



July 18, 2019

RECEIVED

JUL 19 2019

CLERK OF THE COUNCIL
PRINCE GEORGE'S COUNTY MARYLAND

MEMORANDUM

TO: Donna J. Brown
Acting 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: **18306-2019-U**

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

Location of Property: **4511 Decatur Street
Hyattsville**

Current Zone(s): **I-1**

Sign Posting Date: **June 5, 2019**

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 1974.**

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): 18306-2019 Planning Board Review Planning Director Review
 Acceptance Date: 3/28/19 70-day limit _____ Limit waived–New limit _____
 Posting Date: 6/5/19 No. of Signs Posted: 1 Agenda Date: _____
 Filing Fee: _____ Posting Fee: \$30 Case Reviewer: Kelley 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 18306-2019, 4511 Decatur Street

PROJECT NAME: 4511 Decatur Street

Complete address (if applicable) and Geographic Location (distance related to or near major intersection)
 4511 Decatur Street, Hyattsville, Maryland 20781. The property is located on the south side of Decatur Street, approximately 345 feet southeast of the intersection with Baltimore Avenue.

Total Acreage: 0.1060	Election District: 16	
Tax Map/Grid: 050/C1	Current Zone(s): I-1 (Light Industrial)	Council District: 5
WSSC Grid: 206NE04	Existing Lots/Blocks/Parcels: N/A	Dev. Review District: D-D-O
COG TAZ: 960	PG TAZ: 762	Aviation Policy Area: N/A
Planning Area: 68	In Municipal Boundary: Hyattsville	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, 240-755-9203 9590 Lynn Buff Court, Suite #5 Laurel, Maryland 20723 aprilmackoff@clearchannel.com Owner Name, Address & Phone: (if same as applicant indicate same/corporation see Disclosure) Andrew F. Toone, 301-593-3806 913 Laredo Road Silver Spring, Maryland 20901	Consultant Name, Address & Phone: Contact Name, Phone & E-mail: same as applicant aprilmackoff@clearchannel.com
---	--

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

Andrew F. Toone
 lease see section 5 of Lease Agreement 4-30-19
 Owner's Signature typed & signed _____ Date _____

April Mackoff
 Applicant's Signature typed & signed _____ Date _____

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 18306-2019

4511 Decatur Street

2. Description of proposed use/request

Certification of outdoor advertising sign located at 4511 Decatur Street, Hyattsville, MD 20781 (the "Property") as a nonconforming use.

3. Description and location of the subject property

The Property is located on the south side of Decatur Street approximately 345 feet southeast of the intersection with Baltimore Avenue. Specifically, the Property is located on Map 050, Grid C1, and is approximately 0.1060 acres in size. The Property is zoned I-1 (Light Industrial).

An outdoor advertising structure constructed on a single metal post 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 1974.

4. Description of each required finding

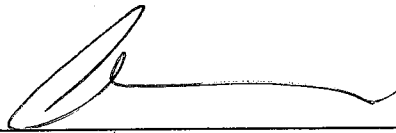
In accordance with CB-84-2016, the applicant is required to certify the outdoor advertising signs located on the Property. *Section 27-244, Prince George's County Code* (the "Code"). Section 27-244(d)(2) of the Code states that "...if satisfactory documentary evidence described in Section 27-244(b)(2)(E)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



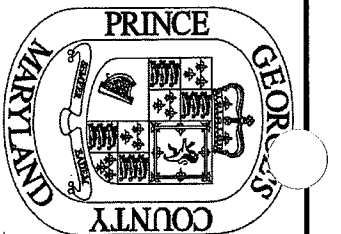
4/30/19

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

Date: 04/29/2019

PERMIT APPLICATION

Case Number: 18306-2019-00

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: 4511 DECATUR ST HYATTSVILLE 20781	PROJECT NAME: SUBDIVISION: HYATTSVILLE BLDG CO LAND ADDN TO HYATTSVILLE	EST. CONSTRUCTION COST:
OWNER: Andrew Toone 913 Laredo RD Silver Spring MD 20901	OCCUPANT: Clear Channel Outdoor, Inc. 9590 Lynn Buff #5-4517 Decatur St. Laurel MD 20781 20722	ELECTION DISTRICT: 16
	CONTRACTOR: Clear Channel Outdoor, Inc. 9590 Lynn Buff #5 Laurel MD 20723	PROPERTY TAX ACCOUNT #: 1831403
		ARCHITECT:

FOR OFFICE USE ONLY

M-NCPC	Reviewer	Date	Reviewer	Date
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 Stephanie Cervenka **NAME** Clear Channel Outdoor **COMPANY**
for April Mackoff **PHONE** (240) 755 - 9203 **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 6/5/19
(specify number) (date)

Signature: Stephenie Clevenger

Application Number: CNU-18306-2019 Name: 4511 Decatur Street

Date: 6/5/19

Address: 3706 4Th Street, North Beach, MD 20714

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-18306-19

Reviewer: Kelsey Shafer

1 single-sided signs (for a total of 1 physical signs)

Green Dot= one single sign





Sign A

CNU-18306-2019, 4511 Decatur Street., Hyattsville

Sign A located on Decatur Street.

