

Resolution No.: 16-913
Introduced: March 31, 2009
Adopted: March 31, 2009

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: District Council

SUBJECT: Corrective Map Amendment Application No. G-872 for Amendment to the Zoning Map, County Council for Montgomery County, Maryland, Sitting as the District Council for that Portion of the Maryland-Washington Regional District Located within Montgomery County, Opinion and Resolution on Application

OPINION

Corrective Map Amendment Application G-872 was filed on January 16, 2009 by the Maryland-National Capital Park and Planning Commission to correct boundary and zoning errors in the official Zoning Map. On July 23, 2006 the District Council approved Sectional Map Amendment G-827 to implement the recommendations of the Upper Rock Creek Area Master Plan. The official Zoning Map incorrectly indicated that the Sieling Property was in the City of Rockville and did not display a zone for this property. The Corrective Map Amendment corrects the official Zoning Map to show the property within the County boundaries and to change the zoning from I-2 to I-1.

At the time the Council reviewed the Upper Rock Creek Master Plan, the Planning Board and Council were under the mistaken assumption that the Sieling property was within the City of Rockville and, therefore, did not consider zoning changes that were being applied to the adjacent property. The Council discussed the fact that properties west of Gude Drive contained primarily light industrial uses, making the I-1 zone preferable to the I-2 zone, which would have allowed heavier industrial uses. The Sieling property is west of Gude Drive and is zoned I-2. Land to the north, west, and south of this property is in the City of Rockville in their IL (Light Industrial) zone, which is similar to the I-1 zone. The H&S Leasing property, directly east of the Sieling property, was rezoned from I-2 to I-1 in the Upper Rock Creek Sectional Map Amendment for the reasons listed above. The 0.3 acre Sieling property is now surrounded by incompatible zoning, eliminating the possibility of assembly. The Planning Board and District Council concluded that, had the Council realized the property was within the County during its review of the Upper Rock Creek Master Plan, it would have recommended I-1 zoning for this property, and therefore believes that this change in zoning corrects a technical error.

Corrective Map Amendment Application G-872 was the subject of a public hearing held by the District Council on March 10, 2009. No testimony was submitted. The Corrective Map Amendment and the recommendations of the Planning Board were carefully considered by the Planning, Housing, and Economic Development (PHED) Committee at a worksession held on March 23, 2009 and by the District Council at a worksession held March 31, 2007. The Corrective Map Amendment was submitted as technical in nature and only for the purpose of correcting a boundary error and the zoning for the impacted property in the official Zoning Map.

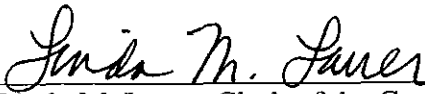
For these reasons, and because to grant this application will aid in the accomplishment of a coordinated, comprehensive adjusted and systematic development of the Maryland-Washington Regional District, this application will be GRANTED, as filed.

Action

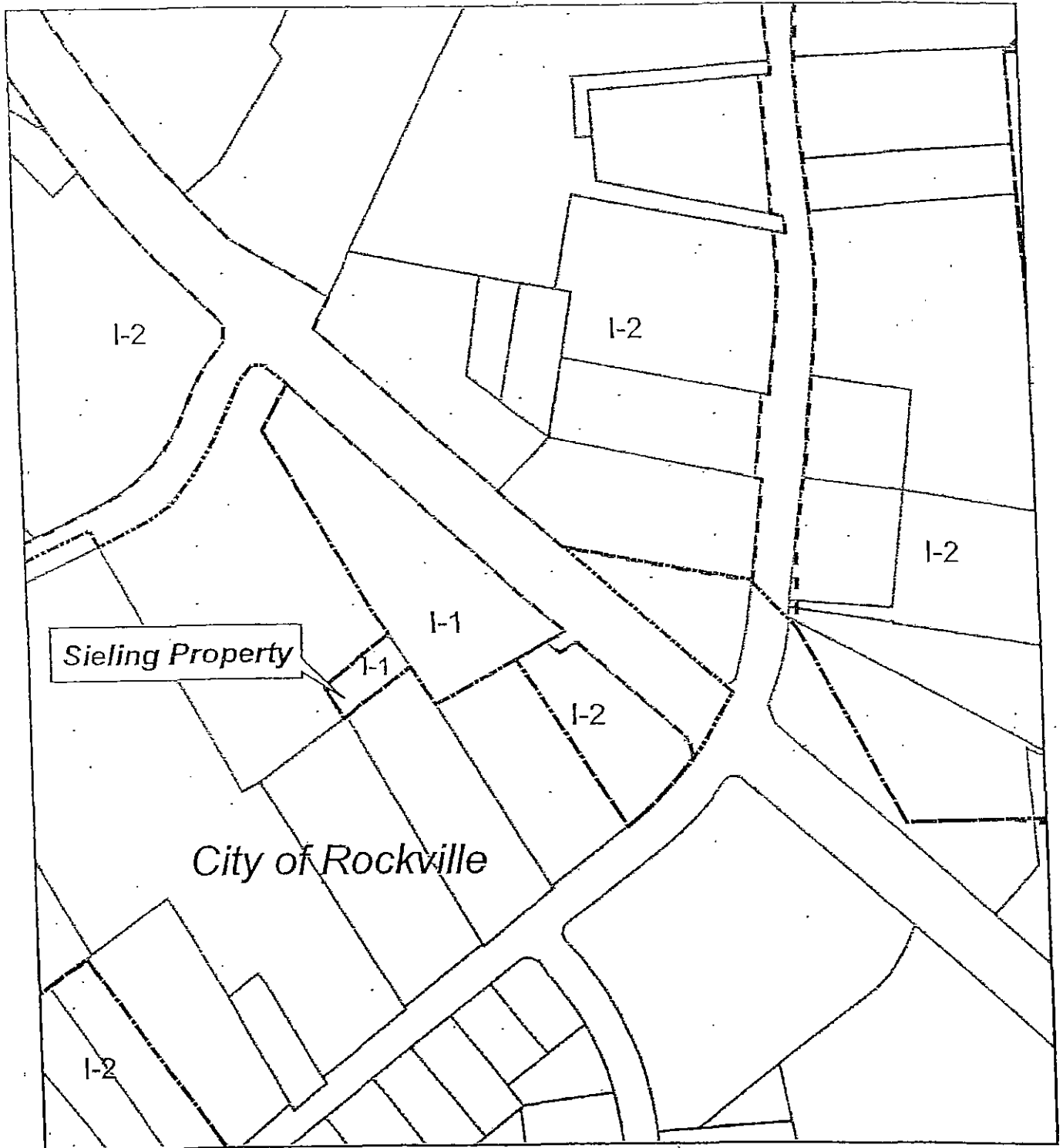
The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland approves the following resolution:




Application No. G-872, requested by the Maryland-National Capital Park and Planning Commission, for the Corrective Map Amendment to correct a boundary error and change the zoning on the impacted property (the Sieling property) from I-2 to I-1, is approved as filed.

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council

G-872 Proposed Zones



-  Corrected Rockville City Limits
-  Zone boundaries
-  Property lines

