

February 10, 2022

MEMORANDUM

TO: Donna J. Brown
Clerk of the Council

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

SUBJECT: Notification of Recommendation for Certification of Nonconforming Use

Permit Application Number: **19490-2021-U**

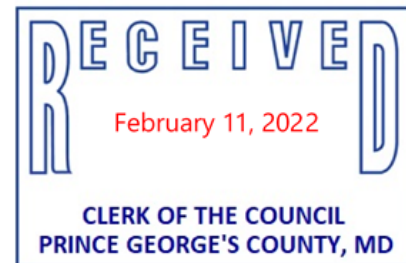
Specific Use(s): **Outdoor Advertising Sign (Billboard)**

Location of Property: **4700 Addison Road
Capitol Heights**

Current Zone(s): **M-X-T**

Sign Posting Date: **December 11, 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 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



14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

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: 4700 Addison Road, 19490-2021-00

Complete address (if applicable) 4700 Addison Road, Capitol Heights, MD 20743 Tax Account #: 18-5655433
 Geographic Location (distance related to or near major intersection) Police District #: III
 4700 Addison Road, Capitol Heights, MD 20743. The Property is located on Addison Road at intersection w/ Minnesota Ave.

Total Acreage: 3.84	Aviation Policy Area: N/A	Election District: 18
Tax Map/Grid: 58/E4	Current Zone(s): MXT (Mixed Use Transportation Oriented)	Council District: 5
WSSC Grid: 202NE14	Existing Lots/Blocks/Parcels:	Dev. Review District:
Planning Area: 72	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:
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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) Jemals Fairfield Farms Retail LLC Douglas Dev Corp 702 H Street, Suite 400 Washington, D.C. 20001, (202) 638-6300	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)

Jemals Fairfield Farms Retail LLC 5/13/21	Mackoff, April <small style="font-size: 8px;">Digitally signed by Mackoff, April Date: 2021.05.11 16:35:32 -0400</small>
Owner's Signature typed & signed	Date
Applicant's Signature typed & signed	Date
please see section 5, clear channel outdoor LEAK Agreement	Date
Contract Purchaser'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 billboard Sections 27-244 and 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 19490-2021

4700 Addison Road

2. Description of proposed use/request

Certification of an outdoor advertising sign located at 4700 Addison Road, Capitol Heights, Maryland 20743 (the "Property"), as a nonconforming use.

3. Description and location of the subject property

The Property is located on Addison Road at the intersection with Minnesota Avenue. Specifically, the Property is located on Map 058, Grid E4, and is approximately 3.84 acres in size. The Property is zoned M-X-T (Mixed Use Transportation Oriented).

An outdoor advertising structure constructed on three metal posts and containing two poster faces is located on the Property. Our documentary evidence demonstrates that the structure has existed on the Property since at least 1977.

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 blue ink, followed by the date "5/13/21" also in blue ink.

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 : 05/10/2021

PERMIT APPLICATION

Case Number: 19490-2021-00

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

SITE ADDRESS: 4700 ADDISON RD CAPITOL HEIGHTS 20743	PROJECT NAME: SUBDIVISION: ADDISON ROW	EST. CONSTRUCTION COST: ELECTION DISTRICT: 18 PROPERTY TAX ACCOUNT #: 5655433
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<u>OWNER</u>	<u>OCCUPANT</u>	<u>CONTRACTOR</u>	<u>ARCHITECT</u>
Jemals Fairfield Farms Retail LLC 702 H ST # 400 Washington DC 20001	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**

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 12/11/2021
(specify number) (date)

Signature: Stephenie Clevenger

Application Number: CNU-19490-2021 Name: Clear Channel Billboard

Date: _____

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"

