

August 3, 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: **14244-2021-U**

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

Location of Property: **6910 Croom Station Road
Upper Marlboro**

Current Zone(s): **R-A**

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, 2021. This outdoor advertising sign was erected in 1955.**

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:

PROJECT NAME: 6910 Croom Station Road, 14244-2021-00

Complete address (if applicable) 6910 Croom Station Road, Upper Marlboro, MD Tax Account #: 03-0248914

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

6910 Croom Station Rd., Upper Marlboro, MD 20772. Property is located on Croom Station Rd., intersection w/ Crain Hwy.

Total Acreage: 19.705	Aviation Policy Area: N/A	Election District: 3
Tax Map/Grid: 110/E1	Current Zone(s): R-A (Res. Agricultural)	Council District: 9
WSSC Grid: 209SE12	Existing Lots/Blocks/Parcels:	Dev. Review District:
Planning Area: 82A	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:

<p>Proposed Use of Property and Request of Proposal: Certification of an outdoor advertising structure as a non-conforming use</p>	<p>Please list and provide copies of resolutions of previously approved applications affecting the subject property:</p>
<p>Applicant Name, Address & Phone: Clear Channel Outdoor LLC c/o April Mackoff 9590 Lynn Buff Court, Suite 5 Laurel, MD 20723 240-755-9203</p> <p>Owner Name, Address & Phone: (if same as applicant indicate same/corporation see Disclosure) Lucille W. Gwynn, (301) 627-2091 6910 Croom Station Road Upper Marlboro, MD 20772</p>	<p>Consultant Name, Address & Phone:</p> <p>Contact Name, Phone & E-mail: same as applicant</p>

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

Lucille Gwynn 3/22/21
 Owner's Signature typed & signed Date

Mackoff, April 3/22/21
Digitally signed by Mackoff, April
 Date: 2021.03.22 12:30:30 -0400
 Applicant's Signature typed & signed 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"/>
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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 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 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 **ONLY** required for **Special Exception and Zoning Map Amendment Applications**.

