

February 10, 2022

**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: **41464-2021-U**

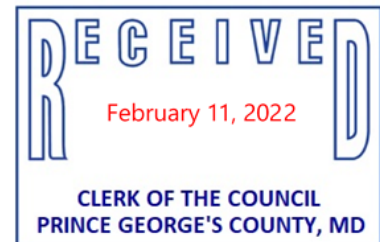
Specific Use(s): **Outdoor Advertising Sign (Billboard)**

Location of Property: **14504 SE Robert Crain Highway  
Brandywine**

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

Sign Posting Date: **December 11, 2021**

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 1987.**



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): \_\_\_\_\_ Planning Board Review  Planning Director Review   
 Acceptance Date: \_\_\_\_\_ 70-day limit: \_\_\_\_\_ Limit waived–New limit: \_\_\_\_\_  
 Posting Waived  Posting Date: \_\_\_\_\_ No. of Signs Posted: \_\_\_\_\_ Agenda Date: \_\_\_\_\_  
 Application Fee: \_\_\_\_\_ Posting Fee: \_\_\_\_\_ Case Reviewer: \_\_\_\_\_  
 Subdivision Development Review Committee Date: \_\_\_\_\_  
 Referral Mail-Out Date: \_\_\_\_\_ Referral Due Date: \_\_\_\_\_  
 Date of Informational Mailing: \_\_\_\_\_ Date of Acceptance Mailing: \_\_\_\_\_

APPLICATION TYPE: **NCU**  Revision of Case # \_\_\_\_\_ Companion Cases: \_\_\_\_\_  
 Payment option:  Check (payable to M-NCPPC)  Credit Card General Plan Growth Policy:

**PROJECT NAME:** 14504 SE Robert Crain Highway, NCU 41464-2021-00

Complete address (if applicable) 14504 SE Robert Crain Hwy, Brandywine, MD 20613 Tax Account #: 11-1178904  
 Geographic Location (distance related to or near major intersection) Police District #: 5  
 14504 SE Robert Crain Highway, Brandywine, MD 20613. The Property is located on SE Robert Crain Hwy at Short Cut Rd.

Total Acreage: 0.930	Aviation Policy Area: N/A	Election District: 11
Tax Map/Grid: 145/A4	Current Zone(s): I-1 (Light Industrial)	Council District: 9
WSSC Grid: 219SE07	Existing Lots/Blocks/Parcels: 255	Dev. Review District: N/A
Planning Area: 85A	In Municipal Boundary: <b>N/A</b>	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: <b>Certification of outdoor advertising structure as a non-conforming use</b>	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, MD 20723 240-755-9203, aprilmackoff@clearchannel.com  Owner Name, Address & Phone: (if same as applicant indicate same/corporation see Disclosure)  M&M Joint Venture 14145 Brandywine Road Brandywine, MD 20613	Consultant Name, Address & Phone:   Contact Name, Phone & E-mail: <b>same as applicant</b>
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**SIGNATURE** (Sign where appropriate; include Application Form Disclosure for additional owner's signatures)

M&M Joint Venture 9/24/21  
 Owner's Signature typed & signed Date

 9/24/21  
 Applicant's Signature typed & signed Date

Please see 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  Comprehensive Design  Conservation Sketch Plan  Pre-Preliminary Plan

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 non-conforming use for existing billboard.

Zoning Ordinance Section(s):

Sections 27-244 and 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 **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

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 41464-2021-00

14504 SE Robert Crain Highway

2. Description of proposed use/request

Certification of outdoor advertising sign located at 14504 SE Robert Crain Highway, Brandywine, Maryland 20613 (the "Property") as a nonconforming use.

3. Description and location of the subject property

The Property is located on SE Robert Crain Highway south of the intersection with Short Cut Road. An outdoor advertising structure constructed on a single metal post containing two bulletin faces is located on the Property. Our documentary evidence demonstrates that the structure has existed on the Property since at least 1987.

Specifically, the Property is located on Map 145, Grid A4, and is approximately 0.930 acres in size. The Property is zoned I-1 (Light Industrial).

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, 2002.

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).



