

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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

CLERK OF THE COUNCIL PRINCE GEORGE'S COUNTY, MD

October 1, 2020

MEMORANDUM

TO:

Donna J. Brown

Clerk of the Council

FROM:

James Hunt, Division Chief

Development Review Division

94

SUBJECT:

Notification of Recommendation for Certification of Nonconforming Use

Permit Application Number:

3514-2020-U

Specific Use(s):

Outdoor Advertising Sign (Billboard)

Location of Property:

401 Ritchie Rd

Capitol Heights

Current Zone(s):

I-1

Sign Posting Date:

March 8, 2020

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

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.

Prince George's County Planning Department ♦14741 Governor Oden Bowie Drive, Upper Marlboro, Maryland 20772 ♦ 301-952-3530

	APPLICA	ATION FOR	M			
Acceptance Date: 3.3.2 Posting Date: 3.2.2 Filing Fee: Date:	70-day limit	of Signs Posted:Case Revi	Board Review Planning Director Review D _Limit waived-New limit Agenda Date: iewer: CSC SAFEC			
APPLICATION TYPE: NCU	50		□ Revision of Case #			
Case(s): NCU 3514-2020-00						
PROJECT NAME: 401 Ritchie	Road		(90)			
	, MD 20743. The outdoor ac	dvertising sign or	ed to or near major intersection) n the Property is located on the west side of Ritchie Road.			
Total Acreage: 0.5340			Election District: 18			
Tax Map/Grid: 074/B1	Current Zone(s): I-1 (Light	Industrial)	Council District: 6			
WSSC Grid: 201SE08	Existing Lots/Blocks/Parce	ls:	Dev. Review District; N/A			
COG TAZ: 1088	PG TAZ: 865		Aviation Policy Area: N/A			
Planning Area: 75A	In Municipal Boundary: N/A	4	Is development exempt from grading permit pursuant to 32-127(a)(6)(A): □ Y □ N			
(2002) General Plan Tier: 🖿 D	eveloped	□ 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 & Ph April Mackoff, Clear Channel O 9590 Lynn Buff Court, Suite #5 Laurel, Maryland 20723 (240) 755-9203, aprilmackoff@	outdoor, LLC	Consultant Name, Address & Phone:				
Owner Name, Address & Phon (if same as applicant indicate same/corpora		Contact Name, Phone & E-mail:				
Progress-Ritchie, LLC, 410-233 2519 Wilkens Avenue Baltimore, Maryland 21223	-5525	same as applicant (240) 755-9203, aprilmackoff@clearchannel.com				
SIGNATURE (Sign where appropr	iate; include Application Form D	Disclosure for addit	tional owner's signatures)			
Progress-Ritchei L	LC 1/26/20		1/26/20			
Owner's Signature typed & signe	Owner's Signature typed & signed Date Applicant's Signature typed & signed Date					
please see clear cu	nannel Oxtdow	Leak Agr	rement, section 5			
Contract Purchaser's Signature t	yped& 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)	Applicable Zoning/Subdivision Regulation Section(s):						
Yes □ No □							
Total Number of Proposed:							
Lots Outlots Parcels	Outparcels						
Number of Dwelling Units:	Gross Floor Area (Nonresidential portion only):						
Attached DetachedMultifamily							
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:							
A STATE OF THE STA	The state of the s						
Details of Request:	Zoning Ordinance Section(s):						
Details of Request: Certification of nonconforming use for existing billboard.	Zoning Ordinance Section(s): Sections 27-244 & 241						
·	1,7						
·	1,7						
Certification of nonconforming use for existing billboard.	1,7						
Certification of nonconforming use for existing billboard. Total Number of Proposed:	Sections 27-244 & 241						
Certification of nonconforming use for existing billboard. Total Number of Proposed: Lots Outlots Parcels	Sections 27-244 & 241 Outparcels						
Certification of nonconforming use for existing billboard. Total Number of Proposed:	Outparcels Gross Floor Area (Nonresidential portion only):						
Certification of nonconforming use for existing billboard. Total Number of Proposed: Lots Outlots Parcels Number of Dwelling Units: Attached Detached Multifamily	Outparcels Gross Floor Area (Nonresidential portion only):						
Certification of nonconforming use for existing billboard. Total Number of Proposed: Lots Outlots Parcels Number of Dwelling Units:	Outparcels Gross Floor Area (Nonresidential portion only):						
Total Number of Proposed: Lots Outlots Parcels Number of Dwelling Units: Attached DetachedMultifamily Variance Request Yes □ No □	Outparcels Gross Floor Area (Nonresidential portion only): Applicable Zoning/Subdivision Regulation Section(s):						
Total Number of Proposed: Lots Outlots Parcels Number of Dwelling Units: Attached DetachedMultifamily Variance Request Yes □ No □ Departure Request	Outparcels Gross Floor Area (Nonresidential portion only): Applicable Zoning/Subdivision Regulation Section(s): Application Filed						
Total Number of Proposed: Lots Outlots Parcels Number of Dwelling Units: Attached DetachedMultifamily Variance Request Yes □ No □ Departure Request Yes □ No □	Outparcels Gross Floor Area (Nonresidential portion only): Applicable Zoning/Subdivision Regulation Section(s): Application Filed Yes □ No □						
Certification of nonconforming use for existing billboard. Total Number of Proposed: Lots Outlots Parcels Number of Dwelling Units: Attached DetachedMultifamily Variance Request Yes □ No □ Departure Request	Outparcels Gross Floor Area (Nonresidential portion only): Applicable Zoning/Subdivision Regulation Section(s): Application Filed						