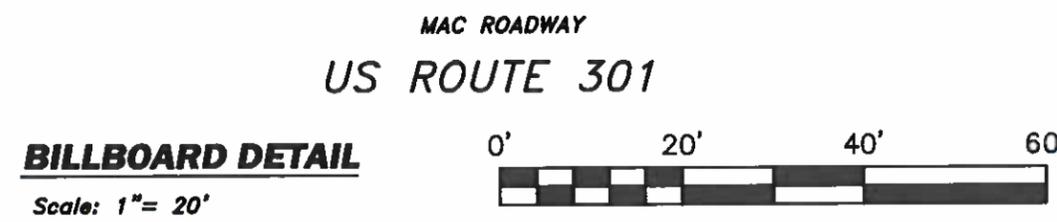
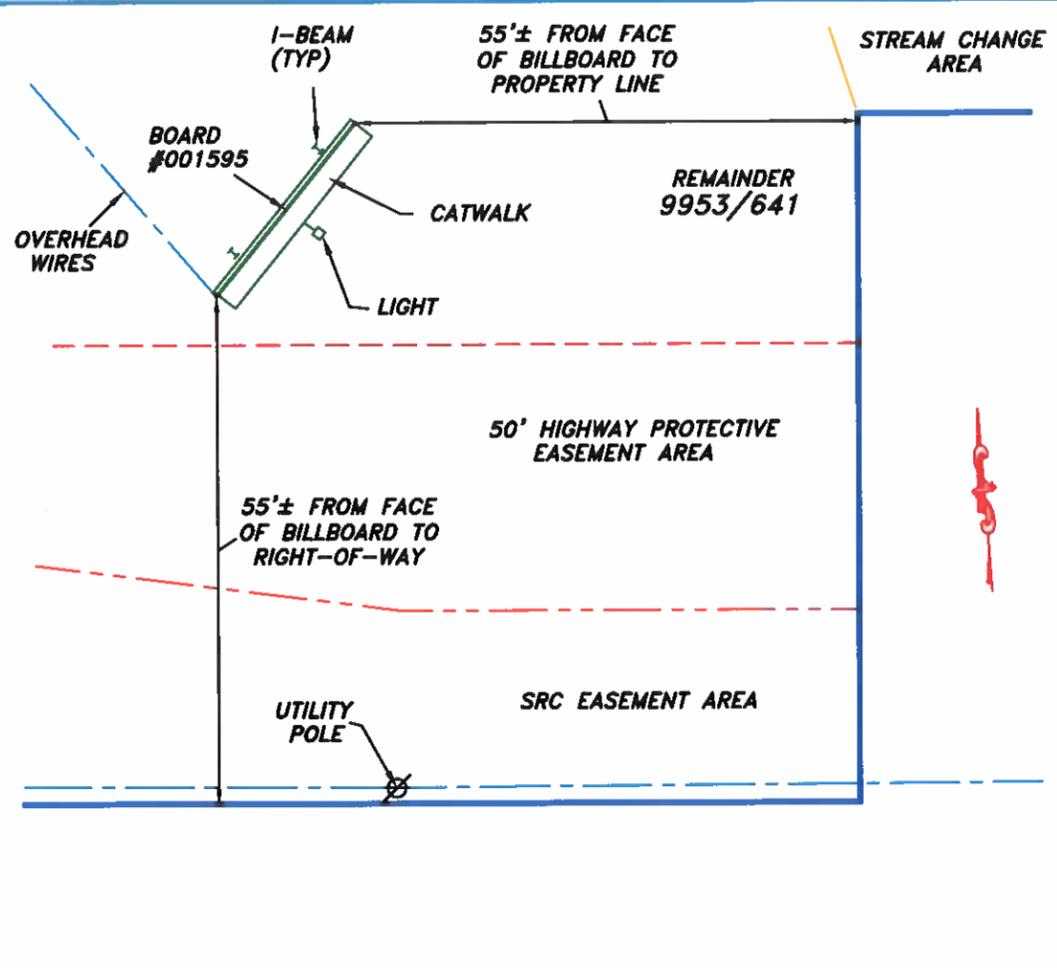
Owner(s) Name - printed	Signature and Date	Residence Address

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



- 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 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 R-A (RESIDENTIAL-AGRICULTURAL)
- 2) TAX ID#: 03-0248914 (PART OF)
- 3) ROAD FRONTAGE OF US ROUTE 301: 256'±
- 4) NO DIGITAL BILLBOARDS WERE OBSERVED WITHIN 1,000 FEET OF THE EXISTING BILLBOARD.
- 5) 300'± TO THE NEAREST STATIC BILLBOARD FROM THE EXISTING BILLBOARD.
- 6) ONLY IMPROVEMENTS WITHIN CLOSE PROXIMITY TO THE EXISTING BILLBOARD ARE SHOWN HEREON.
- 7) NO PROPERTY CONTROL FOUND, ROADS HELD FOR POSSESSION.
- 8) DEEDS AND PLATS OF RECORD APPEAR TO CONTAIN CONFLICTING INFORMATION.

SIGN HEIGHTS:

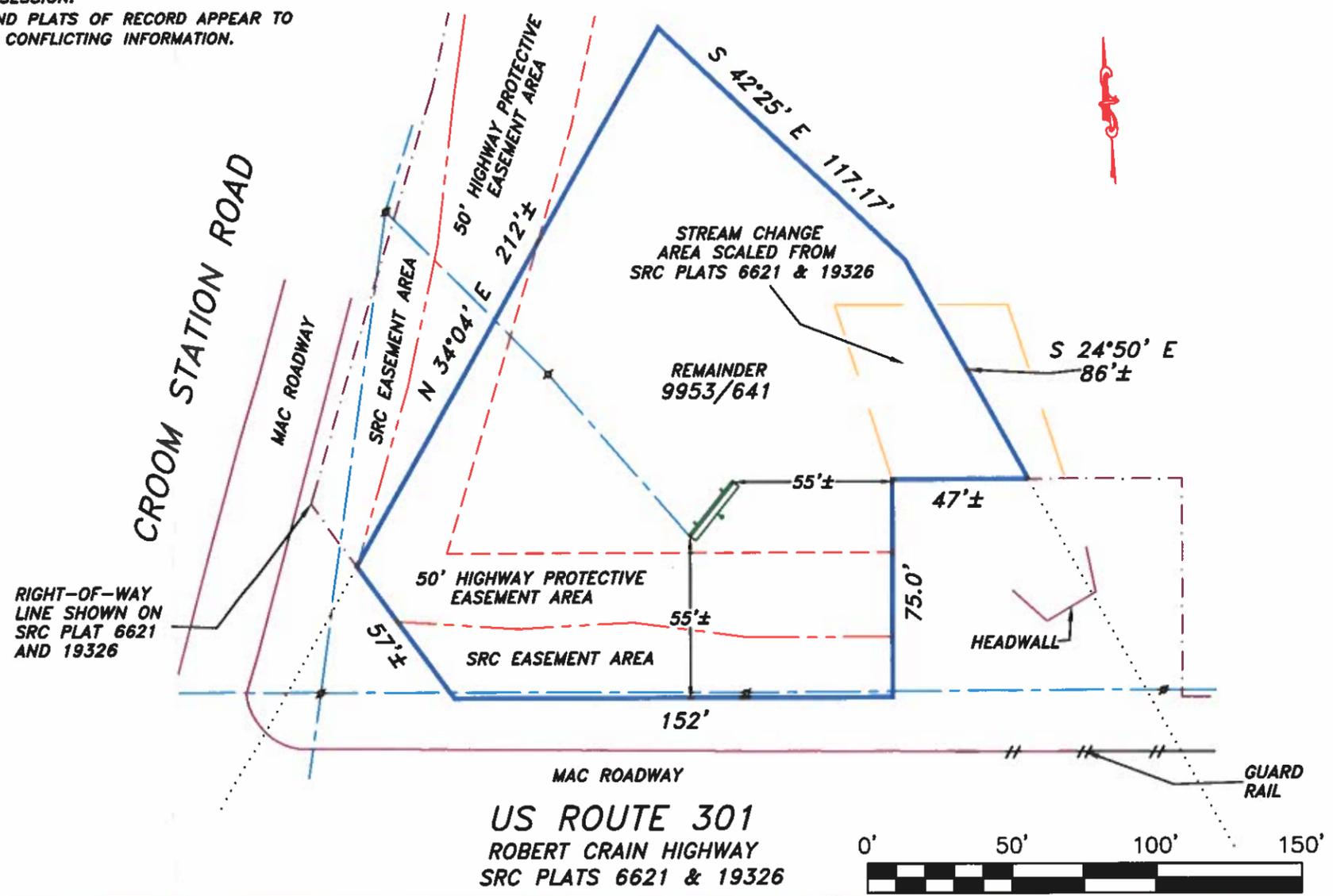
BOARD # 001595 TOP: 24.1'
BOTTOM: 11.9'
(HEIGHTS AT US ROUTE 301)

SIGN LENGTHS:

BOARD # 001595: 24.4'

JOB NOTES (CONTINUED):

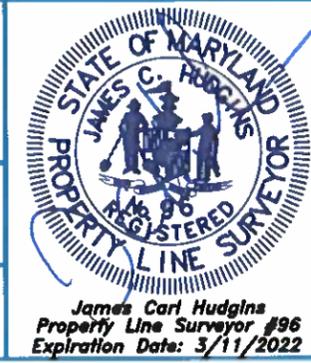
- 9) THE PROPERTY CONVEYED BY DEED 9953/641, DESCRIBED IN DEED 1585/342 FAILS TO MATHEMATICALLY CLOSE BY 40'±.



