

October 26, 2021

**MEMORANDUM**

**TO:** Donna J. Brown  
Clerk of the Council



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

**SUBJECT:** Notification of Recommendation for Certification of Nonconforming Use

Permit Application Number: **26372-2021-U**

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

Location of Property: **5555 Branchville Road  
College Park**

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

Sign Posting Date: **August 20, 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 1988.**

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: Established Communities (2035)

**PROJECT NAME:** 5555 Branchville Road, NCU 26372-2021-00

Complete address (if applicable) \_\_\_\_\_ Tax Account #: 21-2318921  
 Geographic Location (distance related to or near major intersection) \_\_\_\_\_ Police District #: 1  
 5555 Branchville Road, College Park, MD 20740. The Property is located on Greenbelt Road at Greenbelt Station Parkway.

Total Acreage: 1.135	Aviation Policy Area: N/A	Election District: 21
Tax Map/Grid: 025/F4	Current Zone(s): C-S-C (Comm. Shop. Ctr.)	Council District: 1
WSSC Grid: 210NE05	Existing Lots/Blocks/Parcels:	Dev. Review District: D-D-O
Planning Area: 67	In Municipal Boundary: <b>Berwyn Heights</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:  
**Certification of 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: April Mackoff, Clear Channel Outdoor, LLC 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) NVR MS Cavalier Greenbelt, LLC 11700 Plaza America Drive Reston, VA 20190	Consultant Name, Address & Phone:        Contact Name, Phone & E-mail: same as applicant
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**SIGNATURE** (Sign where appropriate; include Application Form Disclosure for additional owner's signatures)

NVR MS Cavalier Greenbelt LLC  
 Owner's Signature typed & signed \_\_\_\_\_ Date \_\_\_\_\_

please see Easement Agreement  
 Contract Purchaser's Signature typed & signed \_\_\_\_\_ Date \_\_\_\_\_

Mackoff, April Digitaly signed by Mackoff, April  
Date: 2021.02.25 11:49:20 -0500  
 Applicant's Signature typed & signed \_\_\_\_\_ Date 6-18-21

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: Gross Floor Area (Nonresidential portion only):  
 Attached \_\_\_\_\_ Detached \_\_\_\_\_ Multifamily \_\_\_\_\_

**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: Zoning Ordinance Section(s):  
 Certification of nonconforming use for existing outdoor advertising structure. Sections 27-244 & 241

Total Number of Proposed:  
 Lots \_\_\_\_\_ Outlots \_\_\_\_\_ Parcels \_\_\_\_\_ Outparcels \_\_\_\_\_

Number of Dwelling Units: Gross Floor Area (Nonresidential portion only):  
 Attached \_\_\_\_\_ Detached \_\_\_\_\_ Multifamily \_\_\_\_\_

Variance Request Applicable Zoning/Subdivision Regulation Section(s):  
 Yes  No

Departure Request Application Filed  
 Yes  No

Alternative Compliance Request 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 26372-2021-00

5555 Branchville Road

2. Description of proposed use/request

Certification of an outdoor advertising sign located at 5555 Branchville Road, College Park, Maryland 20740 (the "Property"), as a nonconforming use.

3. Description and location of the subject property

The Property is located at the intersection of Greenbelt Road and Greenbelt Station Parkway. Specifically, the Property is located on Map 025, Grid F4, and is approximately 1.1350 acres in size. The Property is zoned C-S-C (Commercial Shopping Center).

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 1988.

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, which appears to be 'April Mackoff', is written in black ink. To the right of the signature, the date '6-18-21' is written in the same ink.

