

December 10, 2019

**RECEIVED**

DEC 10 2019

CLERK OF THE COUNCIL  
PRINCE GEORGE'S COUNTY MARYLAND

**MEMORANDUM**

**TO:** Donna J. Brown  
Acting Clerk of the Council

**FROM:** James Hunt, Division Chief  
Development Review Division *JH*

**SUBJECT:** Notification of Recommendation for Certification of Nonconforming Use

Permit Application Number: **43071-2019-U**

Specific Use(s): **Outdoor Advertising Sign (Billboard)**

Location of Property: **0000 Serenade Circle  
Clinton**

Current Zone(s): **R-T**

Sign Posting Date: **October 31, 2019**

Reason for Certification: **Certification of existing outdoor advertising signs is required pursuant to Council Bill 84-2016 which requires that applications for the certification of outdoor advertising signs in existence as of January 1, 2002, be filed no later than December 31, 2021. This outdoor advertising sign was erected in 1974.**

This is to advise that the above-captioned permit application relating to certification of a nonconforming use has been reviewed by this office. It has been found to fulfill the requirements of the Zoning Ordinance for administrative certification of the use in question, and no request for the Planning Board to conduct a public hearing was received within the time period specified on the public notice sign. Therefore, we are recommending that the use be certified as nonconforming.

Pursuant to Section 27-244(e) of the Zoning Ordinance (as amended by CB-78-1991), the

District Council has the option of reviewing this recommendation, provided it votes to do so within 30 days of receipt of the recommendation. If you advise us that the Council has not elected to review this recommendation after expiration of the 30-day period, we will certify this use as nonconforming and transmit that action to the Department of Environmental Resources, so that the permit may be issued.

## APPLICATION FORM

**DO NOT WRITE IN THIS SPACE**

Application No.(s): CNU 43071-2019 Planning Board Review  Planning Director Review   
 Acceptance Date: 10/23/19 70-day limit \_\_\_\_\_ Limit waived–New limit \_\_\_\_\_  
 Posting Date: 10/31/19 No. of Signs Posted: 2 Agenda Date: \_\_\_\_\_  
 Filing Fee: \_\_\_\_\_ Posting Fee: \$100 Case Reviewer: Kelsey Shaffer  
 Date: \_\_\_\_\_  
 Referral Mail-Out Date: \_\_\_\_\_ Referral Due Date: \_\_\_\_\_  
 Date of Informational Mailing: \_\_\_\_\_ Date of Acceptance Mailing: \_\_\_\_\_

APPLICATION TYPE: NCU  Revision of Case # \_\_\_\_\_  
 Case(s): NCU 43071-2019

**PROJECT NAME:** Serenade Circle

**Complete address** (if applicable) and Geographic Location (distance related to or near major intersection)  
Serenade Circle, Clinton, Maryland 20735. The Property is located on the west side of Branch Avenue approximately 1,180 feet southwest of the intersection with Surratts Road.

Total Acreage: <u>6.02</u>		Election District: <u>9</u>
Tax Map/Grid: <u>125/E2</u>	Current Zone(s): <u>R-T (Res. Townhouse)</u>	Council District: <u>9</u>
WSSC Grid: <u>214SE07</u>	Existing Lots/Blocks/Parcels: <u>Parcel 04 CA</u>	Dev. Review District: _____
COG TAZ: <u>1368</u>	PG TAZ: <u>2618</u>	Aviation Policy Area: <u>N/A</u>
Planning Area: <u>81A</u>	In Municipal Boundary: <u>N/A</u>	Is development exempt from grading permit pursuant to 32-127(a)(6)(A): <input type="checkbox"/> Y <input type="checkbox"/> N

(2002) General Plan Tier:  Developed  Developing  Rural Area of proposed LOD: \_\_\_\_\_

