



January 29, 2024

MEMORANDUM

TO: Donna J. Brown
Clerk of the Council

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

SUBJECT: Notification of Recommendation for Certification of Nonconforming Use

Permit Application Number: **13056-2023-U**

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

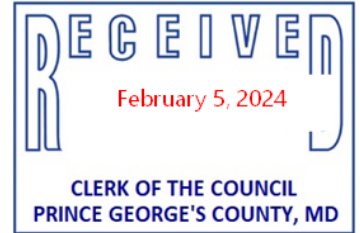
Location of Property: **16415 Old Central Avenue
Upper Marlboro**

Current Zone(s): **C-M**

Sign Posting Date: **October 7, 2023**

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, 2023. This outdoor advertising sign was erected in 1965.**

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

APPLICATION TYPE: NCU Revision of Case # _____
 Companion Cases: _____
 Payment option: Credit Card Check (payable to M-NCPPC) *Do not submit payment until requested by staff*

PROJECT NAME: 16415 Old Central Ave

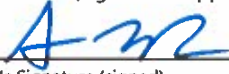
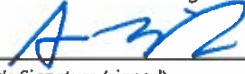
Complete address (if applicable) 16415 Old Central Ave
 Geographic Location (distance related to or near major intersection)
at the intersection of Old Central Ave & 301

Total Acreage: <u>2.15 ac</u>	Aviation Policy Area: <u>N/A</u>	Election District: <u>7</u>
Tax Map/Grid: <u>70-D3</u>	Current Zone(s): <u>CS</u>	Council District: <u>4</u>
WSSC Grid: <u>201NE14</u>	Existing Lots/Blocks/Parcels: <u>P. 59</u>	Dev. Review District:
Planning Area: <u>74A</u>	In Municipal Boundary: <u>Bowie</u>	Is development exempt from grading permit pursuant to 32-127(a)(6)(A)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Tax Account #: <u>0718155</u>	Police District #: <u>II</u>	General Plan Growth Policy: Established Communities

Proposed Use of Property and Request of Proposal: Non-Conforming use for existing Billboard only	Please list previously approved applications affecting the subject property:
--	--

Applicant Name, Address & Phone: Clear Channel Outdoor 9590 Lynn Bluff Ct., Suite 5, Laurel, MD 20723	Consultant Name, Address & Phone: No Limit Land, 1001 Prince George's Blvd., Suite 700, Upper Marlboro, MD 20774 2403380131
Owner Name, Address & Phone: (if same as applicant indicate same/corporation see Disclosure) Clear Channel Outdoor 9590 Lynn Bluff Ct., Suite 5, Laurel, MD 20723	Contact Name, Phone & E-mail: Stephenie Clevenger 2403380131 nolimitland@icloud.com

SIGNATURE (Sign where appropriate; include Application Form Disclosure for additional owner's signatures):

	<u>8/14/23</u>		<u>8/14/23</u>
Owner's Signature (signed)	Date	Applicant's Signature (signed)	Date

