



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
www.mncppc.org/pgco

October 1, 2020

MEMORANDUM

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

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

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

Permit Application Number: **3514-2020-U**

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

Location of Property: **401 Ritchie Rd  
Capitol Heights**

Current Zone(s): **I-1**

Sign Posting Date: **March 8, 2020**

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 1983.**

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): CNV 3514-2020 Planning Board Review  Planning Director Review   
 Acceptance Date: 3/3/2020 70-day limit Limit waived–New limit \_\_\_\_\_  
 Posting Date: 3/8/2020 No. of Signs Posted: 2 Agenda Date: \_\_\_\_\_  
 Filing Fee: \_\_\_\_\_ Posting Fee: \$100 Case Reviewer: KASA Staffer  
 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 3514-2020-00

**PROJECT NAME:** 401 Ritchie Road

**Complete address** (if applicable) and Geographic Location (distance related to or near major intersection)  
 401 Ritchie Rd, Capitol Heights, MD 20743. The outdoor advertising sign on the Property is located on the west side of Ritchie Road approximately 170 feet southeast of the intersection with Old Ritchie Road.

Total Acreage: 0.5340	Election District: 18	
Tax Map/Grid: 074/B1	Current Zone(s): I-1 (Light Industrial)	Council District: 6
WSSC Grid: 201SE08	Existing Lots/Blocks/Parcels:	Dev. Review District: N/A
COG TAZ: 1088	PG TAZ: 865	Aviation Policy Area: N/A
Planning Area: 75A	In Municipal Boundary: N/A	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: Certification of outdoor advertising sign as a non-conforming use	Please list and provide copies of resolutions of previously approved applications affecting the subject property:
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Applicant Name, Address & Phone: April Mackoff, Clear Channel Outdoor, LLC 9590 Lynn Buff Court, Suite #5 Laurel, Maryland 20723 (240) 755-9203, aprilmackoff@clearchannel.com  Owner Name, Address & Phone: (if same as applicant indicate same/corporation see Disclosure) Progress-Ritchie, LLC, 410-233-5525 2519 Wilkens Avenue Baltimore, Maryland 21223	Consultant Name, Address & Phone:   Contact Name, Phone & E-mail:  same as applicant (240) 755-9203, aprilmackoff@clearchannel.com
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**SIGNATURE** (Sign where appropriate; include Application Form Disclosure for additional owner's signatures)

Progress-Ritchie LLC      1/26/20	1/26/20
Owner's Signature typed & signed      Date	Applicant's Signature typed & signed      Date
Please see Clear Channel Outdoor Lease Agreement, Section 5	
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 <input type="checkbox"/> No <input type="checkbox"/>	Applicable Zoning/Subdivision Regulation Section(s):
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Total Number of Proposed:  
 Lots \_\_\_\_\_ Outlots \_\_\_\_\_ Parcels \_\_\_\_\_ Outparcels \_\_\_\_\_

Number of Dwelling Units: Attached _____ Detached _____ Multifamily _____	Gross Floor Area (Nonresidential portion only):
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**SUBDIVISION CASES – FINAL PLAT:**

Water/Sewer: DER <input type="checkbox"/> Health Dept. <input type="checkbox"/>	Number of Plats:
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CSP/DSP/SDP No.:	WSSC Authorization No.:
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Preliminary Plan No.:

Approval Date of Preliminary Plan:

**URBAN DESIGN AND ZONING CASES:**

Details of Request: Certification of nonconforming use for existing billboard.	Zoning Ordinance Section(s): Sections 27-244 & 241
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Total Number of Proposed:  
 Lots \_\_\_\_\_ Outlots \_\_\_\_\_ Parcels \_\_\_\_\_ Outparcels \_\_\_\_\_

Number of Dwelling Units: Attached _____ Detached _____ Multifamily _____	Gross Floor Area (Nonresidential portion only):
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Variance Request Yes <input type="checkbox"/> No <input type="checkbox"/>	Applicable Zoning/Subdivision Regulation Section(s):
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Departure Request Yes <input type="checkbox"/> No <input type="checkbox"/>	Application Filed Yes <input type="checkbox"/> No <input type="checkbox"/>
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Alternative Compliance Request Yes <input type="checkbox"/> No <input type="checkbox"/>	Application Filed Yes <input type="checkbox"/> No <input type="checkbox"/>
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## 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 3514-2020-00

401 Ritchie Road

2. Description of proposed use/request

Certification of an outdoor advertising sign located at 401 Ritchie Road, Capitol Heights, Maryland 20743 (the "Property"), as a nonconforming use.

3. Description and location of the subject property

The outdoor advertising sign on the Property is located on the west side of Ritchie Road approximately 170 feet southeast of the intersection with Old Ritchie Road. Specifically, the Property is located on Map 074, Grid B1, and is approximately 0.5340 acres in size. The Property is zoned I-1 (Light Industrial).

