

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: 946-2020-U

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

Location of Property: 3901 Whitetire Rd  
Landover

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 1984.**

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 946-2020 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: \$500 Case Reviewer: Kelsey Shatter  
 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 946-2020-00

**PROJECT NAME:** 3901 Whitetire Road

**Complete address** (if applicable) and Geographic Location (distance related to or near major intersection)  
 3901 Whitetire Rd., Landover, MD 20785. The Property is located on Whitetire Road along Route 50 running east, approximately 840 feet northeast of the intersection with Ardwick Ardmore Road.

Total Acreage: 1.7710	Election District: 20
Tax Map/Grid: 052/A2	Current Zone(s): I-1 (Light Industrial)
WSSC Grid: 205NE07	Council District: 5
COG TAZ: 1120	Dev. Review District: N/A
Planning Area: 72	PG TAZ: 795
	Aviation Policy Area: N/A
	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) Ryder Truck Rental, Inc. (305) 500-3212 11690 N.W. 105 Street Miami, Florida 33178	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)

<u>Ryder Truck Rental, Inc.</u>		<u>1-8-20</u>
Owner's Signature typed & signed	Date	Applicant's Signature typed & signed
		Date

<u>Please see sub - sublease Agreement dated 5/21/99, as extended</u>		
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 946-2020-00

3901 Whitetire Road

2. Description of proposed use/request

Certification of outdoor advertising sign located at 3901 Whitetire Road, Landover, Maryland 20785 (the "Property"), as a nonconforming use.

3. Description and location of the subject property

The Property is located on Whitetire Road along Route 50 running east, approximately 840 feet northeast of the intersection with Ardwick Ardmore Road. Specifically, the Property is located on Map 052, Grid A2, and is approximately 1.7710 acres in size. The Property is zoned I-1 (Light Industrial).

An outdoor advertising structure constructed on a single metal pole and containing two bulletin faces is located on the Property. Our documentary evidence demonstrates that the structure has existed on the Property since at least 1993 (1993 aerial footage, with lease from 1984).

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).



1-8-20

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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 : 01/08/2020

**PERMIT APPLICATION**

Case Number: 946-2020-00

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> 3901 WHITETIRE RD LANDOVER 20785	<b>PROJECT NAME:</b>  <b>SUBDIVISION:</b> ARDMORE-ARDWICK	<b>EST. CONSTRUCTION COST:</b>  <b>ELECTION DISTRICT:</b> 20 <b>PROPERTY TAX ACCOUNT #:</b> 2254886
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<u>OWNER</u>	<u>OCCUPANT</u>	<u>CONTRACTOR</u>	<u>ARCHITECT</u>
Ryder Truck Rental Inc. 11690 NW 105th ST Miami FL 33178	Clear Channel Outdoor LLC 3901 Whitetire RD Landover MD 20785	Clear Channel Outdoor LLC 9590 Lynn Buff CT #5 Laurel MD 20723	

**FOR OFFICE USE ONLY**

	Reviewer	Date		Reviewer	Date
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 - Stephanie Leung Clear Channel Outdoor (240) 755 - 9203   
 NAME COMPANY PHONE SIGNATURE



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

I, Stephene 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: Stephene Clevenger

Application Number: CNU-946-2020 Name: 3901 Whitetire Road, Landover, 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](mailto: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-946-2020; 901 Whitetire Rd  
Reviewer: Kelsey Shaffer