Sign posted by: Stephenie Clevenger

Posted on: 6/5/19



8



APPARENT ENCROACHMENT NOTES:

1) THE CATWALK APPEARS TO LIE OFF THE SUBJECT PROPERTY INTO 8094/23.

JOB NOTES:

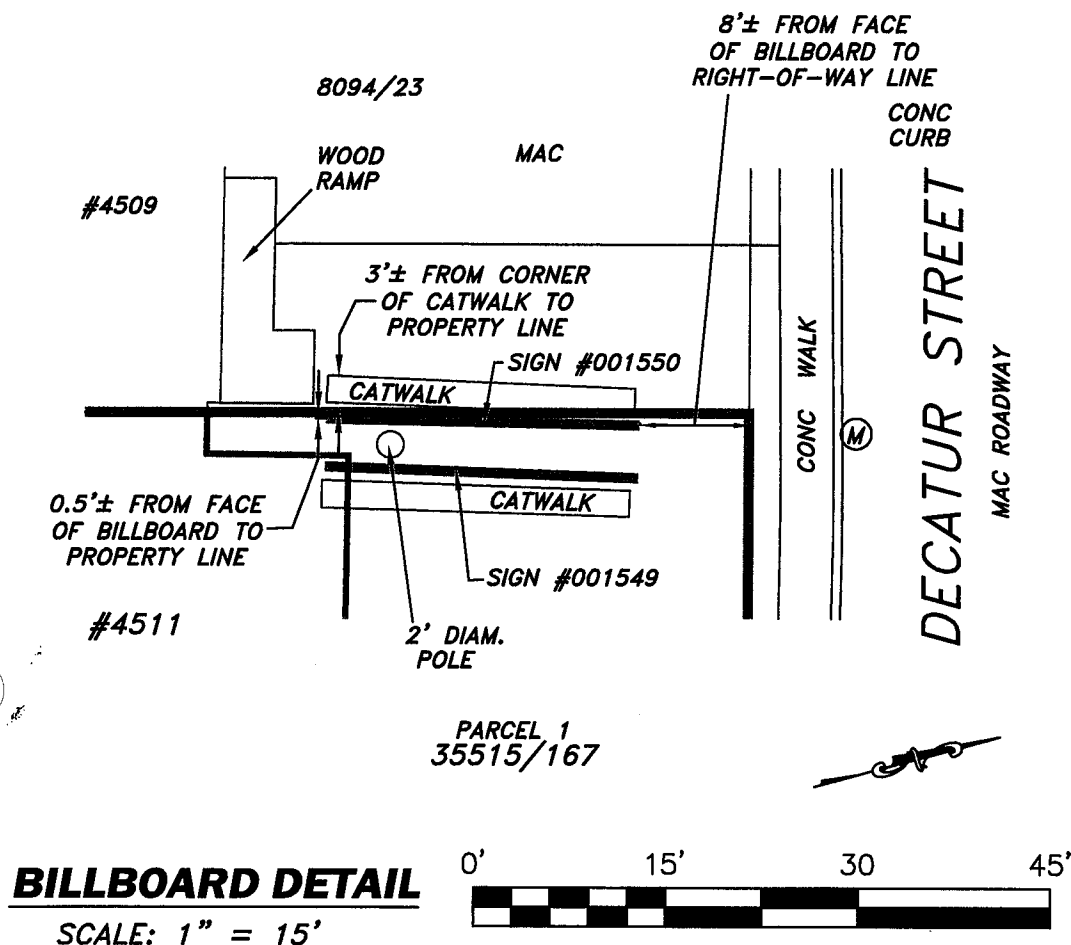
- 1) PROPERTY ZONED I-1 (LIGHT INDUSTRIAL)
- 2) TAX ID# 16-1831403
- 3) ROAD FRONTAGE OF DECATUR STREET: 40.00'
- 4) THE NEAREST STATIC BILLBOARD IS APPROXIMATELY 330' FROM THE EXISTING BILLBOARD, NO DIGITAL BILLBOARDS OBSERVED WITHIN 1,000' FROM THE EXISTING BILLBOARD.
- 5) THE DESCRIPTION OF PARCEL 2 IN DEED 13315/167 FAILS TO CLOSE BY 2'±.

