

Prince George's County Departure from Sign Design Standards DSDS-569

Applicant: Donald and Susan Stelfox

Location: The subject property is located on the east side of US 301 approximately 2,000 feet north of Queen Anne Bridge Road.

Request: Addition of two (2) freestanding signs

R E S O L U T I O N

WHEREAS, the applicant is requesting to add two (2) addition freestanding signs and distribute the allowable freestanding sign square footage over three (3) signs; and

WHEREAS, the advertisement of the public hearing was posted on the property in accordance with the adopted Rules of Procedure of the Prince George's County Planning Board; and

WHEREAS, the Technical Staff Report released August 30, 2000, recommends APPROVAL, of one additional freestanding sign, subject to one (1) condition; and

WHEREAS, after consideration of the Technical Staff Report and testimony at its regular meeting on September 7, 2000, the Prince George's County Planning Board agreed with the staff recommendation; and

WHEREAS, the Prince George's County Planning Board decision is based on the findings and conclusions found in the Technical Staff Report and the following DETERMINATIONS:

- A. Location and Field Inspection: The subject 39.5"-acre property is an irregularly-shaped parcel located on the east side of the US 301, Crain Highway, 2,000" feet north of Queen Anne Bridge Road. It is improved with a 3,710"-square-foot barn located adjacent to Crain Highway, several small sheds ranging from 35" to 105" square feet in size and an 875"-square-foot building (all of which are located north of the existing entrance). Two other barns, 2,800" and 540" square feet in size, are located 276" and 220" feet, respectively, north of the south boundary. Several rows of trees and plantings also exist adjacent to the roadway. The major central portion of the site is cleared and in agricultural and plant nursery uses. The remainder of the property in the north and south contains wooded slopes. A portion of the north and south boundaries contain streams that flow toward Mill Branch and, in turn, the Patuxent River.
- B. History: In the 1992 Bowie-Collington-Mitchellville and Vicinity Sectional Map Amendment (SMA), the District Council rezoned the subject property from the C-2 and O-S Zones to the R-A Zone. A special exception (SE-4247) was granted in June, 1997 for a landscaping contractor=s business and a nursery and garden center. The applicant filed for a revision of site plan for the approved special exception (ROSP SE-4247/1) in April, 1999. The Technical Staff Report for this revision recommended DENIAL. The Planning Board heard the case in March 2000 and continued the case to allow the applicant to file for a variance, departure from sign design standards and address additional concerns from adjacent property owners.

- C. Master Plan Recommendation: The 1990 Bowie-Collington-Mitchellville and Vicinity Master Plan recommends permanent low-density, rural living area character for the subject property, as well as the whole community.
- D. Request: The applicant requests a departure from sign design standards (DSDS-569) to provide two additional freestanding signs.
- E. Neighborhood and Surrounding Uses:

The property is surrounded by the following uses:

Northeast and East:

Predominantly undeveloped land, Mill Branch, then Mill Branch Road (R-A Zone)

South:

Undeveloped land and Queen Anne Bridge Road. A minor subdivision, Hidden Hills, is located off Queen Anne Bridge Road, 600" feet east of US 301 (R-A Zone)

West:

US 301, then service-commercial auto-related uses in the median and scattered commercial uses on the west side of US 301 southbound (C-M and R-R Zones). West of these uses are residential subdivisions, including Amber Mews, in the City of Bowie (R-80 Zone)

- F. DSDS-569:

The applicant proposes two additional signs. Generally, the Zoning Ordinance permits one freestanding sign for nonresidential uses in residential zones in accordance with Section 27-615. This section permits a sign if approved on the special exception site plan, subject to requirements for the least intensive commercial zone in which the use is permitted. The least intensive commercial zone that permits a nursery and garden center is the C-A Zone. Only one freestanding sign is permitted in the C-A Zone. The approved special exception site plan shows potential locations for three signs. Currently one, 4-foot x 25-foot monument sign in a median island at the main driveway entrance for the property identifies the subject use.