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





**Sign 1 – John Hanson Hwy**

**CNU-946-2020, 3901 Whitetire Road**

**Sign posted by: Stephenie Clevenger**

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



**Sign 2- Whitetire Road**

**CNU-946-2020, 3901 Whitetire Road**

**Sign posted by: Stephenie Clevenger**

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

**JOB NOTES:**

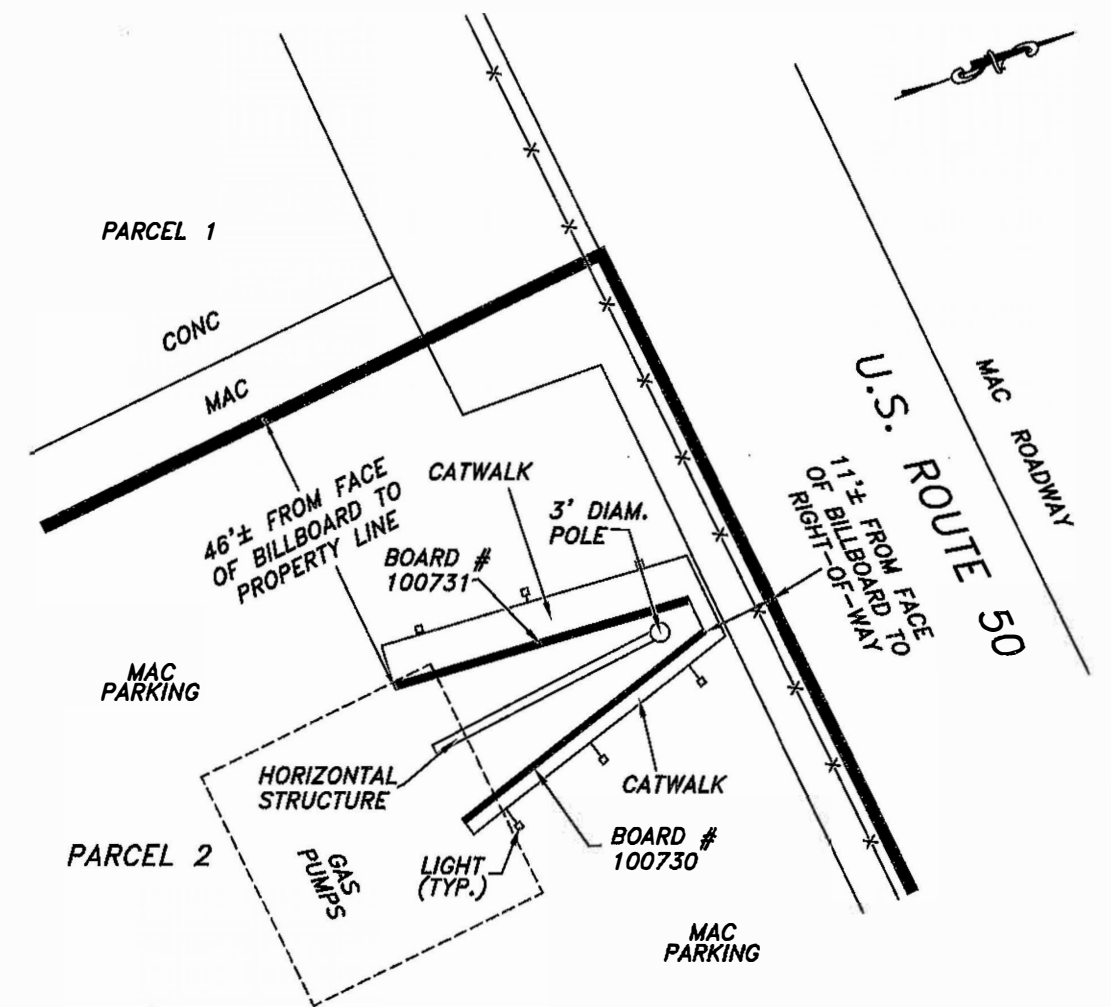
- 1) THE SUBJECT PROPERTY IS ZONED I-1 (LIGHT INDUSTRIAL)
- 2) TAX ID#: 20-2254886
- 3) ROAD FRONTAGE OF U.S. ROUTE 50: 260.43'  
ROAD FRONTAGE OF WHITETIRE ROAD: 80.00'  
TOTAL ROAD FRONTAGE: 340.43'
- 4) THE NEAREST STATIC BILLBOARD IS 930'± FROM THE EXISTING BILLBOARD, NO DIGITAL BILLBOARDS WERE OBSERVED WITHIN 1,000 FEET OF THE EXISTING BILLBOARD.
- 5) ONLY IMPROVEMENTS WITHIN CLOSE PROXIMITY TO THE EXISTING BILLBOARD ARE SHOWN HEREON.
- 6) NO PROPERTY CONTROL FOUND.
- 7) BOARD # 100731 WAS NOT LABELED, BOARD NUMBER WAS PROVIDED BY CLIENT.