9-24-21

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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 :** 09/23/2021

**PERMIT APPLICATION**

**Case Number:** 41464-2021-00

**ACTIVITY:** Building Permit Application  
**WORK DESCRIPTION:** Certification of outdoor advertising structure as a non-conforming use  
**USE TYPE:**  
**EXISTING USE:** Outdoor advertising structure  
**PROPOSED USE:** Outdoor advertising structure

**LOT :**  
**BLOCK :**  
**PARCEL :** 255

**SITE INFORMATION**

<b>SITE ADDRESS:</b> 14504 ROBERT CRAIN HWY BRANDYWINE 20613	<b>PROJECT NAME:</b>  <b>SUBDIVISION:</b>	<b>EST. CONSTRUCTION COST:</b>  <b>ELECTION DISTRICT:</b> 11 <b>PROPERTY TAX ACCOUNT #:</b> 1178904
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<u>OWNER</u>	<u>OCCUPANT</u>	<u>CONTRACTOR</u>	<u>ARCHITECT</u>
M&M Joint Venture 14145 Brandywine RD Brandywine MD 20613	Clear Channel Outdoor LLC 9590 Lynn Buff CT # 5 Laurel MD 20723	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 Clear Channel Outdoor LLC (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 12/11/2021  
(specify number) (date)

Signature: Stephenie Clevenger

Application Number: CNU-41464-2021 Name: Clear Channel Billboard

Date: 12/9/2021

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"

