



City of Bowie – Planning and Community Development Department

15901 Fred Robinson Way, Bowie, Maryland 20716 • 301-809-3047 • 301-809-2315 Fax

DEPARTURE APPLICATION FORM

DO NOT WRITE IN THIS SPACE:

Application No. (s): _____ Advisory Planning Board Review Planning Director Review

Acceptance Date: _____ Posting Date: _____ No. of Signs Posted: _____ Agenda Date: _____

Filing Fee: _____ Posting Fee: _____ Case Reviewer: _____

Date of Informational Mailing: _____ Date of Acceptance Mailing: _____

APPLICATION TYPE: _____ Revision of Application # _____

(See page 2 for a list of application types)

PROJECT NAME:

Geographic Location (give distance related to or near major intersection):

Address (if applicable):

Companion Case(s):

Total Acreage:	Planning Area(s):	Council District:
Tax Map/Grid:	Existing Lots/Blocks/Parcels:	Zoning:
		Aviation Policy Area:

General Plan Tier (check one): Developed Developing Rural

Proposed Use of Property and Request of Proposal:

Please list and provide copies of previously approved applications affecting the subject property:

Applicant Name, Address, Phone and E-mail:

Consultant Name, Address, Phone and Fax:

Owner Name, Address, Phone and E-mail (if different from Applicant):

Contact Person, Phone, Fax and E-mail:

SIGNATURE (Sign where appropriate; attach additional signatures if necessary)

Owner's Signature Date Applicant's Signature Date

Owner's Signature Date Applicant's Signature Date

ZONING and VARIANCE CASES:

Details of Request:	Zoning Ordinance Section(s):
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URBAN DESIGN CASE (ALTERNATIVE COMPLIANCE):

Details of Request:	Section(s) of Landscape Manual:
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APPLICATION TYPE:

ZONING:

- Departure from Design Standards (DDS) \$2,000.00 application fee*
- Departure from number of Parking and Loading Spaces (DPLS) \$2,000.00 application fee*
- Departure from Sign Design Standards (DSDS) \$2,000.00 application fee*
- Certification, Revocation and Revision of Nonconforming Uses (NCU) \$1,000.00 application fee*
Church-no fee charged
- Minor Changes to Approved Special Exceptions (SE) \$100.00 application fee for daycare in dwelling.*
Church- no fee charged
All others - \$1,250.00 application fee*

URBAN DESIGN

- Alternative Compliance (AC) \$250.00 application fee*

VARIANCES FROM SUBTITLE 27

- Section 27-442 (c) - Table II (Lot Coverage)
- Section 27-442 (c) - Table IV Required Yards ___Front ___Side ___Rear
- Section 27-120.01 (c) - Parking space, parking area, parking structure in front of a dwelling,
- Section 27-420 (a) - Maximum permitted fence height of six (6) feet over.

\$200.00 application fee for existing residential*
 \$500.00 application fee for new residential*
 \$1,500.00 application fee for commercial or industrial*

***Public Notice Sign Fee = \$30.00 per sign**

Process for Departure Applications
**(Signs {DSDS}, Parking Standards {DDS}, Parking and Loading Spaces {DPLS},
and Landscape Manual – Alternative Compliance)**
(Approximate Processing Time: 4 Months)

Mail Informational Letter (See Sample)

Informational Letter sent Certified Mail by Applicant to adjoining property owners, Development Review Division of Maryland-National Capital Park and Planning Commission (M-NCPPC), previous Persons/Parties of Record not less than 30 days or more than 90 days before the Departure Application is accepted.



Application is Filed and Fees are Paid

Application includes: completed Application Form; 3 copies of a Site Plan and other graphic illustrations necessary to communicate what is proposed (1 copy for Alternative Compliance applications); 3 copies of a Statement of Justification (1 copy for Alternative Compliance applications); list of names and addresses of adjoining property owners, as well as pre-addressed envelopes or mailing labels for each adjoining property owner. Applications for Alternative Compliance shall not be submitted less than 35 days prior to the BAPB hearing. Applicant submits Affidavit of Mailing with Application.



Notice of Acceptance

City e-mails Applicant Notice of Acceptance Via First Class Mail, Applicant sends Affidavit of Notice of Acceptance to adjoining property owners, Development Review Division of M-NCPPC, previous Persons/Parties of Record.



