

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: 3511-2020-U

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

Location of Property: 00000 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 1973.**

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 2011-2020 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: 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 3511-2020-00

**PROJECT NAME:** Ritchie Road

**Complete address** (if applicable) and Geographic Location (distance related to or near major intersection)  
Ritchie Rd, Capitol Heights, MD 20743. The outdoor advertising structure on the Property is located on the west side of Ritchie Road approximately 430 feet southeast of the intersection with Old Ritchie Road.

Total Acreage: 0.4980	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: <u>75A</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, Suite #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>Progress-Ritchie, LLC</u> <u>2519 Wilkens Avenue</u> <u>Baltimore, Maryland 21223</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)

Progress-Ritchie LLC 1/26/20  
 Owner's Signature typed & signed Date

 1/26/20  
 Applicant's Signature typed & signed Date

please see sections, 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 <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 3511-2020-00

Ritchie Road

2. Description of proposed use/request

Certification of an outdoor advertising sign located at 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 430 feet southeast of the intersection with Old Ritchie Road. Specifically, the Property is located on Map 074, Grid B1, and is approximately 0.4980 acres in size. The Property is zoned I-1 (Light Industrial).

The outdoor advertising structure on the Property is constructed on six 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).

A handwritten signature in black ink, followed by the date "1/24/20". The signature is a cursive-style name that appears to be "April Mackoff". The date is written in a simple, legible font.

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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**

**Date:** 01/24/2020

**PERMIT APPLICATION**

**Case Number:** 3511-2020-00

**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> 00000 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> 2097459	
<b>OWNER</b> Progress Ritchie LLC 2519 Wilkens AVE Baltimore MD 21223		<b>OCCUPANT</b> Clear Channel Outdoor LLC 000 Ritchie RD Capitol Heights MD 20743		<b>CONTRACTOR</b> Clear Channel Outdoor LLC 9590 Lynn Buff CT #5 Laurel MD 20723	
<b>ARCHITECT</b>					

**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 Livingston* Clear Channel Outdoor LLC (240) 755 - 9203 *[Signature]*  
**NAME** **COMPANY** **PHONE** **SIGNATURE**



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

I, Stephanie 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: Stephanie Clevenger

Application Number: CNU-3511-2020 Name: 0000 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)

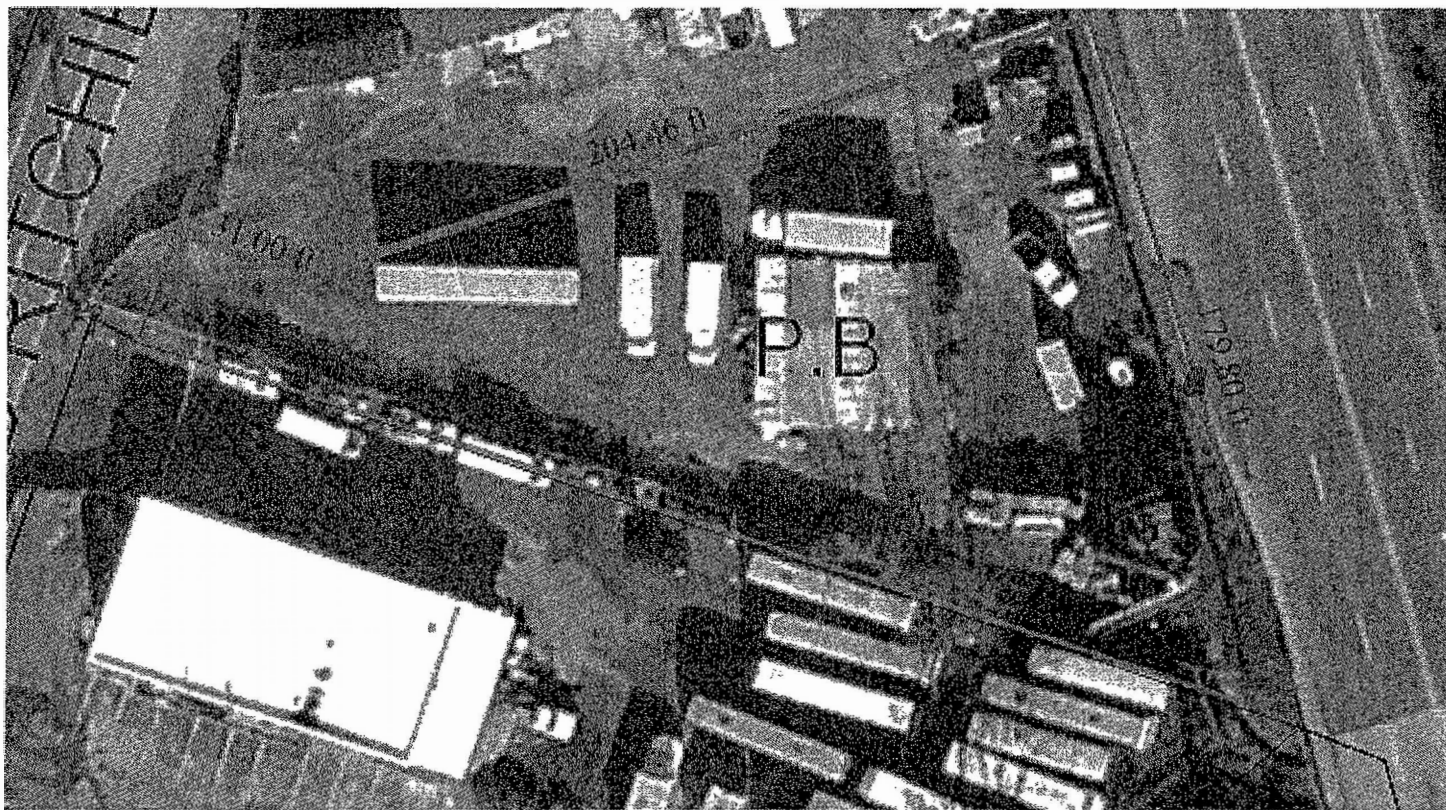
**NOTE: Take legible photograph(s) showing sign(s) in place, (see attached map for posting locations) and return (email) this affidavit and photographs, saved as one PDF to PGCR referrals@ppd.mneppc.org Subject: CaseNo-CaseName and "Posting Affidavit"**