Proposed Use of Property and Request of Proposal: <u>Certification of outdoor advertising sign as a non-conforming use</u>	Please list and provide copies of resolutions of previously approved applications affecting the subject property:  
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Applicant Name, Address & Phone: <u>April Mackoff, Clear Channel Outdoor LLC</u> <u>9590 Lynn Buff Court #5</u> <u>Laurel, Maryland 20723</u> <u>(240) 755-9203, aprilmackoff@clearchannel.com</u> Owner Name, Address & Phone: (if same as applicant indicate same/corporation see Disclosure) <u>Cedar Pointe Community Association, Inc. (407) 788-6700</u> <u>c/o Sentry Management, Inc., 2180 W State Rd, Suite 5000</u> <u>Longwood, Florida 32779</u>	Consultant Name, Address & Phone:  Contact Name, Phone & E-mail: <u>same as applicant</u> <u>(240) 755-9203, aprilmackoff@clearchannel.com</u>
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**SIGNATURE** (Sign where appropriate; include Application Form Disclosure for additional owner's signatures)

Cedar Pointe Comm. Assn. Inc. 9/13/19 9/13/19  
 Owner's Signature typed & signed Date Applicant's Signature typed & signed Date

Please see section 5, Clear Channel Outdoor Lease Agreement  
 Contract Purchaser's Signature typed & signed Date Applicant's Signature typed & signed Date

**SUBDIVISION CASES – PRELIMINARY PLAN/CONSERVATION SKETCH PLAN:****Type of Application (Check all that apply)**

Conventional <input type="checkbox"/>	Comprehensive Design <input type="checkbox"/>	Conservation Sketch Plan <input type="checkbox"/>	Pre-Preliminary Plan <input type="checkbox"/>
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Variation, Variance or Alternative Compliance Request(s)  
 Yes  No

Applicable Zoning/Subdivision Regulation Section(s):

Total Number of Proposed:

Lots \_\_\_\_\_ Outlots \_\_\_\_\_ Parcels \_\_\_\_\_ Outparcels \_\_\_\_\_

Number of Dwelling Units:  
 Attached \_\_\_\_\_ Detached \_\_\_\_\_ Multifamily \_\_\_\_\_

Gross Floor Area (Nonresidential portion only):

**SUBDIVISION CASES – FINAL PLAT:**

Water/Sewer: DER  Health Dept.

Number of Plats:

CSP/DSP/SDP No.:

WSSC Authorization No.:

Preliminary Plan No.:

Approval Date of Preliminary Plan:

**URBAN DESIGN AND ZONING CASES:**

Details of Request:  
 Certification of nonconforming use for existing billboards

Zoning Ordinance Section(s):  
 Sections 27-244 & 241

Total Number of Proposed:

Lots \_\_\_\_\_ Outlots \_\_\_\_\_ Parcels \_\_\_\_\_ Outparcels \_\_\_\_\_

Number of Dwelling Units:  
 Attached \_\_\_\_\_ Detached \_\_\_\_\_ Multifamily \_\_\_\_\_

Gross Floor Area (Nonresidential portion only):

Variance Request  
 Yes  No

Applicable Zoning/Subdivision Regulation Section(s):

Departure Request  
 Yes  No

Application Filed  
 Yes  No

Alternative Compliance Request  
 Yes  No

Application Filed  
 Yes  No

**APPLICATION FORM DISCLOSURE**

List all persons having at least five percent (5%) interest in the subject property.

Owner(s) Name - printed	Signature and Date	Residence Address

If the property is owned by a corporation, please fill in below.

Officers	Date Assumed Duties	Residence Address	Business Address

Board of Directors	Date Assumed Duties	Date Term Expires	Residence Address	Business Address

**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**  
**14741 GOVERNOR ODEN BOWIE DRIVE**  
**UPPER MARLBORO, MD 20772**  
**DEVELOPMENT REVIEW DIVISION**  
**301-952-3530**

## Statement of Justification

1. Case Name

NCU 43071-2019

Serenade Circle

2. Description of proposed use/request

Certification of outdoor advertising sign located at Serenade Circle, Clinton, Maryland 20735 (the "Property"), as a nonconforming use.

3. Description and location of the subject property

The Property is located on the west side of Branch Avenue approximately 1,180 feet southwest of the intersection with Surratts Road. Specifically, the Property is located on Map 125, Grid E2, and is approximately 6.02 acres in size. The Property is zoned R-T (Residential Townhouse).

An outdoor advertising structure constructed on three metal posts and containing one poster face is located on the Property. Our documentary evidence demonstrates that the structure has existed on the Property since at least 1965.

