



February 20, 2024

MEMORANDUM

TO: Donna J. Brown
Clerk of the Council

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

SUBJECT: Notification of Recommendation for Certification of Nonconforming Use

Permit Application Number: **35170-2023-U**

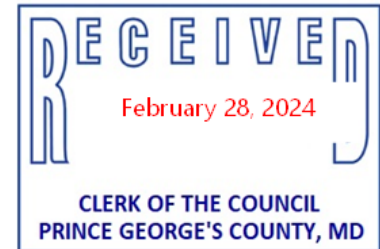
Specific Use(s): **Outdoor Advertising Sign (Billboard)**

Location of Property: **4525 Addison Road
Capitol Heights**

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 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 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-2nd 70-day limit _____
 Posting Waived Posting Date: _____ No. of Signs Posted: _____ Agenda Date: _____
 Filing 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 - 35170-2023 Revision of Case # _____
 (See page 2 for a list of applications)

PROJECT NAME: NCU # _____, 4525 Addison Road, Capitol Heights, Maryland 20743

Geographic Location (give distance related to or near major intersection):
Approximately 65 feet south of the intersection of Addison Road and Antelope Lane

Address (if applicable) 4800 Baltimore Avenue, Hyattsville, MD 20781

Companion Case(s): _____

Total Acreage: <u>2.4900 ac</u>	Planning & Policy Analysis Areas: <u>72</u>	Election District: <u>18</u>
Tax Map/Grid: <u>0058/00D4</u>	Current Zone(s): <u>I-1 (Light Industrial)</u>	Council District: <u>5</u>
200 Sheet: <u>202NE04</u>	Existing Lots/Blocks/Parcels: <u>PT Parcel A</u>	Dev. Review District: <u>N/A</u>
COG TAZ: <u>1034</u>	PG TAZ: <u>823</u>	Aviation Policy Area: <u>N/A</u>
Plat Book/Page: <u>29707 / 00489</u>	Municipality(ies): <u>Capitol Heights, Maryland</u>	Is development exempt from grading permit pursuant to 32-127.(a)(6)(A) : <input type="checkbox"/> Y <input type="checkbox"/> N
General Plan Tier (check one): <input type="checkbox"/> Developed <input checked="" type="checkbox"/> Developing <input type="checkbox"/> Rural		

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:
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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, please indicate) Eastern Ave Development Grp LLC, 301-933-0859 5101 Wisconsin Ave NW Washington, DC 20016	Consultant Name, Address, Phone, & Fax: Contact Person, Phone Number, Fax & E-Mail: same as applicant aprilmackoff@clearchannel.com
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SIGNATURE (Sign where appropriate; attach additional signatures if necessary)

Eastern Avenue Development Group LLC
 Owner's Signature _____ Date _____ Applicant's Signature _____ Date _____
Please see Clear Channel Outdoor Lease Agreement
 Owner's Signature _____ Date _____ Contract Purchaser's Signature _____ Date _____

ZONING CASES:

Details of Request: Certification of nonconforming use for existing billboards	Zoning Ordinance Section(s): Sections 27-244 & 241
Number of Dwelling Units: Attached _____ Detached _____ Multifamily _____	Gross Floor Area (Commercial/Industrial Only):

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"/>
Overlay Zone: Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, provide name:			
Variation Request Required: Yes <input type="checkbox"/> No <input type="checkbox"/>		Justification Statement Attached: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Sewer and Water Service Categories: Existing: Sewer _____ Water _____ Proposed: Sewer _____ Water _____			

TOTAL NUMBER OF PROPOSED:

Lots:	Outlots:	Parcels:	Outparcels:
Number of Dwelling Units: Attached _____ Detached _____ Multifamily _____			Gross Floor Area (Non-residential only):

AREAS OF DEDICATION:

Total Parkland:	Homeowners:	Street ROW:	Other:
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OWNER:

Last Recorded Conveyance: Grantor:	Grantee:
Date of Conveyance:	Land Records Reference: Liber _____ folio _____
Legal Restrictions/Encumbrances Liber/folio:	

SUBDIVISION CASES – FINAL PLAT:

Water/Sewer: DER <input type="checkbox"/> Health Dept. <input type="checkbox"/>	Number of Plats:
Conceptual Stormwater Management Approval No.	WSSC Authorization No.:
CSP/DSP/SDP No.:	Approval Date of CSP/DSP/SDP:
Preliminary Plan No.:	Approval Date of Preliminary Plan:

I hereby certify that the submitted final plats are in conformance with the above-referenced SP/SDP.

Signature of Surveyor, Authorized Representative

URBAN DESIGN CASES:

Number of Dwelling Units: Attached _____ Detached _____ Multifamily _____	Gross Floor Area: (Commercial or Industrial use only)
Nature of Revision:	

COUNTY COMMISSIONERS FOR PRINCE GEORGE'S COUNTY

W-W-T-34

PERMIT APPLICATION
 DEPARTMENT OF INSPECTIONS AND PERMITS,
 JOSEPH E. BARTELL, SR. DIRECTOR
 DIVISION OF BUILDING INSPECTION
 COUNTY SERVICE BUILDING, HYATTSVILLE, MARYLAND

