

City of Bowie
Department of Planning & Economic Development
15901 Fred Robinson Way
Bowie, Maryland 20716



Telephone: 301-809-3047
Facsimile: 301-809-2315

FOR OFFICE USE ONLY:

**APPLICATION FOR VARIANCE FROM
THE STRICT APPLICATION OF THE
PRINCE GEORGE'S COUNTY ZONING ORDINANCE**

Application # _____	Docket# _____
Date Filed: _____	Reviewer: _____
Filing Fee: _____	
Number of Signs: _____	Sign Fee: _____
Total Paid: _____	
BAPB Hearing Date: _____	

Please Print or Type

DESCRIPTION OF PROPERTY

Property Owner Names	
Property Address	
Zoning	Total Area (Sq. Ft.)

DESCRIBE WHAT YOU PROPOSE TO CONSTRUCT: (For example: a 12' x 19' family room addition in the rear of the dwelling.) _____

REQUEST FOR VARIANCE FROM SECTION:

- 27-442 (c) Table II (Lot Coverage)
- 27-442 (c) Table IV (Required Yards) _____ Front _____ Side _____ Rear (check one)
- 27-120.01 (c) Parking space, parking area, parking structure in front of a dwelling.
- 27-420 (a) Maximum permitted fence height of six (6) feet over.
- Other: _____

ZONING REQUIREMENT: (from above section) _____

AMOUNT OF VARIANCE REQUESTED: _____

IMPORTANT: Please read the instruction sheet attached before completing this application. All required information must be provided before an application is accepted for processing. An appointment with City Planning Staff must be made to review the application prior to acceptance. Please call (301) 809-3047 to schedule an appointment. The following items must accompany the application:

- 1. An accurate Plat or Site Plan drawn to scale showing all existing or proposed structures and paving.
- 2. A signed Statement of Justification indicating how the proposed request meets the criteria for approval found in Section 26-25 of the Bowie City Code.
- 3. MNCPPC Variance Referral Form stating what sections of the Zoning Ordinances pertain to the variance request.
- 4. For lot coverage variance, a copy of calculation sheet prepared by MNCPPC staff.
- 5. Filing Fee (\$200.00 existing residential, \$500.00 new residential, \$1,500.00 commercial/industrial)
(Public hearing sign fee = \$30.00 per sign.)
- 6. Building construction drawings, if applicable
- 7. Photographs (optional)

Staff Report:

- Mail to applicant Pick Up FAX Email

Bowie Advisory Planning Board Hearing Date: _____

You are expected to attend all City hearings and present your case and any supporting evidence. The advertised Bowie Advisory Planning Board (BAPB) hearing is the hearing of record and no evidence may be submitted after the BAPB's hearing; unless otherwise allowed by the BAPB.

I/We _____ (Owner)

Hereby make application for a variance in accordance with Chapter 26, Article II, Division II Of the Bowie City Code.

Home Phone

Cell Phone

Email

DATE

Owner Signature

CRITERIA FOR GRANTING VARIANCES

In order for the Bowie Advisory Planning Board (BAPB) to grant a Variance, it shall make the following findings, pursuant to Section 26-25 of the City Code:

- A. A Variance from lot size, setback and similar requirements of the Prince George's County Zoning Ordinance from which a Variance may be granted may only be granted upon a finding 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 the County Zoning Ordinance 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 any applicable County General Plan or County Master Plan.

- B. For properties in the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H zones, where the applicant proposes development of multifamily dwellings and also proposes that the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code, the Bowie Advisory Planning Board may consider this increase over the required number of accessible units in making its required findings.

STATEMENT OF JUSTIFICATION

A Statement of Justification shall be submitted with all applications for requests for Variance(s) and Departure(s) from the Prince George's County Zoning Ordinance, and for Alternative Compliance from the Prince George's County Landscape Manual, and shall contain the following information:

1. Application Number and Name of Project.
2. Description of Proposed Use and Request.

Describe the nature and character of the proposed use and request. (*For example, "The applicant is seeking a Variance from Section 27-442(c), Table IV, Rear Yard Setback requirement of five (5) feet for the purpose of constructing a 10-foot by 15-foot sunroom to an existing detached single-family dwelling."; or, "The applicant is seeking a Departure from Section 27-558(a) of the Prince George's County Zoning Ordinance to provide "universal" parking spaces (9 ft. by 18 ft.) (non-handicap/non-parallel parking spaces) on the site."; or, "The applicant is seeking Alternative Compliance from Section 4.3(c)(1) of the Prince George's County Landscape Manual regarding Parking Lot Perimeter Landscape Strip Requirements to . . ."*.)

3. Description of the Location of the Subject Property.

Describe the geographical location of the site by referring to adjoining roads. (*For example, "The Subject Property is located on the south side of MD Route 450 (Annapolis Road), approximately 1,000 feet (or 0.2 mile) east of the Walnut Street intersection."*) The description of the location of the site should also include: Tax Map, Block and Lot/Parcel numbers; street address (if applicable); and, the current zoning and uses for each adjoining property.