4. Description of each required finding

In accordance with CB-84-2016, the applicant is required to certify the outdoor advertising sign located on the Property. *Section 27-244, Prince George's County Code* (the "Code"). Section 27-244(d)(2) of the Code states that "...if satisfactory documentary evidence described in Section 27-244(b)(2)(E) is received, the Planning Board's authorized representative shall recommend certification of the use as nonconforming...". The applicant has provided satisfactory documentary evidence in accordance with Section 27-244(b)(2)(E), which shows that the outdoor advertising sign was constructed prior to and has operated continuously since January 1, 2000.

5. Variance requests and required findings for each request

The applicant is not requesting a variance for the Property.

6. Summary/conclusion of request

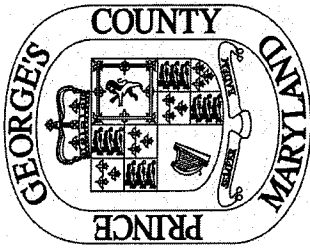
Because the applicant has provided satisfactory documentary evidence in accordance with Section 27-244(b)(2)(E), the applicant respectfully requests that the Planning Board's authorized representative certify the outdoor advertising sign located on the Property as a nonconforming use in accordance with Section 27-244(d)(2).



9-13-19

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April Mackoff  
Applicant, Clear Channel Outdoor



**PRINCE GEORGE'S COUNTY**  
**DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT**  
**PERMITTING CENTER**  
**9400 PEPPERCORN PLACE, 1st FLOOR, LARGO, MD 20774 (301) 883-5900**

YOU MUST COMPLY WITH MUNICIPAL, HOMEOWNER/CIVIC ASSOCIATION AND LOCAL COVENANTS. A FINE MAY BE IMPOSED IF CONSTRUCTION IS BEGUN WITHOUT REQUIRED APPROVALS.

**PERMIT APPLICATION FILING FEES ARE NON-REFUNDABLE**

**Case Number:** 43071-2019-00

**LOT:**  
**BLOCK:**  
**PARCEL:**

**PERMIT APPLICATION**

**Date:** 09/13/2019

**ACTIVITY:** Building Permit Application  
**WORK DESCRIPTION:** Certification of outdoor advertising structure  
**USE TYPE:**  
**EXISTING USE:** Outdoor advertising structure  
**PROPOSED USE:** Outdoor advertising structure

**SITE INFORMATION**

<b>SITE ADDRESS:</b>	<b>PROJECT NAME:</b>	<b>EST. CONSTRUCTION COST:</b>
00000 SERENADE CIR		
CLINTON 20735	<b>SUBDIVISION:</b> CEDAR POINTE-PLAT 1>	<b>ELECTION DISTRICT:</b> 09
		<b>PROPERTY TAX ACCOUNT #:</b> 3080553

<b>OWNER</b>	<b>OCCUPANT</b>	<b>CONTRACTOR</b>	<b>ARCHITECT</b>
Cedar Pointe Community Association Inc 2180 W State RD # 5000 Longwood FL 32779	Clear Channel Outdoor LLC <del>9590 Lynn Buff</del> #5-0000 Serenade Cir. Laurel MD Clinton 20735-20723	Clear Channel Outdoor LLC 9590 Lynn Buff #5 Laurel MD 20723	

FOR OFFICE USE ONLY			
<b>Reviewer</b>	<b>Date</b>	<b>Reviewer</b>	<b>Date</b>
M-NCPPC		Fire Eng.	
Site / Road Eng.		Mechanical Eng.	
Structural Eng.		Health	
Electrical Eng.		Issuance	

I hereby certify that I have permission of the property owner to submit this application on his/her behalf and that the information is complete and correct.

**APPLICANT** April Mackoff - Stephen Cleweng Clear Channel Outdoor  
**NAME** **COMPANY** **PHONE** (240) 755 - 9203 **SIGNATURE** *[Signature]*



**SIGN POSTING AND INSPECTION AFFIDAVIT – PLANNING DIRECTOR REVIEW**

I, Stephenie Clevenger, hereby certify that the subject property was posted with  
(print or type name)

2 sign(s) on 10/27/19  
(specify number) (date)

Signature: Stephenie Clevenger

Application Number: CNU-43071-2019 Name: Serenade Circle

Date: 10/25/19

Address: 3706 4Th Street, North Beach, MD 20714

Telephone: 240-338-0131

Capacity in which you are acting: agent  
(owner, applicant, agent)