Public Hearing Notice

Not less than 30 days before BAPB hearing, City sends Public Hearing Notice to Persons/Parties of Record, M-NCPPC and District Council. (Notice to M-NCPPC and District Council shall include a copy of the Site Plan.) Public Hearing Notice posted in City Hall.



Public Hearing Signs

City posts at least 1 Public Hearing Sign on subject property not less than 30 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 with at least 14 days notice. 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

DEPARTURE FROM DESIGN STANDARDS (DDS)
SUBMITTAL CHECKLIST

As set forth in Section 26-31 of the Bowie City Code, an application for a Departure from Design Standards (DDS) shall submit the following:

1. A completed Application Form, stating the Section(s) of the Prince George's County Zoning Ordinance from which the Departure is requested.
2. The correct Application Fee, as set forth in the City Ordinance.
3. Three (3) copies of Site Plan and Other Graphic Illustrations which are considered necessary to indicate what is being proposed.
4. Three (3) copies a Statement of Justification/Written Explanation by the Applicant addressing the Required Findings set forth in Section 26-31.B., Paragraph (4) of the City Code.
5. A list of the names and addresses of the abutting property owners, as well as pre-addressed envelopes or mailing labels for each abutting property owner.

REQUIRED FINDINGS FOR A DEPARTURE FROM
DESIGN STANDARDS (DDS)

In order for the Bowie Advisory Planning Board (BAPB) to grant a Departure from Design Standards (DDS), it shall make the following findings, pursuant to Section 26-31B.(4) of the City Code:

- (I) The purposes of the Prince George's County Zoning Ordinance (Section 27-102) will be equally well or better served by the applicant's proposal;
- (II) The departure is the minimum necessary, given the specific circumstances of the request;
- (III) The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the City developed prior to November 29, 1949;
- (IV) The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.

For a Departure from a standard contained in the Landscape Manual, the Advisory Planning Board shall find, in addition to the above requirements, that a proposal for Alternative Compliance has been denied by the Planning Director pursuant to Section 26-34 of the City Code or by the Maryland-National Capital Park and Planning Commission (M-NCPPC), based upon a finding that there is no feasible proposal for Alternative Compliance, as defined in the Prince George's County Landscape Manual, which would exhibit equal or better design characteristics.

In making its findings, the Advisory Planning Board may give consideration to the following:

For properties in the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H zones, where an 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 over the minimum number of units required by Subtitle 4 of the Prince George's County Code, the Advisory Planning Board may consider this proposed increase in accessible units in making its required findings.

Departure from Design Standards (DDS)

In making its findings, the Advisory Planning Board shall give consideration to the following:

- (I) The parking and loading conditions within the general vicinity of the subject property, including numbers and locations of available on-and-off street spaces within five hundred (500) feet of the subject property;
- (II) The recommendations of an Area Master Plan, or County or local Revitalization Plan, regarding the subject property and its general vicinity;
- (III) Public parking facilities which are proposed in the County's Capital Improvement Program within the general vicinity of the property.

Facilities for the physically handicapped. A Departure from the Design Standards for parking facilities for the physically handicapped shall not be granted unless an exemption from the requirements for the handicapped in the applicable building codes has been obtained from the State and County agencies responsible for administering those codes.

DEPARTURE FROM THE NUMBER OF PARKING AND LOADING SPACES REQUIRED (DPLS) SUBMITTAL CHECKLIST

As set forth in Section 26-32 of the Bowie City Code, an application for a Departure from the Number of Parking and Loading Spaces Required (DPLS) shall submit the following:

1. A completed Application Form, stating the Section(s) of the Prince George’s County Zoning Ordinance from which the Departure is requested.
2. The correct Application Fee, as set forth in the City Ordinance.
3. Three (3) copies of Site Plan and Other Graphic Illustrations which are considered necessary to indicate what is being proposed.
4. Three (3) copies a Statement of Justification/Written Explanation by the Applicant addressing the Required Findings set forth in Section 26-32.B., Paragraph (4) of the City Code.
5. A list of the names and addresses of the abutting property owners, as well as pre-addressed envelopes or mailing labels for each abutting property owner.

