




May 13, 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: **35052-2023-U**

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

Location of Property: **15811 Robert Crain Highway
Brandywine**

Current Zone(s): **L-A-C**

Sign Posting Date: **December 30, 2023**

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 1962.**



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.



The Maryland-National Capital Park and Planning Commission




1616 McCormick Drive, Largo, MD 20774 • pgplanning.org • Maryland Relay 7-1-1

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

APPLICATION TYPE: <u>NCU-35052-2023,</u> <input type="checkbox"/> Revision of Case # _____		
Companion Cases: _____		
Payment option: <input type="checkbox"/> Credit Card <input type="checkbox"/> Check (payable to M-NCPPC) <i>Do not submit payment until requested by staff</i>		
PROJECT NAME: CLEAR CHANNEL BILLBOARD		
Complete address (if applicable) <u>15811 SW ROBERT CRAIN HWY BRANDYWINE 20613</u>		
Geographic Location (distance related to or near major intersection) <u>at the intersection of 301 & Chadd Fords drive</u>		
Total Acreage: 9.08	Aviation Policy Area: N/A	Election District: 11
Tax Map/Grid: 154-F3	Current Zone(s): TAC-E	Council District: 9
WSSC Grid: 220SE07	Existing Lots/Blocks/Parcels: PARCEL A	Dev. Review District:
Planning Area:	In Municipal Boundary:	Is development exempt from grading permit pursuant to 32-127(a)(6)(A)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Tax Account #: 5591956	Police District #: VII	General Plan Growth Policy: Established Communities
Proposed Use of Property and Request of Proposal: NON-CONFORMING USE FOR EXISTING BILLBOARD		Please list previously approved applications affecting the subject property:
Applicant Name, Address & Phone: CLEAR CHANNEL OUTDOOR 9590 LYNN BUFF CT.#5, LAUREL, MD 20723		Consultant Name, Address & Phone: NO LIMIT LAND 1001 PRINCE GEORGE'S BLVD, #700, UPPER MARLBORO, MD 20774 2403380131
Owner Name, Address & Phone: (if same as applicant indicate same/corporation see Disclosure) CLEAR CHANNEL OUTDOOR 9590 LYNN BUFF CT.#5, LAUREL, MD 20723		Contact Name, Phone & E-mail: STEPHENIE CLEVINGER NOLIMITLAND@ICLOUD.COM 2403380131

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

Owner's Signature (signed)	Date		12/11/2023	Applicant's Signature (signed)	Date
		Stephen Brvenik			
Contract Purchaser's Signature (signed)	Date	Applicant's Signature (signed)	Date		

FOR STAFF USE ONLY	Application No.(s):
--------------------	---------------------

SUBDIVISION CASES: Preliminary Plan of Subdivision/Conservation Sketch Plan	
Type of Application (Check all that apply): <input type="checkbox"/> Conventional Subdivision <input type="checkbox"/> Conservation Subdivision <input type="checkbox"/> Conservation Sketch Plan <input type="checkbox"/> Subdivision Ordinance Interpretation <input type="checkbox"/> Vacation Petition	
Variation, Variance or Alternative Compliance Request(s): <input type="checkbox"/> Yes <input type="checkbox"/> 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: <input type="checkbox"/> DPIE <input type="checkbox"/> Health Department	Number of Plats: _____
Detailed Site Plan No.: _____	WSSC Authorization No.: _____
Approval Date of Preliminary Plan: _____	Check box if a hearing is requested: <input type="checkbox"/>
URBAN DESIGN AND ZONING CASES	
Type of Application (Check all that apply): <input checked="" type="checkbox"/> Certification of Nonconforming Use <input type="checkbox"/> Conservation Plan <input type="checkbox"/> Detailed Site Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Secondary Amendment <input type="checkbox"/> Special Exception <input type="checkbox"/> Zoning Map Amendment <input type="checkbox"/> Zoning Ordinance Interpretation	
Details of Request: NON-CONFORMING USE FOR EXISTING BILLBOARD	Applicable Zoning Ordinance Section(s): _____
Total Number of Proposed: Lots _____ Outlots _____ Parcels _____ Outparcels _____	
Number of Dwelling Units: Attached _____ Detached _____ Multifamily _____	Gross Floor Area (Nonresidential portion only): _____
Variance Request: <input type="checkbox"/> Yes <input type="checkbox"/> No	Applicable Zoning/Subdivision Regulation Section(s): _____
Departure Request: <input type="checkbox"/> Yes <input type="checkbox"/> No	Application Filed: <input type="checkbox"/> Yes <input type="checkbox"/> No
Alternative Compliance Request: <input type="checkbox"/> Yes <input type="checkbox"/> No	Application Filed: <input type="checkbox"/> Yes <input type="checkbox"/> 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

Officers	Date Assumed Duties	Date Term Expires	Residence Address	Business Address

Statement of Justification

1. Case Name

NCU-35052-2023

Chadds Ford Drive

2. Description of proposed use/request

Certification of an outdoor advertising sign located at Chadds Ford Drive, Brandywine, Maryland 20613 (the "Property"), as a nonconforming use.