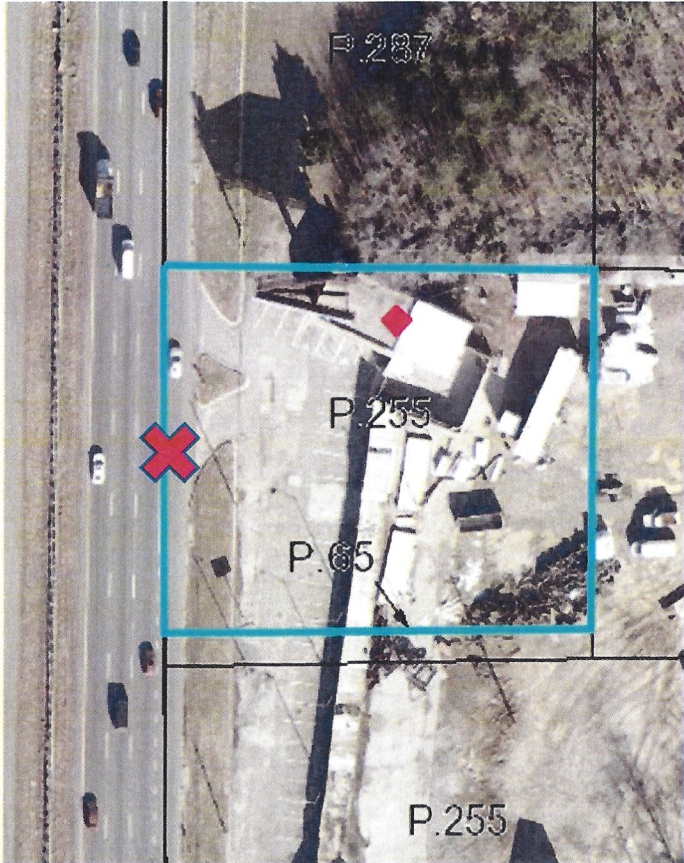
\* \* \* \* \*

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

Planning DIRECTOR case: CNU-41464-2021 -- 14504 SE ROBERT CRAIN HIGHWAY

Reviewer: KELSEY SHAFFER

*1 double-sided signs, 2 signs total*





**Sign 1**

**CNU- 41464-2021-00- 14504 Robert Crain Hwy, Brandywine**

**Sign posted by: Stephenie Clevenger**

**Posted on: 12/11/2021**

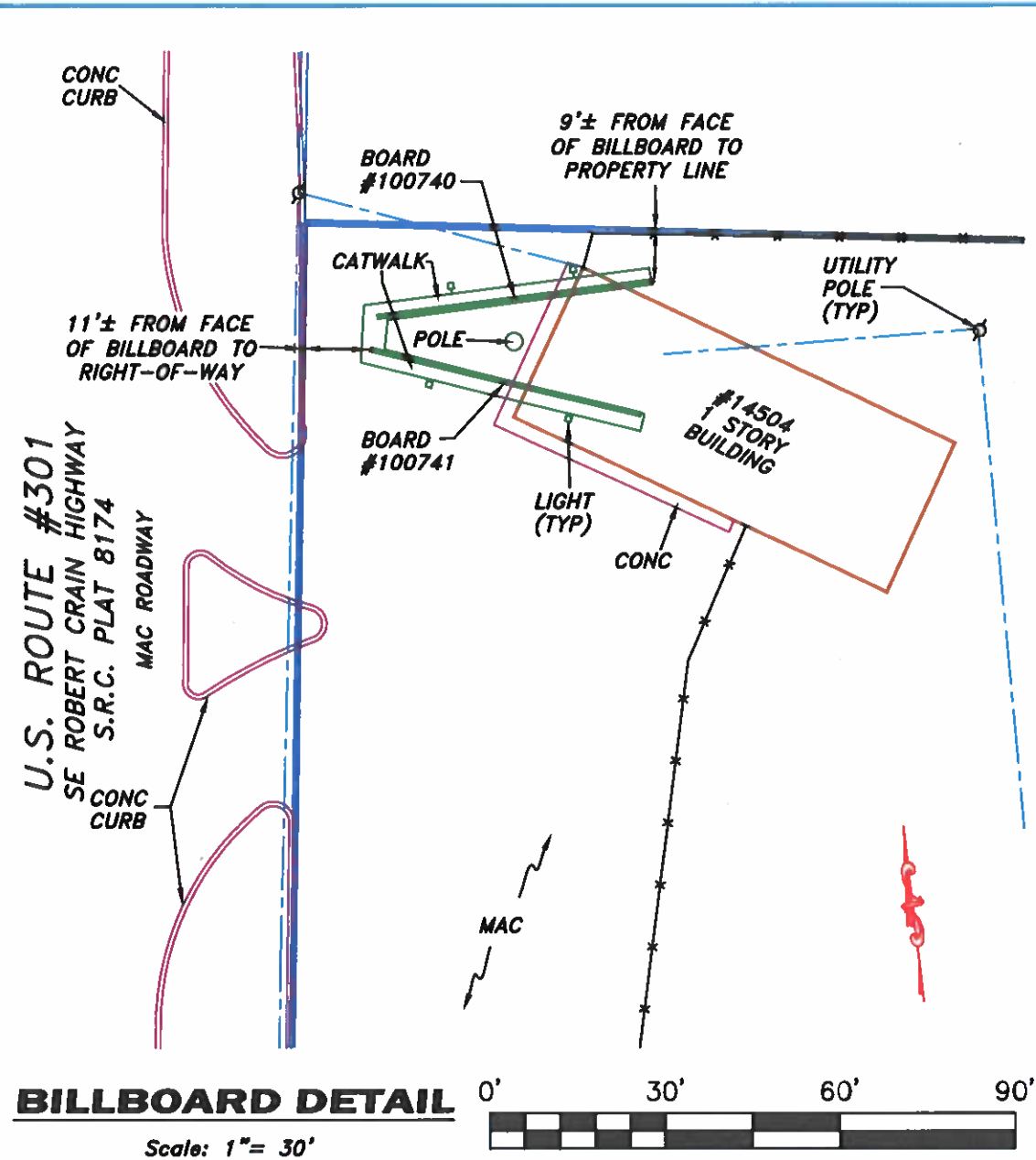


**Sign 2**

**CNU- 41464-2021-00- 14504 Robert Crain Hwy, Brandywine**

**Sign posted by: Stephenie Clevenger**

**Posted on: 12/11/2021**



**BILLBOARD DETAIL**

Scale: 1" = 30'

