

PETITION FOR SPECIAL EXCEPTION AND VARIANCE

8th Election District

LOCATION: East side York Road, 109 ft. North from the centerline of Gorsuch Road (1921 York Road)

DATE AND TIME: Wednesday, April 3, 1985 at 1:30 p.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for Class B office building and Variance to permit 12 signs (3 illuminated) with a total square footage of 40 sq. ft. in lieu of the permitted one non-illuminated sign of 8 sq. ft.

Being the property of Emmanuel S. Glasser, M.D., as shown on plat plan filed with the Zoning Office.

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

March 28, 1985

Howard S. Klein, Esquire
401 Washington Avenue
Towson, Maryland 21204

RE: Petition for Special Exception and Variance
E/S York Rd., 109' N from the c/l of
Gorsuch Rd. (1921 York Road)
Emmanuel S. Glasser, M.D. - Petitioner
Case No. 85-282-XA

Dear Mr. Klein:

This is to advise you that \$57.56 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FISCAL REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 005383

DATE 4/1/85 ACCOUNT 01-615-000

AMOUNT \$ 57.56

RECEIVED FROM Emmanuel S. Glasser M.D.

FOR Posting - Advertising 85-282-XA

VALIDATION OR SIGNATURE OF CASHIER

LEO W. RADER
REGISTERED SURVEYOR

SUBDIVISION
ENGINEERING
TITLE SURVEYS
LAND PLANNING

38 Belfast Road - Timonium, Maryland 21093

CL 2-2820 OR
282-9920

February 26, 1985

G & G BUILDING 1921 YORK ROAD

BEGINNING for the same on the east side of the York Road, 82 feet wide, distant 109 feet more or less measured northerly along said east side from the center of Gorsuch Road, said place of beginning being at the division line between Lot No. 13 and Lot No. 14 as shown on the Plat of Yorkshire recorded among the Land Records of Baltimore County in Liber W.P.C. No. 7 Folio 21, thence North 19 degrees 47 minutes 22 seconds West binding on said east side of York Road 100.00 feet, North 70 degrees 18 minutes 45 seconds East 144.72 feet, South 19 degrees 41 minutes 15 seconds East 100.00 feet and South 70 degrees 18 minutes 45 seconds West 144.54 feet to the place of beginning.



Leo W. Rader
Leo W. Rader

*Item #334
Revised plan
2/28/85*

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 25, 1985

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

050
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Howard S. Klein, Esquire
401 Washington Avenue
Towson, Maryland 21204

RE: Item No. 334 - Case No. 85-282-XA
Petitioner - Dr. Emmanuel S. Glasser
Special Exception & Variance Petitions

Dear Mr. Klein:

The Zoning Plans Advisory Committee and the County Review Group (CRG) have both reviewed the plans submitted with the above-referenced petition. The following comments from the CRG have been substituted for those of the Zoning Plans Advisory Committee. They 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 suitability of the requested zoning.

At your request, the variance for signage was advertised prior to the submittal of elevation plans showing the total square footage of proposed signs. At the time of scheduling this hearing, you verbally indicated what the proposed signage would be. However, the drawings that you eventually submitted indicates more signage than was advertised. In addition, there is a question of the size of the address of the proposed building. These matters should be fully discussed at the scheduled hearing.

Since the proposed signs were not indicated on the plan approved by the CRG, I suggested that you contact Ms. Sue Carrell (494-3335) in order to determine if additional approval by said group is required. This matter should also be discussed at the hearing.

This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

ENCLOSURES
cc: Mr. Leo W. Rader
38 Belfast Road
Timonium, Maryland 21093

COUNTY REVIEW GROUP MEETING MINUTES
Wednesday, February 20, 1985

G & G BUILDING
(1921 York Rd.)
District 8 C4

COUNTY REVIEW GROUP - THOSE PRESENT

Catherine Warfield, Chairman - Dept. of Public Works
Susan Carrell, Co-Chairman - Office of Planning

Agency Representatives

Harris Shalowitz - Developers Engineering Division
George Wittman - State Highway Administration

Developer and/or Representatives

J. Azrael - Developer
Leo Rader - Developer's Engineer
R. Glasser - 3909 Brenbrook Drive

The meeting was opened at 2:35 by Mrs. Warfield who introduced the staff and stated the purpose of the meeting.

Dr. Glasser presented a revised plan.

Susan Carrell summarized the written staff comments submitted from the Bureau of Sanitation, Health Dept., Fire Prevention, Storm Water Management Review Group, State Highway Administration, Planning, Zoning, and Traffic Engineering.

The plan as revised satisfies all of the comments. The State Highway representative is satisfied with a 33-foot entrance. The plan is, therefore, approved.

The meeting was adjourned at 3:00 p.m.

CW

COUNTY REVIEW GROUP
COMMENTS ON PROPOSED SUBDIVISION PLANS
BALTIMORE COUNTY DEPARTMENT OF HEALTH

G & G Building

Subdivision Name, Section and/or Plat

Emmanuel Glasser
Developer and/or Engineer
Leo Rader
Watershed 1 No. of Lots 0.41 Total Acreage 0.41 Water 0.41 Sewer 0.41

COMMENTS ARE AS FOLLOWS:

- Soil percolation tests are required; a minimum of two test are required within a designated 10,000 square foot sewage disposal reserve area. For further information regarding these requirements, contact this office at 494-2762.
- Soil percolation test have been conducted. Revised plans, must be submitted prior to approval of plat, are not required and the plat can be approved as submitted. Contact this office for more complete information, 494-2762.
- Public sewers ☒, public water ☒, must be utilized and/or extended to serve the property.
- A Hydrogeological Study and Environmental Effects Report for this subdivision, must be submitted, are not required, is incomplete and must be revised. ☒ has/have been reviewed and approved.
- A Water Appropriation Permit Application, must be submitted, has been submitted. NOTE: Greater than 33 lots necessitates a public hearing with Water Resources Administration as part of the permit process.
- It is recommended the plan, be approved as submitted, ☒ be approved as submitted subject to the following conditions noted: *on the check sheet*
- It is recommended this plan not be approved at this time. See revisions and/or comments. *See*

REVISIONS AND/OR COMMENTS:

SS 763R

BALTIMORE COUNTY, MARYLAND

DATE: February 15, 1985

SUBJECT: SUBDIVISION REVIEW COMMENTS
FROM: BALTIMORE COUNTY FIRE DEPARTMENT, FIRE PREVENTION BUREAU
Captain Joseph Kelly

PROJECT NAME G & G Building PRELIMINARY PLAN
PROJECT NUMBER CRG Agenda 2/20/85, 2:30 pm TENTATIVE PLAN
LOCATION: 1921 York Road DEVELOPMENT PLAN
DISTRICT: 8 FINAL PLAN

Comments

1. Proposed buildings shall be designed and constructed so as to meet the applicable provisions of the Fire Prevention Code and the NFPA 101 Life Safety Code, 1981 Edition.

BALTIMORE COUNTY, MARYLAND

DATE: February 20, 1985

SUBJECT: SUBDIVISION REVIEW COMMENTS
FROM: Edward J. McDonough, P.E., Chief
Developers Engineering Division

PROJECT NAME: G & G Building
PROJECT NUMBER: #85021
LOCATION: 1921 York Road
DISTRICT: 8C4

The Plan for the subject site, dated January 30, 1985, has been reviewed by the Developers Engineering Division and we comment as follows:

GENERAL COMMENTS:

York Road is a State Road. All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

The Developer shall be responsible for damages to the County's facilities, such as water meters, manholes, curbs and gutters and inlets within his site. Occupancy Permits will be withheld until such damages have been corrected.

HIGHWAY COMMENTS:

It shall be the responsibility of the Developer's engineer to clarify all rights-of-way within the property and to initiate such action that may be necessary to abandon, widen or extend said right-of-way. The Developer shall be responsible for the submission of all necessary plats and for all costs of acquisition and/or abandonment of these rights-of-way.

The entrance locations are subject to approval by the Department of Traffic Engineering, and the State Highway Administration.

Entrances shall be a minimum of 24 feet and a maximum of 35 feet wide. Depressed curb is to be used with no curb returns to the property line.

Ramps shall be provided for physically handicapped persons at all street intersections.

Sidewalks are required adjacent to the public roads serving this site. The walks shall be 5 feet wide and shall be installed to conform with Baltimore County Standards, which places the back edge of the sidewalk 2 feet off the property line, or the adjacent unencumbered area.

Project #85021
G & G Building
Page 2
February 20, 1985

STORM DRAINS, SEDIMENT CONTROL AND STORM WATER MANAGEMENT COMMENTS: (Cont'd)

The Developer is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall. The Developer's cost responsibilities include the acquiring of easements and rights-of-way - both onsite and offsite - and the deeding in fee of said rights-of-way to the County. Preparation of all construction, rights-of-way and easement drawings, engineering and surveys, and payment of all actual construction costs including the County overhead both within and outside the development, are also the responsibilities of the Developer.

The Developer must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Developer.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

In accordance with Baltimore County Council Grading Ordinance (Bill No. 10-77) a grading plan shall be approved and a Performance Bond posted prior to issuance of a grading permit.

Sediment control provisions will be required for the building permit application and for any grading involved. The number of square feet of land disturbed shall be indicated on the sediment control drawing.

The Developer's engineer has shown an existing 4-foot sidewalk across the entire frontage. If construction equipment damages the existing walk, the Developer is responsible for the cost of repairs.

The Bureau of Engineering has recommended approval of a waiver of storm water management requirements.

WATER AND SANITARY SEWER COMMENTS:

A preliminary print of this property has been referred to the Baltimore City Water Division for review and comment in regard to adequacy of water pressure in this development. If Baltimore City has any comment, it will be forwarded.

Public water and public sewer mains exist in York Road. If the existing service connections are of sufficient capacity, the Developer may use them. If larger services are needed, permission to obtain a metered connection for water and a connection for sewer from the existing mains may be obtained from the Department of Permits and Licenses.

The Developer is responsible for the cost of capping or plugging any existing house connection not used to serve the proposed site.

Project #85021
G & G Building
Page 3
February 20, 1985

WATER AND SANITARY SEWER COMMENTS: (Cont'd)

This property is subject to Water and/or Sewer System Connection Charges based on the size of water meters utilized in accordance with current County Policy.

The total Water and/or Sanitary Sewer System Connection Charge is determined, and payable, upon application for the Plumbing Permit. This Charge is in addition to the normal front foot assessment and permit charges.

The Developer will be given credit for one System Connection Charge for each existing house which is now connected into the public services.

This site is subject to the sewer allocation policy as established by the Baltimore County Council.

Fire hydrant spacing and location are subject to review and approval by the Fire Protection Section of the Fire Department.

This project may be approved, subject to compliance with all the above comments.

Edmond A. McDonough
EDMOND A. McDONOUGH, P.E., Chief
Developers Engineering Division

EAM:HWS:as

cc: File

**DEPARTMENT OF TRAFFIC ENGINEERING
BALTIMORE COUNTY, MARYLAND**

TO : Mr. James A. Markle DATE: February 18, 1985

FROM : C. Richard Moore

SUBJECT: C.R.G. Comments

PROJECT NAME: G & G Building C.R.G. PLAN: X

PROJECT NUMBER & DISTRICT: 8C4 DEVELOPMENT PLAN:

LOCATION: York Road & Fox Tail Drive RECORD PLAT:

The entrance is subject to State Highway Administration approval, however, it is recommended that the plan show how an ultimate 35ft. wide use-in-common entrance with the adjacent property.

C. Richard Moore
C. Richard Moore
Deputy Director
Traffic Engineering

CRW/GUJ/ccm

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS DATE: 2/19/85

FROM: ZONING OFFICE

PROJECT NAME: G & G Building PLAN: ✓

LOCATION: 1921 York Rd. DEVELOPMENT PLAN:

DISTRICT: 8th Election District PLAT:

The following comments were written on the CRG plan dated revised 1/30/85.

A petition for Special Exception for Class B Office Building is an R. O. zone was filed on 6/1/84, Item 334. It included a Variance for amenity open space which is no longer required since the 1985 zoning maps rezoned the rear portion of the site R. O. and sufficient open space is now being provided.

If CRG approval occurs, final approval of any building permits will be contingent upon the outcome of the zoning hearing. At the time of the zoning hearing, in an R. O. zone, the petition must meet the requirements of Section 203.2 of the Baltimore County Zoning Regulations which states in part, "It is intended that buildings and uses in R. O. zones shall be lighty compatible with the present or prospective uses of the nearby residential property."

The existing zoning must be indicated in the general notes.

The size of the proposed sign on the building wall must be indicated on the plan; it may not exceed 8 sq. ft. and may not be illuminated.

A minor revision involves the gross site area and amenity open space calculations—a gross site area of .401 acres = 17,468 sq. ft. instead of 17,463. The amenity open space required then is 17,468 x .25 = 4,367 sq. ft. instead of 4,366 sq. ft. The amount of amenity open space provided exceeds the amount required.

Diana Tyler
DIANA TYLER
Zoning Associate III

DL/ss

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
FROM: OFFICE OF PLANNING AND ZONING

DATE: February 20, 1985

PROJECT NAME: G and G Building 1921 York Road PLAN: XXXXXXXXXXXXXXXX

COUNCIL & ELECTION DISTRICT VIII-406 PLAN EXTENSION:

REVISED PLAN:

PLAT:

The Office of Planning and Zoning has reviewed the subject plan dated January 30, 1985 and has the following comments:

The landscape calculations are correct, and the schematic landscape plan is generally acceptable except for one item. Additional screening should be provided within the 8' planting strip along the south side of the parking area. A Final Landscape Plan prepared by a registered landscape architect must be approved by this office prior to issuance of any grading or building permits.

