



**Prince George's County Planning Department  
Zoning Ordinance and Subdivision Regulations Rewrite  
Board of Zoning Appeals – February 9, 2015**

**Meeting with Anne Carter, Maurene McNeil, and Redis Floyd to discuss the Board of Zoning Appeals  
Current Work Scope.**

**What is the Board of Appeals?**

There are three members on the Board of Appeals, they are appointed and are citizens of the County. The board holds public meetings in the County Administration Building, in the Zoning Hearing Examiner's room. The board holds two meetings a month with the exception of December. Members are required to take an online course prior to assuming their role. Hearings are subject to the open meetings act, are recorded, and include public invitation/notice. There is a mass mailing list maintained for agenda mailings.

**What does the Board of Zoning Appeals do?**

The Board of Zoning Appeals hears various appeals from the zoning regulations, including: lot coverage, set back, heights of fences, etc. The board only hears cases that are not connected with cases subject to Planning Board approval. The Board of appeals also addresses zoning violations from the Department of Permitting, Inspections, and Enforcement (DPIE) inspectors if it involves the denial of Use and Occupancy permits.

**Are there any instances where people bypass the Board of Zoning Appeals?**

Use and Occupancy permits are perhaps most common. Use permits are often confusing because of the complexity of the current Zoning Ordinance.

**What is the composition of cases that the Board of Zoning Appeals hears?**

90 percent of the cases heard by the board are variances, and this is the source of the majority (~80 percent) of the staff workload; some cases are appeals by an attorney. The property owner or an attorney licensed to practice in Maryland must represent the project.

**Are Board of Zoning Appeals decisions appealable to other parties?**

Yes. They are appealable to the Circuit Court after the decision is issued.

**Do people understand the process when they appear before the Board of Zoning Appeals?**

The majority of people do what they are told, usually by DPIE staff. They would not be able to figure



these things out by reading the Zoning Ordinance. The law is read into the record at the beginning of each meeting.

**Are there particular resources that the Board of Zoning Appeals is lacking?**

The board has some resources but also has need for a contract attorney to assist with the process.

**Has there been any feedback or complaints about traveling/access to Upper Marlboro?**

Yes, particularly since board meetings typically start at 6 p.m. and it can be difficult to get here at that time of day by transit. It has been ~15 years since the last daytime meeting of the board.

**Are there Court-Certified interpreters?**

Yes, and a portion of the cost comes from the Board of Zoning Appeals budget and there is also a small fee.

**What is the application process?**

Applicants come to board staff to apply. It takes approximately 3-8 weeks from that point to reach a decision. The board sends public notice after the applicant provides adjoining property information. M-NCPPC provides signs for posting and the applicant pays the fees. The board provides an affidavit of posting, and an instruction sheet for posting, to the applicant. A minimum of 15 days notice is required.

A lot of people do not read the instructions nor follow them.

There is currently no requirement to notify homeowner associations but this is often done out of courtesy.

Municipalities are notified.

**Other points of discussion**

There was some discussion of who issues permits (DPIE), and how the office of law is involved in this process to assist with enforcement questions and procedures.