_____	_____	_____	_____
Contract Purchaser's Signature (signed)	Date	Applicant's Signature (signed)	Date

FOR STAFF USE ONLY Application No.(s): _____

SUBDIVISION CASES: Preliminary Plan of Subdivision/Conservation Sketch Plan	
Type of Application (Check all that apply): <input type="checkbox"/> Conventional Subdivision <input type="checkbox"/> Conservation Subdivision <input type="checkbox"/> Conservation Sketch Plan <input type="checkbox"/> Subdivision Ordinance Interpretation <input type="checkbox"/> Vacation Petition	
Variation, Variance or Alternative Compliance Request(s): <input type="checkbox"/> Yes <input type="checkbox"/> 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: <input type="checkbox"/> DPIE <input type="checkbox"/> Health Department	Number of Plats: _____
Detailed Site Plan No.: _____	WSSC Authorization No.: _____
Approval Date of Preliminary Plan: _____	Check box if a hearing is requested: <input type="checkbox"/>
URBAN DESIGN AND ZONING CASES	
Type of Application (Check all that apply): <input checked="" type="checkbox"/> Certification of Nonconforming Use <input type="checkbox"/> Conservation Plan <input type="checkbox"/> Detailed Site Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Secondary Amendment <input type="checkbox"/> Special Exception <input type="checkbox"/> Zoning Map Amendment <input type="checkbox"/> Zoning Ordinance Interpretation	
Details of Request: Non-conforming use for existing billboard	Applicable Zoning Ordinance Section(s):
Total Number of Proposed: Lots _____ Outlots _____ Parcels <u>1</u> _____ Outparcels _____	
Number of Dwelling Units: Attached ⁰ _____ Detached ⁰ _____ Multifamily _____	Gross Floor Area (Nonresidential portion only): N/A
Variance Request: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Applicable Zoning/Subdivision Regulation Section(s): _____
Departure Request: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Application Filed: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Alternative Compliance Request: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Application Filed: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

APPLICATION FORM DISCLOSURE

List all persons having at least five percent (5%) interest in the subject property ONLY required for Special Exception and Zoning Map Amendment Applications.

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

Officers	Date Assumed Duties	Date Term Expires	Residence Address	Business Address

Statement_of JusUfk:ati_QIJ

1. Case Name

NCU

16415 Old Central Ave

2. Description of proposed use/request

Certification of outdoor advertising sign located at 16415 Old Central Ave., Upper Marlboro , Maryland 20774 (the "Property"), as a nonconforming use.

3. Description and location of the subject property

The Property is located to the south of Old Crain Highway at the intersection of Old Central Ave & 301. Specifically, the Property is located on Map 70 grid D3 and is approximately 2.15 acres in size. The Property is zoned C-S (Commercial Services).

An outdoor advertising structure constructed on six metal posts and containing one bulletin face, is located on the Property. Our documentary evidence demonstrates that the structure has existed on the Property since at least 1965 (1965 aerial photo).

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).



Stephen Bvenik
Applicant, Clear Channel Outdoor

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 10/7/2023
(specify number) (date)

Signature: Stephenie Clevenger

Application Number: CNU-13056-2023 Name: 16415 Old Central Ave-

Date: 10/7/2023

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.mncppc.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.



Sign 1 – Old Central Ave

CNU-13056-2023 - 16415 Old Central Ave

Sign posted by: Stephenie Clevenger

Posted on: 10/7/2023



Sign 2 – Old Central Ave

CNU-13056-2023 - 16415 Old Central Ave

Sign posted by: Stephenie Clevenger

Posted on: 10/7/2023

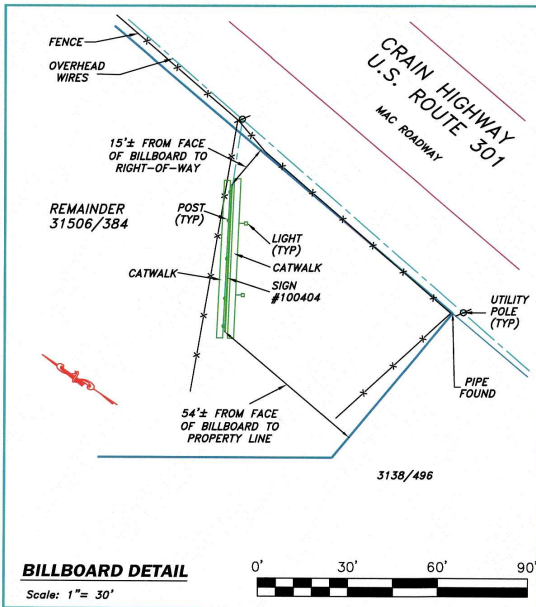


Sign 1 & 2 – Old Central Ave

CNU-13056-2023 - 16415 Old Central Ave

Sign posted by: Stephenie Clevenger

Posted on: 10/7/2023



BILLBOARD DETAIL

Scale: 1" = 30'

GENERAL NOTES:

- 1) The accuracy of the distances shown from any structure to any apparent property line is 10'±.
- 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:

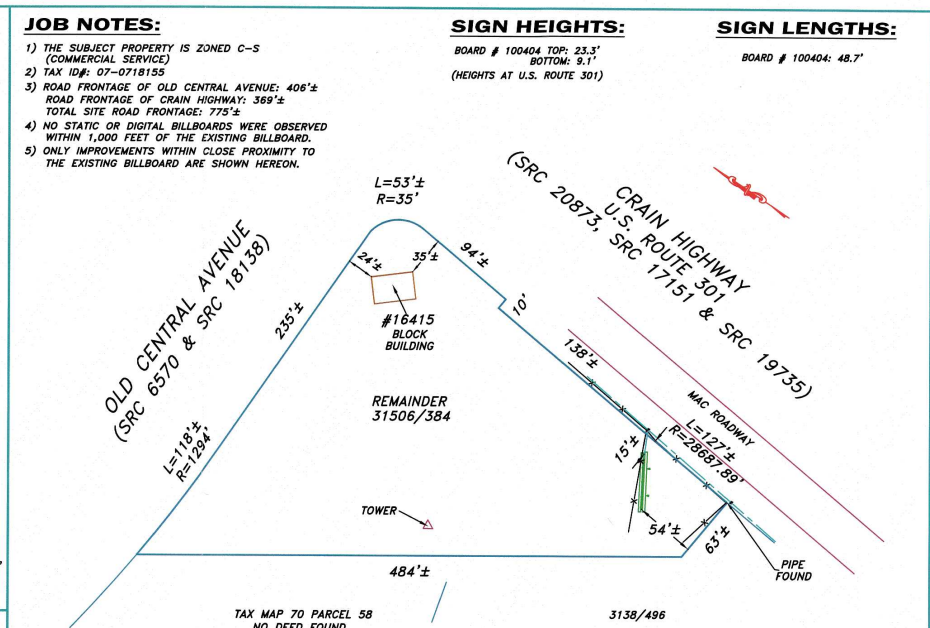
- 1) THE SUBJECT PROPERTY IS ZONED C-S (COMMERCIAL SERVICE)
- 2) TAX ID#: 07-0718155
- 3) ROAD FRONTAGE OF OLD CENTRAL AVENUE: 406'±
ROAD FRONTAGE OF CRAIN HIGHWAY: 369'±
TOTAL SITE ROAD FRONTAGE: 775'±
- 4) NO STATIC OR DIGITAL BILLBOARDS WERE OBSERVED WITHIN 1,000 FEET OF THE EXISTING BILLBOARD.
- 5) ONLY IMPROVEMENTS WITHIN CLOSE PROXIMITY TO THE EXISTING BILLBOARD ARE SHOWN HEREON.

SIGN HEIGHTS:

BOARD # 100404 TOP: 23.3'
BOTTOM: 9.1'
(HEIGHTS AT U.S. ROUTE 301)

SIGN LENGTHS:

BOARD # 100404: 48.7'



NOTE: THE DESCRIPTION IN TITLE DEED 31506/384 FAILS TO MATHEMATICALLY CLOSE BY 75'±. THE SAVING AND EXCEPTING STATE HIGHWAY PLATS APPEAR TO CONTAIN OMISSIONS. THE PROPERTY OUTLINE SHOWN HEREON IS APPROXIMATE. A BOUNDARY SURVEY IS RECOMMENDED.

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: #16415 OLD CENTRAL AVENUE being the Remainder of the land described in a deed dated March 11, 2010, from Marsha A. Pfunder to Cranberry Holdings, LLC recorded among the Land Records of Prince George's County, Maryland in Liber 31506, Folio 384.

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 24033C0190 E, effective 9/16/2016



SPECIAL PURPOSE SURVEY
16415 OLD CENTRAL AVENUE
7th 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: 8/29/2022
Field By: TOM/CB
Drawn By: SCK
File No.: MISC 12898
Page No.: 1 of 1