\* \* \* \* \*

**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-3511-2020; 00 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-3511-2020, 000 Ritchie Road**

**Sign posted by: Stephenie Clevenger**

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



**Sign 2 – Old Ritchie Road**

**CNU-3511-2020, 000 Ritchie Road**

**Sign posted by: Stephenie Clevenger**

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

**SIGN HEIGHTS:**

BOARD # 001620 TOP: 22.0'  
 BOTTOM: 9.8'  
 BOARD # 001623 TOP: 23.6'  
 BOTTOM: 11.4'

**SIGN LENGTHS:**

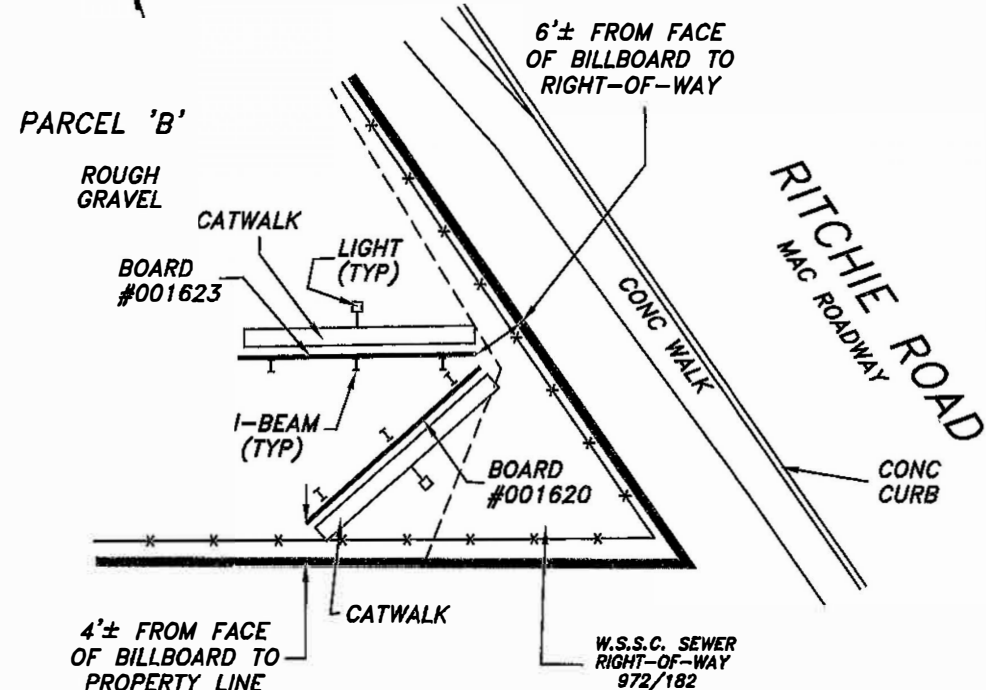
BOARD # 001620: 24.4'  
 BOARD # 001623: 24.9'

**APPARENT ENCROACHMENT NOTES:**

- 1) THE FENCE APPEARS TO LIE OFF THE SUBJECT PROPERTY INTO THE RIGHT-OF-WAY FOR WALKER MILL ROAD.

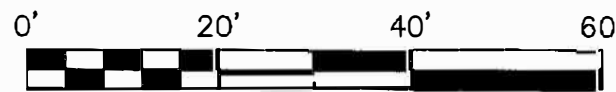
**JOB NOTES:**

- 1) THE SUBJECT PROPERTY IS ZONED I-1 (LIGHT INDUSTRIAL)
- 2) TAX ID#: 18-2097459
- 3) ROAD FRONTAGE OF RITCHIE ROAD: 174.11'  
 ROAD FRONTAGE OF WALKER MILL ROAD: 25.00'  
 TOTAL ROAD FRONTAGE: 199.11'
- 4) THE NEAREST STATIC BILLBOARD IS 243'± 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.