**NOTE:** Take **legible** photograph(s) showing sign(s) in place, (see attached map for posting locations) and return (email) this affidavit and photographs, saved as one PDF to **PGCReferrals@ppd.mncppc.org** Subject: CaseNo-CaseName and "Posting Affidavit"

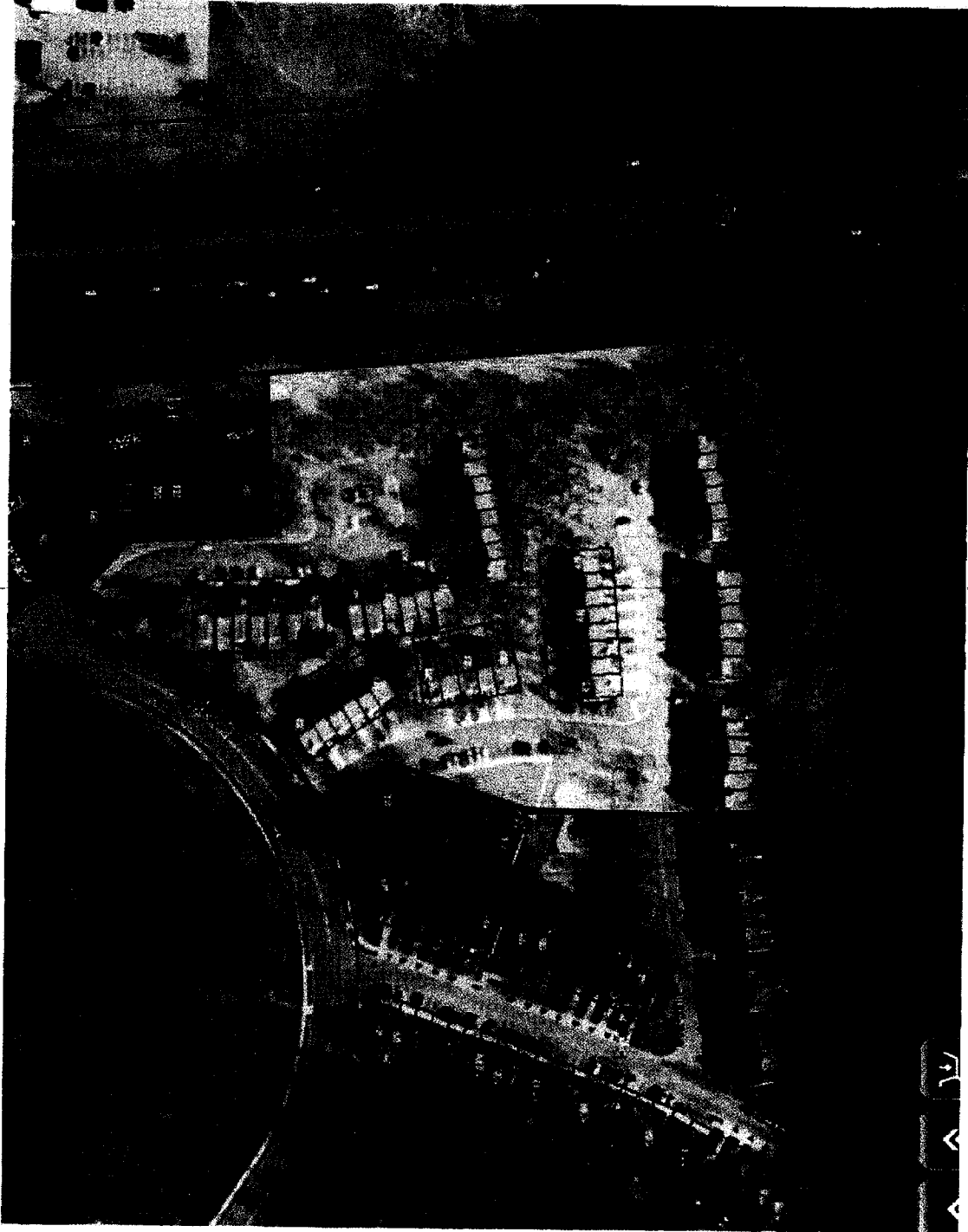
\* \* \* \* \*