The plan is generally acceptable as it pertains to the requirements of this office.

Susan Carrell
Susan Carrell



Maryland Department of Transportation
State Highway Administration

Lowell K. Bridwell
Secretary
Hail Kassoff
Acting Administrator

June 13, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 6-12-84
ITEM: #334.
Property Owner: Dr. Emmanuel S. Glasser, et al (CRG)
Location: E/S York Road
Route 45, 109' N. from c/l
Gorsuch Road
Existing Zoning: R-O & D.R. 3.5
Proposed Zoning: Special Exception for a Class B Office Building Variance to permit 0 percent amenity open space in lieu of the required 25 percent of the gross site area.
Acres: 0.332
District: 8th

Dear Mr. Jablon:

On review of the site plan and field inspection, the State Highway Administration will require the plan to be revised.

The revised plan must show a in-common entrance no wider than 35' or 22' on the Glasser Property.

My telephone number is (301) 659-1350
Telephones for the Hearing or Speech
303-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

Mr. A. Jablon

-2-

June 13, 1984

It is requested that the plan be revised prior to a hearing date being set and all work within the State Highway Administration Right-of-Way must be through S.H.A. permit.

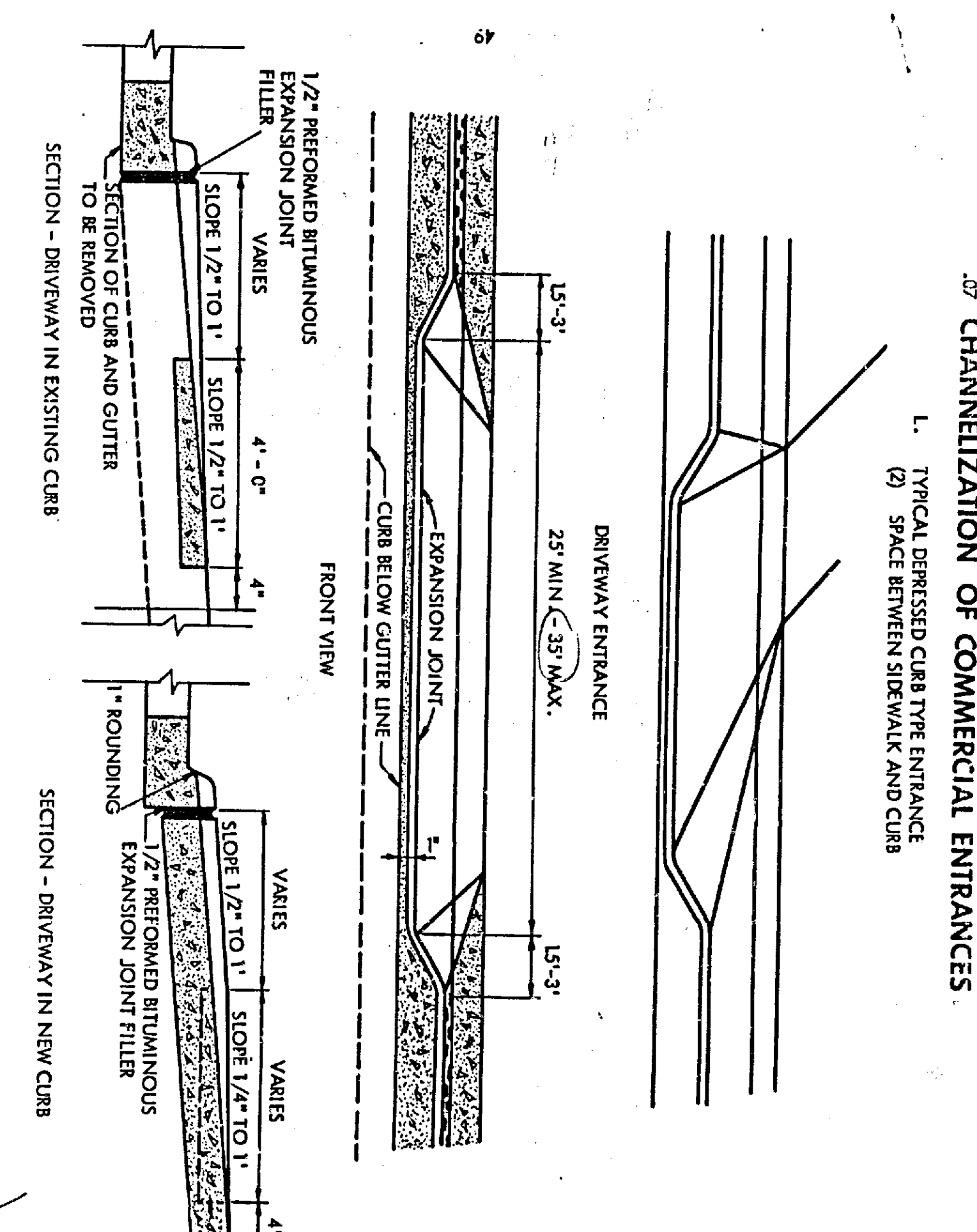
Very truly yours,

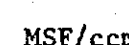
Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle





KY-S-N.E.
PS-51 N.W.2
TP-N.W. 13-
TX- 60

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204
April 1, 1974

Bureau of Engineering
ELLSWORTH N. DIVER, P. E., CHIEF

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

Re: Item #151 (1973-1974)
Property Owners: Dorothy C. Law
179 of York Road, 89, 3' N. of Gorsuch Rd.
Existing Zoning: D.R. 16
Proposed Zoning: Special Exception for Offices
No. of Acres: 0.326 District: 8th

Dear Mr. DiNenna:

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

Highways:

York Road (Md. 45) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewers:

Public water supply and sanitary sewerage are serving the present residence.

Very truly yours,

Ellsworth N. Diver
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

ZND:FAM:FW:188

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William T. Hackett, Chairman
TO: County Board of Appeals
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
Zoning Petition No. 85-282-XA
SUBJECT: Dr. Emanuel S. Glasser Property

Date: June 21, 1985

On March 20, 1985 my comment on the subject petition was prepared, signed and forwarded to the Zoning Commissioner. The recommendation was that the petitioner's request not be granted because the proposal was not in keeping with the character of the immediate neighborhood. Further review uncovered the fact that revised plans were approved by the County Review Group prior to the aforementioned comment of March 20.

Please excuse this administrative blunder and void my comment of March 20, 1985. Further, please consider the actions and proceedings of the C.R.G. to reflect the position of this office.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG:slm

cc: Arnold Jablon
Phyllis Friedman
S. Eric DiNenna

RECEIVED
COUNTY BOARD OF APPEALS
MAY 24 1985

Mr. William W. Phell
TO: 13 Northampton Road
Timonium, Maryland 21093
FROM: BALTIMORE COUNTY, MARYLAND
Zoning Office, Rm. 109
County Office Building
Towson, Maryland 21204

SUBJECT: Case No. 85-282-XA
DATE: April 15, 1985

For our telephone conversation, I have enclosed a copy of the decision rendered in the above case for your perusal.

Stella R. Lowmy
Administrative Secretary to the
Zoning Commissioner

Signed: _____
DATE: _____

White - Recipient's Reply
Yellow - Recipient's File
Pink - Originator / File / Follow Up

Reply Message

William Walker Phell
13 Northampton Road
Timonium, Maryland 21093
April 8, 1985
RECEIVED
BALTIMORE COUNTY
APR 15 1985
OFFICE OF PLANNING AND ZONING

Department of Planning and Zoning
Baltimore County
Towson, Maryland 21204

Dear Gentlemen or Madam:

Case # 85-282-XA
EMANUEL S. GLASSER, M.D., et al.

As a former president of the Northampton Community Association I wish to object to this property becoming a B-office and an illuminated sign being placed on the grounds. The Northampton Community Association has tried for years to help Baltimore County maintain the strip along York Road as a buffer zone between the commercial area and the residential area immediately behind the building in question. By changing the zoning, I believe this strip will lose this purpose. An R-0 office would better suit this purpose.

William Walker Phell
13 Northampton Road
Timonium, Maryland 21093

I was unable to attend the hearing on this case, but I hope the reasons for not changing the zoning that I have expressed will be taken into consideration.

Sincerely,
William W. Phell

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSION
PETITION FOR VARIANCE
E/S of York Rd., 109' N of : OF BALTIMORE COUNTY
the Centerline of Gorsuch Rd. :
(1921 York Rd.), 8th District :
EMANUEL S. GLASSER, M.D., : Case No. 85-282-XA
et al., Petitioners

NOTICE OF APPEAL

Please note an appeal from your decision in the above-captioned matter, under date of April 10, 1985, to the County Board of Appeals and forward all papers in connection therewith to the Board for hearing.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 9th day of May, 1985, a copy of the foregoing Notice of Appeal was mailed to Howard S. Klein, Esquire, 401 Washington Ave., Towson, MD 21204, Attorney for Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

May 13, 1985

Howard S. Klein, Esquire
401 Washington Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
AND VARIANCE
E/S of York Road, 109' N of
the centerline of Gorsuch
Road (1921 York Road) -
8th Election District
Emanuel S. Glasser, M. D., et al,
Petitioners

Dear Mr. Klein:

Please be advised that an appeal has been filed by the People's Counsel of Baltimore County, from the decision rendered by the Zoning Commissioner of Baltimore County in the above referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Sincerely,
Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:bg

cc: Ms. Mary Ginn
606 Horncrest Road
Towson, Maryland 21204

IN RE: Petition for Special
Exception and Variance
E/S York Rd., 109' N
from C/L of Gorsuch Rd.
(1921 York Rd.)
Emanuel S. Glasser, Petitioner

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* Case No: 85-282-XA

WITHDRAWAL OF APPEARANCE

Please withdraw the appearance of Howard S. Klein, Esq. on behalf of the Petitioner in the above-captioned matter. I hereby request that any and all notices be forwarded to the Petitioner, Dr. Emanuel S. Glasser.

Howard S. Klein
Howard S. Klein

401 Washington Avenue
Suite 502
Towson, Maryland 21204
301-821-6800

RECEIVED
COUNTY BOARD OF APPEALS
MAY 17 1985

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 16 day of May, 1985, a copy of the foregoing was mailed, postage prepaid, to:

Arnold Jablon
Zoning Commissioner for Baltimore County
Office of Planning and Zoning
Towson, Maryland 21204

Peter Zimmerman, Esq.
Peoples Counsel for Baltimore County
Room 223 Court House
Towson, Maryland 21204

Dr. Emanuel S. Glasser
2402 Velvet Valley Way
Cwings Mills, Maryland 21117

Howard S. Klein

IN RE: PETITION SPECIAL EXCEPTION AND VARIANCE
E/S of York Road, 109' N of the centerline of Gorsuch Road (1921 York Road) - 8th Election District
Emanuel S. Glasser, M.D., et al

BEFORE THE
COUNTY BOARD OF APPEALS
FOR
BALTIMORE COUNTY
Case No.

ENTRY OF APPEARANCE

MADAM CLERK:

Please enter my appearance in the above-captioned matter on behalf of the Petitioner, Emanuel S. Glasser, M.D.

Eric Dinenna
S. ERIC DINENNA, P.A.
DINENNA, MANN & BRESCHE
406 W. Pennsylvania Avenue
Towson, Maryland 21204
296-6820
Attorneys for Petitioner

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 24th day of June, 1985, a copy of the foregoing Entry of Appearance was mailed, postage prepaid to Phyllis Cole Friedman, People's Counsel for Baltimore County, Court House, Towson, Maryland, and Howard S. Klein, Esquire, 401 Washington Avenue, Towson, Maryland 21204, former counsel for Petitioner.

Eric Dinenna
S. ERIC DINENNA
Of Counsel for Petitioner

RECEIVED
COUNTY BOARD OF APPEALS
JUN 25 P 1:02

IN THE MATTER OF THE APPLICATION OF
EMANUEL S. GLASSER, M.D.
FOR SPECIAL EXCEPTION FOR A CLASS B OFFICE BUILDING AND VARIANCE FROM §203.3C OF THE BALTIMORE COUNTY ZONING REGULATIONS
E/S OF YORK RD., 109' N. OF C/L OF GORSUCH ROAD
8th DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
NO. 85-282-XA

VOLUNTARY PARTIAL DISMISSAL OF APPEAL

People's Counsel for Baltimore County files this Partial Voluntary Dismissal for the following reasons:

1. The pending appeal in this case is from the decision of the Zoning Commissioner granting both a special exception for a Class B Office Building and, separately, a sign variance.
2. Upon further review of the case and following discussion with Petitioner's counsel, People's Counsel finds that it is not in the public interest to maintain the appeal as to the special exception.
3. The reason for this appeal pertained essentially to the sign variance.

Therefore, if this Partial Dismissal is approved by the County Board of Appeals, the Petitioner may proceed with the construction of the office building (subject to other applicable County requirements) without assuming the risk of this appeal. At the same time, the variance issues will be litigated to the County Board of Appeals, without prejudice to the parties.

EMANUEL S. GLASSER, M.D.

2.

WHEREFORE, People's Counsel requests that the pending appeal be dismissed in part, as to the special exception only, and that the variance case proceed on the merits.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel for Baltimore County

Approved:
Eric Dinenna
S. ERIC DINENNA
Attorney for Petitioner

RECEIVED
COUNTY BOARD OF APPEALS
JUN 25 P 1:31



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

June 27, 1985

Phyllis Cole Friedman
People's Counsel for Baltimore County
Room 223 Courthouse
Towson, MD 21204

Re: Case No. 85-282-XA
Emanuel S. Glasser, M.D.

