

74-139-A **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Greenspring Realty, Inc., legal owner, of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

hereby petition for a Variance from Section 413.24 to permit a sign area

variance from 100 square feet to the proposed 152 sq. feet and

from Section 413.5(d) to permit a sign height variance from

25 feet to the proposed 35 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Such restrictions impose hardship and practical difficulty in that the subject property is located at the bottom of a hill at York Road and Fairmount Avenue in a valley of said road in a completely commercial area surrounded by many other signs erected in variance with the regulations.

see attached description

Property is to be posted and advertised as prescribed by Zoning Regulation. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

GREENSPRING REALTY, INC.
BY: James A. Smith, Jr.
Secretary
Address: 207 Washington Avenue
Towson, Md. 21204

James A. Smith, Jr., Petitioner's Attorney
Address: 414 Jefferson Building
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day of November 1973, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 12th day of December 1973, at 10:45 o'clock A.M.

James A. Smith, Jr.
Zoning Commissioner of Baltimore County.

(over)

DESCRIPTION OF PROPOSED SIGN LOCATION
ON PROPERTY OF GREENSPRING REALTY, INC.
LOCATED AT 936 YORK ROAD

Beginning at a point South 24 Degrees 42 Minutes East approximately 174 ft. from the center line of Fairmount Avenue extended, thence Southeasterly for a distance of 10 ft., thence in a Southwesterly direction for a distance of 24 ft., thence in a Northwesterly direction parallel to the first call for a distance of 10 ft., thence in a Northeasterly direction parallel to the second call for a distance of 24 ft. to the place of beginning.

RE: PETITION FOR VARIANCES
W/S of York Road, 174' from
Fairmount Avenue - 9th District
Greenspring Realty, Inc. - Petitioner
NO. 74-139-A (Item No. 84)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This Petition represents a request for Variances to permit a sign of 152 square feet in area and 35 feet in height instead of the permitted 100 square feet and 25 feet in height.

Testimony and evidence was presented by the Petitioner - owner of the store and the sign company that designed and manufactured the sign. The Baltimore County Chamber of Commerce also appeared and presented testimony in protest to the granting of the requested Variances.

The new sign will replace an existing sign that is somewhat smaller in size. The change in signs was described as being needed and required to properly locate and symbolize the motto of the Petitioner's business.

The Petitioner owns three carpet stores, Towson, Glen Burnie and a store presently under construction on Reisterstown Road. The new sign has been erected at the Glen Burnie store, and is intended to be installed at the other two locations pending Variances to the Baltimore County Sign Regulations. If successful, all businesses will have a standard sign that portrays the Petitioner's advertising motif and should eliminate identity problems that have existed between his and other similar businesses.

The Towson store was described as being located along the Sandy Bottom section of York Road, in an area highly congested with vehicular oriented businesses that have been proliferated with many signs of various sizes and shapes. A few of the larger signs were granted Variances. Some signs have stood for years, and no doubt, enjoy a non-conforming status; others were very possibly erected without approval or permit.

The existing traffic congestion and sign proliferation were submitted as

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: December 14, 1973

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #74-139-A. Most side of York Road 174 feet from Fairmount Ave.

Petition for Variance for Sign Area and Height.
Petitioner - Greenspring Realty, Inc.

9th District

HEARING: Wednesday, December 12, 1973 (10:45 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has no comments to offer at this time.

William D. Fromm
William D. Fromm, Director
of Planning

WDF:jhr

evidence of hardship and difficulties encountered by the Petitioner in identifying his store location, and in particular, the identification of his entrance for northbound customers who must make a left turn at the median break opposite his entrance.

Testimony on behalf of the Baltimore County Chamber of Commerce was presented by the Executive Director and the Assistant Executive Director who is also Chairman of the Graphics Committee. The following items were submitted into evidence:

1. Notarized certification that the Chamber is chartered to serve the geographical area of Baltimore County; consists of business, industrial and institutional organizations; and currently consists of 317 members.
2. Minutes of the Board of Directors' meeting dated November 13, 1973.

