



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.mncppc.org/pgco

March 4, 2020


RECEIVED

MAR 4 - 2020

MEMORANDUM

TO: Donna J. Brown
Acting Clerk of the Council

CLERK OF THE COUNCIL
PRINCE GEORGE'S COUNTY MARYLAND

FROM: James Hunt, Division Chief
Development Review Division 

SUBJECT: Notification of Recommendation for Certification of Nonconforming Use

Permit Application Number: **55255-2019-U**

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

Location of Property: **3200 Kenilworth Avenue
Hyattsville**

Current Zone(s): **I-2**

Sign Posting Date: **January 4, 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 1986.**

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-55255-2019 Planning Board Review Planning Director Review
 Acceptance Date: _____ 70-day limit _____ Limit waived–New limit _____
 Posting Date: 1/4/2020 No. of Signs Posted: 2 Agenda Date: _____
 Filing Fee: _____ Posting Fee: \$10 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 55255-2019

PROJECT NAME: 3200 Kenilworth Avenue

Complete address (if applicable) and Geographic Location (distance related to or near major intersection)
 3200 Kenilworth Avenue, Hyattsville, Maryland 20781. The Property is located on the west side of Kenilworth Avenue at its intersection with 52nd Avenue.

Total Acreage: 1.73		Election District: 2
Tax Map/Grid: 058/D1	Current Zone(s): I-2 (Heavy Industrial)	Council District: 5
WSSC Grid: 204NE04	Existing Lots/Blocks/Parcels: Prt. P. A	Dev. Review District:
COG TAZ: 1030	PG TAZ: 768	Aviation Policy Area: N/A
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 outdoor advertising sign as a non-conforming use	Please list and provide copies of resolutions of previously approved applications affecting the subject property:
--	---

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) Peoples Supply Co., Inc. (301) 927-2200 3200 Kenilworth Avenue Hyattsville, Maryland 20781	Consultant Name, Address & Phone: Contact Name, Phone & E-mail: same as applicant (240) 755-9203, aprilmackoff@clearchannel.com
--	--

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

people's supply co., Inc. <u>11/27/19</u> _____ Owner's Signature typed & signed Date	 _____ Applicant's Signature typed & signed Date
---	--

<u>Please see Lease Agreement.</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"/>
---------------------------------------	---	---	---

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 55255-2019

3200 Kenilworth Avenue

2. Description of proposed use/request

Certification of outdoor advertising sign located at 3200 Kenilworth Avenue, Hyattsville, Maryland 20781 (the "Property"), as a nonconforming use.

3. Description and location of the subject property

The Property is located on the west side of Kenilworth Avenue at its intersection with 52nd Avenue. Specifically, the Property is located on Map 058, Grid D1, and is approximately 1.73 acres in size. The Property is zoned I-2 (Heavy 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 1987.

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.

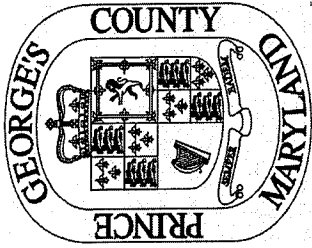
6. Summary/conclusion of request

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).



11/27/19

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

Case Number: 55255-2019-00

LOT:
BLOCK:
PARCEL:

PERMIT APPLICATION

Date: 11/27/2019

ACTIVITY: Building Permit Application
WORK DESCRIPTION: Certification of outdoor advertising structure
USE TYPE: Outdoor advertising structure
EXISTING USE: Outdoor advertising structure
PROPOSED USE: Outdoor advertising structure

SITE INFORMATION

SITE ADDRESS: 3200 KENILWORTH AVE HYATTSVILLE 20781	PROJECT NAME: SUBDIVISION: PEOPLES SUPPLY CO INC	EST. CONSTRUCTION COST: ELECTION DISTRICT: 02 PROPERTY TAX ACCOUNT #: 0128843
--	--	--

OWNER People's Supply Co., Inc. 3200 Kenilworth AVE Hyattsville MD 20781	OCCUPANT Clear Channel Outdoor LLC Lynn- Buff CT #5 3200 Kenilworth Ave MD Laurel 20781 Hyattsville 20781	CONTRACTOR Clear Channel Outdoor LLC 9590 Lynn Buff CT #5 Laurel MD 20723
--	--	---

