



CNU-55664-2018-U

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.mncppc.org/pgco

July 18, 2019

RECEIVED

JUL 19 2019

MEMORANDUM

TO: Donna J. Brown
Acting Clerk of the Council

CLERK OF THE COUNCIL
PRINCE GEORGE'S COUNTY MARYLAND

FROM: James Hunt, Division Chief
Development Review Division

SUBJECT: Notification of Recommendation for Certification of Nonconforming Use

Permit Application Number: **55664-2018-U**

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

Location of Property: **6300 Foxley Road
Upper Marlboro**

Current Zone(s): **I-4**

Sign Posting Date: **May 15, 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 1983.**

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

APPLICATION FORM

DO NOT WRITE IN THIS SPACE

Application No.(s): 55664-2018 Planning Board Review Planning Director Review
 Acceptance Date: 4/2/19 70-day limit _____ Limit waived–New limit _____
 Posting Date: 5/15/19 No. of Signs Posted: 2 Agenda Date: _____
 Filing Fee: _____ Posting Fee: \$0 Case Reviewer: Kelsey 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 55664-2018-00

PROJECT NAME: 6300 Foxley Road
Complete address (if applicable) and Geographic Location (distance related to or near major intersection)
6300 Foxley Road, Upper Marlboro, MD 20772
South side of Dower House Road approximately 140 feet southeast of the intersection of Dower House Road and Foxley Rd.

Total Acreage: 1.162		Election District: 9
Tax Map/Grid: 99/E4	Current Zone(s): I-4 (Lim. Inten. Industrial)	Council District: 9
WSSC Grid: 208SE08	Existing Lots/Blocks/Parcels: Lot 1	Dev. Review District:
COG TAZ: 1341	PG TAZ: 2665	Aviation Policy Area: N/A
Planning Area: <u>77</u>	In Municipal Boundary: <u>N/A</u>	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 9590 Lynn Buff Court #5 Laurel, Maryland 20723 (240)755-9203, aprilmackoff@clearchannel.com Owner Name, Address & Phone: (if same as applicant indicate same/corporation see Disclosure) Equipment Corp of America, 301-808-1000 PO Box 306, Coraopolis, PA 15108	Consultant Name, Address & Phone: Contact Name, Phone & E-mail: same as applicant (240)755-9203, aprilmackoff@clearchannel.com

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

Equipment Corp. of America 12-7-18 April Mackoff 12-7-18
 Owner's Signature typed & signed Date 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

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

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).



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)

4 sign(s) on 5/15/19
(specify number) (date)

Signature: Stephenie Clevenger

Application Number: CNU-55664-2018 Name: 6300 Foxley Road

Date: 5/15/19

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

Telephone: 240-338-0131

Capacity in which you are acting: agent
(owner, applicant, agent)

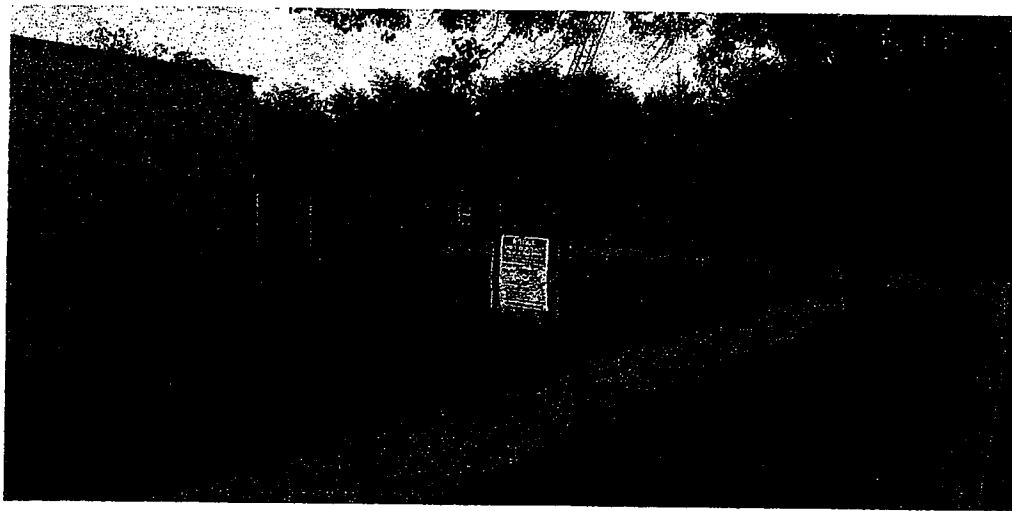
NOTE: Take **legible** photograph(s) showing sign(s) in place, (see attached map for posting locations) and return (email) this affidavit and photographs, **saved as one PDF to PGCReferrals@ppd.mncppc.org Subject: CaseNo-CaseName and "Posting Affidavit"**

* * * * *

The affidavit must be received prior to the end of the 20-day posting period.