REQUIRED FINDINGS FOR A DEPARTURE FROM THE NUMBER OF PARKING AND LOADING SPACES REQUIRED (DPLS)

In order for the Bowie Advisory Planning Board (BAPB) to grant a Departure from the Number of Parking and Loading Spaces Required (DPLS), it shall make the following findings, pursuant to Section 26-32B.(4) of the City Code:

- (I) The purposes of the Prince George’s County Zoning Ordinance (Section 27-550) will be served by the applicant’s request;
- (II) The departure is the minimum necessary, given the specific circumstances of the request;
- (III) The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949;
- (IV) All methods for calculating the number of spaces required (Prince George’s County Zoning Ordinance, Division 2, Subdivision 3, and Division 3, Subdivision 3 of Part 11) have either been used or found to be impractical; and,
- (V) Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.

In making its findings, the Advisory Planning Board shall give consideration to the following:

- (I) The parking and loading conditions within the general vicinity of the subject property, including numbers and locations of available on- and off-street spaces within five hundred (500) feet of the subject property;

**Departure from the Number of Parking
and Loading Spaces Required (DPLS)**

- (II) The recommendations of an Area Master Plan, or County or local Revitalization Plan, regarding the subject property and its general vicinity;
- (III) Public parking facilities which are proposed in the County's Capital Improvement Program within the general vicinity of the property.

In making its findings, the Advisory Planning Board may give consideration to the following:

- (I) Public transportation available in the area;
- (II) Any alternative design solutions to off-street facilities which might yield additional spaces;
- (III) The specific nature of the use (including hours of operation if it is a business) and the nature and hours of operation of other (business) uses within five hundred (500) feet of the subject property;
- (IV) In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H zones, where development of multifamily dwellings is proposed, whether the applicant proposes and demonstrates that the percentage of dwelling units accessible to the physically handicapped and aged will be increased over the minimum number of units required by Subtitle 4 of the Prince George's County Code.

Departures not permitted. Departure from the number of spaces required for the physically handicapped (Section 27-566 of the Prince George's County Zoning Ordinance) shall not be granted unless an exception from the requirements for the handicapped in applicable building codes has been obtained from the State and County agencies responsible for administering those codes. If the exception is granted, this Section may be applied to Section 27-566 of the Prince George's County Zoning Ordinance.

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.

Sample Letter for Informational Mailing

Date

Adjoining Property Owners, Development Review Division of the Maryland-National Capital Park and Planning Commission, Previous Persons of Record and/or Registered Associations

Address

City, State, Zip Code

RE: *Application Number*
 Name of Project
 Name of Applicant

To Whom It May Concern: or

Dear (*Name of Adjoining Property Owner, Development Review Division of the Maryland-National Capital Park and Planning Commission, Previous Person of Record and/or Registered Association*):

A (*state type of application: Departure from Sign Design Standards; Departure from Design Standards; Departure from Required Number of Parking and Loading Spaces; Nonconforming Use Certification; Minor Changes to Approved Special Exceptions; Private Applications to Amend Departures, Certifications and Changes*) for the above referenced project will be submitted for review to the City of Bowie, Department of Planning and Economic Development.

The address of the subject property is (*provide address, if applicable*), which is located (*provide geographical location and description of property*). The nature of the review is (*give a detailed description and/or attach a Statement of Justification, if required with the application.*). (NOTE: Do not say the nature of the review is the type of application – this will not be accepted as proper notification.)

If you wish to become a Person/Party of Record to this application, you may submit your request in writing to:

City of Bowie
Department of Planning & Community Development
15901 Fred Robinson Way
Bowie, MD 20716

(*Please reference the Application Number and the Name of the Project in your request.*) At this time, the City has not reviewed the application. After the application has been filed, you may contact the City of Bowie Department of Planning and Economic Development at 301-809-3047.

If you are interested in receiving more information regarding this application, reviewing a copy of the site plan, or meeting to discuss the project, you may contact (*provide applicant's name, telephone number and e-mail address*).

Sincerely,

Name of Applicant, Attorney or Agent

Sample Letter Prior to Formal Acceptance of Application

This sample letter is required to be mailed prior to the formal acceptance of an application to the City of Bowie. Please prepare a letter in a similar format to that shown below. Mail a copy of the letter to all Persons/Parties of Record, adjoining property owners, the Development Review Division of the Maryland-National Capital Park and Planning Commission and Registered Associations. When filing the application package with the City of Bowie, please submit: one (1) copy of this letter; the list of names and addresses to which this letter was sent; and, an Affidavit of Mailing. ***The italicized language below must be included in this letter.***

Date

RE: *Application Number*
 Application Name

Dear (Name of Person/Party of Record, Adjoining Property Owner, Development Review Division of the Maryland-National Capital Park and Planning Commission, Registered Association):

This letter is to inform you that the City of Bowie is ready to accept the above referenced application. The address of the subject property is (provide address, if applicable), and is located at (provide geographic location and description of the property). The nature of the proposed request is (provide a detailed description of the proposed use/request).