Included in the minutes, under the heading of new business, is a presentation by the Graphics Committee. The presentation establishing York Road as a pilot area and outlining steps to bring about compliance of signs, including a phase out of signs protected by grandfather clauses, was unanimously adopted by the Board of Directors.

The Graphic Chairman was also authorized to testify at zoning hearings on behalf of the Chamber, and to appear in opposition to this Variance as well as a similar Variance by the same Petitioner for a Reisterstown Road site.

Testimony indicated that the Chamber is of the opinion that the height and area requirements of the sign regulations are sufficient to allow adequate advertisement of businesses and should be maintained except in rare instances of hardship or practical difficulties.

In the instant case, the Petitioner's property and existing sign was personally observed by the Chairman of the Graphics Committee. The sign was found to be clearly visible from a minimum of one block away which should give customers ample time to locate and gain entrance to the Petitioner's place of business.

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BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTOR

Wm. T. MILLER
DEPUTY TRAFFIC ENGINEER

December 12, 1973

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 84 - ZAC - November 6, 1973
Property Owner: Greenspring Realty, Inc.
York Road SE of Fairmount Avenue
Variance to permit a sign area
District 9

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to a sign area.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF:nic

They felt that the granting of the Variances would only add to a bad situation and would seriously hamper their efforts.

After reviewing the above testimony and personally viewing the area, it is the opinion of the Deputy Zoning Commissioner that compliance to the height and area requirements would not result in hardship or difficulties. If granted, the sign could very well be a detriment to the area. On the other hand, replacement of the sign with one that falls within the regulations could provide incentive for others with the end result being a more aesthetically pleasing business area.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner this 17th day of January 1974, that the above Variances be and the same are hereby DENIED.

James A. Smith, Jr.
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE January 17, 1974
BY James A. Smith, Jr.

DATE January 17, 1974
BY James A. Smith, Jr.

BALTIMORE COUNTY
CHAMBER OF COMMERCE
305 W. Chesapeake Ave., Towson, Md. 21204 Telephone: 825-6700

MINUTES
BOARD OF DIRECTORS
BALTIMORE COUNTY CHAMBER OF COMMERCE
Tuesday, November 13, 1973
Black & Decker Cafeteria

PRESENT: H. Shanklin, B. Trueschler, R. Lockard, R. Lindsay, C. Clapp, J. Tolbert, H. Schalte, R. Pachlutt, G. Smith, B. Caroy, H. Lykos, C. Josselyn, P. Insley, C. Fenwick, V. Sevier, F. Stricklin, J. Watson, B. E. Seibel

AUSENT: F. Hoern, L. Gerber, G. McCarty, S. Valenziano, G. Yates, T. Irvin, G. Schwalb, H. Smith, R. DiCicco, J. Venes

OCTOBER MINUTES
Minutes of October approved as submitted.

FINANCIAL REPORT
Financial report was approved as submitted by Mr. Lindsay. Mr. Lindsay noted the expansion of the membership base must become a priority item.

MEMBERSHIP
The following were approved for membership: Central Medical Center & Radio Electric Service Co. of Baltimore.

DUES REVISION
After 45 minutes of deliberation over the proposed upgrading and revision of the dues schedule, the Board approved the schedule subject to the opportunity of specific classifications to satisfy their specific ratio of payment in relation to the other classifications. Motion passed 10 to 1.