The outdoor advertising structure on the Property is constructed on three metal I-beams and contains two poster faces. Our documentary evidence demonstrates that the structure has existed on the Property since at least 1974.

4. Description of each required finding

In accordance with CB-84-2016, the applicant is required to certify the outdoor advertising signs 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 signs were constructed prior to and have 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 signs located on the Property as a nonconforming use in accordance with Section 27-244(d)(2).



1-26-20

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April Mackoff  
Applicant, Clear Channel Outdoor, LLC

**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

Date : 01/24/2020

**PERMIT APPLICATION**

Case Number: 3514-2020-00

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

LOT :  
 BLOCK :  
 PARCEL :

**SITE INFORMATION**

<b>SITE ADDRESS:</b> 401 RITCHIE RD CAPITOL HEIGHTS 20743	<b>PROJECT NAME:</b>  <b>SUBDIVISION:</b> CONCORD	<b>EST. CONSTRUCTION COST:</b>  <b>ELECTION DISTRICT:</b> 18 <b>PROPERTY TAX ACCOUNT #:</b> 2097442
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<u>OWNER</u>	<u>OCCUPANT</u>	<u>CONTRACTOR</u>	<u>ARCHITECT</u>
Progress Ritchie LLC 2519 Wilkens AVE Capitol Heights MD 20743	Clear Channel Outdoor LLC 401 Ritchie RD Capitol Heights MD 20743	Clear Channel Outdoor LLC 9590 Lynn Buff CT #5 Laurel MD 20723	

**FOR OFFICE USE ONLY**

	Reviewer	Date		Reviewer	Date
			Fire Eng.		
			Mechanical Eng.		
			Health		
			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 Cleving* Clear Channel Outdoor (240) 755 - 9203

NAME

COMPANY

PHONE

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 3/8/2020  
(specify number) (date)

Signature: Stephenie Clevenger

Application Number: CNU-3514-2020 Name: 401 Ritchie Road, Capitol Heights, MD

Date: 3/9/2020

Address: 1001 Prince Georges Blvd., Suite 700  
Upper Marlboro, MD 20774

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.mnecppc.org** Subject: CaseNo-CaseName and "Posting Affidavit"

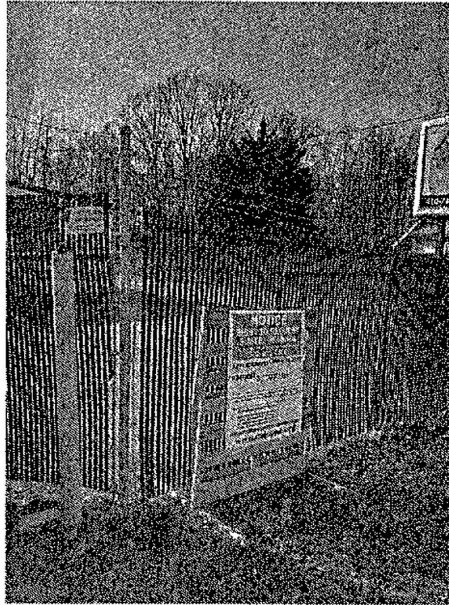
\* \* \* \* \*

**The affidavit must be received prior to the end of the 20-day (30 days for all CBCA conservation plans) posting period.**

Planning DIRECTOR case: CNU-3514-2020; 401 Ritchie Road  
Reviewer: Kelsey Shaffer

02 single-sided signs ~~xx double-sided signs~~ (for a total of 2 physical signs)



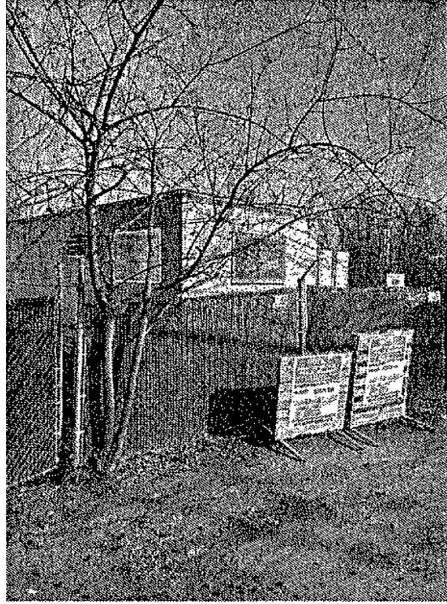


**Sign 1 – Ritchie Road**

**CNU-3514-2020, 401 Ritchie Road**

**Sign posted by: Stephenie Clevenger**

**Posted on: 3/8/2020**



**Sign 2 – Old Ritchie Road**

**CNU-3514-2020, 401 Ritchie Road**

**Sign posted by: Stephenie Clevenger**

**Posted on: 3/8/2020**