Dear Mrs. Friedman:

Enclosed herewith is a copy of the Order of Partial Dismissal passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary

Enclosure

cc: S. Eric Dinenna, Esquire
Ms. Mary Ginn
Dr. Emanuel S. Glasser
William Phell
Norman E. Gerber
James G. Howell
Arnold Jablon
James E. Dyer
Jean M. H. Jung

IN THE MATTER OF THE APPLICATION OF
EMANUEL S. GLASSER, M.D.
FOR SPECIAL EXCEPTION FOR A CLASS B OFFICE BUILDING AND VARIANCE FROM §203.3C OF THE BALTIMORE COUNTY ZONING REGULATIONS
E/S OF YORK RD., 109' N. OF C/L OF GORSUCH ROAD
8th DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
NO. 85-282-XA

ORDER OF PARTIAL DISMISSAL
ON SPECIAL EXCEPTION ONLY

Petition of Emanuel S. Glasser, M.D. for a special exception for a Class B Office Building and a variance from §203.3C of the Baltimore County Zoning Regulations on property located on the east side of York Road 109 feet north of the centerline of Gorsuch Road, in the Eighth District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a Voluntary Partial Dismissal of Appeal filed June 24, 1985 (a copy of which is attached hereto and made a part hereof) from People's Counsel for Baltimore County, Appellant in the above entitled matter; and

WHEREAS, the said People's Counsel for Baltimore County requests that the appeal filed on its behalf be dismissed as to the special exception ONLY as of June 24, 1985,

IT IS HEREBY ORDERED this 27th day of June, 1985, that said appeal as to the special exception be and the same is DISMISSED. The appeal as to the variance remains in full force and effect.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Patricia Phipps
Patricia Phipps

Lawrence E. Schmidt
Lawrence E. Schmidt

IN THE MATTER OF THE APPLICATION OF
EMANUEL S. GLASSER, M.D.
FOR SPECIAL EXCEPTION FOR A CLASS B OFFICE BUILDING AND VARIANCE FROM §203.3C OF THE BALTIMORE COUNTY ZONING REGULATIONS
E/S OF YORK RD., 109' N. OF C/L OF GORSUCH ROAD
8th DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
NO. 85-282-XA

VOLUNTARY PARTIAL DISMISSAL OF APPEAL

People's Counsel for Baltimore County files this Partial Voluntary Dismissal for the following reasons:

1. The pending appeal in this case is from the decision of the Zoning Commissioner granting both a special exception for a Class B Office Building and, separately, a sign variance.
2. Upon further review of the case and following discussion with Petitioner's counsel, People's Counsel finds that it is not in the public interest to maintain the appeal as to the special exception.
3. The reason for this appeal pertained essentially to the sign variance.

Therefore, if this Partial Dismissal is approved by the County Board of Appeals, the Petitioner may proceed with the construction of the office building (subject to other applicable County requirements) without assuming the risk of this appeal. At the same time, the variance issues will be litigated to the County Board of Appeals, without prejudice to the parties.

EMANUEL S. GLASSER, M.D.

2.

WHEREFORE, People's Counsel requests that the pending appeal be dismissed in part, as to the special exception only, and that the variance case proceed on the merits.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel for Baltimore County

Approved:
Eric Dinenna
S. ERIC DINENNA
Attorney for Petitioner

RECEIVED
COUNTY BOARD OF APPEALS
JUN 25 P 1:31

DINENNA, MANN & BRESCHI
ATTORNEYS AT LAW

S. ERIC DINENNA, P.A.
JAMES L. MANN, JR., P.A.
GEORGE A. BRESCHI, P.A.
ROBERT A. BRESCHI
406 WEST PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204
(301) 296-6820

September 19, 1985

The Honorable
William T. Hackett, Chairman
County Board of Appeals
Room 200, Court House
Towson, Maryland 21204

RE: Petition of Dr. Emanuel S.
Glasser, et al.
Case No. 85-282-XA (Item 334)

Dear Mr. Hackett:

I am in receipt of a copy of a letter with attachments dated September 17, 1985 from People's Counsel, Phyllis Cole Friedman and Deputy People's Counsel, Peter Max Zimmerman.

I must object that your Board consider the attached items as exhibits in the above-captioned matter.

People's Counsel had the opportunity at time of hearing to not only argue but submit these as exhibits but failed to do so.

Accordingly, it would be my request that a ruling be made concerning this objection.

Very truly yours,
S. ERIC DINENNA

SED:bk
cc: Dr. Emanuel S. Glasser
Ms. Phyllis Cole Friedman
Mr. Peter Max Zimmerman

RECEIVED
COUNTY BOARD OF APPEALS
RS SEP 20 A 10 00

DINENNA, MANN & BRESCHI
ATTORNEYS AT LAW

S. ERIC DINENNA, P.A.
JAMES L. MANN, JR., P.A.
GEORGE A. BRESCHI, P.A.
ROBERT A. BRESCHI
406 WEST PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204
(301) 296-6820

October 17, 1985

Chairman
County Board of Appeals
Room 200, Court House
Towson, Maryland 21204

RE: Petition of Dr. Emanuel S.
Glasser, et al.
Case No. 85-282-XA (Item 334)

Dear Mr. Chairman:

I am in receipt of your Opinion and Order dated October 9, 1985 with reference to the above-captioned matter.

The Board, after hearing, ordered that the right to petition for variance in the R-O zone for signs is afforded to the Petitioner.

As we had discussed, I would respectfully request that the hearing on the matters be set immediately and as soon as possible.

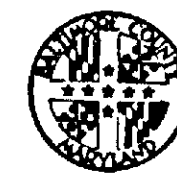
Would you be so kind as to have Edith contact me so that a date is set that does not conflict with my Master's schedule and also contact Mr. Alderman as well as People's Counsel, Ms. Friedman, so that such a date can be coordinated.

Thank you for your cooperation.

Very truly yours,
S. ERIC DINENNA

SED:bk
cc: Ms. Phyllis Cole Friedman
Mr. Bruce Alderman
Dr. Emanuel Glasser

RECEIVED
COUNTY BOARD OF APPEALS
RS OCT 18 A 9 59



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

October 9, 1985

Phyllis Cole Friedman
People's Counsel for Baltimore County
Room 223 Courthouse
Towson, MD 21204

Re: Case No. 85-282-XA
Emanuel S. Glasser, M.D.

Dear Mrs. Friedman:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled matter.

Very truly yours,

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary

Enclosure

cc: S. Eric Dinenna, Esquire
R. Bruce Alderman, Esquire
Dr. Emanuel S. Glasser
Mary Ginn
William Pheill
Norman E. Gerber
James G. Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer

IN THE MATTER :
OF THE APPLICATION OF :
EMANUEL S. GLASSER, M.D. :
FOR SPECIAL EXCEPTION FOR :
A CLASS B OFFICE BUILDING :
AND VARIANCE FROM §203.3C :
OF THE BCZR :
E/S OF YORK ROAD 109' N. :
OF C/L OF GORSUCH ROAD :
8th DISTRICT :
BEFORE :
COUNTY BOARD OF APPEALS :
OF :
BALTIMORE COUNTY :
NO. 85-282-XA

OPINION

This case comes before this Board on an appeal from a decision of the Baltimore County Zoning Commissioner granting the requested special exception and variances to permit 43 square feet of illuminated signs and 9 - 2' x 6" tenant identification signs on the proposed Class "B" Office Building. At the onset of the hearing it was noted that the appeal on the special exception for the requested Class "B" Office Building had been dismissed and the only issues, therefore, remaining were the requested sign variances. At this time the legal issue as to whether a Petitioner is allowed to request a sign variance on property zoned R-O was raised. The Board then heard legal argument from all attorneys present on this issue only and no testimony on the merits of the case at hand was taken.

Phyllis Cole Friedman, People's Counsel for Baltimore County, argued that §203.3.C of the Baltimore County Zoning Regulations (BCZR) clearly defines all the sign uses permitted in the R-O zone. Mrs. Friedman also proffered that she had available testimony as to the intent of this section of the BCZR during its drafting but the Board ruled that since only legal argu-

EMANUEL S. GLASSER, M.D. - #85-282-XA

2.

ment was being heard this testimony should not be allowed.

Bruce Alderman, as amicus curiae, argued that this narrow interpretation of one sentence contained in the BCZR was unrealistic and at odds with several other sections of the regulations. Eric Dinenna, counsel for the Petitioner, joined with Mr. Alderman in his argument and noted several additional sections of the BCZR to support the contention that a request for a sign variance in an R-O zone was legal and proper. The Board will not attempt, in this Opinion, to recap the argument presented but will allow the record to reflect same.

The single issue to be resolved by this Board in this matter is whether or not a sign variance may be petitioned for on property zoned R-O. Standing alone, §203.3.C clearly allows those signs permitted under §413.1 in any zone except those specifically addressed in §413.2, §413.3, §413.4, §413.5, and §413.6, plus one stationary outside identification sign. §203.3.B, which immediately precedes §203.3.C and is under the same heading "Use Regulations," allows the same special exception uses as permitted under D.R. 5.5 zoning and as limited by the D.R. 5.5 regulations. §1801.1.A.13 permits signs to the extent permitted under §413. There has never been any controversy regarding the right of D.R. 5.5 zoned property to petition for a variance from §413 as provided under §307. The Board will also note that in §1801.1.B.1.b.7 the County Council, by Bill #124, 1981, legislated that §307 was not applicable

EMANUEL S. GLASSER, M.D. - #85-282-XA

3.

to the requirements of this subsection. No such legislation has been afforded the R-O zoning classification. §307 empowers the Zoning Commissioner and the County Board of Appeals to hear petitions requesting variances from height and area regulations, off-street parking regulations and from sign regulations. Only the restrictions in residential transition areas, as addressed in Bill #124, 1981, are specifically denied the right to petition for a variance under §307.

For all the above stated reasons it is the opinion of this Board that the right to petition for a variance in the R-O zone should not be denied and will so order.

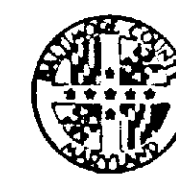
ORDER

For the reasons set forth in the foregoing Opinion, it is this 9th day of October, 1985, by the County Board of Appeals, ORDERED that the right to petition for variances as defined in §307 of the BCZR be afforded the R-O zoning classification.

Any appeal from this decision must be in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman
Roy B. Spurrer
Diana K. Vincent



County Board of Appeals of Baltimore County

Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180

November 7, 1985

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 85-282-XA

EMANUEL S. GLASSER, M.D.

FOR SPECIAL EXCEPTION - CLASS B OFFICE BLDG.
" VARIANCE (SIGNS)

E/S OF YORK ROAD 109' N. OF
C/L OF GORSUCH ROAD
(1921 York Road)
8th DISTRICT

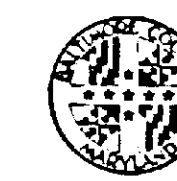
4/10/85 - Z.C. GRANTED PETITION

ASSIGNED FOR:

THURSDAY, JANUARY 9, 1986 at 10 a.m.

cc: S. Eric Dinenna, Esquire
Dr. Emanuel S. Glasser
R. Bruce Alderman, Esquire
Phyllis Cole Friedman
Mrs. Mary Ginn
William Pheill
Norman E. Gerber
James G. Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Counsel for Petitioner
Petitioner
Amicus Curiae
People's Counsel
Protestant

Edith T. Eisenhart, Adm. Secretary



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

November 26, 1985

Phyllis C. Friedman
People's Counsel for Baltimore County
Court House
Towson, Md. 21204

Re: Case No. 85-282-XA
Emanuel S. Glasser, M.D.

Dear Mrs. Friedman:

Enclosed herewith is a copy of the Order of Dismissal passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

June Holmen
June Holmen, Secretary

Encl.
cc: Ms. Mary Ginn
Dr. Emanuel S. Glasser
William Pheill
S. Eric Dinenna, Esq.
R. Bruce Alderman, Esq.
Norman E. Gerber
James Hoswell
Arnold Jablon
Jean Jung
James Dyer

IN THE MATTER OF
THE APPLICATION OF
EMANUEL S. GLASSER, M.D.
FOR SPECIAL EXCEPTION
FOR A CLASS B OFFICE BUILDING
AND VARIANCE FROM SEC. 203.3C
OF THE BALTIMORE COUNTY
ZONING REGULATIONS
E/S YORK RD., 109' N OF THE
CENTERLINE OF GORSUCH RD.
8th DISTRICT

ORDER OF DISMISSAL

Petition of Emanuel S. Glasser, M.D., for special exception
for a Class B office building and variance from Section 203.3C of the Baltimore
County Zoning Regulations, on property located on the east side of York Rd.,
109' north of the center line of Gorsuch Rd., in the 8th District of Baltimore
County.

WHEREAS, the Board of Appeals is in receipt of an Order of
Dismissal of appeal filed November 22, 1985 (a copy of which Order is attached
hereto and made a part hereof) from the People's Counsel of Baltimore County,
Appellant in the above entitled matter.

WHEREAS, the said Appellant requests that the appeal filed in
their behalf be dismissed and withdrawn as of November 22, 1985.

IT IS HEREBY ORDERED this 26th day of November, 1985, that
said appeal be and the same is DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Lawrence E. Schmidt
Lawrence E. Schmidt
Deputy Chairman

Diana K. Vincent
Diana K. Vincent

IN THE MATTER OF
APPLICATION OF
EMANUEL S. GLASSER, M.D.
FOR SPECIAL EXCEPTION
FOR A CLASS B OFFICE BUILDING
AND VARIANCE FROM SEC. 203.3C
OF THE BALTIMORE COUNTY
ZONING REGULATIONS
E/S OF YORK RD., 109' N.
OF C/L OF GORSUCH ROAD
8th DISTRICT

NOTICE OF DISMISSAL

Please dismiss the above-entitled case, because it is no longer
in the public interest to pursue this appeal.