**SIGN HEIGHTS:**

BOARD # 100730 TOP: 45.3'  
BOTTOM: 31.3'  
BOARD # 100731 TOP: 49.4'  
BOTTOM: 31.5'  
(HEIGHT AT GROUND AT POLE)

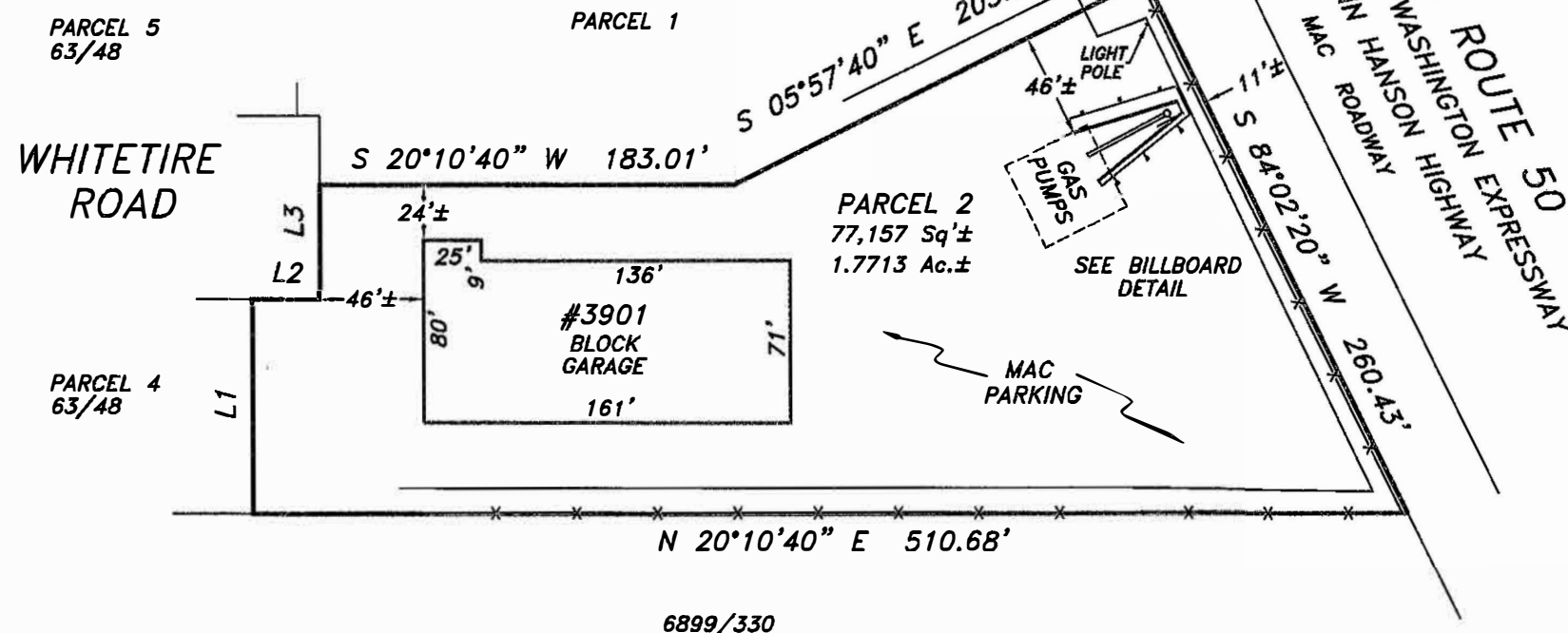
**SIGN LENGTHS:**

BOARD # 100730: 47.9'  
BOARD # 100731: 47.9'



**BILLBOARD DETAIL**

Scale: 1" = 30'



6899/330

LINE	BEARING	DISTANCE
L1	S 69°49'20" E	94.04'
L2	S 20°10'40" W	30.00'
L3	S 69°49'20" E	50.00'



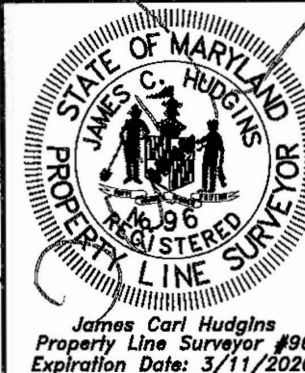
**GENERAL NOTES:**

- 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.

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 2 as shown on the plat entitled PARCELS 1 AND 2 "ARDMORE-ARDWICK INDUSTRIAL PARK" recorded among the Land Records of Prince George's County, Maryland in PLAT BOOK 54, folio 79,

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 24033C0155 E, effective 9/16/2016



**SPECIAL PURPOSE SURVEY**  
3901 WHITETIRE ROAD  
20th 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" = 80'  
Date: 1/3/2020  
Field By: TOM  
Drawn By: SCK  
File No.: MISC 13685  
Page No.: 1 of 1