RESIDENTIAL ZONES.

DIVISION 4. REGULATIONS.

Sec. 27-442. Regulations.

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(i) TABLE VIII - ACCESSORY BUILDINGS^{^10}

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^{^10} Accessory buildings, generally, shall be located only in the rear yard; however, on lots having no rear yard (through lots) and on corner lots where the designated front of the main building faces the side street, accessory buildings may be located in the yard opposite the designated front of the main building. In the R-H Zone, an accessory building may not encroach upon the minimum required yards. Accessory buildings associated with attached or multifamily dwellings may be located in any yard [except] other than the one which the front of the dwelling faces, except that a guard booth may be located at the entrance to a development for which it provides security. A private parking garage accessory to a multifamily dwelling shall be subject to the setback regulations applicable to a main building in the zone in which it is located. The setback and height requirements of this table do not apply to dwellings which are accessory buildings, as addressed by Section 27-424.1.

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SECTION 2. BE IT FURTHER ENACTED that Section 27-419.1 be and the same is hereby added to the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's

County Code, as follows:

SUBTITLE 27. ZONING.

PART 5. RESIDENTIAL ZONES.

DIVISION 1. GENERAL.

Sec. 27-419.1. Improvements to existing multifamily development.

(a) In multifamily developments existing as of January 1, 1990, in the R-30, R-30C, R-18, R-18C, R-10, and R-H Zones, the following improvements may be added pursuant to the issuance of building permits, regardless of whether such existing development conforms with the current requirements of the Subtitle:

- (1) Fence or wall;
- (2) Trash enclosure;
- (3) Guard booth;
- (4) Canopy;
- (5) Playground;
- (6) Landscaping;
- (7) Day care centers in multifamily units;

(b) Such improvements shall conform to any applicable regulations in this Subtitle.

SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall take effect thirty (30) calendar days from the date of its adoption.

Adopted this 31st day of July, 1990.

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: _____
Jo Ann T. Bell
Chairman

ATTEST:

Jean M. Schmuhl, CMC
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.