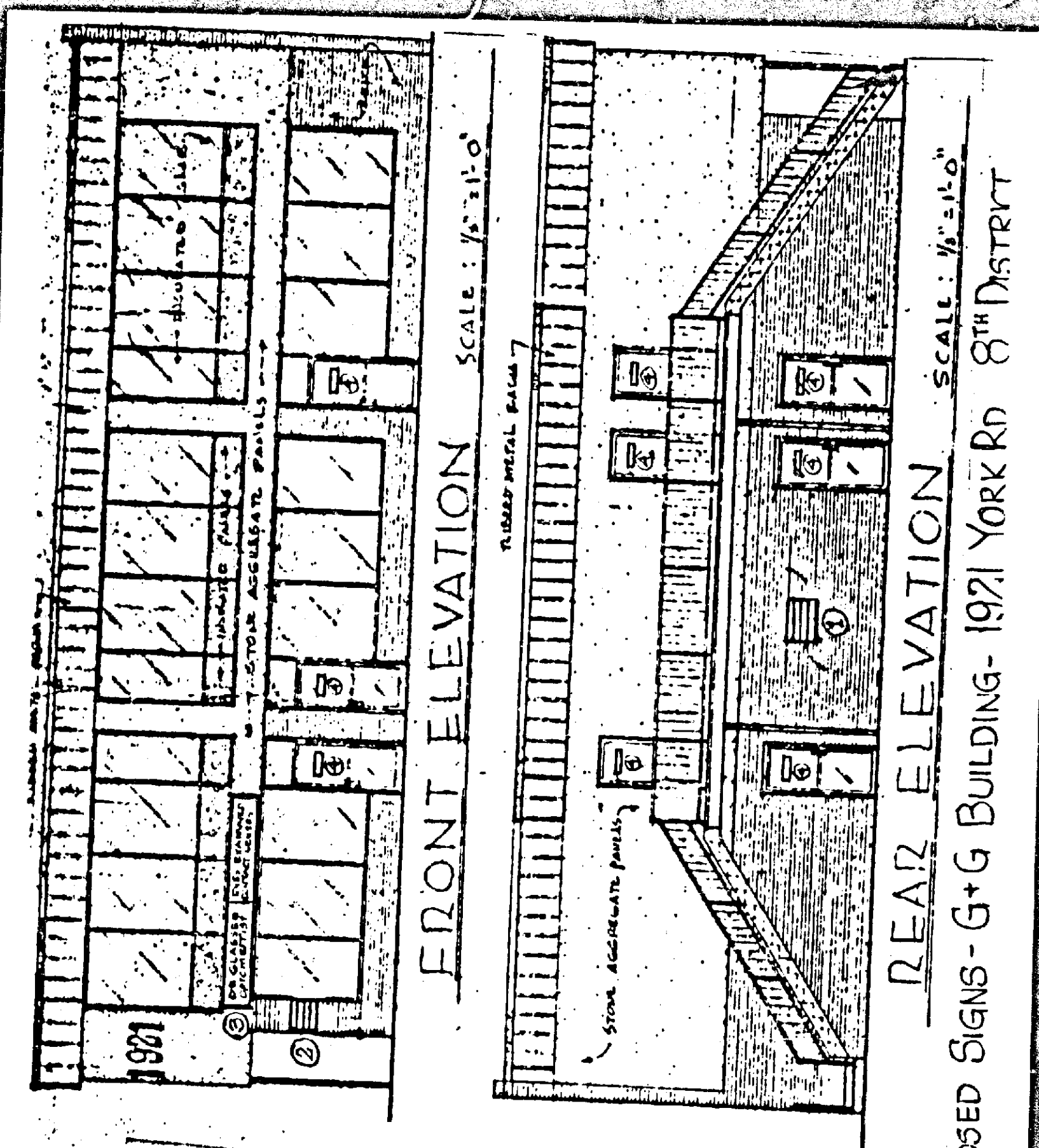
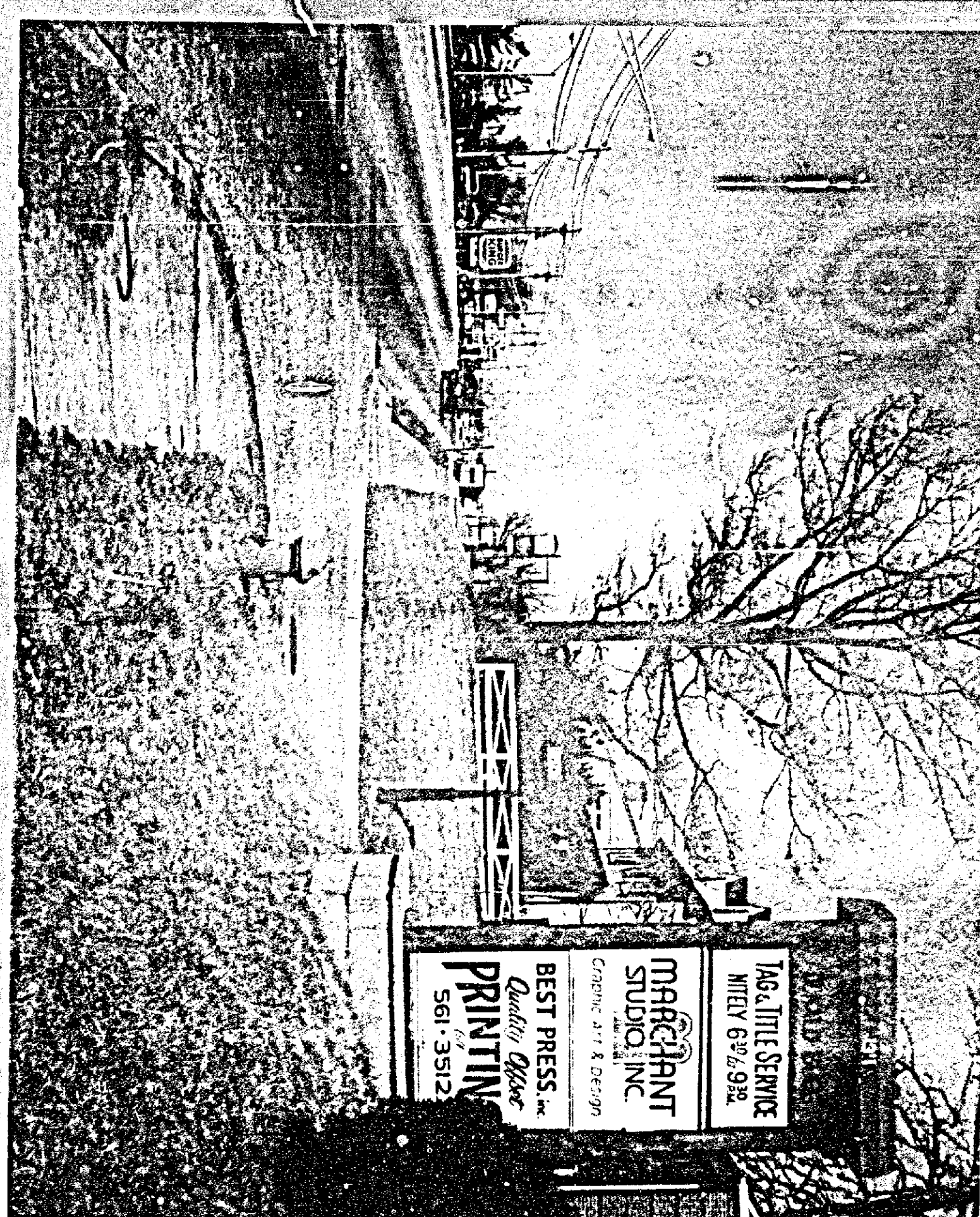
Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 22nd day of November, 1985, a
copy of the foregoing Notice of Dismissal was mailed to S. Eric DiNenna,
Esquire, 406 W. Pennsylvania Ave., Towson, MD 21204.

Phyllis Cole Friedman
Phyllis Cole Friedman

RECEIVED
COUNTY BOARD OF APPEALS
NOV 22 A 11:42



PROPOSED SIGNS - G + G BUILDING - 1921 YORK RD 8TH DISTRICT

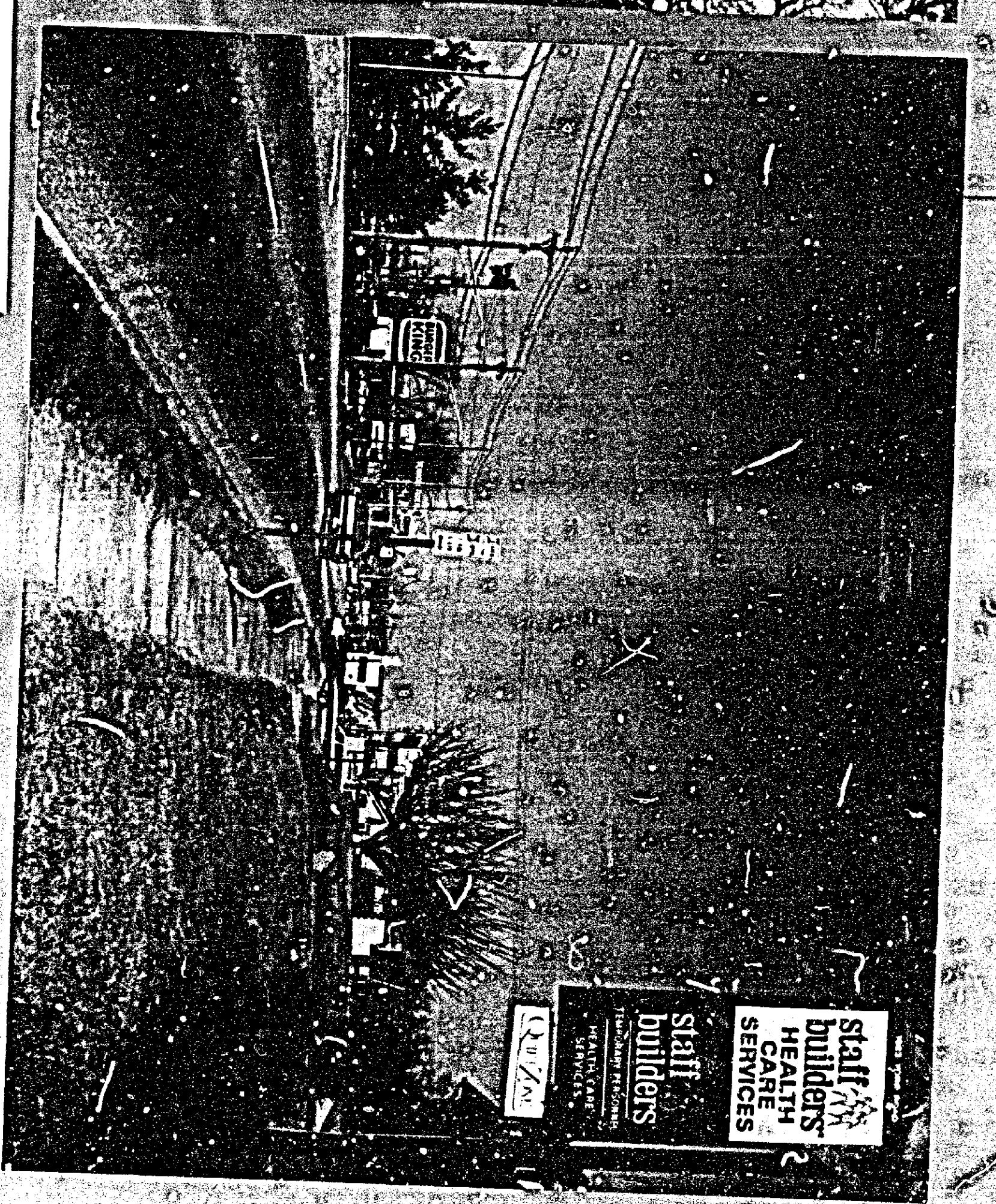
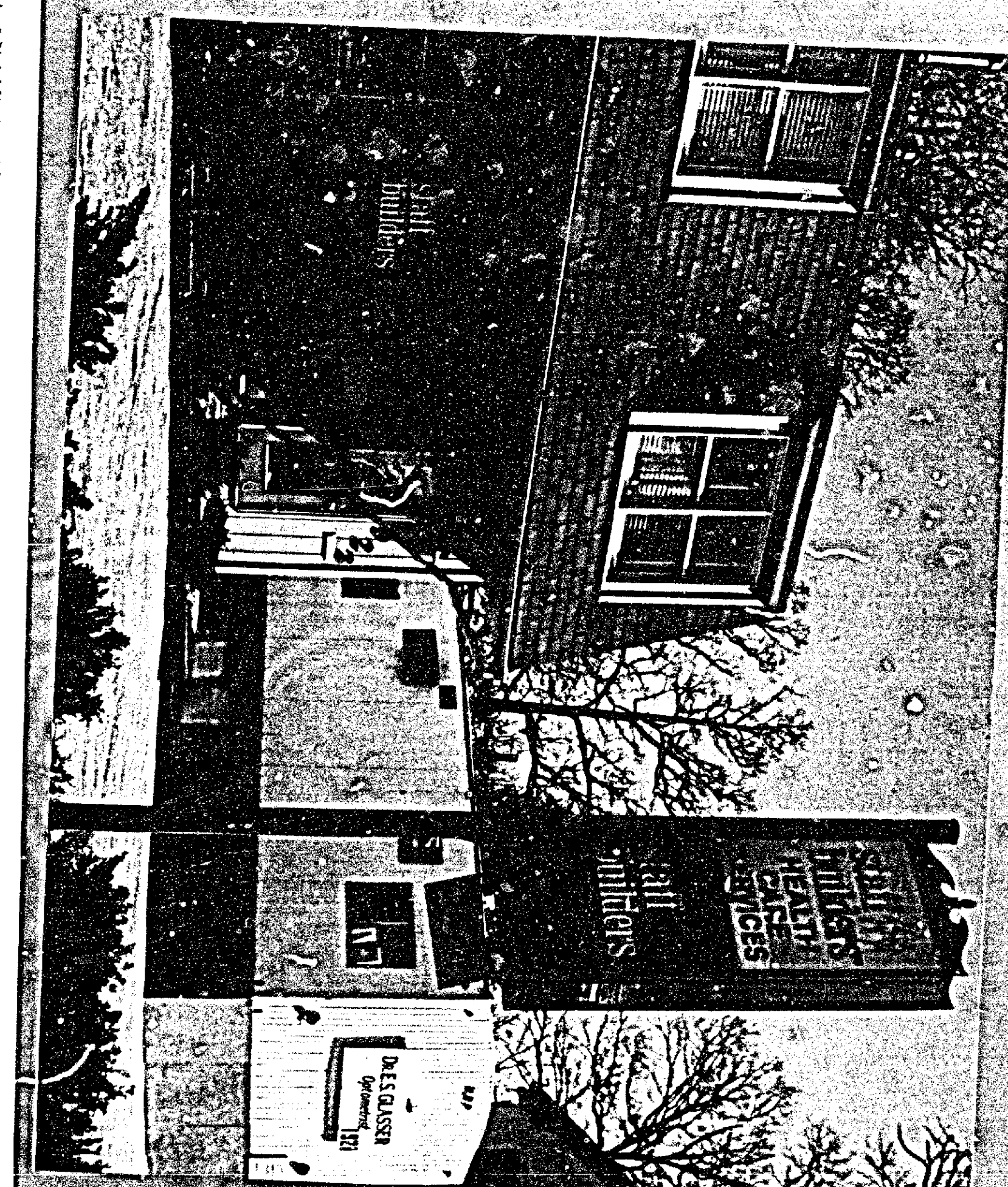
UPPER LEVEL	UPPER LEVEL SIGNS	UPPER LEVEL SIGNS
2A TENANT NAME	2A TENANT NAME	2A TENANT NAME
2B TENANT NAME	2B TENANT NAME	2B TENANT NAME
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2X TENANT NAME	2X TENANT NAME	2X TENANT NAME
2Y TENANT NAME	2Y TENANT NAME	2Y TENANT NAME
2Z TENANT NAME	2Z TENANT NAME	2Z TENANT NAME

