

Case: Authorization to Build Within a
Planned Right-of-Way

Applicant: Faison-Brandywine, LLC/
Brandywine Crossing, Phase II

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

ZONING ORDINANCE NO. 12-2012

AN ORDINANCE to authorize the issuance of a building permit in conjunction with a detailed site plan.

WHEREAS, the Prince George's County Planning Board first approved DSP-07076, Brandywine Crossing Phase II on September 11, 2008, and a subsequent amendment was approved on July 29, 2010; and

WHEREAS, the subject property is approximately 19 acres, zoned C-S-C (Commercial Shopping Center), and located at the northeast quadrant of the intersection of Timothy Branch Drive and US 301; and

WHEREAS, the applicant has appealed to the District Council for an ordinance to approve the issuance of a building permit for a structure within a proposed right-of-way; and

WHEREAS, the application for issuance was given public notice, in accordance with all requirements of law, and a public hearing on the application was held before the Zoning Hearing Examiner; and

WHEREAS, the recommendations of the Zoning Hearing Examiner were duly filed and considered by the District Council; and

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WHEREAS, having reviewed the record, the District Council has determined that the application to issue a building permit in conjunction with a detailed site plan, Brandywine Crossing, Phase II, should be approved; and

WHEREAS, as the basis for this action, the District Council adopts the recommendations of the Zoning Hearing Examiner as its findings of fact and conclusions of law in this case.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. That the Applicant be allowed to construct the 66 vehicle display parking spaces that lie within the proposed right-of-way for US 301 and the 162 parking spaces for the integrated shopping center that lie with the proposed right-of-way for US 301, as well as any fencing, lighting or landscaping within said right-of-way. The dimensions and location of these improvements will be as shown on the approved Special Exception Site Plan for SE-4697 and DSP-07076/04. A copy of these approved Plans should be included in this record.

SECTION 2. That the Applicant shall remove or alter improvements within the proposed right-of-way if removal or alteration is required.

SECTION 3. This Ordinance shall take effect on the date of its enactment.

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Enacted this 24th day of July, 2012 by following vote:

In Favor: Council Members Campos, Davis, Franklin, Harrison, Lehman, Olson, Patterson,
Toles and Turner

Opposed:

Abstained:

Absent:

Vote: 9-0

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: _____
Andrea C. Harrison, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council