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	
Transaction of the same					
				COMMITTEE CONTRACTOR	
		11111			
If the property is ow	ned by a cor	poration, r	olease fill in below.		
Officers	Date Assumed Duties	Residence Address		Business Address	
		0.000			
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3483400					
Board of Directors	Date	Date Term	Residence Address	Rusiness Address	
Board of Directors		Date Term Expires	Residence Address	Business Address	
Board of Directors	Date Assumed	Term	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 3514-2020-00

401 Ritchie Road

2. Description of proposed use/request

Certification of an outdoor advertising sign located at 401 Ritchie Road, Capitol Heights, Maryland 20743 (the "Property"), as a nonconforming use.

3. Description and location of the subject property

The outdoor advertising sign on the Property is located on the west side of Ritchie Road approximately 170 feet southeast of the intersection with Old Ritchie Road. Specifically, the Property is located on Map 074, Grid B1, and is approximately 0.5340 acres in size. The Property is zoned I-1 (Light Industrial).

The outdoor advertising structure on the Property is constructed on three metal I-beams and contains two poster faces. 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. <u>Summary/conclusion of request</u>

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).

1-26-20

April Mackoff

Applicant, Clear Channel Outdoor, LLC

PRINCE GEORGE'S COUNTY

DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT PERMITTING CENTER

9400 PEPPERCORN PLACE, 1st FLOOR, LARGO, MD 20774 (301) 883-5900

PERMIT APPLICATION_

YOU MUST COMPLY WITH MUNICIPAL, HOMEOWNER/CIVIC ASSOCIATION AND LOCAL COVENANTS. A FINE MAY BE IMPOSED IF CONSTRUCTION IS BEGUN WITHOUT

REQUIRED APPROVALS.

Date: 01/24/2020



3514-2020-00

PERMIT APPLICATION I	FILING
FEES ARE NON-REFUN	DABL

Case Number:

ACTIVITY: WORK DESCRIPTION USE TYPE:	Building Permit Application ON: Certification of outdoor advertising structure				LOT: BLOCK: PARCEL:				
EXISTING USE:		rtising structure							
PROPOSED USE:	Outdoor adve	rtising structure	Company of the Compan	Signal Series (1981) in 1881.		(V. 270) (1985) (1985) (1985) (1985) (1985) (1985) (1985) (1985) (1985) (1985) (1985) (1985) (1985			de 1200 Climaticus
				SILE INFO	RMATION				
SITE ADDRESS:			PROJECT NAME	: :			EST. CO	NSTRUCTION COST:	
401 RITCHIE	RD		CURDIVICION				ELECTIO	ON DISTRICT:	18
CAPITOL HEIGHTS	20743	3	SUBDIVISION: CONCORD				PROPER	TY TAX ACCOUNT #:	2097442
OWN	<u>ver</u>		OCCUPANT		CON	TRACTOR		ARCHIT	ECT
Progress Ritchie LLC 2519 Wilkens	AVE	Clear Channel 401 Ritcl		RD	Clear Channel Outdo 9590 Lynn Bu #5		CT		
Capitol Heights	MD	Capitol Height	S	MD	Laurel		MD		
	20743			20743			20723		
				FOR OFFICE L	ISE ONLY				
	Reviewer		Date			Revi	ewer	Date	
M-NCPPC	1111 M.S.	*5510	25318		Fire Eng.				
Site / Road Eng.	2.7		,,,,,		Mechanical Eng.				A CONTRACTOR OF THE CONTRACTOR
Structural Eng.	**************************************		(Rec		Health			15th	***
Electrical Eng.					Issuance			1	79000
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SIGN POSTING AND INSPECTION AFFIDAVIT - PLANNING DIRECTOR REVIEW