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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 :** 06/18/2021

**PERMIT APPLICATION**

**Case Number:** 26372-2021-00

**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 :** 087

**SITE INFORMATION**

<b>SITE ADDRESS:</b> 5555 BRANCHVILLE RD COLLEGE PARK 20740	<b>PROJECT NAME:</b>  <b>SUBDIVISION:</b>	<b>EST. CONSTRUCTION COST:</b>  <b>ELECTION DISTRICT:</b> 21 <b>PROPERTY TAX ACCOUNT #:</b> 2318921
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<u>OWNER</u>	<u>OCCUPANT</u>	<u>CONTRACTOR</u>	<u>ARCHITECT</u>
NVR MS Cavalier Greenbelt LLC 11700 Plaza America DR # 310 Reston VA 20190	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 (240) 755 - 9203   
**NAME COMPANY PHONE SIGNATURE**



**JOB NOTES:**

- 1) THE SUBJECT PROPERTY IS ZONED C-S-C (COMMERCIAL SHOPPING CENTER)
- 2) TAX ID#: 21-2318921
- 3) ROAD FRONTAGE OF GREENBELT ROAD: 52.92'  
ROAD FRONTAGE OF GREENBELT STATION PARKWAY: 99.32'  
ROAD FRONTAGE OF BRANCHVILLE ROAD: 28.99'  
TOTAL ROAD FRONTAGE: 181.23'
- 4) 560'± TO THE CLOSEST STATIC BILLBOARD, NO DIGITAL BILLBOARDS WITHIN 1,000 FEET OF THE EXISTING BILLBOARD WERE OBSERVED.
- 5) ONLY IMPROVEMENTS IN CLOSE PROXIMITY TO THE EXISTING BILLBOARD ARE SHOWN HEREON.
- 6) ONLY THE PORTION OF THE PROPERTY CONTAINING THE EXISTING BILLBOARD IS SHOWN HEREON.

**SIGN HEIGHTS:**

BOARD #100450 TOP: 48.8'  
BOTTOM: 34.6'  
BOARD #100451 TOP: 48.8'  
BOTTOM: 34.6'  
(HEIGHT AT GREENBELT ROAD)

**SIGN LENGTHS:**

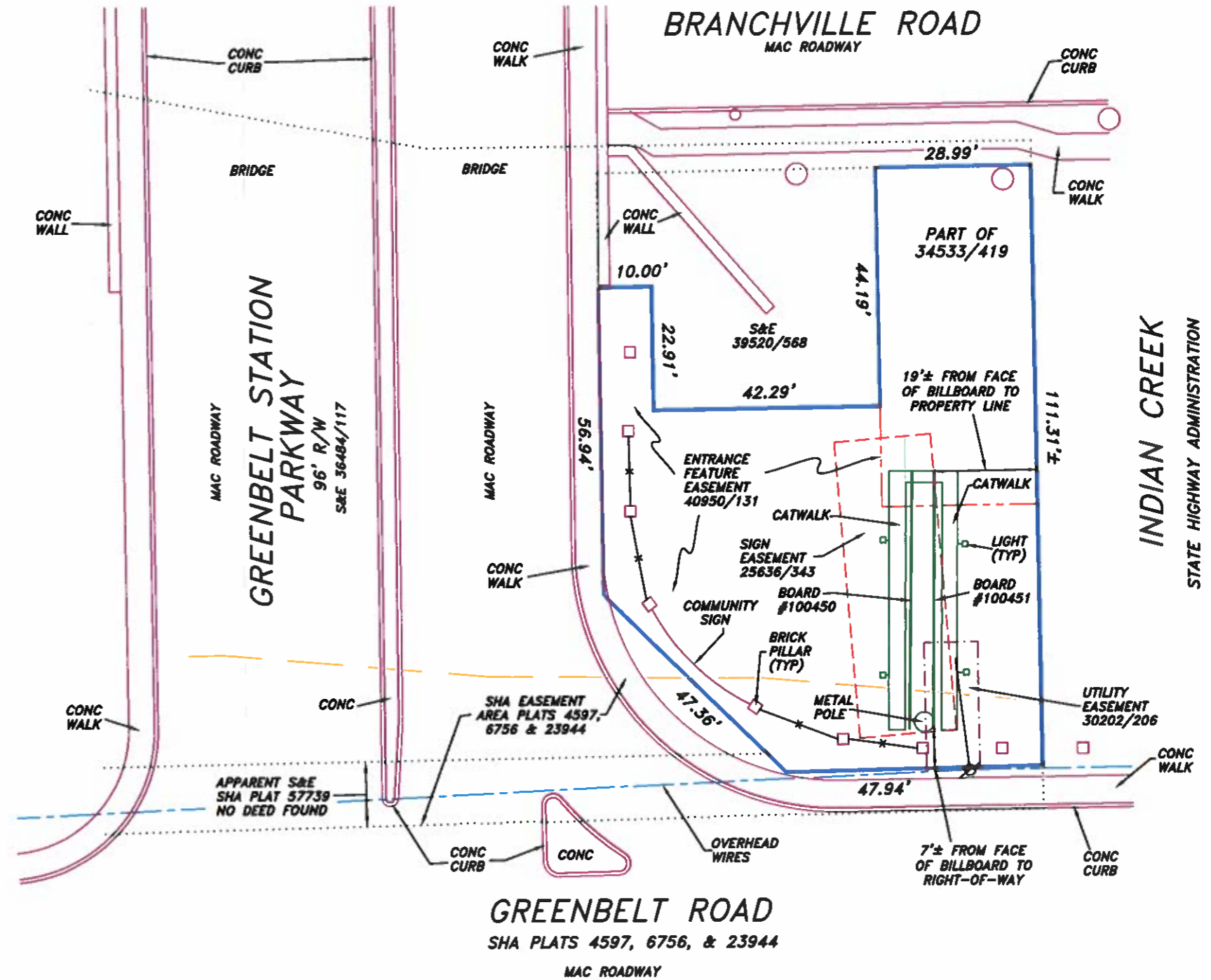
BOARD #100450: 47.9'  
BOARD #100451: 47.9'