CONSTITUTION COMMITTEE REPORT
Mr. Tolbert gave the Nominating Committee report which was adopted unanimously by the Board of Directors. The following were elected to serve three year terms:

Arnold L. Brundelbaum, Vice President/Controller, Black & Decker Manufacturing Company, Towson
P. Douglas Dollenberg, Vice President, Nottingham Properties, Towson
Joseph L. Gregory, Assistant Executive Director, Teachers Association of Baltimore County
Kenneth E. Liddick, Jr., Supervisor of Public Affairs, Bethlehem Steel Corporation, Sparrows Point

Earl L. Linahan, Senior Vice President, Medical Services Corporation,
Towson
Robert Radecki, Attorney, Essex
Dr. H. E. Saterline, Board of Education, Baltimore County
Robert G. Uch, Jr., Vice President, Consolidated Insurance Center,
Woodlawn

ANNUAL MEETING COMMITTEE REPORT

The Board of Directors approved the annual meeting schedule of events with one exception, a stipulation of \$15.00 per person was authorized. There shall be no open bar. Hors d'oeuvres will not be served unless they can be accommodated in the \$15.00 figure.

OLD BUSINESS - NONE

NEW BUSINESS - GRAPHICS COMMITTEE PRESENTATION

Committee Chairman J. Gregory submitted a letter to Mr. DiNenna which he proposes be sent, clearly stating the position of the Chamber regarding sign graphics in the York Road pilot area. The letter makes the following points: 1. We would request further investigation be made into alleged violations of the sign ordinances by businesses and organizations on York Road between Susquehanna and Pennsylvania Avenues. 2. We would request that: (a) Those without permits whose signs meet the ordinance standards be requested to file an application for a permit. While we would agree that the bonding and insurance necessary for the permits may pose some hardship, this is no different than those who are currently applying for permits. (b) Those individuals whose signs do not conform to the ordinance and who do not have a permit be requested to bring their sign within the standards of the sign ordinance within a time certain and that a permit be sought for the new sign to be put up prior to the expiration of the time certain. 3. The Chamber will pursue the possibility of submitting legislation to provide a phase-out of those signs protected by grandfather clauses. 4. The letter to Mr. Milne asked that we be continually advised to variances from the sign ordinance when they are requested anywhere in Baltimore County.

After deliberation and discussion, the Board of Directors unanimously adopted the committee proposal and authorized Mr. Gregory to testify at such hearings. The Board of Directors also authorized Mr. Gregory to appear in opposition to Carnot Land, Inc., who has requested a variance of the sign ordinance for its location at York and Fairmount Avenues and on Reisterstown Road.

PRESENTATION - TOWSON MASTER STREET PROGRAM

Mr. Walter Kratzmeier, Planning Department, Baltimore County, presented the proposed arterial street program for the Towson Town Center. Several questions were asked relating to:

1. the upshifting of York Road for increasing traffic volume
2. the impact of change on the small retailers in the downtown center of Towson
3. the projected traffic volume necessitating such street and road development

The Board thanked Mr. Kratzmeier for his presentation and referred further study of the proposal to the Land Use Committee.

There being no further business the meeting adjourned.

Respectfully submitted,
EDWARD R. SLIDEL
Executive Vice President

EDS:red

PROTESTANTS SUMMIT
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TO: Mr. Eric DiNenna
Zoning Commissioner of Baltimore County
Mr. James E. Dyer
Deputy Zoning Commissioner of Baltimore County
FROM: Joseph J. Gregory, Chairman
Graphics Committee
Baltimore County Chamber of Commerce
DATE: December 12, 1973
RE: Opposition to Petitions for Variance for Greenspring Realty, Inc.
#74-139-A

My name is Joseph J. Gregory. I reside at 906 Gröswick Road, Towson, Maryland. I am speaking for the Baltimore County Chamber of Commerce in opposition to the petition for variance to the sign ordinances requested by Greenspring Realty, Inc., for Carportland.

A little over a year and a half ago, the Towson affiliate of what was then the Central Baltimore County Chamber of Commerce established a Graphics Committee as a project to study and make recommendations for improvement regarding the obvious sign pollution along the York Road corridor. While we identified as a pilot area, that portion of York Road running from Burke Avenue to the Beltway, the project was from its inception a county-wide one in scope. It was our objective to determine what steps were necessary to reverse those diverse and singular actions that resulted in the clutter of York Road. Our committee has studied the problem in depth. We have examined the ordinance, conferred with the zoning department, held meetings with businesses in the area, consulted with experts in the field of graphics and after a year and a half now appear before this hearing as one of the steps or activities that must occur if order is to replace chaos.