Sign A



Sign B

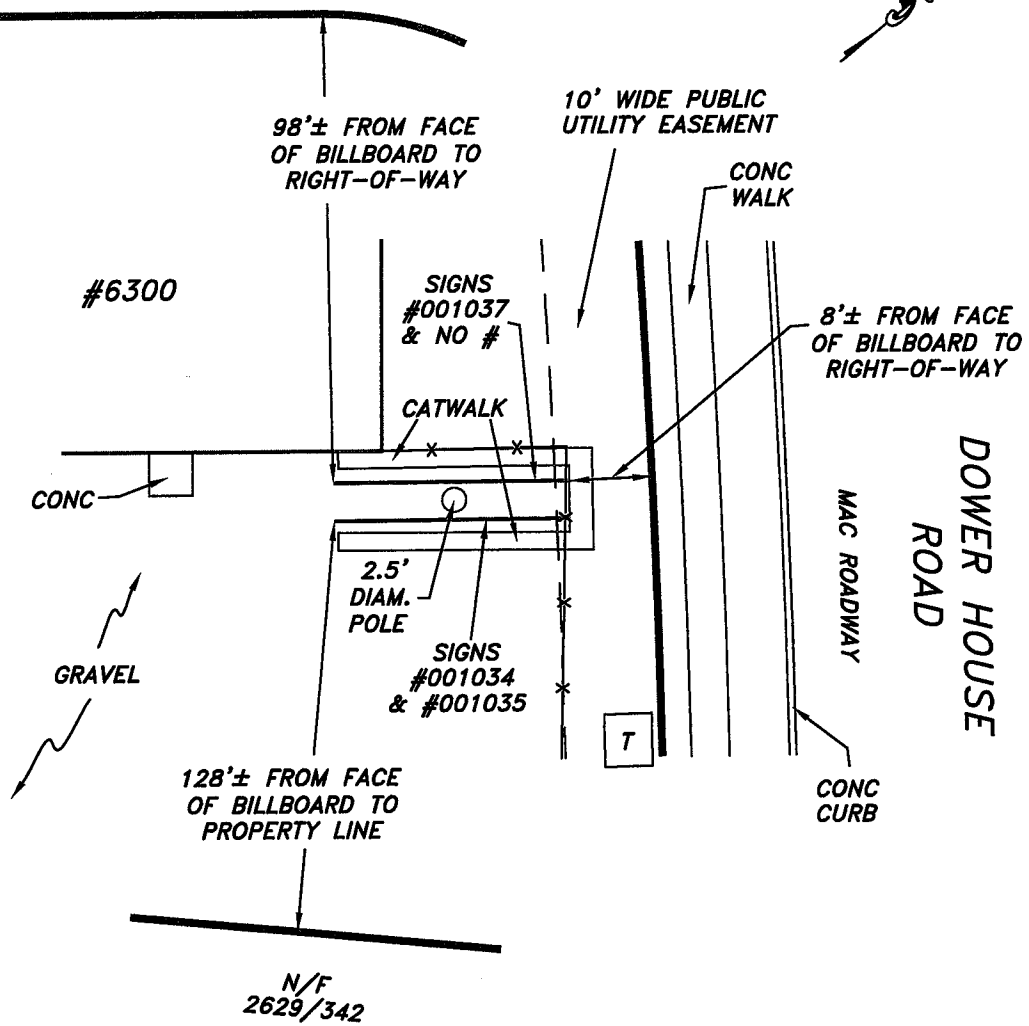
CNU-55664-2018, 6300 Foxley Road, Upper Marlboro

Sign A & B located on Foxley Road

Sign posted by: Stephenie Clevenger

Posted on: 5/15/19

FOXLEY ROAD



BILLBOARD DETAIL



GENERAL NOTES:

- 1) The accuracy of the distances shown from any structure to any apparent property line is 1'±.
- 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) PROPERTY ZONED I-4 (LIMITED INTENSITY INDUSTRIAL)
- 2) TAX ID# 09-0906768
- 3) ROAD FRONTAGE OF DOWER HOUSE ROAD: 229.48'
ROAD FRONTAGE OF FOXLEY ROAD: 214.46'
TOTAL ROAD FRONTAGE: 443.94'
- 4) NO BILLBOARD WERE OBSERVED WITHIN 1,000' FROM THE EXISTING BILLBOARD.