FOR OFFICE USE ONLY		
OWNER	OCCUPANT	CONTRACTOR
REVIEWER	DATE	REVIEWER
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 *Stephenie Cleary* Clear Channel Outdoor LLC (240) 755 - 9203 **PHONE** _____ **COMPANY** _____ **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)

3 sign(s) on 1/4/2020
(specify number) (date)

Signature: Stephanie Clevenger

Application Number: CNU-55255-2019 Name: 3200 Kenilworth Avenue

Date: 1/4/2020

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.mncppc.org Subject: CaseNo-CaseName and “Posting Affidavit”**

* * * * *

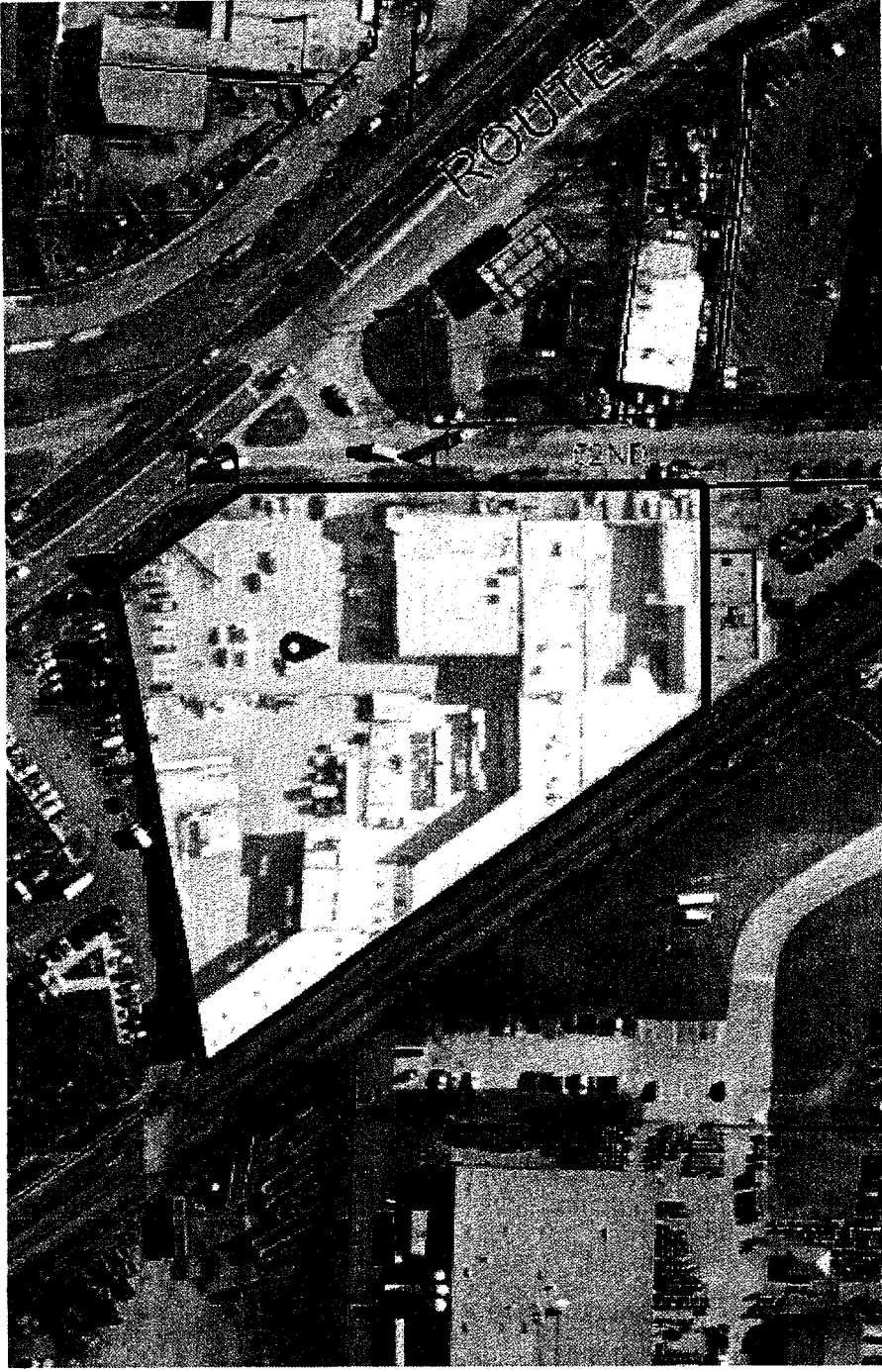
The affidavit must be received prior to the end of the 20-day (30 days for all CBCA conservation plans) posting period.