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

25-281-XA

District: 8th Date of Posting: 5/21/85
Posted for: Appeal
Petitioner: Dr. Emanuel S. Glasser et al.
Location of property: E/S York Rd. by 109' N. of Gorsuch Rd.
Location of Signs: Both signs facing York Rd. Approx. 10' E. roadway
over 20' N. of 109' N. of Gorsuch Rd.
Remarks: 1. 10' E. roadway
Posted by: M. L. L. Date of return: 5/21/85
Number of Signs: 2



85-282-XA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
26th day of February, 1985.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner Dr. Emanuel Glasser, et al
Petitioner's Attorney Howard S. Klein, Esquire

Received by *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

PETITION FOR SPECIAL
EXCEPTION AND VARIANCE
8th Election District

LOCATION: East side York
Road, 108 ft. North from the
centerline of Gorsuch Road
(1921 York Road)
DATE AND TIME: Wednes-
day, April 3, 1985 at 1:30 p.m.
PUBLIC HEARING: Room
106, County Office Building
111 W. Chesapeake Avenue
Towson, Maryland

The Zoning Commissioner of
Baltimore County, by authority
of the Zoning Act and Regu-
lations of Baltimore County
will hold a public hearing:
Petition for Special Excep-
tion or Class B office building
and Variance to permit 12
signs (3 Illuminated) with a
total square footage of 40 sq.
ft. in lieu of the permitted one
non-illuminated sign of 8 sq.
ft.

Being the property of Eman-
uel S. Glasser, M.D., as shown
on plat plan filed with the
Zoning Office.
In the event that these Peti-
tions are granted, a building
permit may be issued within
the thirty (30) day appeal pe-
riod. The Zoning Commis-
sioner will, however, entertain any
request for a stay of the issu-
ance of said permit during
this period for good cause
shown. Such request must be
received in writing by the
date of the hearing set above
or made at the hearing.

By Order Of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County
Mar. 16

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 14, 1985

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
March 14, 1985.

THE JEFFERSONIAN,

B. Venetoni

Publisher

85-282-XA

Cost of Advertising

20.00

85-282-XA

8th District

E/S York Rd., 109' N of c/l of Gorsuch Rd.
(1921 York Road)

Dr. Emanuel S. Glasser, et al

2 SIGNS

PETITION FOR SPECIAL EXCEPTION
AND VARIANCE
8th Election District

LOCATION: East side York Road, 108 ft. North
from the centerline of Gorsuch Road (1921 York
Road)
DATE AND TIME: Wednesday, April 3, 1985 at
1:30 p.m.
PUBLIC HEARING: Room 106, County Office
Building, 111 W. Chesapeake Avenue, Towson,
Maryland.

The Zoning Commissioner of Baltimore County,
by authority of the Zoning Act and Regulations of
Baltimore County, will hold a public hearing:

Petition for Special Exception for Class B office
building and Variance to permit 12 signs (3 Illumi-
nated) with a total square footage of 40 sq. ft. in
lieu of the permitted one non-illuminated sign of 8
sq. ft.

Being the property of Emanuel S. Glasser, M.D.,
as shown on plat plan filed with the Zoning Office.
In the event that these Petitions are granted, a
building permit may be issued within the thirty (30)
day appeal period. The Zoning Commissioner will,
however, entertain any request for a stay of the
issuance of said permit during the period for good
cause shown. Such request must be received in
writing by the date of the hearing set above or
made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

53119-L71620 3/13

CERTIFICATE OF PUBLICATION

85-282-XA

Towson, Md. 4/3 1985

THIS IS TO CERTIFY, that the annexed advertisement
was published in the TOWSON TIMES, a weekly news-
paper distributed in Towson, Baltimore County, Md.,
once a week for 1 consecutive weeks, the
first publication appearing on the 13th day of
March 1985.

The TOWSON TIMES
M. Angellillo

Cost of Advertisement: \$ 27.56

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

85-282-XA

District 8thDate of Posting 3/16/85Posted for: Special Exception + VariancePetitioner: Emanuel S. Glasser, M.D., et alLocation of property: E/S York Rd., 109' N of Gorsuch Rd.
1921 York Rd.Location of Signs: Facing York Rd., approx. 15' fr. roadway
on property of petitioner

Remarks:

Posted by *M. Italy*Date of return: 3/22/85Number of Signs: 2

GENERAL NOTES

- EXISTING CONTOURS DASHED (FIELD RUN) PROPOSED CONTOURS SOLID (SLANT LETTERING)
- THE LOCATION AND SIZE OF UTILITIES IN YORK ROAD ARE FROM YORK ROAD CONSTRUCTION PLAN
- THE COORDINATES AND BEARINGS SHOWN HEREON ARE REFERRED TO THE BALTO. CO. MET. DIST. GRID SYSTEM, USING HUB NO. X-9822 FOR POSITION (N42.282.33 AND W1807.90) AND HUB NO. X-9822 TO HUB NO. X-9821 FOR AZIMUTH (BEARING S62°-22'-27"-W)
- THE ELEVATIONS SHOWN HEREON ARE REFERRED TO THE BALTO. CO. MET. DIST. DATUM, USING HUB NO. X-9821 A (ELEV. 355.864)
- CONNECTION TO SEWER AND WATER WILL BE BY EXISTING SERVICES
- ALL PROPOSED PAVING WILL BE BITUMINOUS CONC.
- ALL CONSTRUCTION WILL BE ACCOMPLISHED IN ACCORDANCE WITH BALTO. CO. STANDARD SPECIFICATIONS AND DETAILS DATED 1976 AS AMENDED AND THE BALTO. CO. PLUMBING CODE
- HANDICAPPED SPACES SHALL HAVE A 5' WIDE RAMP TO WALK ON A MAX. SLOPE OF 1" TO 1 FT.
- SOIL TYPES SHOWN HEREON ARE FROM "SOIL SURVEY BALTO. COUNTY MARYLAND"
- ALL EXISTING TREES AND SHRUBS WITHIN AREAS TO BE REGRADED ARE TO BE REMOVED

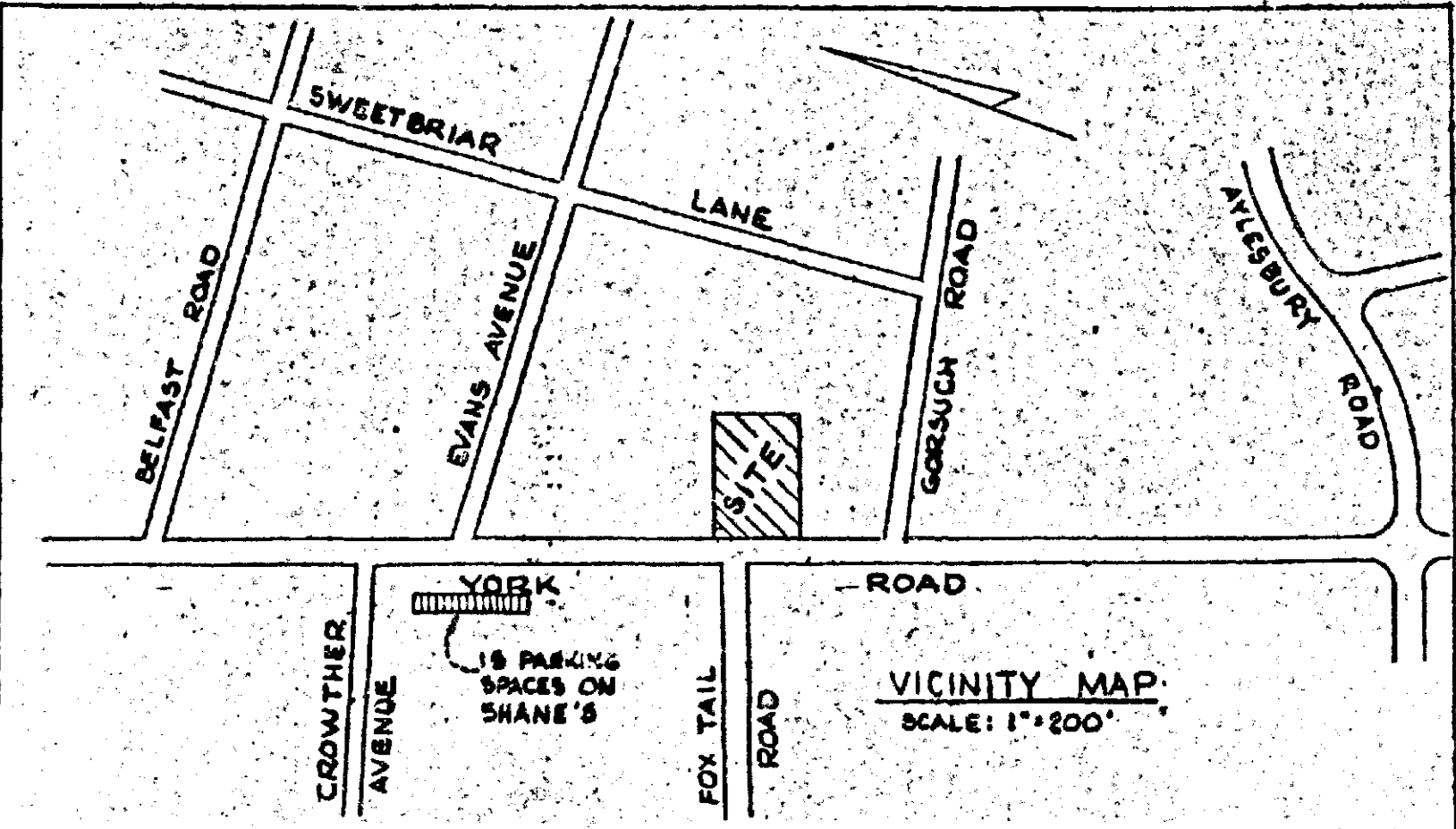
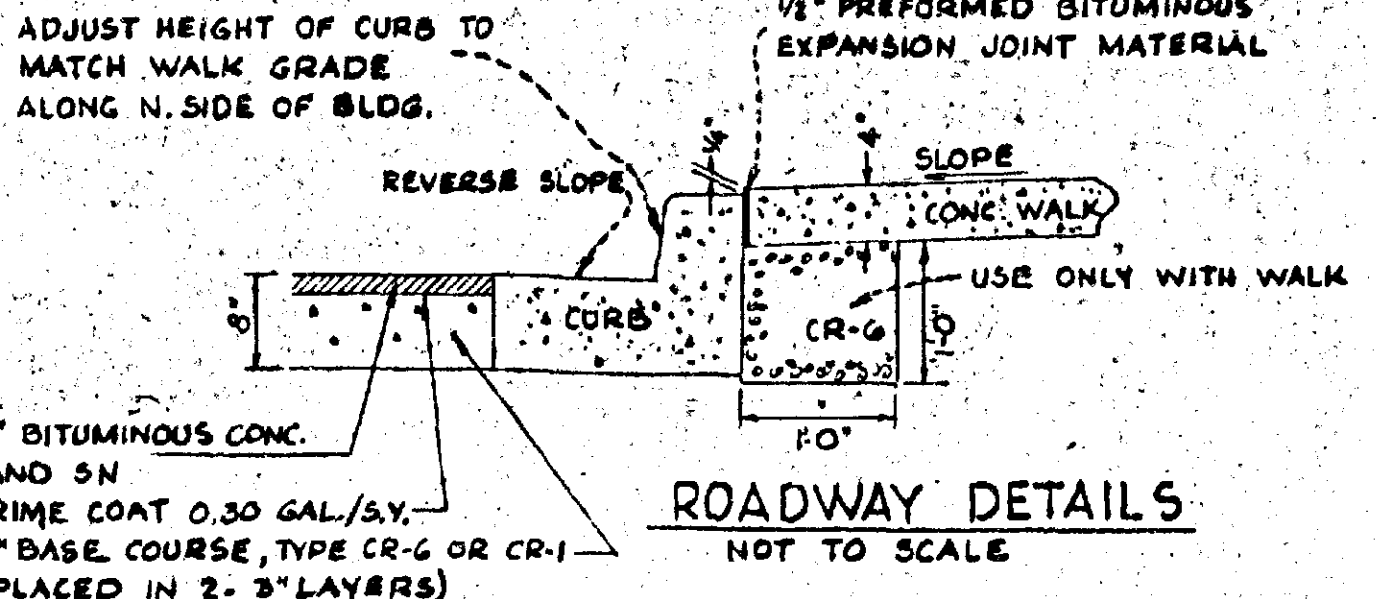
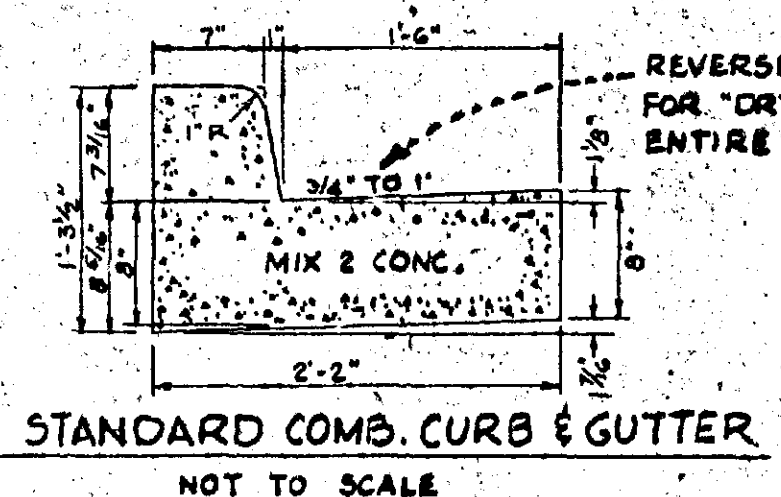
- PROPOSED BUILDING USE
1ST FLOOR OFFICES AND COVERED STAIRS - 3900 SQ. FT.
2ND FLOOR OFFICES - 3975

