

**INTER-OFFICE MEMORANDUM
PRINCE GEORGE'S COUNTY, MARYLAND**

ZONING HEARING EXAMINER OFFICE

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September 22, 2020

TO: Jackie Brown, Committee Director
Planning, Housing and Economic Development Committee

FROM: Maurene Epps McNeil
Chief Zoning Hearing Examiner

Re: CB- 63 and CB-69-2020

I thank you for the opportunity to comment on the following bills.

CB-63-2020

Section 27-107.01 (a)(243.2) of the zoning ordinance currently defines "trash removal services" as " A business involving the dispatching and storage of trucks or dumpsters for the purpose of trash removal." in order to avoid any adverse impact upon existing trash removal services I would suggest that page 2 line 12 be amended to "Trash Removal Service with Private Fueling Station". On page 2 line 14 delete the second "on-site." The remainder of line 14 to line 20 should be removed the Use Table and/or footnote on page 3 since this is the type of language usually found therein and not in the definition. In its stead the following language should be inserted on line 14 to make it clear that the use is a private one: "This use does not include any retail sale of gasoline or compressed natural gas."

Once relocated I would urge that the Council not include the language "may include certain accessory uses, such as..." currently found on p. 2 line 14. The Zoning Ordinance allows all customary, incidental accessory uses without naming them, but when the Council wants certain uses to be accessory and said uses would not usually be customary and incidental to the primary use in question, the Council must expressly name the accessory use.

There may be some dangers associated with compressed natural gas. If the Council wants this to be permitted by right, may be reasonable to require a minimum acreage and a reasonable setback for the use. This is even more important because there is no provision that prevents this property from abutting land zoned residential. Finally, Gas Stations and the private Commercial Fuel Stations include language that requires the removal of all associated structures, including storage tanks, upon abandonment of the use. Similar language should be considered for this use.

CB-69-2020

This bill will allow multifamily dwellings in the R-55 Zone, pursuant to footnote 138, under certain circumstances. However, the use is already permitted pursuant to a different footnote 138. The bill should therefore be revised to remove the underlining under “P” and “138” in the Table on page 2, and to insert an underlined “139” there. Rename the footnote accordingly.

Given the purposes of the R-55 Zone set forth in Section 27-430 of the Zoning Ordinance (which focus on one-family residential development and facilitating the planning of such development “with small lots and dwellings of various sizes and style”), the provision allowing the multifamily dwelling to be up to 110-feet- tall, and the requirement that the use be adjacent to property owned by the Board of Education, the District Council should consider including a minimum setback requirement from adjoining uses to lessen any adverse impact on said uses.