Planning director case: CNU-55255-2019; 3200 Kenilworth Avenue

Reviewer: Kelsey Shaffer

1 single-sided sign (A) 1 double-sided sign (B) (for a total of 3 physical signs)

*indicate on the map which are double and single via **A**= single **B**= double*





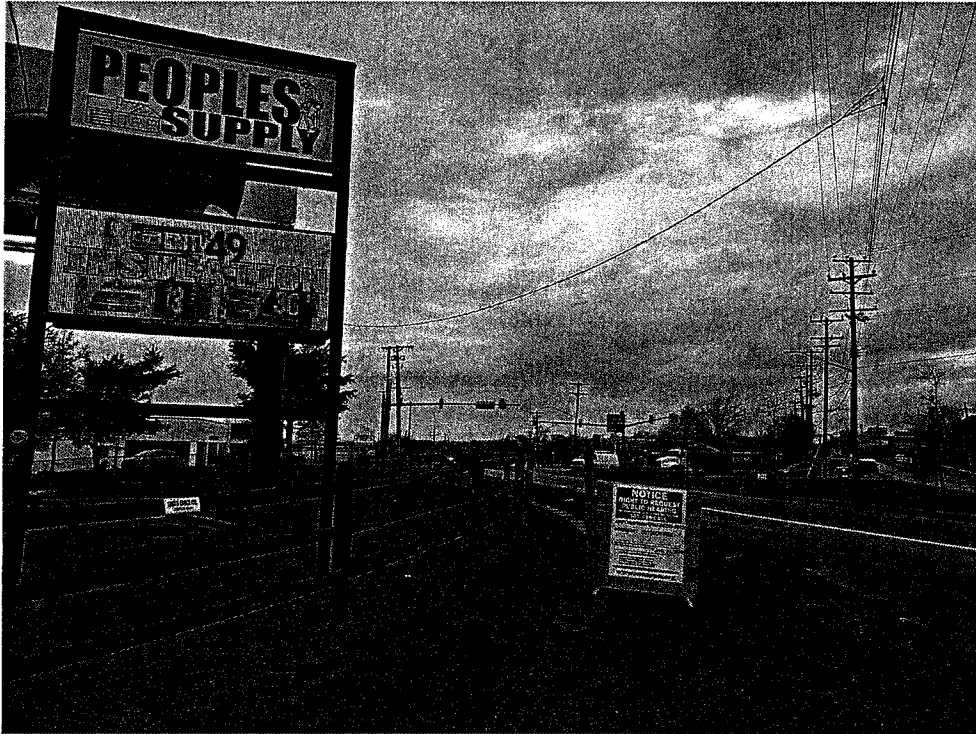
Sign A

CNU-55255-2019 – 3200 Kenilworth Ave., Hyattsville

Sign A: 52nd Ave.

Sign posted by: Stephenie Clevenger

Posted on: 1/4/2020



Sign B

CNU-55255-2019 – 3200 Kenilworth Ave., Hyattsville

Sign B: Kenilworth Ave.