- PARKING DATA
1ST FLOOR - 3900 ÷ 300 = 13 SPACES REQUIRED
2ND FLOOR - 3975 ÷ 500 = 8
TOTAL - 21 SPACES REQUIRED
FUTURE SPACES PROVIDED - 22; SPACES PROVIDED TEMPORARILY - 21 (INCL. 15 SPACES ON SHANE'S SEE CHART BELOW)
- NET SITE AREA = 0.332 AC. ± OR 14,463 SQ. FT. ±
AREA IN 30' OF YORK RD. = 0.069 AC. ± OR 3,000 SQ. FT. ±
GROSS SITE AREA = 0.401 AC. ± OR 17,463 SQ. FT. ±
AMENITY OPEN SPACE REQUIRED = 0.401 (0.25) = 0.100 AC. ±
PROVIDED - NONE (VARIANCE REQUESTED)

- FLOOR AREA RATIO = ADJ. GROSS FLOOR AREA ÷ GROSS SITE AREA
MAX. ALLOWED = 0.5
PROPOSED FLOOR AREA RATIO = 7875 ÷ 17,463 = 0.45
- HANDICAPPED PARKING SPACES PROVIDED = 1 (PENDING ZONING CHANGE)
- ADDITIONAL IMPERVIOUS AREA PROPOSED = 0.1 AC. ±
STORM WATER MANAGEMENT NOT REQUIRED
- ADT FOR THIS SITE = 97
- EXISTING CONSTRUCTION WHICH CONFLICTS WITH PROPOSED CONSTRUCTION WILL BE REMOVED
- PROPOSED BUILDING COVERAGE IS 30% OF SITE

GRADING AND LANDSCAPING NOTES

- ALL FOOTINGS FOR BUILDINGS SHALL BEAR ON SUITABLE UNDISTURBED SUB-GRADE A MINIMUM OF 30" BELOW FINISHED GRADE
- NO STRUCTURES, SLABS OR PAVEMENT SHALL BE PLACED ON A FILL ON UNSUITABLE MATERIAL
- UNLESS SPECIFIED OTHERWISE, ALL FILL UNDER PAVEMENT, SLABS, OR STRUCTURES TO BE PLACED AND TESTED IN ACCORDANCE WITH DIVISION III, PART I OF THE 1968 STATE ROADS COMMISSION SPECIFICATIONS. ALL TESTING SHALL BE DONE PRIOR TO CONSTRUCTION
- ALL DISTURBED SLOPES 3:1 OR STEEPER ARE TO BE SODDED SOD SHALL BE ANCHORED
- ALL SWALES TO BE SODDED TO A MINIMUM WIDTH OF 6 FEET
- AREAS NOT SODDED SHALL BE FERTILIZED, SEEDED AND MULCHED IN ACCORDANCE WITH THE "STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL IN DEVELOPING AREAS" BY THE U.S. DEPT. OF AGRICULTURE - SOIL CONSERVATION SERVICE. SOD AND SEED SHALL BE CERTIFIED BY THE MARYLAND DEPT. OF AGRICULTURE. SEED MIXES AS FOLLOWS:
MAR. 1 THRU APR. 30 - 1.4 POUNDS/1000 SQ. FT. KENTUCKY 31 TALL FESCUE
AUG. 1 THRU OCT. 15 - 1.4 POUNDS/1000 SQ. FT. KENTUCKY 31 TALL FESCUE AND
MAY 1 THRU JULY 31 - 1.4 POUNDS/1000 SQ. FT. KENTUCKY 31 TALL FESCUE AND
0.05 POUNDS/1000 SQ. FT. WEEPING LOVEGRASS
- PLANTING AREAS ARE TO BE EVERGREEN SHRUBS AND GRASS



SITE AND GRADING PLAN OF CLASS "B" OFFICE BUILDING

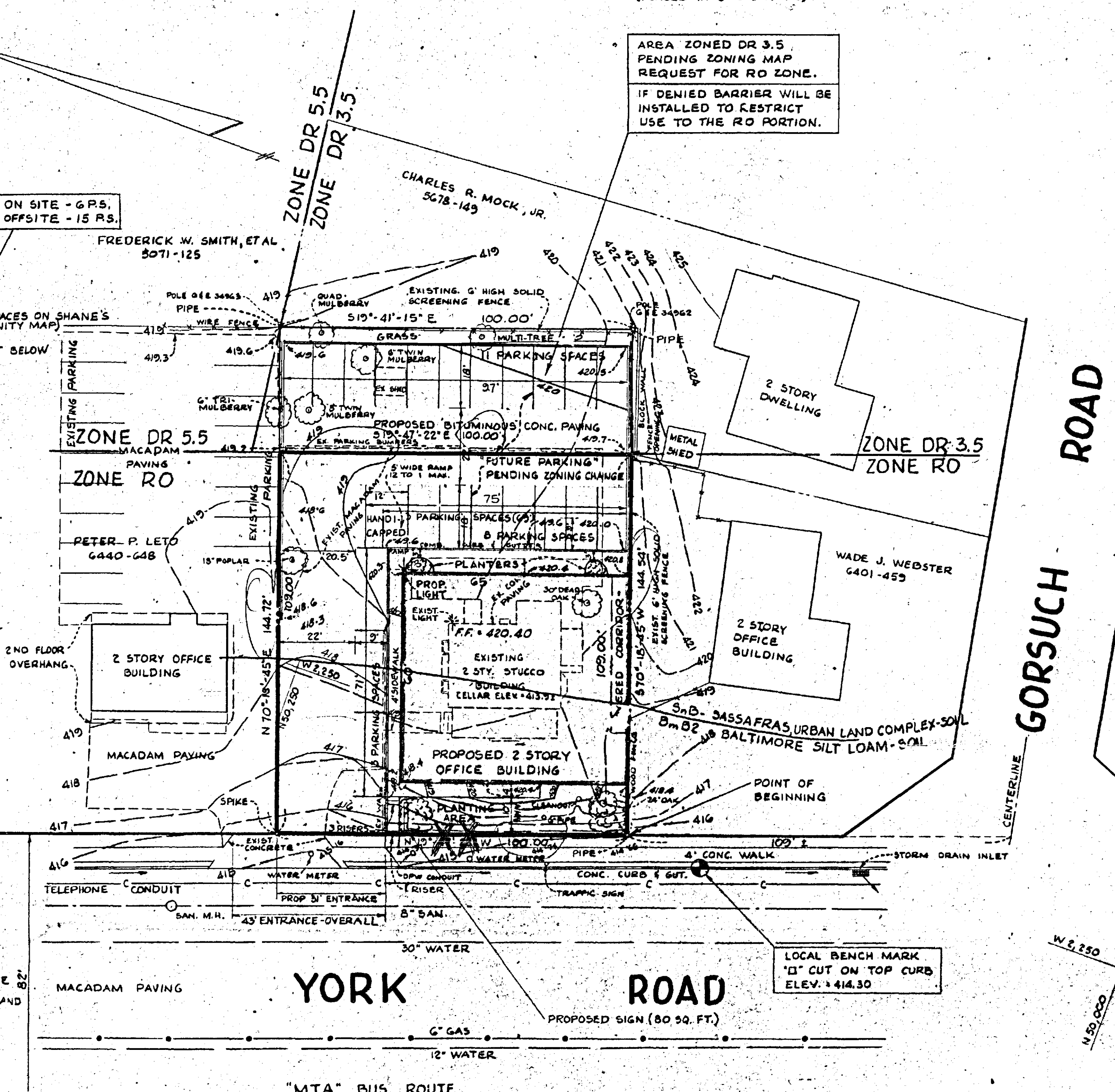
1921 YORK ROAD

8TH ELECT. DISTRICT
SCALE: 1" = 20'

BALTO. CO., MD.
MAY 3, 1984

OWNED AND DEVELOPED BY
EMANUEL S. GLASSER
2402 VELVET VALLEY WAY
OWINGS MILLS, MD. 21117
PHONE: 363-6360
DEED REF: E.H.W. JR. 6616-506
PROPERTY NO. 10812-000251
COUNCILMANIC DISTRICT: 4
CENSUS TRACT: 4086.01
WATERSHED: #24
SUB SEWER SHED: #56

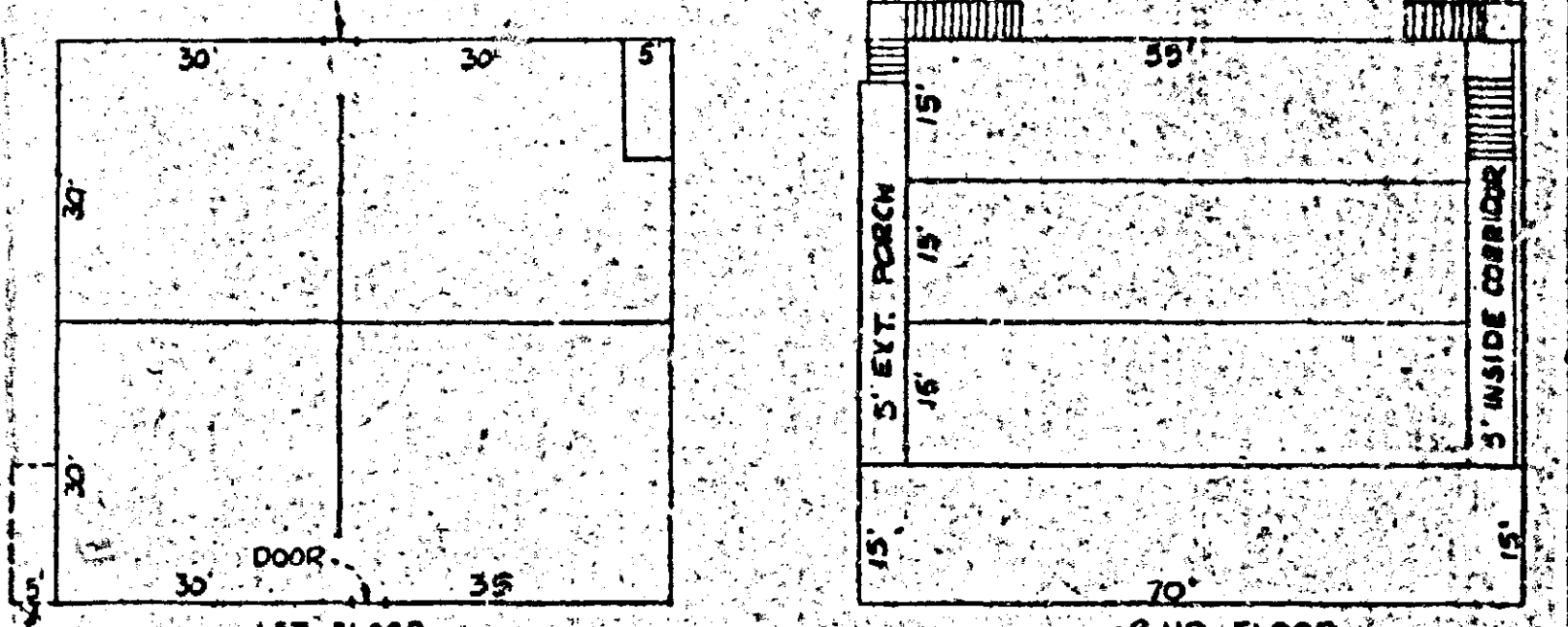
AMENDMENTS	
DATE	ITEM
0-20-83	1ST PLAN
11-17-83	SITE REVISIONS
2-2-84	PARKING REVISIONS
3-15-84	NOTE 15
3-30-84	MAX. BLDG. HT. & AREA CALC.
5-3-84	ZONING COMMENTS