**JOB NOTES:**

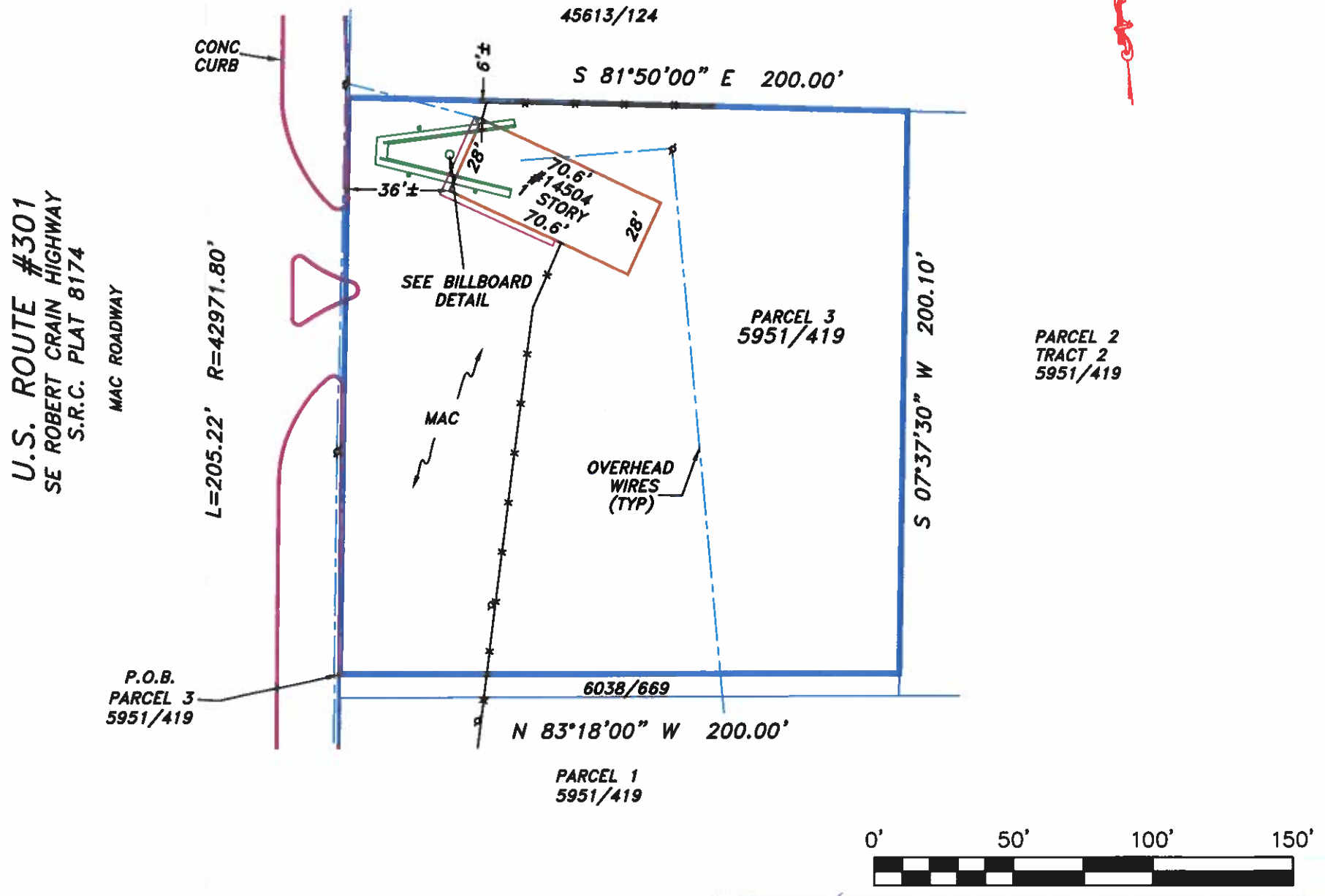
- 1) THE SUBJECT PROPERTY IS ZONED I-1 (LIGHT INDUSTRIAL)
- 2) TAX ID#: 11-1178904
- 3) ROAD FRONTAGE OF U.S. ROUTE #301: 205.22'
- 4) NO DIGITAL BILLBOARDS WERE OBSERVED WITHIN 1,000 FEET OF THE EXISTING BILLBOARD.
- 5) A STATIC BILLBOARD WAS OBSERVED 532'± FROM THE THE EXISTING BILLBOARD.
- 6) ONLY IMPROVEMENTS WITHIN CLOSE PROXIMITY TO THE EXISTING BILLBOARD ARE SHOWN HEREON.

**SIGN HEIGHTS:**

BOARD # 100740 TOP: 43.0'  
BOTTOM: 29.0'  
BOARD # 100741 TOP: 43.0'  
BOTTOM: 29.0'  
(HEIGHTS AT GROUND AT POLE)

**SIGN LENGTHS:**

BOARD # 100740: 48.0'  
BOARD # 100741: 48.0'



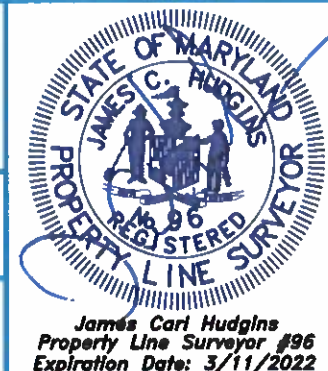
**GENERAL NOTES:**

- 1) The accuracy of the distances shown from any structure to any apparent property line is 5'±.
- 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: #14504 SE ROBERT CRAIN HIGHWAY as described in Parcel 3 a deed dated July 23, 1984 from Lake E. Ransom to M & M Joint Venture recorded among the Land Records of Prince George's County, Maryland in Liber 5951, folio 419.

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 24033C0355 E, effective 9/16/2016



**SPECIAL PURPOSE SURVEY**  
14504 SE ROBERT CRAIN HIGHWAY  
11th 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" = 50'  
Date: 7/14/2021  
Field By: TOM  
Drawn By: SCK  
File No.: MISC 14842  
Page No.: 1 of 1