Once the application is formally accepted, it will be scheduled for a future public hearing by the Bowie Advisory Planning Board (BAPB). If you have not yet registered to become a Person/Party of Record, you are encouraged to do so at this time. As a Person/Party of Record, you will received a notice of the BAPB's public hearing date, the City's staff report, and the resolution adopted by the BAPB. You may register in writing by submitting your name, mailing address, e-mail address and the above referenced Application Number and Name to:

City of Bowie
Planning & Community Development Department
15901 Fred Robinson Way
Bowie, MD 20716

If you have already registered to become a Person/Party of Record from an earlier mailing, you do not have to register again.

If you have any questions regarding this application, you may contact me (Name and Phone Number of Applicant and/or Attorney/Agent), or the City of Bowie Planning Staff at 301-809-3047.

Sincerely,

Name of Applicant, Attorney or Agent

STAFF SIGN POSTING AFFADAVIT

I, _____, hereby certify that the subject property in Bowie
(print or type name)

development review application _____ was posted with _____
(case number) (specify number)

public hearing sign(s) on _____.
(date)

Signature: _____

NOTE: Attach legible photograph(s) showing sign(s) in place, including a close-up legible photograph of each posted sign and additional long-distance photographs depicting the signs and unique, identifiable features of the subject property shall also be submitted and included in the record file of the case.

Attachment(s) - Photos of Posted Public Hearing Sign(s)

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.

**2021 Bowie Advisory Planning Board Public Hearing
Schedule and Application Deadlines for Departures**

Completion of Informational Mailing (Applicant)	Deadline to Submit Application & Affidavit of Mailing (Applicant)	Deadline to Post Sign & Send Letters (City) & Send Notice of Acceptance (Applicant)	Bowie Advisory Planning Board Meeting Date	City Council Consent Agenda Date
November 4, 2020	December 4, 2020	December 11, 2020	January 12, 2021	February 16, 2021
November 17, 2020	December 17, 2020	December 24, 2020	January 26, 2021	March 1, 2021
December 1, 2020	December 31, 2020	January 8, 2021	February 9, 2021	March 15, 2021
December 16, 2020	January 15, 2021	January 22, 2021	February 23, 2021	April 5, 2021
December 30, 2020	January 29, 2021	February 5, 2021	March 9, 2021	April 19, 2021
January 13, 2021	February 12, 2021	February 19, 2021	March 23, 2021	May 3, 2021
February 3, 2021	March 5, 2021	March 12, 2021	April 13, 2021	May 17, 2021
February 17, 2021	March 19, 2021	March 26, 2021	April 27, 2021	June 7, 2021
March 3, 2021	April 2, 2021	April 9, 2021	May 11, 2021	June 21, 2021
March 17, 2021	April 16, 2021	April 23, 2021	May 25, 2021	July 6, 2021
March 31, 2021	April 30, 2021	May 7, 2021	June 8, 2021	July 19, 2021
April 14, 2021	May 14, 2021	May 21, 2021	June 22, 2021	August 2, 2021
May 5, 2021	June 4, 2021	June 11, 2021	July 13, 2021	September 7, 2021
May 19, 2021	June 18, 2021	June 25, 2021	July 27, 2021	September 7, 2021
July 7, 2021	August 6, 2021	August 13, 2021	September 14, 2021	October 18, 2021
July 21, 2021	August 20, 2021	August 27, 2021	September 28, 2021	November 1, 2021
August 4, 2021	September 3, 2021	September 10, 2021	October 12, 2021	November 15, 2021
August 18, 2021	September 17, 2021	September 24, 2021	October 26, 2021	December 6, 2021
September 1, 2021	October 1, 2021	October 8, 2021	November 9, 2021	January 3, 2022
September 15, 2021	October 15, 2021	October 22, 2021	November 23, 2021	January 3, 2022
October 6, 2021	November 5, 2021	November 12, 2021	December 14, 2021	January 18, 2022
November 3, 2021	December 3, 2021	December 10, 2021	January 11, 2022	February 22, 2022
November 16, 2021	December 16, 2021	December 23, 2021	January 25, 2022	March 7, 2022