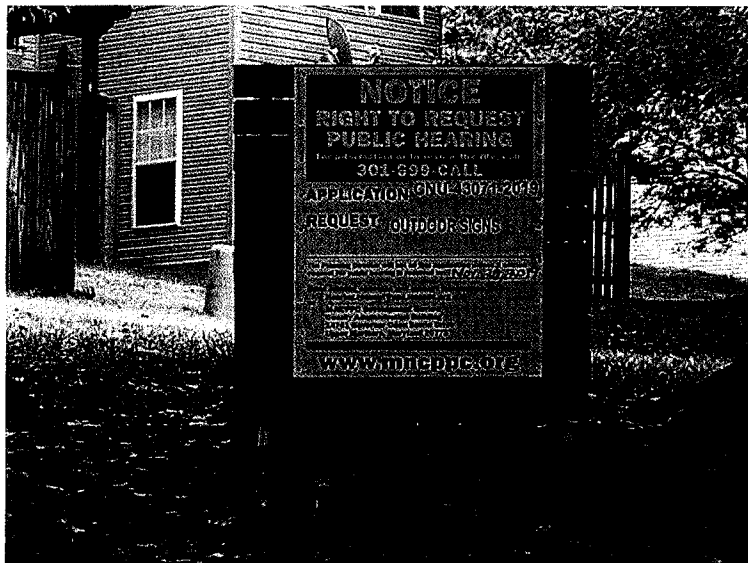
**The affidavit must be received prior to the end of the 20-day posting period.**

Planning DIRECTOR case: CNU-43071-2019

Reviewer: Kelsey Shaffer

*2 single-sided signs*





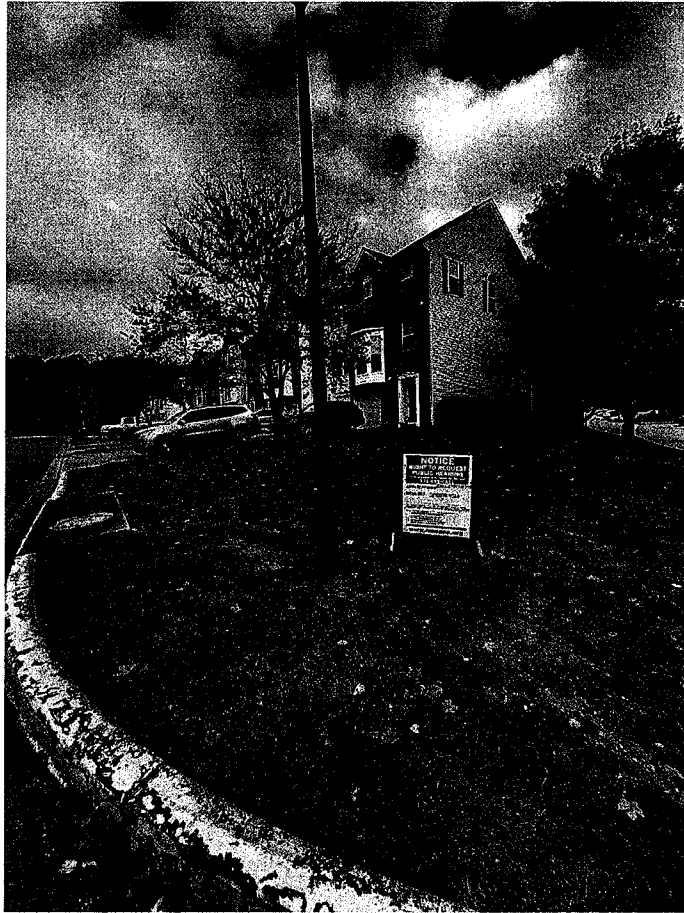
**NCU#43071-2019 – 0000 Serenade Cir., Clinton**