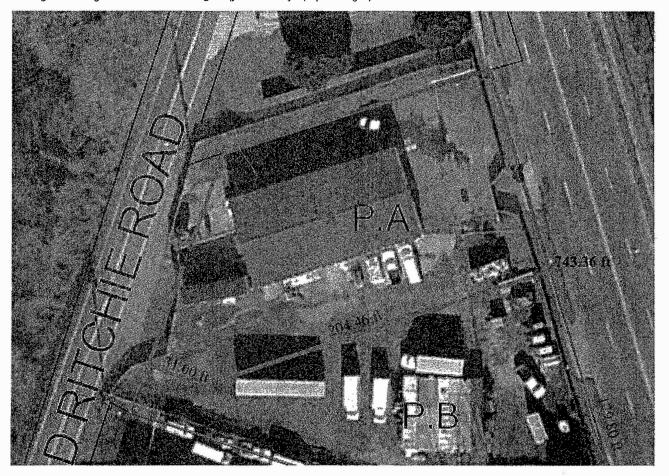
I, Stephenie	Clevenger		. hereby certif	v that the subject pro	perty was posted with
(print or ty			January Politica	,	a constraint of the constraint
2 (specify nu	sign(s) on _	3/8/2020 (date)			
<u>(i)</u>					São I
Signature: Sta	phenis Clave	ngen			
Application Num	ber: CNU-3514-2	2020 Name:	401 Ritchie I	Road, Capitol Heigh	nts, MD
Date: 3/9/202	0				
				The state of the s	
Address: 1001 Uppe	Prince Georges er Marlboro, MD 2	Blvd., Suite 700 20774	and the second s		
Telephone: 24	0-338-0131				
Capacity in which	you are acting: _	agent			
*	Ä		(owner, app	icant, agent)	2
lecations) and	return (email) th	is affidavit and ph	otographs, sa	(see attached map wed as one PDF me and "Posting	to
•					
* *	218	*	*	*	*
The affidavit mu period.	ist be received pri	or to the end of the	20-day <u>(30 da</u> y	s for all CBCA con	servation plans) posting
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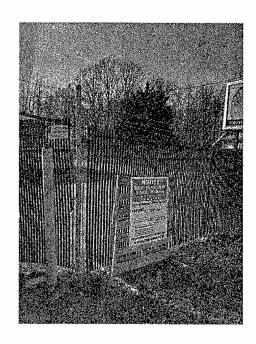
I:\SIGN POSTING DRAFTS, LETTERS AND FORMS\SIGN POSTING DRAFTS\CNU MAPS AND FORMS\CNU-946-2020 FORM.DOC

Planning DIRECTOR case: CNU-3514-2020; 401 Ritchie Road

Reviewer: Kelsey Shaffer

02 single-sided signs xx double-sided signs (for a total of 2 physical signs)

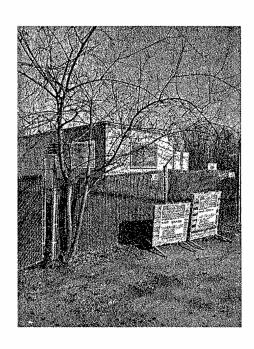




Sign 1 – Ritchie Road
CNU-3514-2020, 401 Ritchie Road

Sign posted by: Stephenie Clevenger

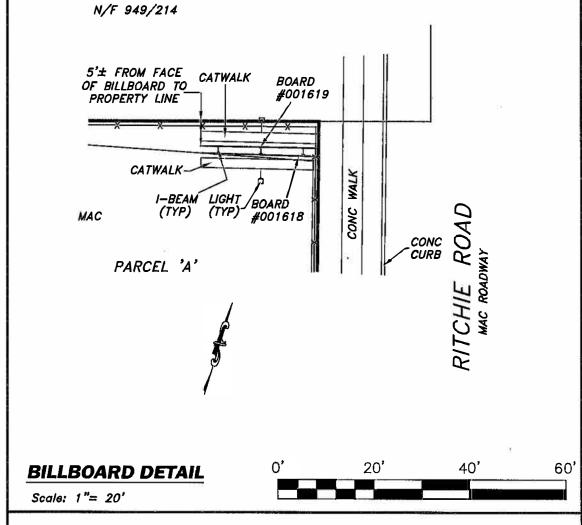
Posted on: 3/8/2020



Sign 2 – Old Ritchie Road
CNU-3514-2020, 401 Ritchie Road

Sign posted by: Stephenie Clevenger

Posted on: 3/8/2020



GENERAL NOTES:

- 1) The accuracy of the distances shown from any structure to any apparent property
- 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 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) THE SUBJECT PROPERTY IS ZONED I-1 (LIGHT INDUSTRIAL)
- 2) TAX ID#: 18-2097442
- 3) ROAD FRONTAGE OF RITCHIE ROAD: 120.01' ROAD FRONTAGE OF WALKER MILL ROAD: 126.85' TOTAL ROAD FRONTAGE: 246.86'
- 4) THE NEAREST STATIC BILLBOARD IS 243'± FROM THE EXISTING BILLBOARD, NO DIGITAL BILLBOARDS WERE OBSERVED WITHIN 1.000 FEET OF THE EXISTING BILLBOARD.
- 5) ONLY IMPROVEMENTS WITHIN CLOSE PROXIMITY TO THE EXISTING BILLBOARD ARE SHOWN HEREON.
- 6) NO PROPERTY CONTROL FOUND.
- 7) THE BOARD #001618 WAS NOT LABELED, BOARD NUMBER WAS PROVIDED BY CLIENT.

SIGN HEIGHTS:

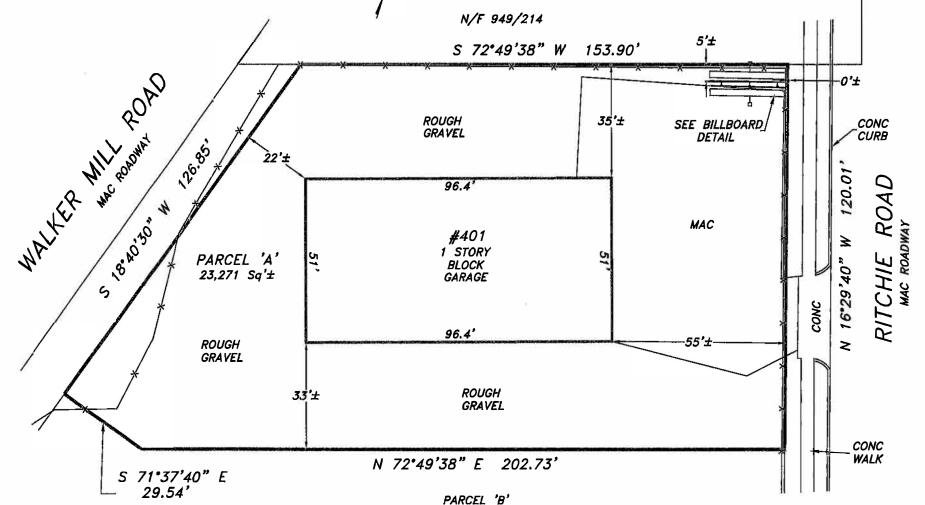
SIGN LENGTHS:

BOARD # 001618 TOP: 24.8' BOTTOM: 12.8' BOARD # 001619 TOP: 24.8' BOTTOM: 12.8

BOARD # 001618: 24.9' BOARD # 001619: 24.9'

APPARENT ENCROACHMENT NOTES:

1) THE FENCE APPEARS TO LIE OFF THE SUBJECT PROPERTY INTO THE RIGHT-OF-WAY FOR WALKER MILL ROAD.



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 PARCELS A & B NEAR RITCHIE "CONCORD" recorded among the Land Records of Prince George's County, Maryland in Plat Book 49, folio 19.

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 AE on the FIRM Map of Prince George's County, Maryland on Community Panel Number 24033C0165 E, effective 9/16/2016



James Carl Hudgins Property Line Surveyor #96 Expiration Date: 3/11/2020

SPECIAL PURPOSE SURVEY

30'

401 RITCHIE 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

Scale: 1"= 30 Date: 1/10/2020 Field By: TOM Drawn By: SCK File No.: MISC 13699 www.nttsurveyors.com Page No.: 1 of 1

60'

90