4168

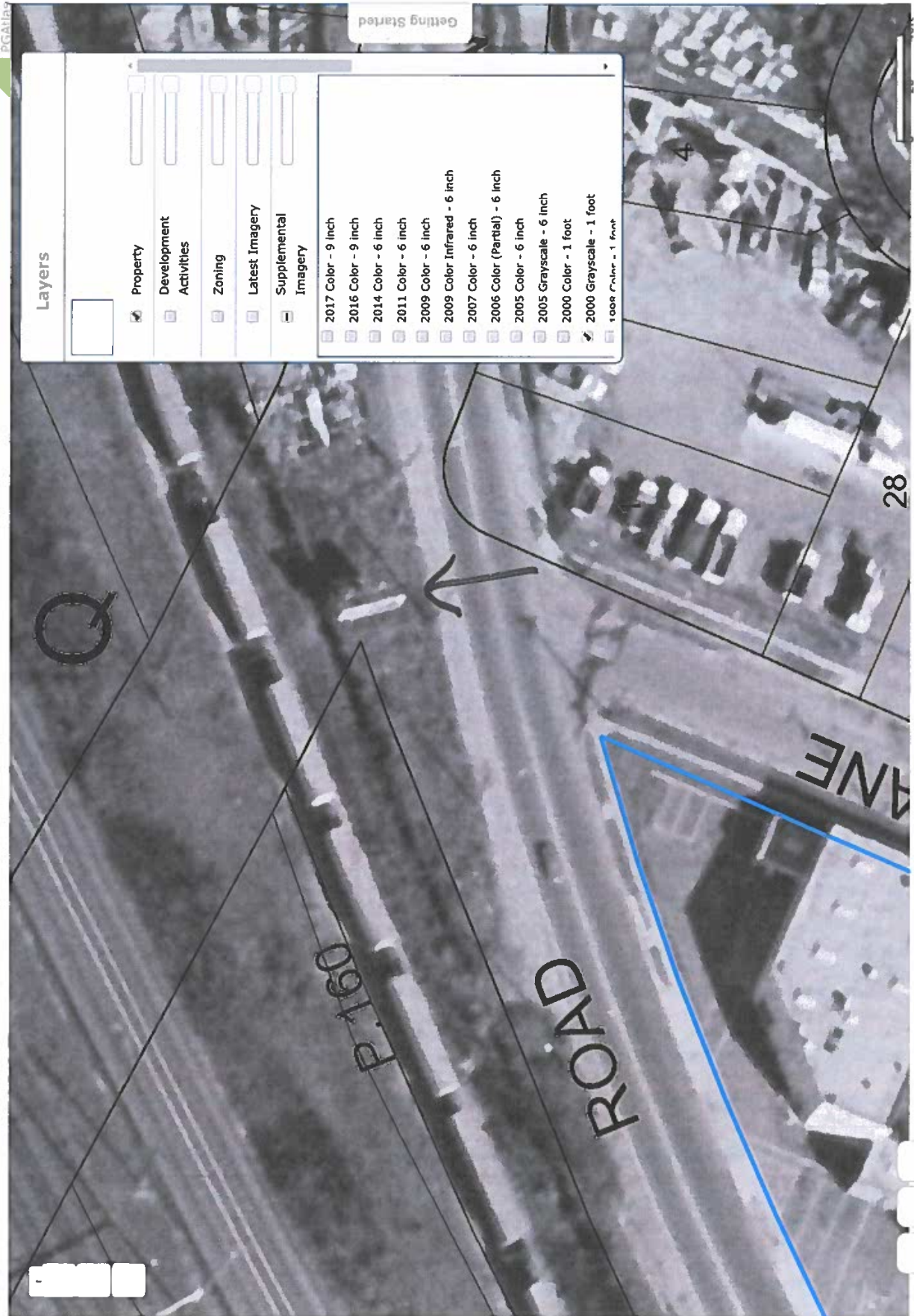
PERMIT NUMBER	10809
DATE ISSUED	8/31/70

BUILDING ADDRESS (HOUSE NO., STREET, TOWN OR AREA) 5100 Addison Clayton Road, Beaver Heights, Maryland				Application is hereby made for a permit to (INDICATE ONE) ERECT USE ALTER EXTEND MOVE the (INDICATE ONE) PERMANENT TEMPORARY structure described.			
LOT NO.	BLOCK NO.	LIBER	FOLIO	DESCRIPTION OF WORK Double Deck Back to Back Poster Panels - Two faces			
SUB DIVISION		ELECTION DISTRICT		TO BE ACCOMPLISHED BY: BUILDING (INCLUDING GARAGE)			
OWNER'S NAME AND ADDRESS /Fairfield Farm Kitchens 5200 Addison Rd. 656-2700				WIDTH	DEPTH	HEIGHT	STORIES
OCCUPANT'S NAME AND ADDRESS Rollins Outdoor Advertising 4320 Bladensburg Rd. 864-4727				FOUNDATION WALLS TYPE OF MATERIAL			
ARCHITECT OR ENGINEER'S NAME AND ADDRESS as above				MAIN STRUCTURE TYPE OF MATERIAL		FOOTINGS SIZE	
CONTRACTOR'S NAME AND ADDRESS as above				NUMBER OF ROOMS/UNITS - PARKING		BASEMENT YES <input type="checkbox"/> NO <input type="checkbox"/>	
INTENDED USE OF STRUCTURE (BE SPECIFIC) outdoor advertising structure				UTILITIES WATER/WELL# SEWER/SEPTIC# GAS ELECTRICITY			
EST. CONSTRUCTION COST \$2,700.00		LICENSE NUMBER 61-37		PERMIT FEE \$40.00		I have carefully examined and read the above application and know the same is true and correct, and that, in doing this work, all provisions of Prince George's County Ordinances and State Laws will be complied with, whether here specified or not. <i>Joseph E. Bartell, Sr.</i> 6/12/70 SIGNATURE DATE	
FOR OFFICE USE ONLY				AGENCY			
ZONE I1	ZONE MAP NO. 51	PETITION NO.	DATE	MNCPPC		DATE 6/15/70	APPROVAL (SIGNATURE) <i>(Signature)</i>
CONDITIONS (IF ANY)				WSSC/ELECTRICAL			
TREASURER'S VALIDATION				PUBLIC WORKS / FIRE MARSHAL			
CHECKS PAYABLE TO COUNTY COMMISSIONERS FOR PRINCE GEORGE'S COUNTY				HEALTH DEPT.			
				STRUCTURAL DESIGN			
				BUILDING INSPECTION			

CAUTION
 To begin construction before a building permit placard has been issued and displayed on the job is a violation of the law.