**APPARENT ENCROACHMENT NOTES:**

- 1) THE BILLBOARD APPEARS TO LIE PARTIALLY OUT OF THE SIGN EASEMENT.
- 2) THE BILLBOARD APPEARS TO LIE PARTIALLY WITHIN THE SHA EASEMENT, UTILITY EASEMENT, AND ENTRANCE FEATURE EASEMENT.
- 3) THE CONCRETE SIDEWALK APPEARS TO LIE AT, NEAR, OR WITHIN THE SUBJECT PROPERTY.

**GENERAL NOTES:**

- 1) The accuracy of the distances shown from any structure to any apparent property line is 3'±.
- 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: #5555 BRANCHVILLE ROAD being the easternmost Remaining portion of TRACT 3, PARCEL 2: (WEST PARCEL) as described in a deed recorded among the Land Records of Prince George's County, Maryland in Liber 34533, 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 AE on the FIRM Map of Prince George's County, Maryland on Community Panel Number 24033C0131 E, effective 9/16/2016



James Carl Hudgins  
Property Line Surveyor #96  
Expiration Date: 3/11/2022

**SPECIAL PURPOSE SURVEY**  
5555 BRANCHVILLE ROAD  
21st 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" = 25'  
Date: 2/10/2021  
Field By: TOM  
Drawn By: SCK  
File No.: MISC 12800  
Page No.: 1 of 1

