




May 13, 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: **35185-2023-U**

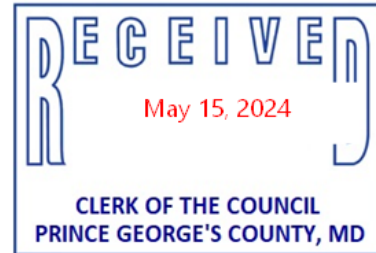
Specific Use(s): **Outdoor Advertising Sign (Billboard)**

Location of Property: **5337 Sheriff Road  
Capitol Heights**

Current Zone(s): **M-U-I**

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 1966.**



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--New limit \_\_\_\_\_  
 Posting Date: \_\_\_\_\_ No. of Signs Posted: \_\_\_\_\_ Agenda Date: \_\_\_\_\_  
 Filing Fee: \_\_\_\_\_ Posting Fee: \_\_\_\_\_ Case Reviewer: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Referral Mail-Out Date: \_\_\_\_\_ Referral Due Date: \_\_\_\_\_  
 Date of Informational Mailing: \_\_\_\_\_ Date of Acceptance Mailing: \_\_\_\_\_

APPLICATION TYPE: NCU - 35185-2023  Revision of Case # \_\_\_\_\_  
 Case(s): NCU

**PROJECT NAME:** Sheriff Road

**Complete address** (if applicable) and Geographic Location (distance related to or near major intersection)  
 Sheriff Road, Landover, MD 20785. The Property is located between Sheriff Rd. heading NE and Martin Luther King Jr. Hwy heading south, approximately 2,005 feet NE of the Sheriff Road intersection with Cabin Branch Dr. heading NW.

Total Acreage: 0.0890		Election District: 18
Tax Map/Grid: 066/C1	Current Zone(s): M-U-I (MU Infill)	Council District: 5
WSSC Grid: 202NE06	Existing Lots/Blocks/Parcels: Parcel E	Dev. Review District: D-D-O
COG TAZ: 1045	PG TAZ: 826	Aviation Policy Area: N/A
Planning Area: 72	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: \_\_\_\_\_

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 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) Prince George's Industrial Properties, LLC (301) 773-1266 PO Box 1400 Stafford, Virginia 22555	Consultant Name, Address & Phone:  Contact Name, Phone & E-mail: same as applicant (240) 755-9203, aprilmackoff@clearchannel.com
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**SIGNATURE** (Sign where appropriate; include Application Form Disclosure for additional owner's signatures)

Stephanie Clevenger - for April Mackoff  
 Owner's Signature typed & signed \_\_\_\_\_ Date \_\_\_\_\_ 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  Comprehensive Design  Conservation Sketch Plan  Pre-Preliminary Plan

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: Gross Floor Area (Nonresidential portion only):  
 Attached \_\_\_\_\_ Detached \_\_\_\_\_ Multifamily \_\_\_\_\_

**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: Zoning Ordinance Section(s):  
 Certification of nonconforming use for existing billboards Sections 27-244 & 241

Total Number of Proposed:  
 Lots \_\_\_\_\_ Outlots \_\_\_\_\_ Parcels \_\_\_\_\_ Outparcels \_\_\_\_\_

Number of Dwelling Units: Gross Floor Area (Nonresidential portion only):  
 Attached \_\_\_\_\_ Detached \_\_\_\_\_ Multifamily \_\_\_\_\_

Variance Request Applicable Zoning/Subdivision Regulation Section(s):  
 Yes  No

Departure Request Application Filed  
 Yes  No

Alternative Compliance Request 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**

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## Statement of Justification

1. Case Name

NCU - 35185-2023

Sheriff Road

2. Description of proposed use/request

Certification of outdoor advertising sign located at Sheriff Road, Landover, Maryland 20785 (the "Property") as a nonconforming use.

3. Description and location of the subject property

The Property is located between Sheriff Road heading northeast and Martin Luther King Jr. Highway heading south, approximately 2,005 feet northeast of the Sheriff Road intersection with Cabin Branch Drive heading northwest. Specifically, the Property is located on Map 066, Grid C1, and is approximately 0.0890 acres in size. The Property is zoned M-U-I (Mixed Use Infill).