In 1968, the Baltimore County Planning Board instituted a study from which the book Street Graphics by William R. Ewald, Jr. was written. Let me quote one section from the forward of the book:

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"The perspective of the study on which this book is based was 1) to assess the potential contribution of street graphics to easy and pleasant communication between people and their environment and 2) to propose a system to help in realizing that communication. This book proposes such a system, one that will allow individuals and institutions the freedom to express their personalities and purposes-- but within the framework of official guidelines that will insure that these expressions are compatible with the areas around them. appropriate to the activities to which they pertain, and clearly readable under the circumstances in which they are seen."

I believe that the above paragraph states an objective with which very few citizens in Baltimore County would not agree. Although that objective may be difficult, it is possible. We must recognize this possibility if a reversal of the present situation is to occur.

It is the feeling of the Graphics Committee that the present ordinance is sufficient to prevent further pollution of the streets. While it may be necessary to institute further legislation to reverse some of those situations that have occurred prior to the passage of this ordinance that deals with another matter. Today we are dealing with the holding of the line in at least one circumstance and as someone else said much better than I -- to begin we must take the first step.

We can recognize that in certain circumstances a variance should be given if it places one individual at a significant disadvantage to another due to some aberration that the ordinance did not anticipate. We do not feel that a larger sign for instance should be requested simply because the person's neighbor

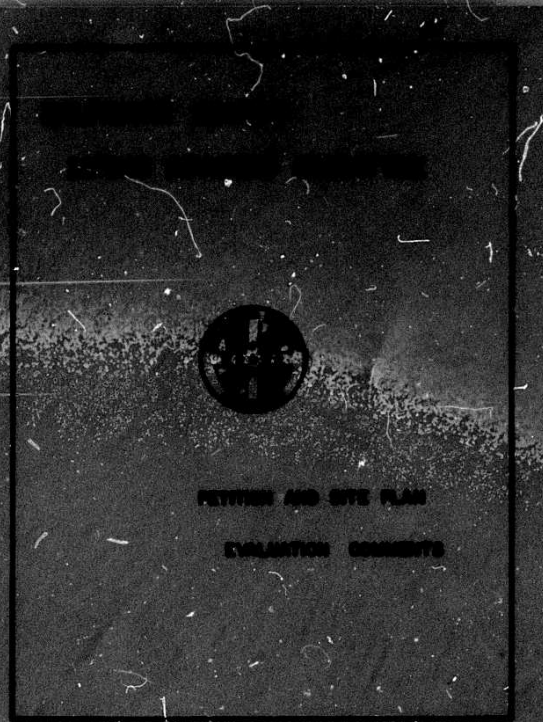
-3-

has a larger sign. That would result in the kind of proliferation to which there is no end. We would think for instance that if it was a decision to retain a stand of trees that would clearly block or hinder the ability to see a particular place of business, that a sign variance could be granted in order to remove the disadvantage that the individual has been placed in as a result of the decision to preserve the trees. We cannot see why Carportland would request a variance. Their present sign can be seen for a half mile in either direction.

Any layman, giving even a cursory examination of the Street Graphics book, would find it obvious that the size of the sign diminishes as a factor in its effectiveness to communicate.

This book could serve as an excellent blueprint for progress. With time, adherence to the sign ordinance, some amendments to the ordinance, cooperation and vision, the difficult task of reversal could result in a better environment. It must begin with small and individual steps such as this hearing. We request that you deny this petition for variance and request the petitioners to erect a sign that conforms to the ordinance. We would further request that any petitions for variances be denied if proof is not given that the petitioner is at a significant disadvantage because of the sign ordinance restrictions.

JIG/cb



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 30, 1973

James T. Smith, Jr., Esquire
414 Jefferson Building
Towson, Maryland 21204

Re: Zoning Variance
Item #85
Greenspring Realty, Inc.