**Sign posted by: Stephenie Clevenger**

**Posted on: 10/27/19**

**Sign 1 Serenade Circle**

**Page 1 of 2**



**NCU#43071-2019 – 0000 Serenade Cir., Clinton**

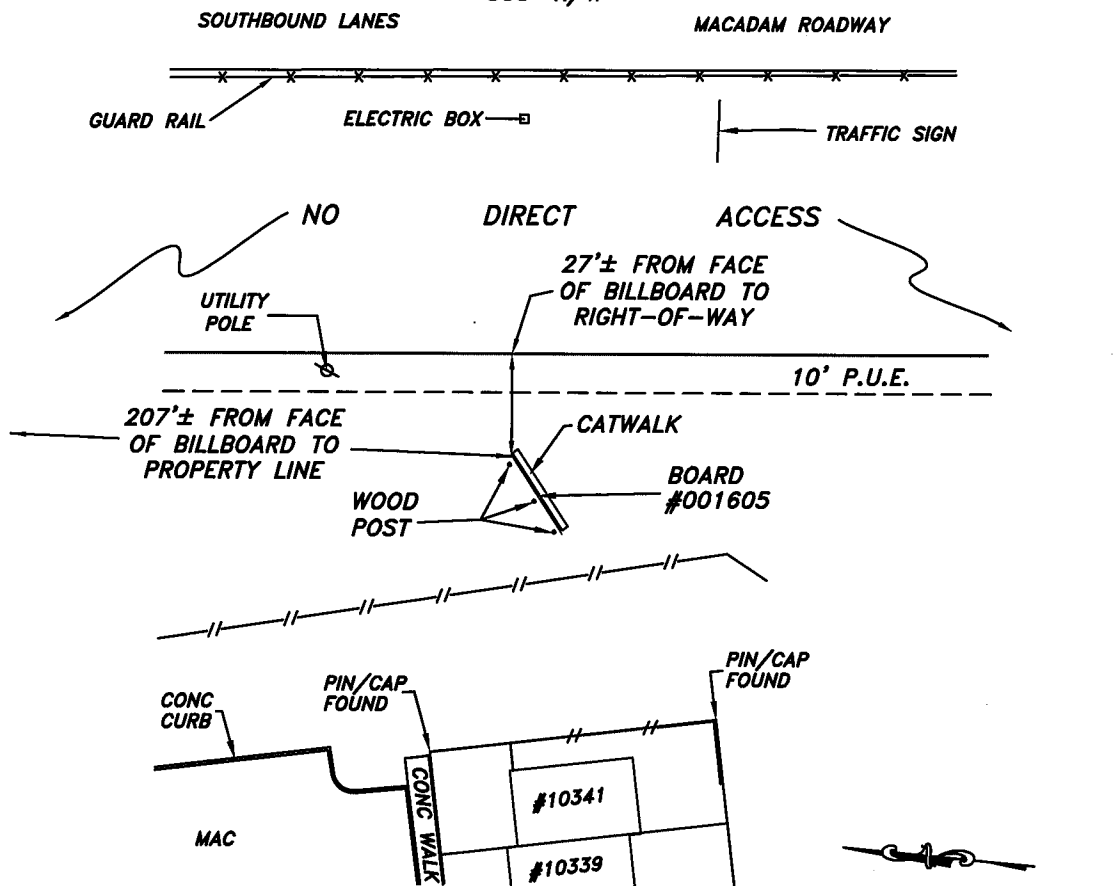
**Sign posted by: Stephenie Clevenger**

**Posted on: 10/27/19**

**Sign 2 Serenade Circle**

**Page 1 of 2**

**BRANCH AVENUE  
MARYLAND ROUTE 5**  
300' R/W



**BILLBOARD DETAIL**

SCALE: 1" = 50'



**GENERAL NOTES:**

- 1) The accuracy of the distances shown from any structure to any apparent property line is 2'±.
- 2) This drawing does not represent a Boundary Survey. Any property markers labeled hereon are not guaranteed by NTT Associates, Inc.
- 3) This plat is of benefit to a consumer only insofar as it is required by a lender, a title insurance company or its agent in connection with contemplated transfer, financing, or refinancing.
- 4) This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required, for the transfer of title or securing financing or refinancing.
- 5) This plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
- 6) Unless noted on the drawing, no title report was provided. This drawing was prepared by examining the current title deed or record plat. Any easements, restrictions, rights of way, or any other property alterations not referred to in the current title deed may not be shown.
- 7) Unless otherwise noted, the bearings and north arrow shown hereon are in the meridian of the current title deed or record plat.
- 8) Building Restriction Line Information, if shown, was obtained from existing records only and is not guaranteed by NTT Associates, Inc.
- 9) Flood Zone Information shown on FIRM maps is subject to interpretation.
- 10) Improvements which in the surveyor's opinion appear to be in a state of disrepair or considered "temporary" may not be shown.
- 11) If it appears encroachments may exist, a Boundary Survey is recommended to determine the exact location of the property boundary lines and improvements.
- 12) The locations of fence lines, if shown, are approximate.

