

Prince George's County Council

Sitting as the District Council

Zoning Agenda Item Summary

Case No.: ROW-12790 Councilmanic District: 9

Meeting Date: 7/27/2020 Zone(s): C-S-C

Case Name: Cherry Associates, Limited Partnership/Janjer Enterprises, Inc.

Applicant: Cherry Associates, Limited Partnership/Janjer Enterprises, Inc.

Location: Located in the southeastern quadrant of the intersection of Old Fort Road South and

Indian Head Highway (MD 210) (0.545 Acres; C-S-C zone).

Request: Requesting approval for to authorize the issuance of permits (5920-2018-CCGN and

4494-2018-G) for C-S-C (Commercial Shopping Center) zoned property within the

Action date: 9/2/2020

proposed right-of-way for Indian Head Highway (MD 210).

Companion Case(s):

DECISIONS/RECOMMENDATION: LEGAL DEADLINES:

Technical Staff: Appeal date: 11/4/2019

Planning Board: Review date:

Zoning Hearing Examiner: Approval with

Conditions

ality: Comments:

Municipality: Opposition:

Staff:

HISTORY:

Acting Body: Date: Action:

Applicant 03/21/2019 filed

Notes: This Authorization to Build in the Right of Way was filed by the applicant on

March 12, 2019.

Zoning Hearing Examiner 10/04/2019 approval with conditions

Applicant 11/01/2019 appealed

Notes: Lawrence Taub, Esq., attorney for the applicant, filed exceptions to the ZHE

decision and requested Oral Arguments.

Sitting as the District Council 11/18/2019 announced hearing date

Sitting as the District Council 01/06/2020 hearing held; case taken under advisement

ROW-12790 Page 2 of 2

Notes: David Simon, M-NCPPC, provided an overview of the authorization for permits in

the right-of-way application. Larry Taub, Esq., attorney for the applicant, spoke in support of the application and deletion of a condition. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented. The Oral Argument Hearing was held and Council

took this case under advisement.

Sitting as the District Council 03/09/2020 referred for document

Notes: Council referred item to staff for preparation of a disapproving document (Vote:

10-0; Absent: Council Member Franklin).

Aye: 10 Turner, Anderson-Walker, Davis, Dernoga, Glaros, Harrison,

Hawkins, Ivey, Streeter and Taveras

Absent: 1 Franklin

Sitting as the District Council 07/27/2020

Document(s): ROW-12790 ZHE Decision, ROW -12790 PORL