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: Part of the land conveyed by a deed dated December 22, 1994, from David H. and Lucille W. Gwynn to Lucille W. Gwynn recorded among the Land Records of Prince George's County, Maryland in Liber 9953, folio 641. (Described in deed 1585/342)

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 24033C0270 E, effective 9/16/2016



SPECIAL PURPOSE SURVEY
6910 CROOM STATION ROAD
3rd 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" = 50'
Date: 1/5/2021
Field By: CB
Drawn By: SCK
File No.: MISC 12794
Page No.: 1 of 1

Statement of Justification

1. Case Name

NCU 14244-2021-00

6910 Croom Station Road

2. Description of proposed use/request

Certification of an outdoor advertising sign located at 6910 Croom Station Road, Upper Marlboro, Maryland 20772 (the "Property"), as a nonconforming use.

3. Description and location of the subject property

The Property is located on Croom Station Road south of Robert Crain Highway. Specifically, the Property is located on Map 110, Grid E1, and is approximately 19.7050 acres in size. The Property is zoned R-A (Residential Agricultural).

An outdoor advertising structure is located on the Property, which is constructed on two metal I-beams and contains one poster face. Our documentary evidence demonstrates that the structure has existed on the Property since at least 1955.

4. Description of each required finding

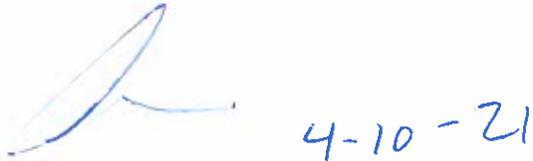
In accordance with CB-84-2016, the applicant is required to certify the outdoor advertising signs located on the Property. *Section 27-244, Prince George's County Code* (the "Code"). Section 27-244(d)(2) of the Code states that "...if satisfactory documentary evidence described in Section 27-244(b)(2)(E) 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.

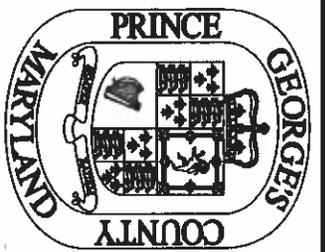
6. Summary/conclusion of request

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 "4-10-21" 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 HOMEOWNERCIVIC ASSOCIATION AND LOCAL COVENANTS. A FINE MAY BE IMPOSED IF CONSTRUCTION IS BEGUN WITHOUT REQUIRED APPROVALS.

PERMIT APPLICATION FILING FEES ARE NON-REFUNDABLE

Date : 04/10/2021

PERMIT APPLICATION

Case Number : 14244-2021-00

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

LOT : 1

BLOCK :

PARCEL :

SITE INFORMATION

SITE ADDRESS:	PROJECT NAME:	EST. CONSTRUCTION COST:
6900 CROOM STATION RD		
UPPER MARLBORO 20772	SUBDIVISION:	ELECTION DISTRICT: 03
		PROPERTY TAX ACCOUNT #: 5636122

OWNER	OCCUPANT	CONTRACTOR	ARCHITECT
Lucille Gwynn 6910 Croom Station RD Upper Marlboro MD 20772	Clear Channel Outdoor LLC 9590 Lynn Buff #5 Laurel MD 20723	Clear Channel Outdoor LLC 9590 Lynn Buff #5 Laurel MD 20723	

FOR OFFICE USE ONLY

Reviewer	Date	Reviewer	Date
M-NCPPC			
Site / Road Eng.		Fire Eng.	
Structural Eng.		Mechanical Eng.	
Electrical 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 **NAME** Clear Channel Outdoor **COMPANY** (240) 755 - 9203 **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)
1 sign(s) on 5/23/2021
(specify number) (date)