A low to the ground outdoor advertising structure constructed on five thin metal posts, containing two poster faces right next to each other on one side, and two poster faces right next to each other on the other side, is located on the Property. Our documentary evidence demonstrates that the structure has existed on the Property since at least 1966.

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).

*Stephenie Clevenger* - for April Mackoff

April Mackoff  
Applicant, Clear Channel Outdoor



© 2015  
**CREME NATURE**  
BOLD  
CURLY  
KINKY  
DARING  
VIBRANT  
FUNNY  
SISTER

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**Savings & Service**

**GEICO**

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**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  
CNU-35185-2023

Application Number: \_\_\_\_\_ Name: SHERIFF RD LANDOVER 20785  
12/30/2023

Date: \_\_\_\_\_

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-35185-2023, SHERIFF RD LANDOVER 20785**

**Sign posted by: Stephenie Clevenger**

**Posted on: 12/30/2023**

**SIGN HEIGHTS:**

BOARD #001509 TOP: 20.2'  
 BOTTOM: 8.0'  
 BOARD #001510 TOP: 20.6'  
 BOTTOM: 8.4'  
 BOARD #001511 TOP: 20.6'  
 BOTTOM: 8.4'  
 BOARD #001512 TOP: 20.2'  
 BOTTOM: 8.0'  
 (HEIGHT AT SHERIFF ROAD)

**SIGN LENGTHS:**

BOARD #001509: 24.4'  
 BOARD #001510: 24.4'  
 BOARD #001511: 24.4'  
 BOARD #001512: 24.4'

**JOB NOTES:**

- 1) THE SUBJECT PROPERTY IS ZONED M-U-1 (MIXED USE INFILL)
- 2) TAX ID#: 18-2073856
- 3) ROAD FRONTAGE OF SHERIFF ROAD: 170.55'
- 4) 250'± TO THE CLOSEST STATIC BILLBOARD, NO DIGITAL BILLBOARDS WITHIN 1,000 FEET OF THE EXISTING BILLBOARD WERE OBSERVED.
- 5) ONLY IMPROVEMENTS IN CLOSE PROXIMITY TO THE EXISTING BILLBOARD ARE SHOWN HEREON.
- 6) BOARD #001510 WAS NOT LABELED, HOWEVER THE NUMBER WAS PROVIDED BY THE CLIENT.
- 7) THE 15' WSSC RIGHTS-OF-WAY WERE SCALED FROM PLAT 162/91.

**GENERAL NOTES:**

- 1) The accuracy of the distances shown from any structure to any apparent property line is 3'±.
- 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 CATWALK, LIGHTS, WOOD POSTS, AND SIGN BOARDS APPEAR TO LIE OFF THE SUBJECT PROPERTY INTO THE DEDICATION AREA AND INTO PARCEL 'A' PLAT 59/97.
- 2) THE CATWALK, LIGHTS, WOOD POSTS, AND SIGN BOARDS APPEAR TO LIE WITHIN THE 10' PUBLIC UTILITY EASEMENT (PUE).
- 3) THE LIGHT APPEARS TO LIE WITHIN THE 15' WSSC R/W SCALED FROM PLAT 162/91.

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 'E' as shown on the plat entitled PLAT OF ROAD DEDICATION, HILL ROAD "HIGHLAND PARK" PARCELS 'D', 'E' & 'F' recorded among the Land Records of Prince George's County, Maryland in Plat Book 162, folio 91.

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 08.13.06 of the Code of Maryland Annotated Regulations.

Subject property is shown in Zone Shaded X on the FIRM Map of Prince George's County, Maryland on Community Panel Number 24033C0142 E, effective 9/16/2016



**SPECIAL PURPOSE SURVEY**  
 SHERIFF ROAD  
 18th ELECTION DISTRICT  
 PRINCE GEORGE'S COUNTY, MARYLAND

NTT Associates, Inc. Scale: 1" = 20'  
 16205 Old Fradrick Rd. Date: 4/5/2021  
 Mt. Airy, Maryland 21771 Field By: TOM  
 Phone: (410) 442-2031 Drawn By: SCK  
 Fax: (410) 442-1315 File No.: MISC 14515  
 www.nttsurveyors.com Page No.: 1 of 1