Dear Mr. Smith:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the southwest side of Reisterstown Road, 175 feet northeast of Chestnut Hill Lane, in the 4th District of Baltimore County.

The petitioner is requesting a variance for a sign area of 152 square feet instead of the required 100 square feet and a height of 35 feet instead of the required 25 feet for the Carpet Land store, which is currently under construction at this location.

Reisterstown Road at this location is not as developed as it is in other areas, and therefore, there are fewer signs. Visibility at this location does not appear to be a factor.

Very truly yours,

John J. Dillon, Jr.
Chairman, Zoning Advisory Committee

JDD:jrb

Enclosure

cc: Litalinger Sign Co., Inc.
625 Portland Street
Baltimore, Maryland 21230

Baltimore County, Maryland Department of Public Works COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

Branch of Engineering
ELLENWORTH N. DYER, P. E. CHIEF

November 23, 1973

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #85 (1973-1974)
Variance Over: Greenspring Realty, Inc.
SWS of Reisterstown Rd., 175' N/S of Chestnut Hill Lane, west
Subject: Engineering B.L.
Proposed Zoning: Variance to permit a sign area from 100 sq. ft. to 152 sq. ft. and a variance to permit a sign height from 25 ft. to proposed 35 ft.
No. of Acres: .101 x .131 District: 4th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Comments:

Baltimore County utilities and highway improvements are not involved. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #85 (1973-1974).

