



June 25, 2024

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: **13856-2021-U**

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

Location of Property: **3860 Kenilworth Avenue
Bladensburg**

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

Sign Posting Date: **May 23, 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, 2023. This outdoor advertising sign was erected in 1977.**

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: 3860 Kenilworth Avenue, 13856-2021-00

Complete address (if applicable) 3860 Kenilworth Avenue, Bladensburg, MD 20710 Tax Account #: 02-0178210

Geographic Location (distance related to or near major intersection) Police District #: _____

3860 Kenilworth Avenue, Bladensburg, MD 20710. The Property is located on Kenilworth Ave., intersection with 48th St.

Total Acreage: 3.80	Aviation Policy Area: N/A	Election District: 2
Tax Map/Grid: 050/C4	Current Zone(s): I-1 (Light Industrial)	Council District: 5
WSSC Grid: 205NE04	Existing Lots/Blocks/Parcels:	Dev. Review District:
Planning Area: 69	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 an outdoor advertising structure
 as a non-conforming use

Please list and provide copies of resolutions of previously
 approved applications affecting the subject property:

Applicant Name, Address & Phone:

Clear Channel Outdoor LLC
 c/o April Mackoff
 9590 Lynn Buff Court, Suite 5
 Laurel, MD 20723
 240-755-9203

Owner Name, Address & Phone:

(if same as applicant indicate same/corporation see Disclosure)

U Store Epsilon, (301)277-9077
 1611 North Kent Street
 Arlington, VA 22209

Consultant Name, Address & Phone:

Contact Name, Phone & E-mail:

same as applicant

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

U-store Epsilon

Owner's Signature typed & signed

4/10/21
 Date

Mackoff, April ^{Digitally signed by Mackoff, April}

Applicant's Signature typed & signed

4/10/21
 Date

Please see Section 5, 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"/>
Variation, Variance or Alternative Compliance Request(s) Yes <input type="checkbox"/> No <input type="checkbox"/>		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 <input type="checkbox"/> Health Dept. <input type="checkbox"/>		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 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 <input type="checkbox"/> No <input type="checkbox"/>		Applicable Zoning/Subdivision Regulation Section(s):	
Departure Request Yes <input type="checkbox"/> No <input type="checkbox"/>		Application Filed Yes <input type="checkbox"/> No <input type="checkbox"/>	
Alternative Compliance Request Yes <input type="checkbox"/> No <input type="checkbox"/>		Application Filed Yes <input type="checkbox"/> No <input type="checkbox"/>	

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 13856-2021-00

3860 Kenilworth Avenue

2. Description of proposed use/request

Certification of outdoor advertising signs located at 3860 Kenilworth Avenue, Bladensburg, Maryland 20710 (the "Property") as a nonconforming use.

3. Description and location of the subject property

Two separate outdoor advertising structures are located on the Property as follows:

(a) The first outdoor advertising structure is constructed on five metal posts, supporting two bulletin faces, and is located on Kenilworth Avenue running south, approximately 525 feet southwest of the intersection that curves into 48th Street. Our documentary evidence demonstrates that the structure has existed on the Property since at least 1977.

(b) The second outdoor advertising structure is constructed on metal posts, supporting four poster faces, and is located on Kenilworth Avenue running south, approximately 160 feet northwest of the intersection that curves into 48th street. Our documentary evidence demonstrates that the structure has existed on the Property since at least 1977.

Specifically, the Property is located on Map 050, Grid C4, and is approximately 3.80 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, 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).



4-10-21

April Mackoff
Applicant, Clear Channel Outdoor LLC

SIGN POSTING AND INSPECTION AFFIDAVIT – PLANNING DIRECTOR REVIEW

I, Stephenie Clevenger, hereby certify that the subject property was posted with
(print or type name)

1 sign(s) on 5/23/2021
(specify number) (date)

Signature: Stephenie Clevenger

Application Number: CNU-13856-2021 Name: Clear Channel Billboard

Date: 5/23/2021

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.



PGAtlas.com

Getting Started

0 100 200ft

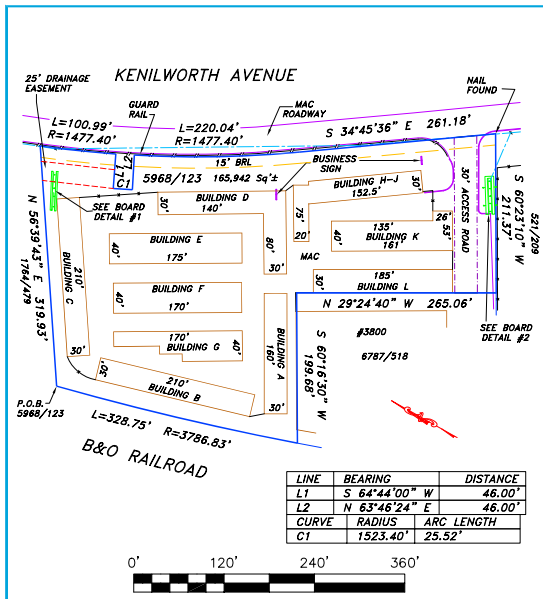


1 Sign

CNU-13856-2021 - 3860 Kenilworth Ave, Bladensburg

Sign posted by: Stephenie Clevenger

Posted on: 5/23/2021



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.