SCHEMATIC FRONT ELEVATION

SCALE: 1" = 10'

BUILDING DATA
CHARACTER: CONTEMPORARY
EXTERIOR MATERIALS: MASONRY, METAL AND GLASS
PRINCIPAL USES: OFFICES
HOURS OF OPERATION: 9:00 AM TO 5:30 PM
MAXIMUM NO. OF EMPLOYEES: 25 OCCUPANTS
TYPE OF ROOF: STEEL JOISTS AND STEEL DECK
BUILDING MATERIALS: STEEL JOISTS, REINFORCED CONC. FLOORS



BUILDING FLOOR PLAN

SCALE: 1" = 20'

LEO W. RADER
RES. LAND SURVEYOR
38 BELFAST ROAD
TIMONIUM, MD. 21220

SITE AREA CALCULATIONS				TOTAL	
	ZONE DR 3.5	ZONE RO		ACRES ±	SQ. FT. ±
NET SITE AREA	0.082	0.250		0.332	14,463
AREA IN YORK RD/ADJ	3,563	10,900		0.069	3,000
GROSS SITE AREA		3,000		0.401	17,463



Leo W. Rader
REG. SURVEYOR NO. 10255

GENERAL NOTES

- EXISTING CONTOURS DASHED (FIELD RUN)
PROPOSED CONTOURS SOLID (SLANT LETTERING)
- THE LOCATION AND SIZE OF UTILITIES IN YORK ROAD ARE FROM YORK ROAD CONSTRUCTION PLAN.
- THE COORDINATES AND BEARINGS SHOWN HEREON ARE REFERRED TO THE BALTO. CO. MET. DIST. GRID SYSTEM, USING HUB NO. X-3822 FOR POSITION (N48.237.33 AND W1807.90) AND HUB NO. X-3822 TO HUB NO. X-3821 FOR AZIMUTH (BEARING 562°-22'-27"W)
- THE ELEVATIONS SHOWN HEREON ARE REFERRED TO THE BALTO. CO. MET. DIST. DATUM, USING HUB NO. X-3821 A (ELEV. 355.844).
- CONNECTION TO SEWER AND WATER WILL BE BY EXISTING SERVICES
- ALL PROPOSED PAVING WILL BE BITUMINOUS CONC.
- ALL CONSTRUCTION WILL BE ACCOMPLISHED IN ACCORDANCE WITH BALTO. CO. STANDARD SPECIFICATIONS AND DETAILS DATED 1976 AS AMENDED AND THE BALTO. CO. PLUMBING CODE.
- HAND-CAPPED SPACES SHALL HAVE A 5' WIDE RAMP TO WALK ON A MAX. SLOPE OF 1" TO 1FT..
- SOIL TYPES SHOWN HEREON ARE FROM "SOIL SURVEY BALTO. COUNTY MARYLAND".
- ALL EXISTING TREES AND SHRUBS WITHIN AREAS TO BE REGRADED ARE TO BE REMOVED.
- PROPOSED BUILDING USE
1ST FLOOR-OFFICES AND COVERED STAIRS-2925 SQ. FT.
2ND FLOOR-OFFICES " " -3365
- PARKING DATA
1ST FLOOR-2925 ÷ 300 = 10 SPACES REQUIRED
2ND FLOOR-3365 ÷ 500 = 7
TOTAL = 17 SPACES REQUIRED
SPACES PROVIDED=17
- NET SITE ACREAGE = 0.3320 AC. ± OR 14,463 SQ. FT. ±
AREA IN 30' OF YORK RD. = 0.0689 AC. ± OR 3,000 SQ. FT. ±
GROSS SITE ACREAGE = 0.4009 AC. ± OR 17,463 SQ. FT. ±
AMENITY OPEN SPACE REQUIRED = 17,463 × 0.25 = 4,366 SQ. FT.
PROVIDED = 4,381 SQ. FT. ±
- FLOOR AREA RATIO = ADJ. GROSS FLOOR AREA ÷ GROSS SITE AREA
MAX. ALLOWED = 0.5
PROPOSED FLOOR AREA RATIO = 4,290 ÷ 17,463 = 0.26
- HANDICAPPED PARKING SPACES PROVIDED = 1
- ADDITIONAL IMPERVIOUS AREA PROPOSED = 0.07 AC.
STORM WATER MANAGEMENT NOT REQUIRED - WAIVER REQUESTED
- ADT FOR THIS SITE 178
- EXISTING CONSTRUCTION WHICH CONFLICTS WITH PROPOSED CONSTRUCTION WILL BE REMOVED.
- PROPOSED BUILDING COVERAGE IS 22% OF SITE (NET).
- RISERS IN WALK INDICATED BY "R".
- SPECIAL EXCEPTION FOR CLASS "B" BUILDING HAS BEEN APPLIED FOR.
- ENTIRE SITE IS ZONED RO.

GRADING AND LANDSCAPING NOTES

- ALL FOOTINGS FOR BUILDINGS SHALL BEAR ON SUITABLE UNDISTURBED SUB-GRADE, A MINIMUM OF 30" BELOW FINISHED GRADE.
- NO STRUCTURES, SLABS OR PAVEMENT SHALL BE PLACED ON A FILL OR UNSUITABLE MATERIAL.
- UNLESS SPECIFIED OTHERWISE, ALL FILL UNDER PAVEMENT, SLABS, OR STRUCTURES TO BE PLACED AND TESTED IN ACCORDANCE WITH DIVISION III, PART I OF THE 1968 STATE ROADS COMMISSION SPECIFICATIONS. ALL TESTING SHALL BE DONE PRIOR TO CONSTRUCTION.
- ALL DISTURBED SLOPES 3:1 OR STEEPER ARE TO BE SODDED SOD SHALL BE ANCHORED.
- ALL SWALES TO BE SODDED TO A MINIMUM WIDTH OF 6 FEET.
- AREAS NOT SODDED SHALL BE FERTILIZED, SEEDDED AND MULCHED IN ACCORDANCE WITH THE "STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL IN DEVELOPING AREAS" BY THE U.S. DEPT. OF AGRICULTURE-SOIL CONSERVATION SERVICE. SOD AND SEED SHALL BE CERTIFIED BY THE MARYLAND DEPT. OF AGRICULTURE. SEED MIXES AS FOLLOWS:
MAR. 1 THRU APR. 30 } 1.4 POUNDS/1000 SQ. FT. KENTUCKY 31 TALL FESCUE
AUG. 1 THRU OCT. 15 }
MAY 1 THRU JULY 31 - 1.4 POUNDS/1000 SQ. FT. KENTUCKY 31 TALL FESCUE AND 0.05 POUNDS/ " WEEPING LOVEGRASS
- PLANTING AREAS SHALL CONFORM WITH BALTO. CO. LANDSCAPE MANUAL
MAJOR DECIDUOUS TREES REQUIRED FOR PARKING = 17 ÷ 12 = 1.4 (2 SHOWN)
SCREENING FOR PARKING REQUIRED = 187 ÷ 3 = 63 (USE 64 EVERGREEN SHRUBS)
PLANTING ALONG YORK ROAD: TREES REQUIRED = 100 ÷ 40 = 2.5 PROVIDED 3

PLANTING ALONG INTERIOR RD: 70 ÷ 20 = 3.5 TREES REQ'D
4 PROVIDED

TAIL OF FOX, INC.
4227-370

USE "SHANE'S" RESTAURANT

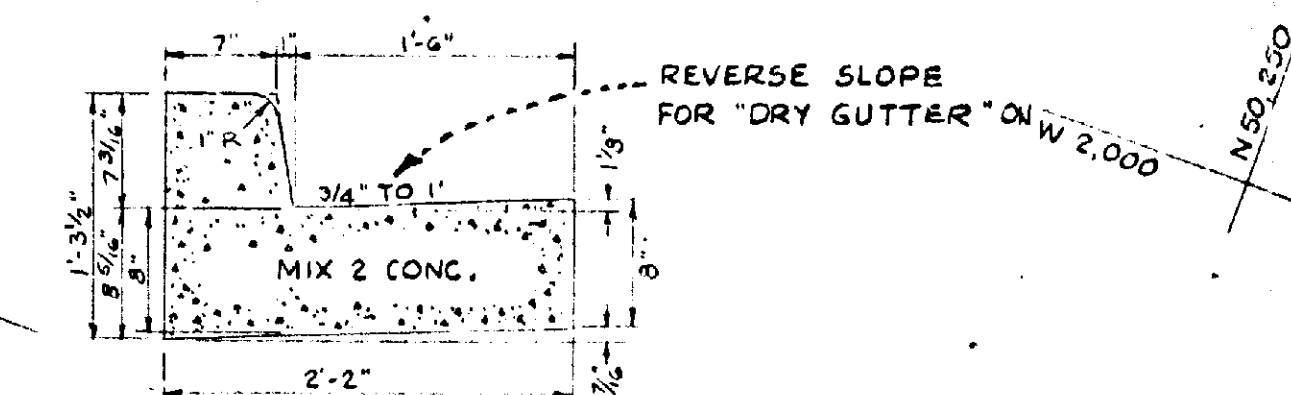
PETITIONER'S
EXHIBIT 1



REG. SURVEYOR NO. 1325

STANDARD COMB. CURB & GUTTER

NOT TO SCALE



ROADWAY DETAILS

NOT TO SCALE

2" BITUMINOUS CONC.
BAND SN
PRIME COAT 0.30 GAL./SQ.
6" BASE COURSE, TYPE CR-6 OR CR-1
(PLACED IN 2-3" LAYERS)

SOIL TYPES DATA

3m B2 - BALTIMORE SILT LOAM, 3 TO 5% SLOPES, MODERATELY ERODED
S₁B - SASSAFRAS-URBAN LAND COMPLEX, 0 TO 5% SLOPES

AREA	TYPE	BLDG. - 3 STY. MAX. NO. BSMT.	STREETS & PARKING AREAS	CLASS
0.1 AC.	B ₂ B2	SLIGHT	MODERATE SLOPE	B
0.2 AC.	S ₁ B	SLIGHT	MODERATE SLOPE	B

SITE AND GRADING PLAN OF CLASS "B" OFFICE BUILDING

G & G BUILDING 1921 YORK ROAD

8TH ELECT. DIST., BALTO. CO., MD.

SCALE: 1"=20'

FEB. 21, 1985

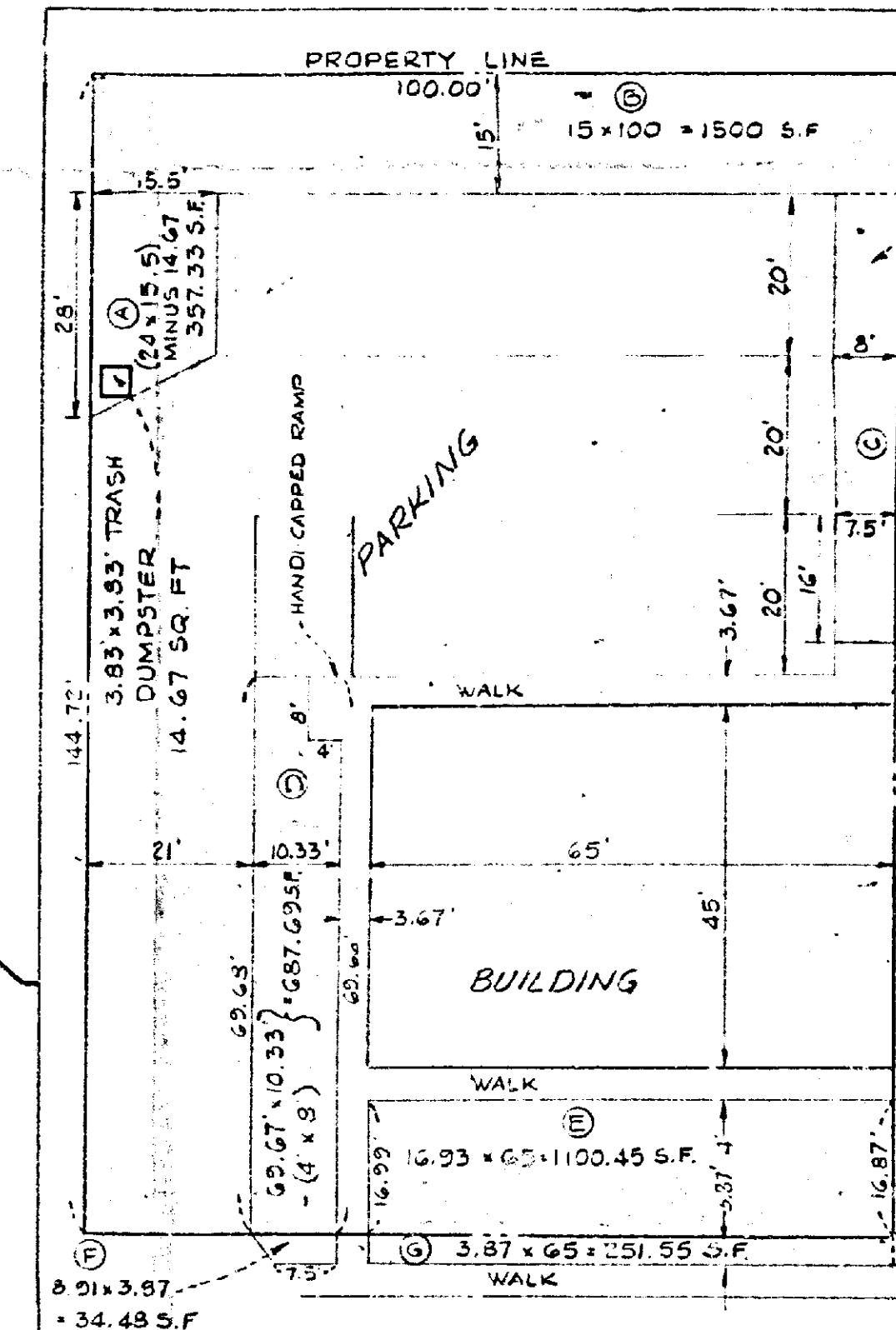
OWNER AND DEVELOPER:
TIMONIUM OFFICE BLDG. PARTNERSHIP
C/O J. A. AZRAEL
BALTO., MD. 21202
DEED REF: E.H.K. JR. GG16-506
PROPERTY NO.: 19-00-012415
COUNCILMANIC DISTRICT: 4
CENSUS TRACT: #4086.01
WATERSHED: #24
SUB SEWERSHED: #56