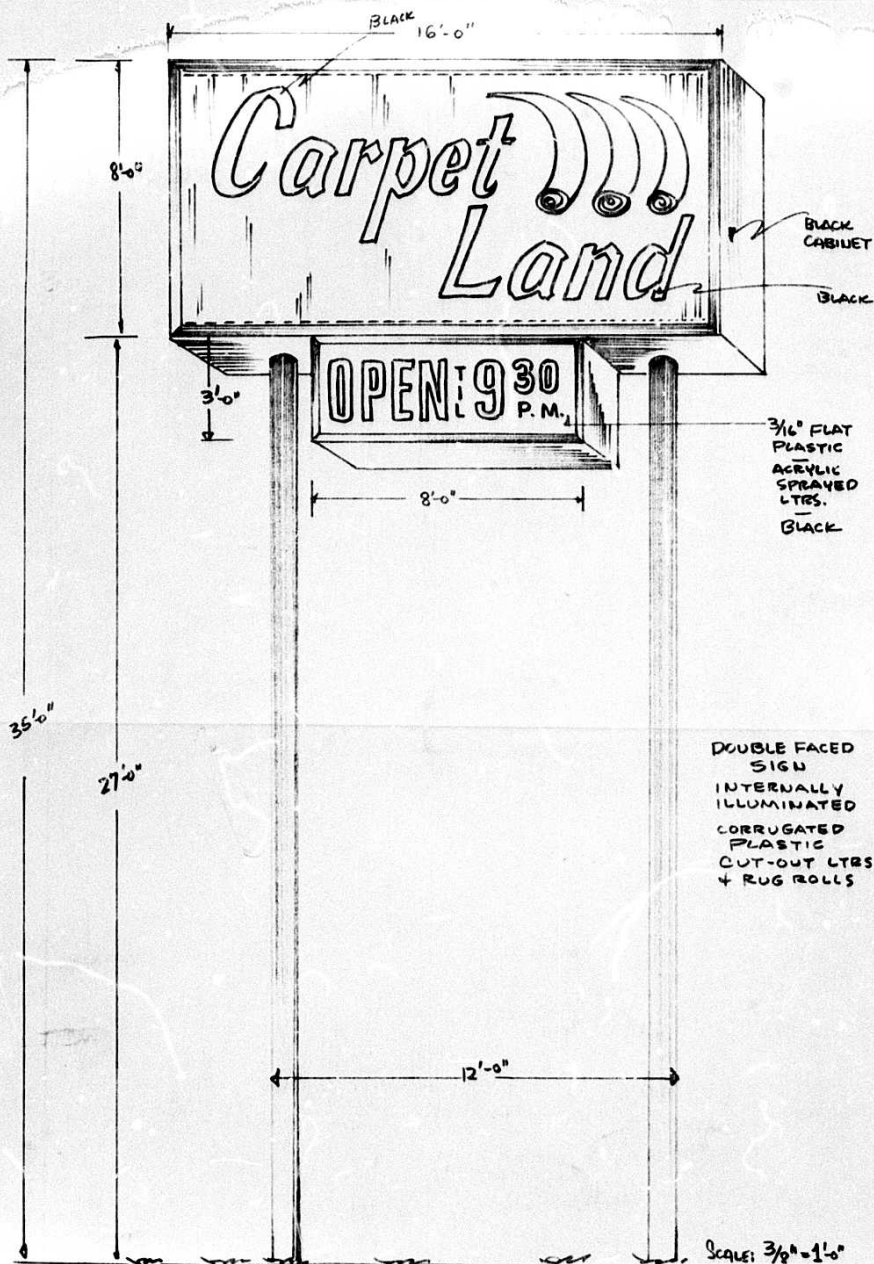
Very truly yours,

Ellenworth N. Dyer, P.E.
Chief, Bureau of Engineering

END:ENR:ENR:SS

CC: Mr. Dyer
50 Mr. 36 Pers. Sheet
100 Mr. 100
50 Pers. Map





LOCATION:

LITSINGER SIGN CO., INC.
625 PORTLAND ST.
BALTIMORE, MD.
21230

TELE: 727-0758



OFFICE COPY

Zoned
BR

YORK

ROAD

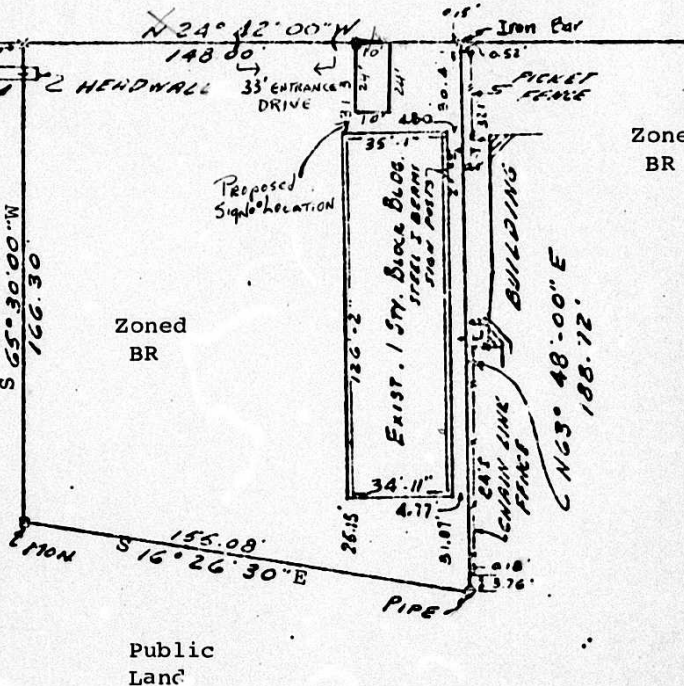
BENCH MARK:
5.5" 368.94' + CMT ON
N.E. ON TOP OF NEAR-
WALL, 1/2 N. OF S. END
OF WALL.

ENTRANCE TO
SCHOOL BORED DEEP

Public
Land

Zoned
BR

Zoned
BR



THIS IS TO CERTIFY THAT WE HAVE
MADE A LOCATION SURVEY OF THE
IMPROVEMENTS, AND THAT THEY ARE
LOCATED ON THE LOT AS SHOWN HEREON.

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.

John H. Stephens, Jr.
ASSOCIATE

REG. NO. 2286

1936 YORK ROAD
TOWSON

- CARPET LAND -

BALTO. CO., MD.

ELECT. DIST. No. 2

SCALE 1" = 50

DATE FEB 16, 1961

