



February 20, 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: **35180-2023-U**

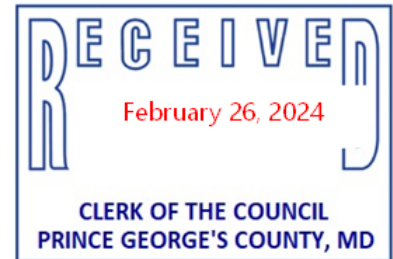
Specific Use(s): **Outdoor Advertising Sign (Billboard)**

Location of Property: **14000 SE Robert Crain Highway
Brandywine**

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

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 1952.**



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

APPLICATION TYPE: <u>NCU- 35180-2023</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>14000 SE ROBERT CRAIN HWY BRANDYWINE 20613</u>		
Geographic Location (distance related to or near major intersection) <u>SOUTH OF THE INTERSECTION OF 301 N & BRANDYWINE ROAD</u>		
Total Acreage: <u>1,736,881 SF</u>	Aviation Policy Area: <u>N/A</u>	Election District: <u>11</u>
Tax Map/Grid: <u>145-A3</u>	Current Zone(s): <u>IE</u>	Council District: <u>5</u>
WSSC Grid: <u>218SE07</u>	Existing Lots/Blocks/Parcels: <u>A</u>	Dev. Review District:
Planning Area: <u>5</u>	In Municipal Boundary: <u>N/A</u>	Is development exempt from grading permit pursuant to 32-127(a)(6)(A)? <input type="checkbox"/> Yes <input type="checkbox"/> No
Tax Account #: <u>1161413</u>	Police District #: <u>V</u>	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):

			12/11/2023
Owner's Signature (signed)	Date	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): _____
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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- 35180-2023
14000 SE ROBERT CRAIN HWY BRANDYWINE 20613

2. Description of proposed use/request

Certification of outdoor advertising sign located at 14000 SE ROBERT CRAIN HWY BRANDYWINE 20613 (the "Property"), as a nonconforming use.

3. Description and location of the subject property

The Property is located SOUTH OF THE INTERSECTION OF 301 N & BRANDYWINE ROAD. Specifically, the Property is located on Map 145-A3 and is approximately 1,736,881 SF in size. The Property is zoned I-E.

An outdoor advertising structure constructed on six 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 1952.

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 black ink, appearing to be 'A. M. C.', written above a horizontal line.

Applicant, Clear Channel Outdoor

SIGN POSTING AND INSPECTION AFFIDAVIT – PLANNING DIRECTOR REVIEW

I, Stephanie 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: Stephanie Clevenger

Application Number: CNU-35180-2023 Name: 14000 SE 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-35180-2023, 14000 SE ROBERT CRAIN HWY BRANDYWINE 20613

Sign posted by: Stephenie Clevenger

Posted on: 12/30/2023

JOB NOTES:

- 1) THE SUBJECT PROPERTY IS ZONED I-1 (LIGHT INDUSTRIAL)
- 2) TAX ID#: 11-1151604
- 3) ROAD FRONTAGE OF U.S. ROUTE 301: 133'±
- 4) PANEL NUMBER 001603 PROVIDED BY CLIENT.
- 5) PROPERTY KNOWN AS "BRANCH AVE" IN TAX RECORDS.
- 6) NO STATIC OR DIGITAL BILLBOARDS WITHIN 1000 FEET OF THE EXISTING BILLBOARD WERE OBSERVED.
- 7) ONLY IMPROVEMENTS IN CLOSE PROXIMITY TO THE EXISTING BILLBOARD ARE SHOWN HEREON.
- 8) HEIGHTS AND LENGTH OF THE BUSINESS SIGN ATTACHED TO BILLBOARD STRUCTURE ARE NOT SHOWN HEREON.

SIGN HEIGHTS:

BOARD #001603 TOP: 21.4'
 BOTTOM: 9.1'
 (HEIGHT AT U.S. ROUTE 301)

SIGN LENGTHS:

BOARD #001603: 24.4'

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 property markers labeled hereon are not guaranteed by NTT Associates, Inc.
- 3) This plot is of benefit to a consumer only insofar as it is required by a lender, a title insurance company or the agent in connection with contemplated transfer, financing, or refinancing.
- 4) This plot 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 plot 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 FEMA 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.

NOTE: THE BILLBOARD APPEARS TO LIE 4'± INTO THE S.R.C. EASEMENT AREA SHOWN ON S.R.C. PLAT 8168.

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 14000 SOUTHEAST ROBERT CRAIN HIGHWAY being the Remainder of Parcel II described in a deed recorded among the Land Records of Prince George's County, Maryland in Liber 22188, folio 633. Saving and Excepting the land described in Liber 1281, folio 62.

This is to certify that I either personally prepared or was in reasonable charge over the preparation of this drawing and the surveying work reflected in it, all set forth in Regulation .12 of Chapter 09.13.08 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 2403C0355 E, effective 9/16/2016



SPECIAL PURPOSE SURVEY
 14000 SE ROBERT CRAIN HIGHWAY
 11th 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" = 30'
 Date: 7/28/2021
 Field By: TOM
 Drawn By: SCJ
 File No.: MISC 15102
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