The two additional freestanding signs would also be located within the right-of-way for US 301. The new signs are described as a 24.5-square-foot directional sign and a 92.8-square-foot sales sign. **Section 27-614(a)(4) permits a freestanding sign to be temporarily located between the existing street right-of-way and the ultimate street right-of-way, provided the signs are setback at least 10 feet from the existing right-of-way and a written agreement between the**

Department of Environmental Resources and the applicant is provided indicating that the applicant will remove the sign at his expense at the time of acquisition for street widening purposes. A departure from sign design standards is needed for the additional signs. The Planning Board notes that a maximum sign area of 200 square feet is permitted for the subject use based on the standard of 1 square foot of sign area for each 4 linear feet of street frontage for the use not to exceed 200 square feet. The total combined sign area proposed in this application is 214 square feet. The subject property has over 920 linear feet of frontage along US 301.

Section 27-239.01(b)(9) provides that in order for the Planning Board to grant a departure, it shall make the following findings:

- (i) **The purposes of this Subtitle will be equally well or better served by the applicant's proposal;**

Finding: Section 27-589 provides the following purposes of the sign regulations:

- (1) **To promote the health, safety, and welfare of the present and future inhabitants of the Regional District;**
- (2) **To encourage and protect the appropriate use of land, buildings, and structures;**
- (3) **To regulate unsightly and detrimental signs which could depreciate the value of property and discourage quality development in the Regional District;**
- (4) **To regulate signs that are a hazard to safe motor vehicle operation;**
- (5) **To eliminate structurally unsafe signs that endanger a building, structure, or the public;**
- (6) **To prevent the proliferation of signs that could detract from the scenic qualities of the landscape or the attractiveness of development; and**
- (7) **To control the location and size of signs, so as to provide for adequate identification and advertisement in a manner that is compatible with land uses in the Regional District.**

The applicant proposes an identification sign located at the southern end of the subject property which has 24 square feet of sign area and would be seven feet tall. The other sign which would be located towards the northern end of the property, is a 92.8-square-foot sign that would stand 13.6 feet high. The purpose of the larger Asales@ sign is to advertise the basic services and goods available as well as any seasonal specials. The applicant=s request for a total of three signs is excessive. Based on the

speed of motorists along US 301, a small (24.5-foot) identification sign as proposed would be appropriate. However, a 92.8-square-foot sales sign within the right-of-way would be completely out of character with other uses along US 301. The purposes of the Sign Regulations are not, therefore equally or better served by the applicant's proposal. The Planning Board recommends that only one additional sign (identification sign) be permitted, this smaller sign would give notice to motorists that the entrance to the property is near. In addition, the total sign area would be 125.3 sq. ft. instead of 218 sq. ft. that would exist with all three signs.

(ii) The departure is the minimum necessary, given the specific circumstances of the request;

Finding: The departure is the minimum necessary to address to circumstances presented by the applicant. According to the applicant, each sign serves a separate and distinct function which promotes safe ingress and egress to the site. The proposed identification sign at the southern entrance would alert drivers that the entrance to the property is the next right. The existing entrance sign is an attractive wood blasted sign with 100.8 square feet of sign area (two-sided with 50.4 square feet per side) with the name and logo of the existing nursery. The Planning Board, however, disagrees with the applicant's justification. The proposed signage exceeds the maximum permitted square footage (200 square feet) and creates visual clutter along US 301. The Planning Board believes only two signs are necessary.

(iii) The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949;

Finding: The departure is not necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949. The property is primarily visible and only accessible from the northbound lanes of US 301. The speed at which motorists travel further compounds the sight-distance problems. Also, the topography and dense tree cover of properties located south of the subject property further restricts the visibility of the entrance. From a safety standpoint, a small identification sign that alerts drivers to the entrance to the property is appropriate.

(iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.

Finding: A departure to permit two additional signs and an additional 117.5 square feet of sign area along US 301 will impair the visual, functional and environmental quality and integrity of the site and of the surrounding neighborhood. The property is currently identified by an existing 100.8-square-foot monument sign. The maximum sign area permitted is 200 square feet. The two proposed additional signs would provide a total of 218.1 square feet of sign area; this is excessive. If the proposed 24.5-square-foot identification sign were permitted, the total sign area for the property would be 125.3

square feet.

NOW, THEREFORE, BE IT RESOLVED, that Departure from DSDS-569 is hereby APPROVED to permit one-24.5 square foot identification sign as shown on the approved site plan.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board=s action must be filed with the District Council of Prince George=s County within thirty (30) days following the final notice of the Planning Board=s decision.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Lowe, with Commissioners Lowe, Eley, Brown and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September 7, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 5th day of October 2000.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG;jj:leb