JOB NOTES:

- 1) THE SUBJECT PROPERTY IS ZONED I-1 (LIGHT INDUSTRIAL)
- 2) TAX ID#: 02-0178210
- 3) ROAD FRONTAGE OF KENILWORTH AVENUE: 607.73' ROAD FRONTAGE OF DECATUR STREET: 347.48' TOTAL ROAD FRONTAGE (MAIN LOT): 856.37'
- 4) NO DIGITAL BILLBOARDS WERE OBSERVED WITHIN 1,000 FEET OF THE EXISTING BILLBOARD.
- 5) 57'S± BETWEEN THE STATIC BILLBOARDS OBSERVED ON THE SUBJECT PROPERTY.
- 6) ONLY IMPROVEMENTS WITHIN CLOSE PROXIMITY TO THE EXISTING BILLBOARD ARE SHOWN HEREON.
- 7) BOARD #100304 WAS NOT LABELED ON THE STRUCTURE, THE NUMBER WAS PROVIDED BY CLIENT.

SIGN HEIGHTS:

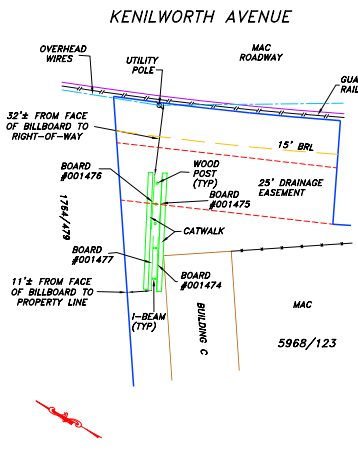
BOARD # 100304 TOP: 41.0'
BOTTOM: 54.8'
BOARD # 100405 TOP: 41.0'
BOTTOM: 54.8'
BOARD # 001474 TOP: 21.0'
BOTTOM: 8.9'
BOARD # 001475 TOP: 21.0'
BOTTOM: 8.9'
BOARD # 001476 TOP: 21.0'
BOTTOM: 8.9'
BOARD # 001477 TOP: 21.0'
BOTTOM: 8.9'
(HEIGHTS AT KENILWORTH AVENUE)

SIGN LENGTHS:

BOARD # 100304: 48.0'
BOARD # 100405: 48.0'
BOARD # 001474: 24.4'
BOARD # 001475: 24.4'
BOARD # 001476: 24.4'
BOARD # 001477: 24.4'

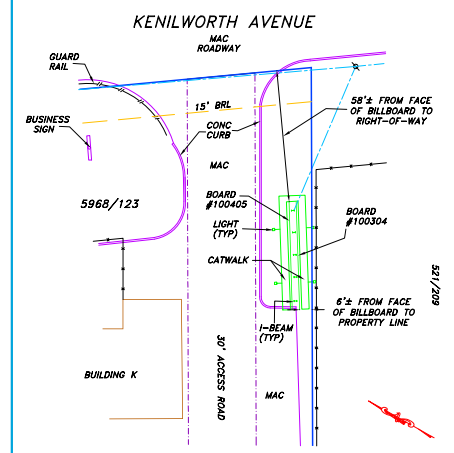
APPARENT ENCROACHMENT NOTES:

- 1) BOARD # 001475 & 001476 APPEAR TO LIE WITHIN THE 25' DRAINAGE EASEMENT.



BILLBOARD DETAIL #1

Scale: 1" = 40'



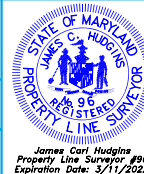
BILLBOARD DETAIL #2

Scale: 1" = 40'

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: 3860 KENILWORTH AVENUE as described in a deed dated September 11, 1984 from Max and Rebecca Taffel to U Store Epsilon recorded among the Land Records of Prince George's County, Maryland in Liber 5968, folio 123.

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 08.13.06 of the Code of Maryland Annotated Regulations.

Subject property is shown in Zone X & AE on the FIRM Map of Prince George's County, Maryland on Community Panel Number 24033C0141 E, effective 9/16/2016



SPECIAL PURPOSE SURVEY
3860 KENILWORTH AVENUE
2nd ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND

NTT Associates, Inc.
18205 Old Frederick Rd.
Mt. Airy, Maryland 21771
Phone: (410) 442-2031
Fax: (410) 442-1315
www.nttsurveyors.com

Scale: 1" = 120'
Date: 1/6/2021
Field By: TOM
Drawn By: SCK
File No.: MISC 14477
Page No.: 1 of 1