

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL  
2021 Legislative Session**

Bill No. CB-16-2021

Chapter No. 34

Proposed and Presented by Council Members Dernoga, Hawkins, Glaros, Ivey  
Anderson-Walker and Turner

Introduced by Council Members Dernoga, Hawkins, Glaros, Anderson-Walker, Turner, and Ivey

Co-Sponsors \_\_\_\_\_

Date of Introduction September 28, 2021

**ZONING BILL**

1 AN ORDINANCE concerning

2 Zoning--Administration--Appeals and Variances--Criteria

3 For the purpose of amending the criteria in the Zoning Ordinance for granting zoning appeals  
4 involving variances.

5 BY repealing and reenacting with amendments:

6 Section 27-230,

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 (2019 Edition; 2020 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 Section 27-230 of the Zoning Ordinance of  
15 Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code,  
16 be and the same is hereby repealed and reenacted with the following amendments:

17 **SUBTITLE 27. ZONING.**

18 **PART 3. ADMINISTRATION.**

19 **DIVISION 5. APPEALS AND VARIANCES.**

**SUBDIVISION 2. BOARD OF ZONING APPEALS.**

**Sec. 27-230. Criteria for granting appeals involving variances.**

(a) A variance may only be granted when the District Council, Zoning Hearing Examiner, Board of Appeals, or the Planning Board as applicable, finds that:

[(1) A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations or conditions;]

[(2) The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property; and]

[(3) The variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan.]

(1) A specific parcel of land is physically unique and unusual in a manner different from the nature of surrounding properties with respect to exceptional narrowness, shallowness, shape, exceptional topographic conditions , or other extraordinary conditions peculiar to the specific parcel (such as historical significance or environmentally sensitive features);

(2) The particular uniqueness and peculiarity of the specific property causes a zoning provision to impact disproportionately upon that property, such that strict application of the provision will result in peculiar and unusual practical difficulties to the owner of the property;

(3) Such variance is the minimum reasonably necessary to overcome the exceptional physical conditions;

(4) Such variance can be granted without substantial impairment to the intent, purpose and integrity of the general plan or any area master plan, sector plan, or transit district development plan affecting the subject property; and

(5) Such variance will not substantially impair the use and enjoyment of adjacent properties.

(6) Notwithstanding any other provision of this Section, a variance may not be granted if the practical difficulty is self-inflicted by the owner of the property.

\* \* \* \* \*

1 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Ordinance shall be  
2 applicable for variance applications filed after December 31, 2021.

3 BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five (45) calendar days  
4 after its adoption.

Adopted this 2<sup>nd</sup> day of November, 2021.

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: \_\_\_\_\_  
Calvin S. Hawkins, II  
Chair

ATTEST:

\_\_\_\_\_  
Donna J. Brown  
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.