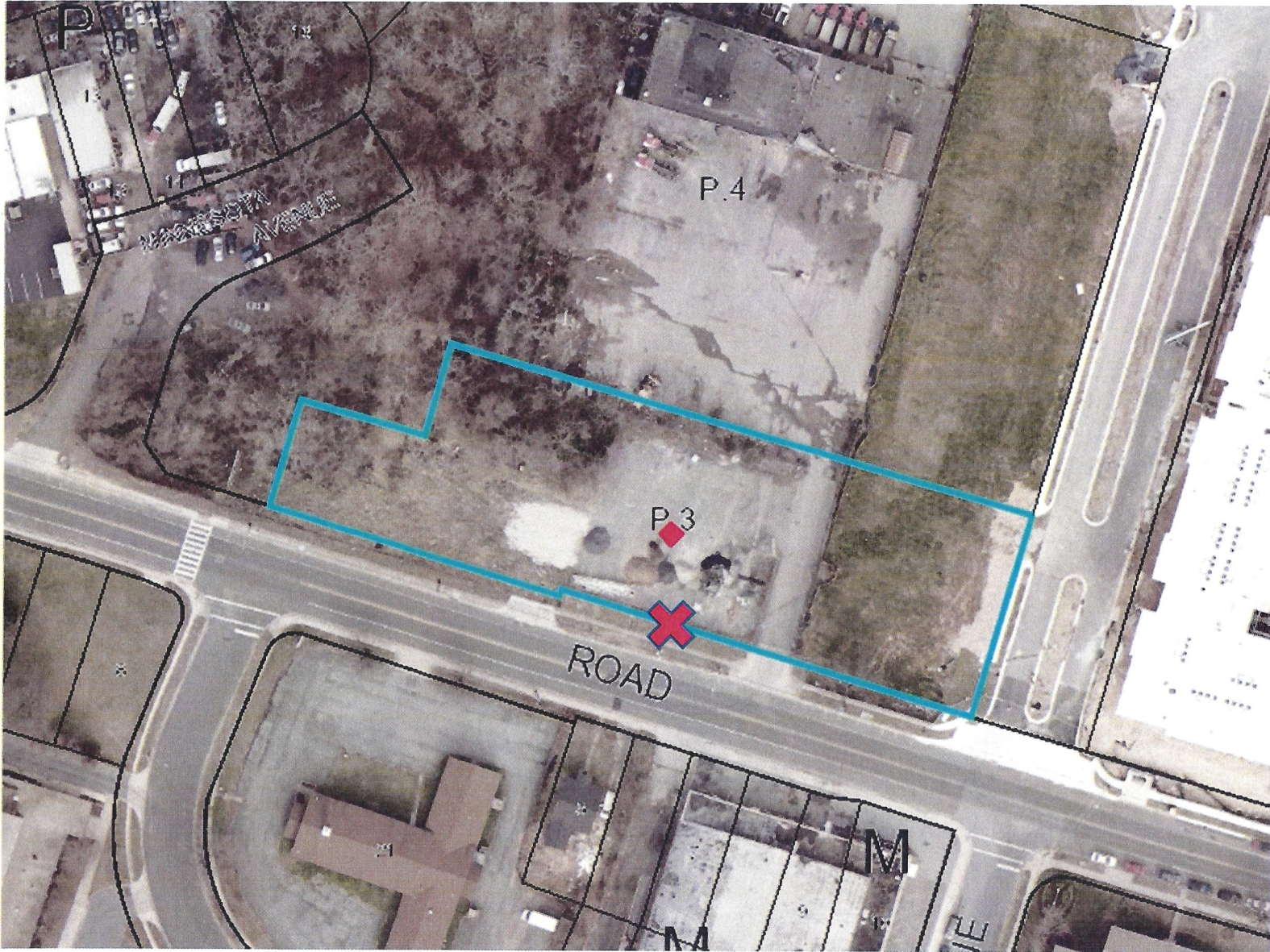
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The affidavit must be received prior to the end of the 20-day (30 days for all CBCA conservation plans) posting period.

Planning DIRECTOR case: CNU-19490-2021 - 4700 ADDISON ROAD

Reviewer: KELSEY SHAFFER

2 double-sided signs, 2 signs total





Sign 1

CNU- 19490-2021-00 4700 Addison Rd., Capitol Heights

Sign posted by: Stephenie Clevenger

Posted on: 12/11/2021



Sign 2

CNU- 19490-2021-00 4700 Addison Rd., Capitol Heights

Sign posted by: Stephenie Clevenger

Posted on: 12/11/2021