**BILLBOARD DETAIL**

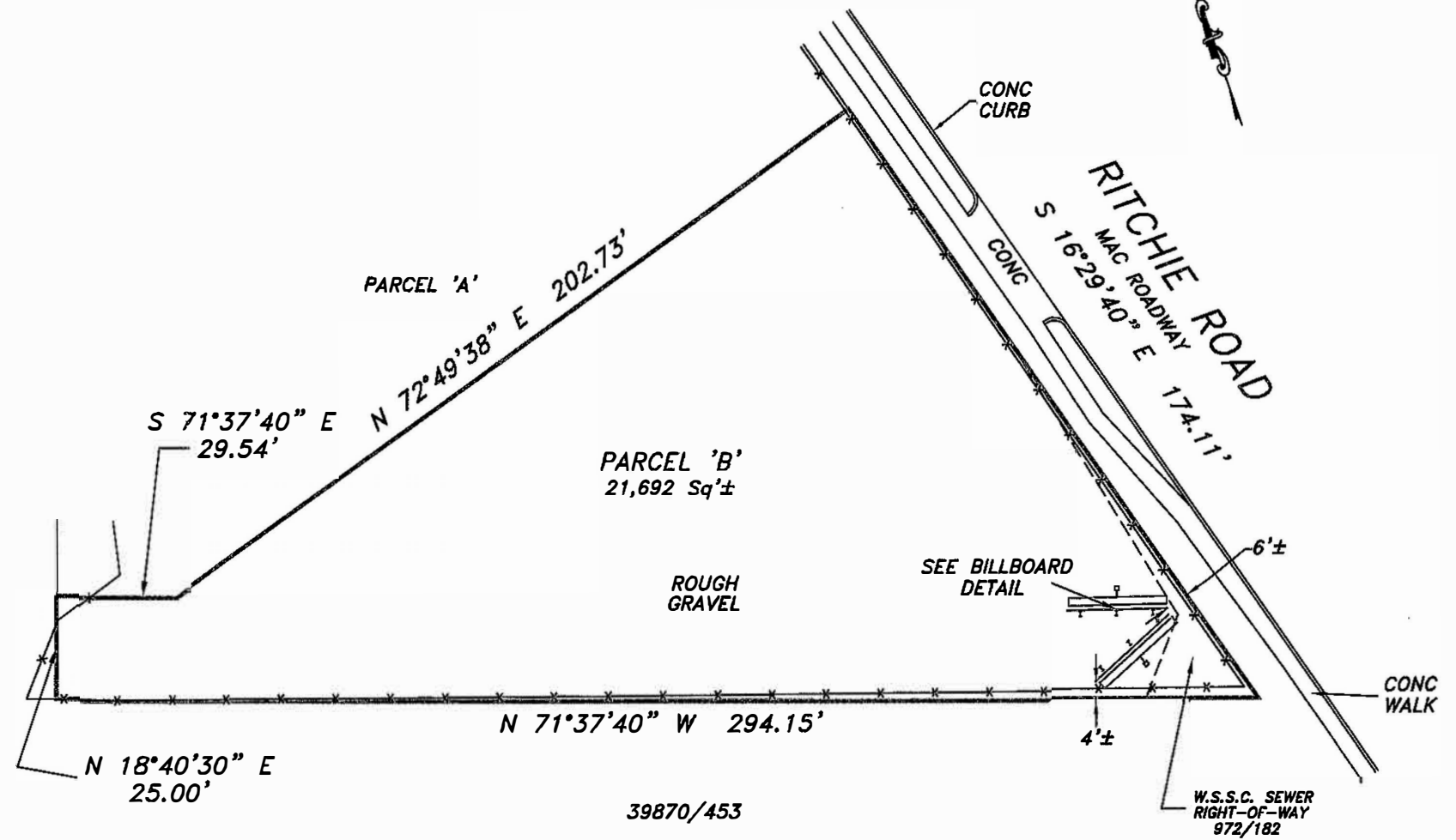
Scale: 1" = 20'



**GENERAL NOTES:**

- 1) The accuracy of the distances shown from any structure to any apparent property line is 4'±.
- 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.

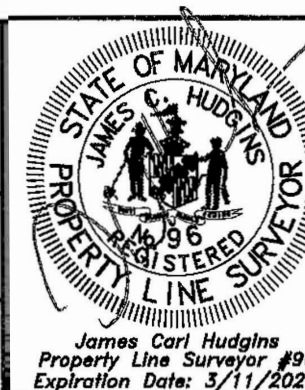
WALKER MILL ROAD  
 MAC ROADWAY



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 B as shown on the plat entitled PARCELS A & B NEAR RITCHIE "CONCORD" recorded among the Land Records of Prince George's County, Maryland in Plat Book 49, folio 19.

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 AE on the FIRM Map of Prince George's County, Maryland on Community Panel Number 24033C0165 E, effective 9/16/2016



**SPECIAL PURPOSE SURVEY**  
 PARCEL B RITCHIE ROAD  
 18th 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" = 40'  
 Date: 1/10/2020  
 Field By: TOM  
 Drawn By: SCK  
 File No.: MISC 13700  
 Page No.: 1 of 1