Signature: Stephenie Clevenger

Application Number: CNU-14244-2021 Name: Clear Channel Billboard

Date: 5/23/2021

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

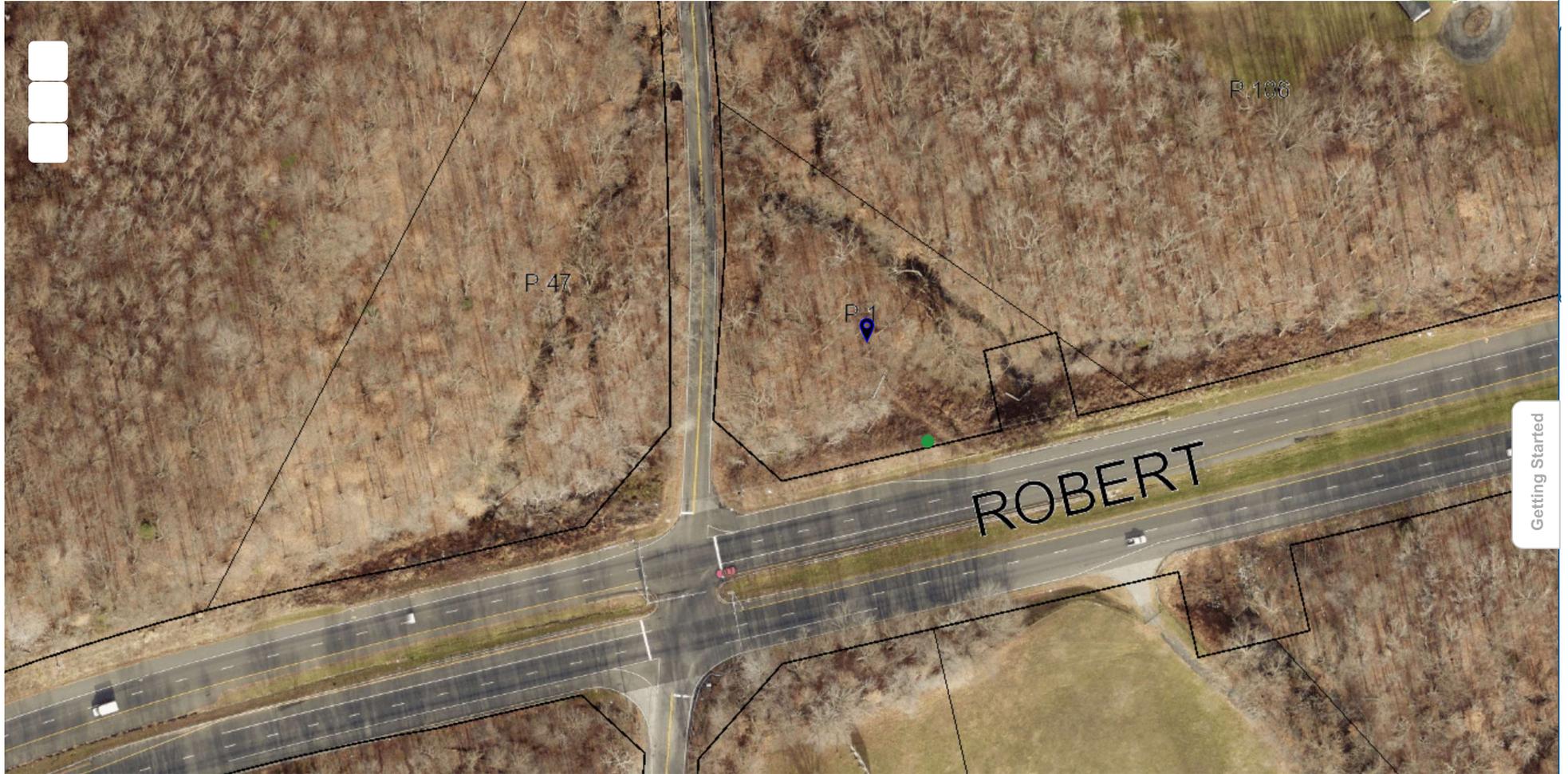
Telephone: 240-338-0131

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.



Getting Started





Sign 1

Single Sign

CNU-14244-2021 - 6900 Croom Station Rd, UM

Sign posted by: Stephenie Clevenger

Posted on: 5/23/2021