**JOB NOTES:**

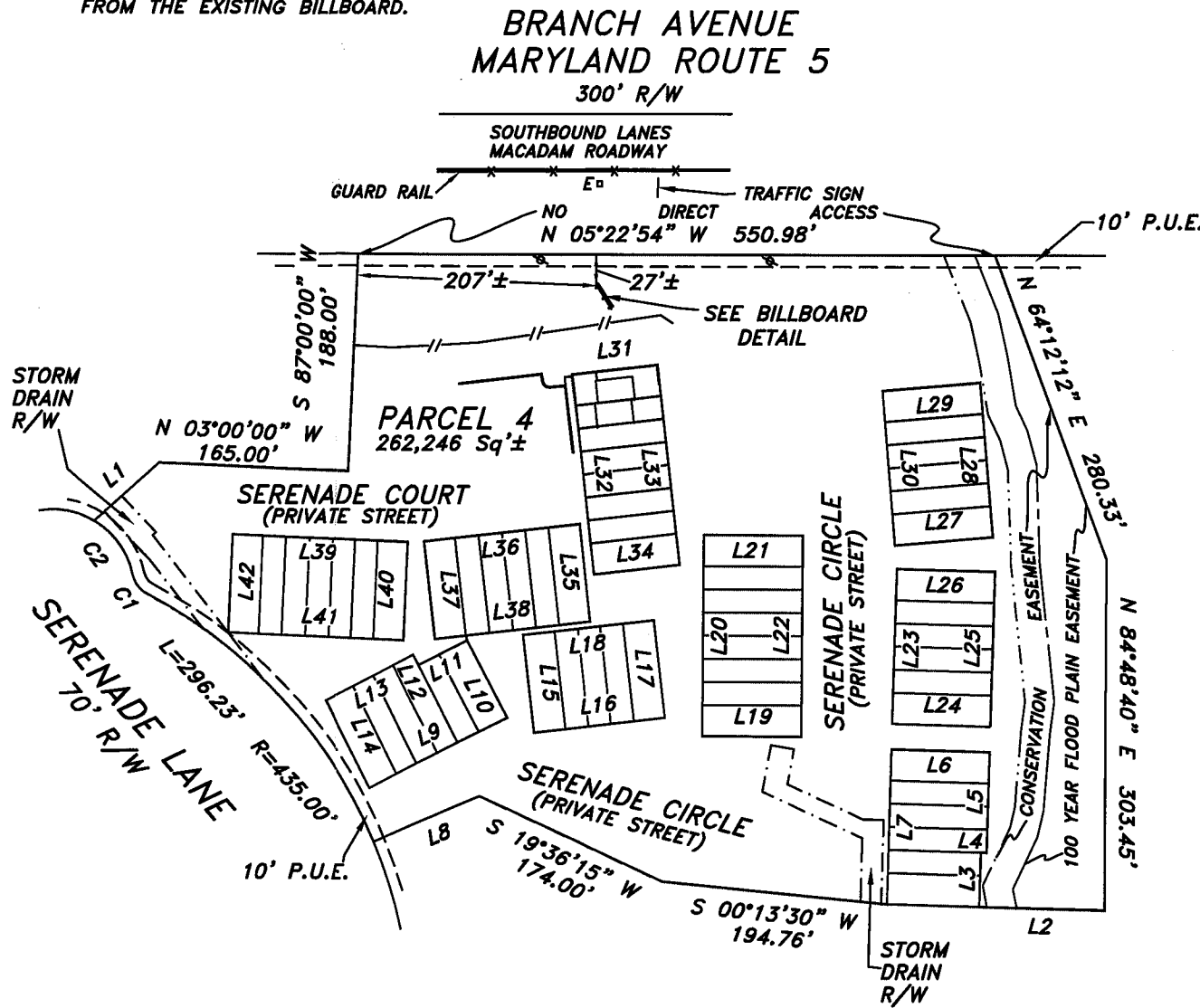
- 1) THE SUBJECT PROPERTY IS ZONED R-T (RESIDENTIAL TOWNHOUSE)
- 2) TAX ID#: 09-3080553
- 3) ROAD FRONTAGE OF BRANCH AVENUE: 550.98'
- 4) NO BILLBOARDS WERE OBSERVED WITHIN 1000' FROM THE EXISTING BILLBOARD.