SIGN LENGTHS:

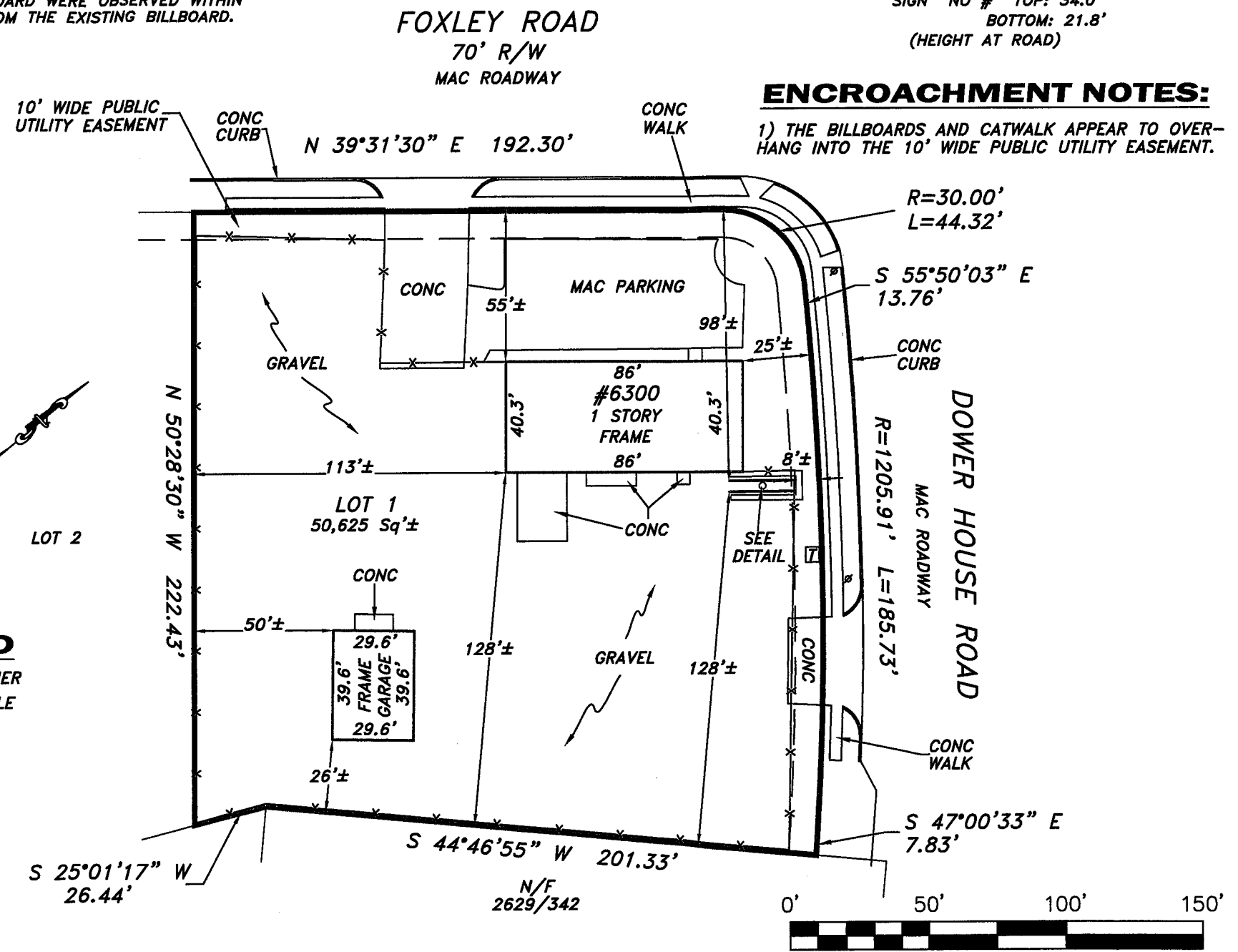
- SIGN #001034: 24.4'
- SIGN #001035: 24.4'
- SIGN #001037: 24.4'
- SIGN NO #: 24.4'

SIGN HEIGHTS:

- SIGN #001034 TOP: 48.9'
BOTTOM: 36.7'
- SIGN #001035 TOP: 34.0'
BOTTOM: 21.8'
- SIGN #001037 TOP: 48.9'
BOTTOM: 36.7'
- SIGN NO # TOP: 34.0'
BOTTOM: 21.8'
(HEIGHT AT ROAD)

ENCROACHMENT NOTES:

- 1) THE BILLBOARDS AND CATWALK APPEAR TO OVERHANG INTO THE 10' WIDE PUBLIC UTILITY EASEMENT.



LEGEND

- ☐ TRANSFORMER
- ⊙ UTILITY POLE

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: LOT 1 as shown on the plat entitled LOTS 1, 2 & 3 "ANDREWS INDUSTRIAL PARK" recorded among the land records of Prince George's County, Maryland in Plat Book 112, folio 29.

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 24033C0265 E, effective 9/16/2016



SPECIAL PURPOSE SURVEY
6300 FOXLEY ROAD
9th ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND

NTT Associates, Inc.	Scale: 1" = 50'
16205 Old Frederick Rd. Mt. Airy, Maryland 21771	Date: 8/22/2018
Phone: (410) 442-2031	Field By: TOM
Fax: (410) 442-1315	Drawn By: SCK
www.nttsurveyors.com	File No.: MISC 12897
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