3. Description and location of the subject property

The Property can be seen off to the right of SW Robert Crain Highway running south, approximately 704 feet northwest of the intersection with Chadds Ford Drive. Specifically, the Property is located on Map 154, Grid F3, and is approximately 9.2050 acres in size. The Property is zoned R-M (Residential Medium Development).

A low to the ground outdoor advertising structure constructed on five metal posts and containing one bulletin face is located on the Property. Our documentary evidence demonstrates that the structure has existed on the Property since at least 1962.

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).

Stephenie Clevenger - for April Mackoff

April Mackoff

Applicant, Clear Channel Outdoor

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 12/30/2023
(specify number) (date)

Signature: Stephenie Clevenger

Application Number: CNU-35052-2023 Name: 15811 SW ROBERT CRAIN HWY BRANDYWINE
20613

Date: 12/30/2023

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.

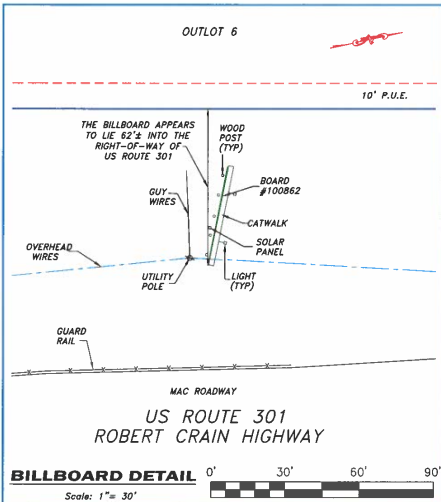


Sign 1

CNU-35052-2023, 15811 SW ROBERT CRAIN HWY BRANDYWINE 20613

Sign posted by: Stephenie Clevenger

Posted on: 12/30/2023



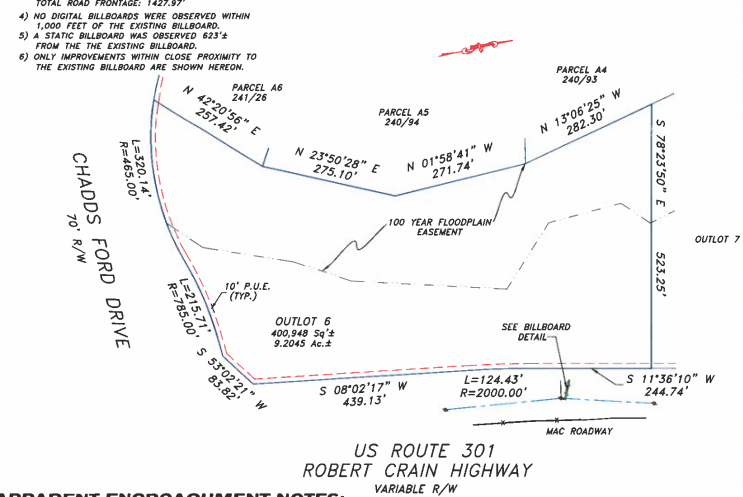
- GENERAL NOTES:**
- 1) The occupancy of the distances shown from any structure to any apparent property line is 2:2.
 - 2) This drawing does not represent a Boundary Survey. Any property markers labeled property markers labeled hereon are not guaranteed by NTT Associates, Inc.
 - 3) This plat is of 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 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 L-A-C (LOCAL ACTIVITY CENTER)
- 2) TAX ID#: 11-5591656
- 3) ROAD FRONTAGE OF US ROUTE 301: 808.30'
ROAD FRONTAGE OF CHADDS FORD DRIVE: 619.67'
TOTAL ROAD FRONTAGE: 1427.97'
- 4) NO DIGITAL BILLBOARDS WERE OBSERVED WITHIN 1,000 FEET OF THE EXISTING BILLBOARD.
- 5) A STATIC BILLBOARD WAS OBSERVED 622'± FROM THE EXISTING BILLBOARD.
- 6) ONLY IMPROVEMENTS WITHIN CLOSE PROXIMITY TO THE EXISTING BILLBOARD ARE SHOWN HEREON.

SIGN HEIGHTS: BOARD # 100862 TOP: 13.4'
BOTTOM: 1.5'
(HEIGHTS AT US ROUTE 301)

SIGN LENGTHS: BOARD # 100862: 40.0'



SPECIAL PURPOSE SURVEY
CHADDS FORD DRIVE
11th ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND

Scale: 1" = 150'
Date: 6/24/2021
Field By: TOM
Drawn By: SCK
File No.: MSC 14700
Page No.: 1 of 1

NTT Associates, Inc.
16205 Old Frederick Rd.
Wt. Arly, Maryland 21771
Phone: (410) 442-2031
Fax: (410) 442-1315
www.nttsurveyors.com

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