**SIGN HEIGHTS:**

SIGN #001605 - TOP: 28.2' - BOTTOM: 16.1'  
(HEIGHT AT BRANCH AVENUE)

**SIGN LENGTHS:**

SIGN #001605: 24.5'



NOTE: ONLY IMPROVEMENTS WITHIN CLOSE PROXIMITY OF THE BILLBOARD WERE LOCATED.



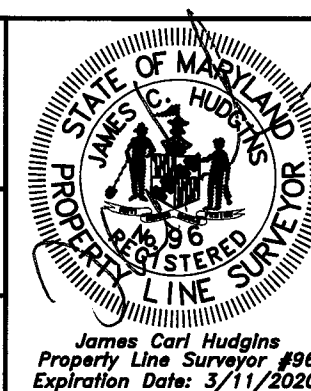
LINE	BEARING	DISTANCE
L1	N 48°15'00" W	74.25'
L2	S 03°50'20" E	108.44'
L3	S 86°09'40" W	47.00'
L4	N 03°50'20" W	5.00'
L5	S 86°09'40" W	87.00'
L6	S 03°50'20" E	85.00'
L7	N 86°09'40" E	134.00'
L8	S 28°38'57" E	100.14'
L9	N 32°26'53" W	134.00'
L10	S 57°33'07" W	75.00'
L11	S 32°26'53" E	47.00'
L12	S 57°33'07" W	10.00'
L13	S 32°26'53" E	87.00'
L14	N 57°33'07" E	85.00'
L15	S 78°00'59" W	85.00'
L16	S 11°59'01" E	114.00'
L17	N 78°00'59" E	85.00'
L18	N 11°59'01" W	114.00'
L19	N 05°08'20" W	85.00'
L20	N 84°51'40" E	174.00'
L21	S 05°08'20" E	85.00'
L22	S 84°51'40" W	174.00'
L23	N 86°09'40" E	134.00'
L24	N 03°50'20" W	85.00'
L25	S 86°09'40" W	134.00'
L26	S 03°50'20" E	85.00'
L27	S 10°17'06" E	85.00'
L28	N 79°42'54" E	134.00'
L29	N 10°17'06" W	85.00'
L30	S 79°42'54" W	134.00'
L31	S 11°59'01" E	75.00'
L32	N 78°00'59" E	174.00'
L33	S 78°00'59" W	174.00'
L34	N 11°59'01" W	75.00'
L35	S 78°00'59" W	85.00'
L36	S 11°59'01" E	134.00'
L37	N 78°00'59" E	85.00'
L38	N 11°59'01" W	134.00'
L39	N 03°00'00" W	154.00'
L40	N 87°00'00" E	85.00'
L41	S 03°00'00" E	154.00'
L42	S 87°00'00" W	85.00'

CURVE	RADIUS	ARC LENGTH
C1	25.00'	22.18'
C2	70.00'	58.29'

The purpose of this drawing is to locate, describe, and represent the positions of the billboard and buildings affecting the property shown hereon, being known as: PARCEL '4' as shown on the plat entitled PLAT TWO "CEDAR POINTE" recorded among the Land Records of Prince George's County, Maryland in Plat Book 178, folio 62.

This is to certify that I either personally prepared or was in responsible charge over the preparation of this drawing and the surveying work reflected in it, all set forth in Regulation .12 of Chapter 09.13.06 of the Code of Maryland Annotated Regulations.

Subject property is shown in Zone X on the FIRM Map of Prince George's County, Maryland on Community Panel Number 24033C0335 E, effective 9/16/2016



**SPECIAL PURPOSE SURVEY**  
SERENADE CIRCLE  
9th ELECTION DISTRICT  
PRINCE GEORGE'S COUNTY, MARYLAND

**NTT Associates, Inc.**  
16205 Old Frederick Rd.  
Mt. Airy, Maryland 21771  
Phone: (410) 442-2031  
Fax: (410) 442-1315  
www.nttsurveyors.com

Scale: 1" = 150'  
Date: 8/28/2019  
Field By: TOM  
Drawn By: SCK  
File No.: MISC 13542  
Page No.: 1 of 1