RECEIPT COPY

APPROVED _____ DATE _____



Layers

- [Empty box]
- Property
- Development
- Activities
- Zoning
- Latest Imagery
- Supplemental Imagery
 - 2017 Color - 9 inch
 - 2016 Color - 9 inch
 - 2014 Color - 6 inch
 - 2011 Color - 6 inch
 - 2009 Color - 6 inch
 - 2009 Color Infrared - 6 inch
 - 2007 Color - 6 inch
 - 2006 Color (Partial) - 6 inch
 - 2005 Color - 6 inch
 - 2005 Grayscale - 6 inch
 - 2000 Color - 1 foot
 - 2000 Grayscale - 1 foot
 - 100R Color - 1 foot

Getting Started

ROAD

P. 160

LANE

28

4

Statement of Justification

1. Case Name NCU-- 35170-2023

4525 Addison Road, Capitol Heights, Maryland 20743

2. Description of proposed use/request

Certification of outdoor advertising sign located 4525 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 the north side of Addison Road approximately 65 feet south of the intersection of Addison Road and Antelope Lane. Specifically, the Property is located on Map 58, Grid D4, and is approximately 2.4900 ac. in size. The Property is currently an unimproved lot. The Property is zoned I-1 (Light Industrial).

An outdoor advertising structure constructed on two metal posts and containing two poster panels is located in the south corner of 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, 2002.

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).

Stephenie Clevenger - for April Mackoff

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)

1 sign(s) on 12/30/2023
(specify number) (date)

Signature: Stephenie Clevenger

Application Number: CNU-35170-2023 Name: 4525 ADDISON RD CAPITOL HEIGHTS 20743

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-35170-2023, 4525 ADDISON RD CAPITOL HEIGHTS 20743

Sign posted by: Stephenie Clevenger

Posted on: 12/30/2023

SIGN HEIGHTS:

BOARD #001551 TOP: 24.0'
 BOTTOM: 12.0'
 BOARD #001552 TOP: 24.0'
 BOTTOM: 12.0'
 (HEIGHT AT ADDISON ROAD)

SIGN LENGTHS:

BOARD #001551: 24.9'
 BOARD #001552: 24.9'

JOB NOTES:

- 1) THE BILLBOARD SITE DOES NOT HAVE ZONING INFORMATION SHOWN ON PGATLAS.COM
- 2) TAX ID#: 18-3088763 WAS PROVIDED BY CLIENT, HOWEVER DOES NOT APPEAR TO CONTAIN THE BILLBOARD.
- 3) 395'± TO THE CLOSEST STATIC BILLBOARD, NO DIGITAL BILLBOARDS WITHIN 1,000 FEET OF THE EXISTING BILLBOARD WERE OBSERVED.
- 4) ONLY IMPROVEMENTS IN CLOSE PROXIMITY TO THE EXISTING BILLBOARD ARE SHOWN HEREON.

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.

APPARENT ENCROACHMENT NOTES:

1) THE ENTIRE BILLBOARD STRUCTURE APPEARS TO LIE WITHIN THE RIGHTS-OF-WAY FOR MINNESOTA AVENUE AND ADDISON ROAD SHOWN IN PLAT BOOK 3, FOLIO 55. CURRENT OWNERSHIP SAID RIGHTS-OF-WAY ARE UNKNOWN.

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: PARCEL 'A' as shown on the plat entitled LOT CONSOLIDATION PLAT, PARCEL 'A' "EASTERN AVENUE EXTRA SPACE" recorded among the Land Records of Prince George's County, Maryland in Plat Book 229, folio 21.

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 2403300141 E, effective 9/16/2016



SPECIAL PURPOSE SURVEY
 4525 ADDISON ROAD
 18th 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: 8/1/2019
 Field By: TOM
 Drawn By: SKC
 File No.: MISC 12787
 Page No.: 1 of 1