**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 8/20/2021  
(specify number) (date)

Signature: Stephenie Clevenger

Application Number: NCU-26372-2021-00 Name: Clear Channel Billboard

Date: 8/13/2021

Address: 1001 Prince Georges Blvd., Suite 700  
Upper Marlboro, MD 20774

Telephone: 240-338-0131

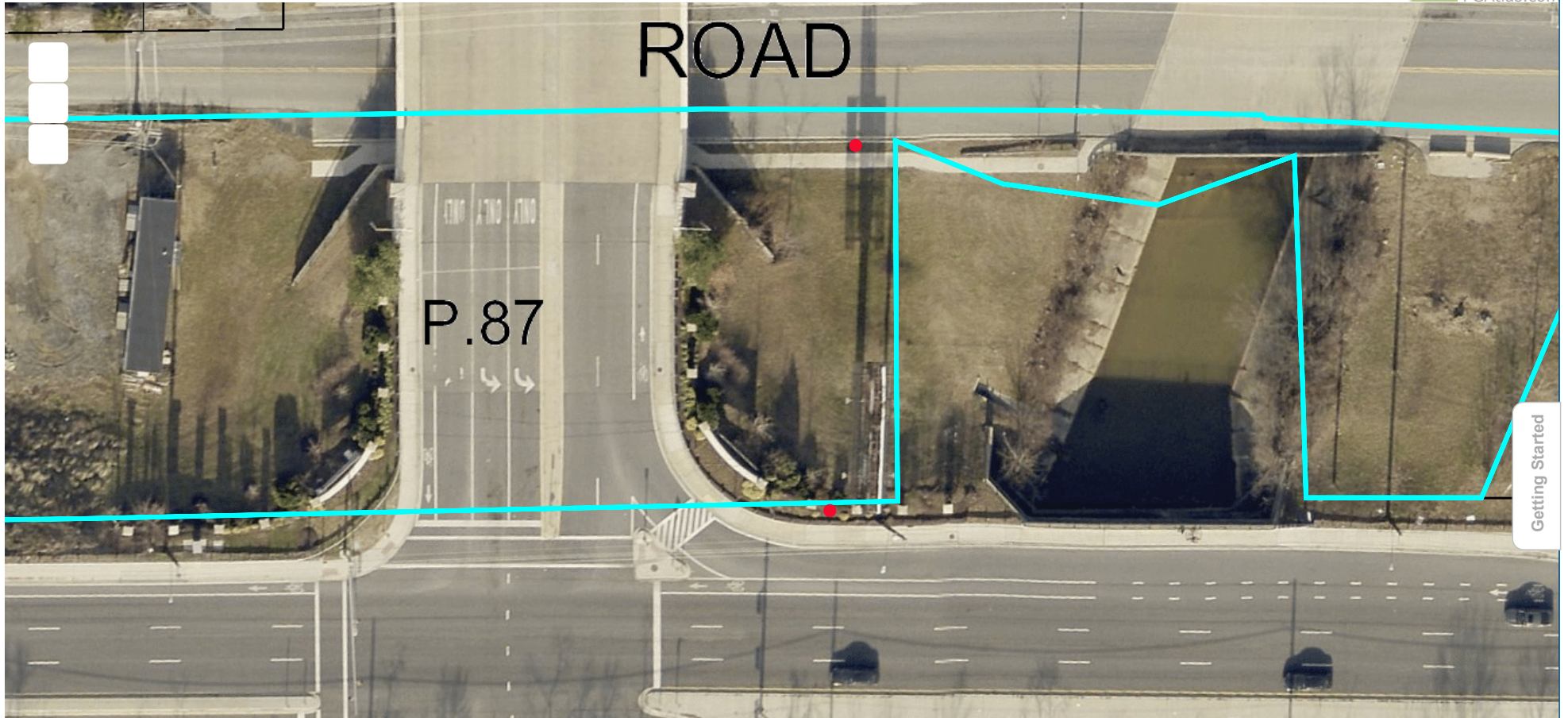
Capacity in which you are acting: Agent  
(owner, applicant, agent)

**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.







**1 Sign located on Branchville Road**

**CNU-26372-2021-00 5555 Branchville Rd., College Park**

**Sign posted by: Stephenie Clevenger**

**Posted on: 8/20/2021**





**1 Sign located on Greenbelt Road**

**CNU-26372-2021-00 5555 Branchville Rd., College Park**

**Sign posted by: Stephenie Clevenger**

**Posted on: 8/20/2021**