SIGN HEIGHTS:

SIGN #001549 TOP: 31.8'
 BOTTOM: 19.7'
 SIGN #001550 TOP: 31.8'
 BOTTOM: 19.7'
 (HEIGHT AT POLE)

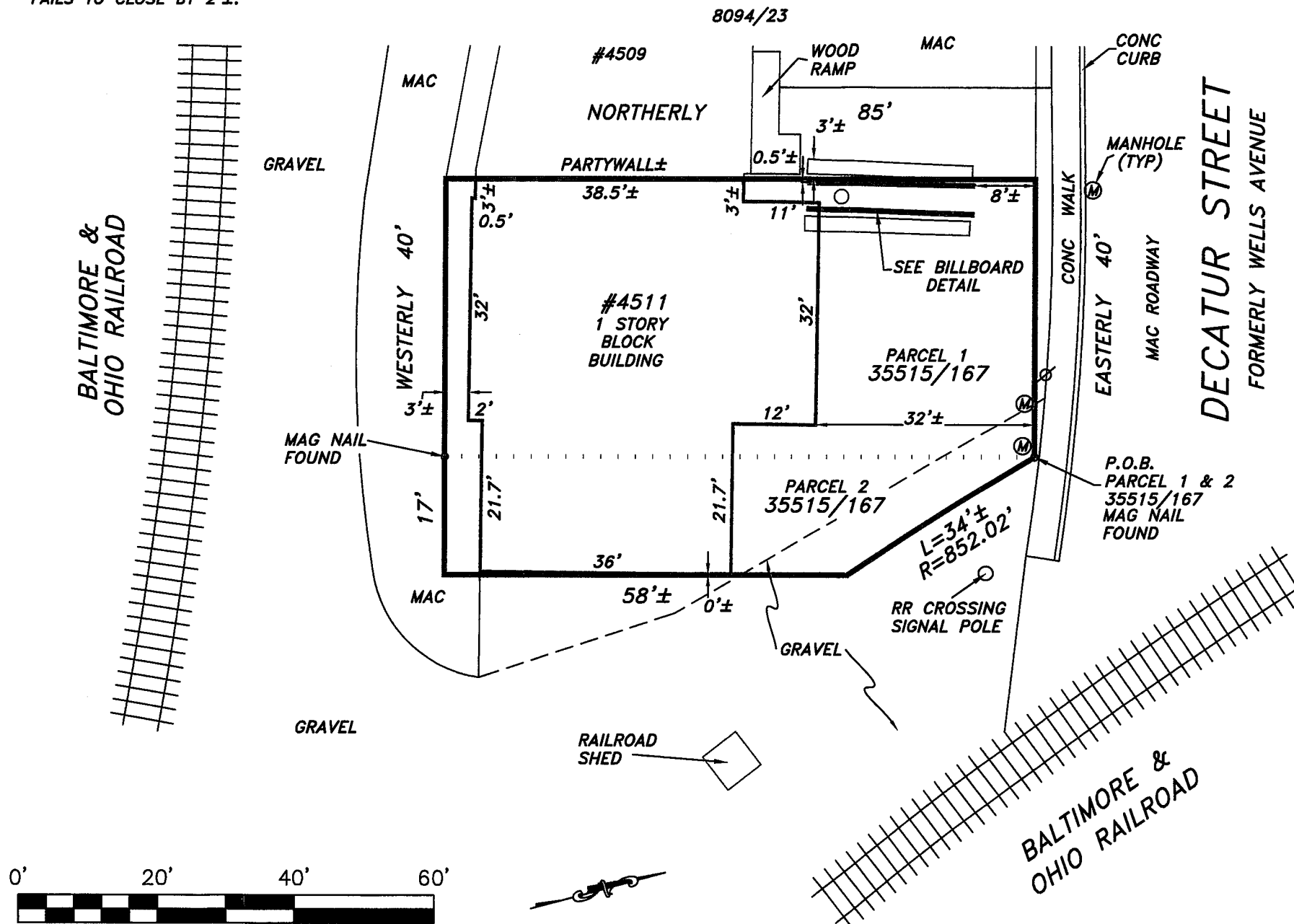
SIGN LENGTHS:

SIGN #001549: 24.4'
 SIGN #001550: 24.4'



GENERAL NOTES:

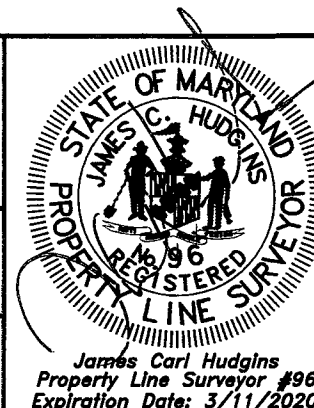
- 1) The accuracy of the distances shown from any structure to any apparent property line is 2'±.
- 2) This drawing does not represent a Boundary Survey. Any property markers labeled hereon are not guaranteed by NTT Associates, Inc.
- 3) This plat is of benefit to a consumer only insofar as it is required 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: #4511 DECATUR STREET as described in a deed dated December 5, 2013 from Robert P. Williams & Alfred R. Toone to Alfred F. Toone recorded among the land records of Prince George's County, Maryland in Liber 35515, folio 167.

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 24033C0129 E, effective 9/16/2016



SPECIAL PURPOSE SURVEY
 4511 DECATUR STREET
 16th 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" = 20'
 Date: 1/9/2019
 Field By: TOM
 Drawn By: SCK
 File No.: MISC 12902
 Page No.: 1 of 1