Sign posted by: Stephenie Clevenger

Posted on: 1/4/2020



Sign C

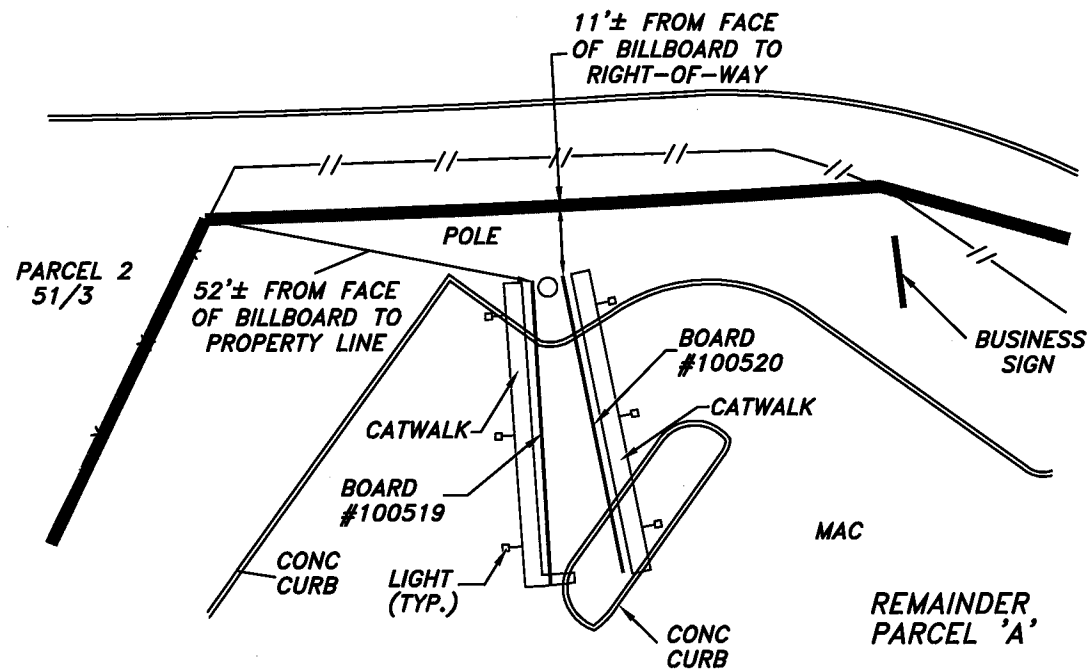
CNU-55255-2019 – 3200 Kenilworth Ave., Hyattsville

Sign C: Kenilworth Ave.

Sign posted by: Stephenie Clevenger

Posted on: 1/4/2020

KENILWORTH AVENUE



BILLBOARD DETAIL

Scale: 1" = 30'



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 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:

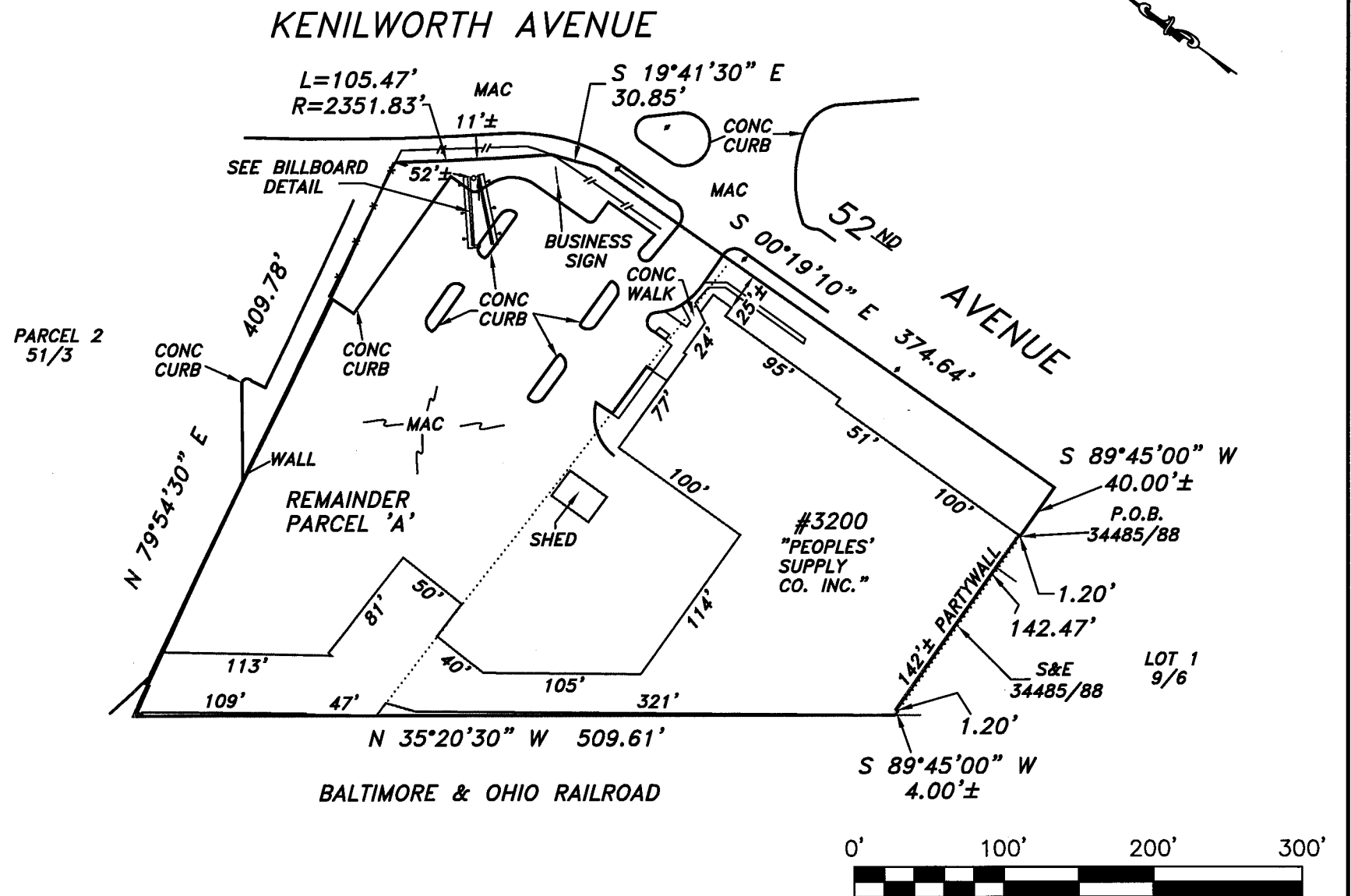
- 1) THE SUBJECT PROPERTY IS ZONED I-2 (HEAVY INDUSTRIAL)
- 2) TAX ID#: 02-0128843 & 02-0158535
- 3) TOTAL ROAD FRONTAGE OF KENILWORTH AVENUE AND 52ND AVENUE: 510.96'
- 4) NO STATIC OR DIGITAL BILLBOARDS WERE OBSERVED WITHIN 1,000 FEET OF THE EXISTING BILLBOARD.
- 5) ONLY IMPROVEMENTS WITHIN CLOSE PROXIMITY TO THE EXISTING BILLBOARD ARE SHOWN HEREON.
- 6) NO PROPERTY CONTROL FOUND.
- 7) THE BUILDING APPEARS TO LIE AT, NEAR OR OVER THE PROPERTY LINE.
- 8) THE FENCE APPEARS TO LIE OFF THE SUBJECT PROPERTY.

SIGN HEIGHTS:

BOARD # 100519 TOP: 43.1'
BOTTOM: 29.0'
BOARD # 100520 TOP: 43.1'
BOTTOM: 29.0'

SIGN LENGTHS:

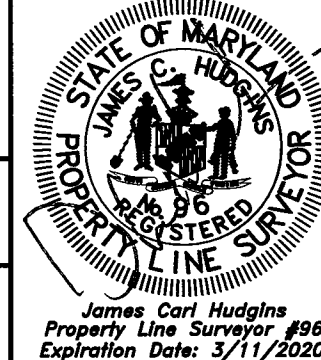
BOARD # 100519: 47.8'
BOARD # 100520: 47.8'



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: The remainder of the land shown on the plat entitled PARCEL 'A' "PEOPLES" SUPPLY CO. INC." recorded among the Land Records of Prince George's County, Maryland in Plat Book 83, folio 42, Saving & Excepting the land now described in Liber 34485, folio 88.

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 24033C0141 E, effective 9/16/2016



SPECIAL PURPOSE SURVEY
3200 KENILWORTH AVENUE
2nd 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" = 100'
Date: 10/17/2019
Field By: TOM
Drawn By: SCK
File No.: MISC 13643
Page No.: 1 of 1