4. Description and Comment of each Required Finding.

Identify each applicable section of the Prince George's County Zoning Ordinance or Landscape Manual that pertains to the request(s), and justify each required finding. Some uses or requests may involve numerous sections of the County Zoning Ordinance or Landscape Manual, each of which must be addressed. Financial hardship, in and of itself, is not generally regarded as sufficient justification to grant relief.

5. Summary/Conclusion of Request.

Provide a short summary and conclusion in the Statement of Justification. The Statement of Justification shall be signed and dated by the applicant and/or the applicant's representative.

Process for Variance Applications

Application is Filed and Fees are Paid

Application includes: completed Application Form; 1 copy of a Site Plan and other graphic illustrations necessary to communicate what is proposed; and, 1 copy of a Statement of Justification.



Public Hearing Notice

Not less than 15 days before BAPB hearing, City sends Public Hearing Notice, via certified mail, to Applicant, abutting property owners, Persons/Parties of Record, Referral Agency (if any), Maryland-National Capital Park and Planning Commission (M-NCPPC), Prince George's County Planning Board and District Council. (Notice to M-NCPPC, County Planning Board and District Council shall include a copy of the Site Plan.) Public Hearing Notice posted in City Hall not less than 7 days prior to the BAPB hearing.



Public Hearing Signs

City posts at least 1 Public Hearing Sign on subject property not less than 15 days before BAPB hearing. Applicant maintains all Public Hearing Signs. Applicant removes all Public Hearing Signs within 7 days after Public Hearing and files an affidavit that Signs were posted on and removed from site as required.



City Staff Report

Available at least 7 days before BAPB hearing.



Bowie Advisory Planning Board Public Hearing

Close the Record, or
Hold the Record Open for Specified Time to Receive Additional Evidence



Written Recommendation (Adopted Resolution) of Bowie Advisory Planning Board

Within 5 days of BAPB Public Hearing, adopted Resolution is sent to City Council via City Manager, and to all Persons/Parties of Record;
Persons/Parties of Record have 15 days to file Exceptions and Request Oral Argument before City Council



Action by City Council

Adopts BAPB Resolution on Consent Agenda. (If not acted on within 60 days, Application is deemed Denied), or Oral Argument is scheduled
Recommendation of BAPB is Accepted, Denied, Modified or Returned to Board for Reconsideration
Written Decision of City Council sent to all Persons/Parties of Record, the BAPB, Zoning Division of M-NCPPC, Clerk of the County Council, County Dept. of Environmental Resources and City Dept. of Community Services



Appeal to Circuit Court

Within 30 days from the date of written decision of the City Council, any Aggrieved Party shall file an appeal of the decision of the City Council with the Circuit Court.

APPLICANT'S AFFIDAVIT
OF PUBLIC HEARING SIGN
INSPECTION

I, _____, hereby certify that the public hearing sign(s) erected
(print or type name)

on the subject property in Bowie development review application _____
(case number)

has/have been maintained and continuously posted for the required time prior to the hearing.

The required sign(s) were posted and remained on the property for the required period of time

preceding the public hearing scheduled for _____.
(date of hearing)

Signature: _____

Date: _____

My address: _____

Telephone: _____

Capacity in which I am acting: _____
(owner, applicant, agent)

NOTE: Affidavit must be submitted and included in the record file of the case.

2023 HEARING SCHEDULE APPLICATION DEADLINES FOR VARIANCES

Application Deadline	Sign Posted & Letters Mailed	Public Hearing Date	City Council Consent Agenda (min 15 days after hearing)
December 30, 2022	January 9, 2023	January 24, 2023	February 21, 2023
January 20, 2023	January 30, 2023	February 14, 2023	March 6, 2023
February 3, 2023	February 13, 2023	February 28, 2023	March 20, 2023
February 17, 2023	February 27, 2022	March 14, 2023	April 3, 2023
March 3, 2023	March 13, 2023	March 28, 2023	April 17, 2023
March 17, 2023	March 27, 2023	April 11, 2023	May 1, 2023
March 31, 2023	April 10, 2023	April 25, 2023	May 15, 2023
April 14, 2023	April 24, 2023	May 9, 2023	June 5, 2023
April 28, 2023	May 8, 2023	May 23, 2023	June 20, 2023
May 19, 2023	May 26, 2023	June 13, 2023	July 17, 2023
June 2, 2023	June 12, 2023	June 27, 2023	August 7, 2023
June 16, 2023	June 26, 2023	July 11, 2023	August 7, 2023
June 30, 2023	July 10, 2023	July 25, 2023	September 5, 2023
August 18, 2023	August 28, 2023	September 12, 2023	October 2, 2023
September 1, 2023	September 11, 2023	September 26, 2023	October 16, 2023
September 15, 2023	September 25, 2023	October 10, 2023	November 27, 2023
September 29, 2023	October 9, 2023	October 24, 2023	November 27, 2023
October 20, 2023	October 30, 2023	November 14, 2023	December 4, 2023
November 3, 2023	November 13, 2023	November 28, 2023	January 2, 2024
November 17, 2023	November 27, 2023	December 12, 2023	January 2, 2024
December 15, 2023	December 27, 2023	January 9, 2024	February 5, 2024
December 29, 2023	January 8, 2024	January 23, 2024	February 20, 2024