DATE	ITEM
10-20-83	1ST PLAN
11-17-83	SITE REVISIONS
2-2-84	PARKING REVISIONS
3-15-84	NOTE 19
3-30-84	MAX. BLDG. HT. & AREA CALC.
5-3-84	ZONING COMMENTS
7-10-84	MISC. COUNTY COMMENTS
1-2-85	ZONING CHANGED, MISC. SITE CHANGES
1-9-85	AMENITY OPEN SPACE COMPS
1-17-85	MISC. SITE DETAILS
1-22-85	
1-30-85	SITE NAME CHANGE
2-12-85	SCREENING ON S. E.
2-21-85	PER CRG. MEETING

AMENITY OPEN SPACE COMPUTATIONS

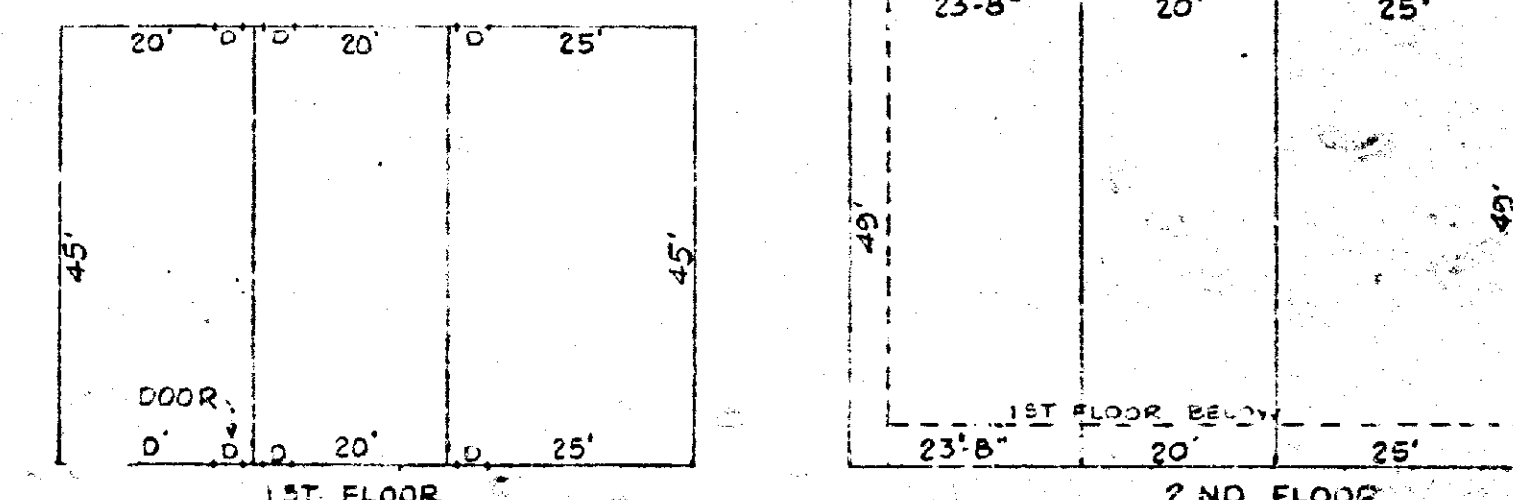
SUMMATION
A = 357.35
B = 1300.00
C = 435.00
D = 687.69
E = 1100.45
F = 34.48
G = 251.55

SUM: 4366.5 S.F. PROVIDED
4366 S.F. REQUIRED
AMENITY OPEN SPACE SHADED



BUILDING FLOOR PLAN

SCALE: 1"=20'



LED W. RADER
RES. LAND SURVEYOR
33 BELFAST ROAD
TIMONIUM, MD. 21202

SHEET 1 OF 2

PLAN INDEX
SHEET 1 OF 2 - SITE PLAN
SHEET 2 OF 2 - ARCHITECTURAL PLANS

BUILDING DATA
CHARACTER: CONTEMPORARY
EXTERIOR MATERIALS: MASONRY, METAL AND GLASS
PRINCIPAL USES: OFFICES
HOURS OF OPERATION: 9:00 AM TO 5:30 PM
MAXIMUM NO. OF EMPLOYEES: 25 OCCUPANTS
TYPE OF ROOF: STEEL JOISTS AND STEEL DECK
BUILDING MATERIALS: STEEL JOISTS, REINFORCED CONC. FLOORS

MODERN MANUFACTURING CO.
G521-G44
USE "VON PARIS" MOVING AND STORAGE

FOX TAIL
ROAD

YORK ROAD

"MTA" BUS ROUTE - 9 AND 38

20 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20

PROPOSED AMENDMENTS TO THE BALTIMORE COUNTY ZONING REGULATIONS
CONCERNING
SIGNS AND ACCESSORY COMMERCIAL USES IN O-2 ZONES

A Report of the Baltimore County Planning Board
(Adopted November 15, 1984)

Project Description

County Council Resolution No. 47-84 (see Attachment #1) requests that the Planning Board consider proposing amendments to the Zoning Regulations which would permit certain types of signs for office buildings and allow exterior entrances to accessory commercial uses in office buildings in O-2 zones in a manner similar to the provisions which address signs and accessory commercial uses in office buildings in O-1 zones. In addition, Mackenzie and Associates, Inc. and Whalen Properties have requested changes to the Zoning Regulations with respect to office building signs, bulk regulations and accessory commercial uses in O-2 zones (see Attachment #3).

Discussion

Class A, B, and C office buildings are permitted in O-2 zones along with a limited variety of accessory commercial uses. Signs are governed by the supplementary use regulations of Subparagraph 205.3.C.3 which states that -

- a. 1 stationary outside business sign on each building is permitted in accordance with the standards of Sub-paragraph a through d of Subparagraph 204.3.C.3 (signs or displays in O-1 zones), except that its surface area may be as much as 2 square feet for every 1000 square feet of floor area;
- b. 1 stationary free-standing identification sign for each public automobile entrance is allowable on each lot which 3 or more office buildings are situated, provided that -
 1. It does not identify any accessory commercial use or conference facilities;
 2. If a sign is to [be] externally illuminated, the light source must be concealed from public view; and
 3. Its surface area does not exceed 100 square feet.

With the exception of signs permitted under Subsection 413.1 of the Zoning Regulations (i.e., signs permitted in any zone), no other signs or display visible from outside the building are permitted. Note also that exterior entrances to accessory commercial uses within office buildings are prohibited in O-2 zones.

The O-2 (Office Park) zone classification was established primarily to provide selectively for development of a limited number of spacious, well-landscaped office parks. These office parks are to be developed in a manner which is compatible with the character of nearby residential neighborhoods. The

O-1 zones are intended to accommodate the development or limited enlargement of medium-size conventional office buildings on sites in predominately residential areas near commercial zones or on heavily traveled motorways. The O-1 and O-2 zones were originally established under Bill No. 167-80. The regulations governing accessory commercial uses and signs for O-2 zones in this bill were somewhat more liberal than what was permitted under this same bill for accessory commercial uses and signs in O-1 zones.

On March 21, 1983, Council passed Bill No. 24-83 which amended provisions in the Zoning Regulations relating to signs and accessory commercial uses in O-1 zones. This bill expands the types of signs permitted, the location of such signs and permits accessory commercial uses to have exterior entrances under certain conditions (see Attachment #2 for summary of Bill No. 24-83).

Comments/Recommendations

Bill No. 24-83 inadvertently creates a situation where regulations for signs and accessory commercial uses in office parks (O-2 zones) are more stringent than the regulations for signs and accessory commercial uses for office buildings in O-1 zones. The Planning Board believes that the O-2 zone regulations were not meant to be more stringent than the O-1 zone regulations for signs and accessory commercial uses and that this situation may inhibit the development of the types of office parks which are described under Subsection 205.2 (Statement of Legislative Policy for O-2 zones). The Board feels that amendments similar to those adopted under Bill No. 24-83 are necessary to alleviate the above described situation. Therefore, the Planning Board recommends that the Baltimore County Zoning Regulations, 1955, as amended, be further amended as set forth below.

In Subsection 205.3 (Use Regulations of O-2 zones) revise Paragraph 205.3.B as follows by deleting the words that are lined through and adding the word that is UNDERLINED:

B. Uses allowable by special exceptions. Uses allowable by special exception in a D.R. 10.5 zone are allowable by special exception in an O-2 zone. The following accessory uses are allowable by special exception if they have waterproof public entrances -- are not within office buildings or would occupy more floor area than would be allowed under the standard of Sub-paragraph 205.3.C.1.b., provided that the Zoning Commissioner or County Board of Appeals finds that the uses will primarily serve the principal uses of the lot:

In Paragraph 205.3.C, delete Subparagraph 2 (entrances to accessory commercial uses) and Subparagraph 3 (signs or display) add new Subparagraphs 2 and 3 to read as follows:

2. Outdoor signs or display for office buildings and office parks. In addition to the temporary real estate signs and the temporary construction signs permitted under Subsection 413.1

- a. One (1) stationary business sign is permitted on each office building and on each building for an accessory use permitted under Paragraph 205.3.B, provided that
 - (1) It is not illuminated other than by illumination that may be provided for the building or site;
 - (2) It does not project more than six (6) inches from the building and it does not extend above the roof line of the building; and
 - (3) Its surface area does not exceed two (2) square feet for every 1,000 square feet of floor area.

- b. On each lot on which is situated an office building or a building for an accessory use permitted under Paragraph 205.3.B, one (1) stationary freestanding business sign is permitted for each street to which the lot has direct vehicular access, provided that -
 - (1) Its surface area does not exceed 25 square feet per face;
 - (2) It is not placed within and it does not project into any street right-of-way; and
 - (3) No part of the sign is more than six (6) feet above the grade level of the street upon which it faces or six (6) feet above the grade level of the lot on which it is erected, whichever measurement permits the greater elevation of the sign.

- c. One (1) stationary identification sign is permitted at each exterior entrance to a use within an office building, provided that -
 - (1) It is not illuminated other than by illumination that may be provided for the building or site;
 - (2) It does not project more than two (2) inches from the building; and
 - (3) Its surface area does not exceed two (2) square feet.

- d. Stationary directory signs identifying the names and locations of tenants are permitted for each multi-tenant office building, provided that -
 - (1) It is not illuminated other than by illumination that may be provided for the building or site;
 - (2) It does not project more than two (2) inches from the building; and
 - (3) Its surface area does not exceed two (2) square feet.

- e. One (1) stationary business sign is permitted on each office building and on each building for an accessory use permitted under Paragraph 205.3.B, provided that
 - (1) It is not illuminated other than by illumination that may be provided for the building or site;
 - (2) It does not project more than six (6) inches from the building and it does not extend above the roof line of the building; and
 - (3) Its surface area does not exceed two (2) square feet for every 1,000 square feet of floor area.

- f. On each lot on which is situated an office building or a building for an accessory use permitted under Paragraph 205.3.B, one (1) stationary freestanding business sign is permitted for each street to which the lot has direct vehicular access, provided that -
 - (1) Its surface area does not exceed 25 square feet per face;
 - (2) It is not placed within and it does not project into any street right-of-way; and
 - (3) No part of the sign is more than six (6) feet above the grade level of the street upon which it faces or six (6) feet above the grade level of the lot on which it is erected, whichever measurement permits the greater elevation of the sign.

- g. One (1) stationary identification sign is permitted at each exterior entrance to a use within an office building, provided that -
 - (1) It is not illuminated other than by illumination that may be provided for the building or site;
 - (2) It does not project more than two (2) inches from the building; and
 - (3) Its surface area does not exceed two (2) square feet.

- h. Stationary directory signs identifying the names and locations of tenants are permitted for each multi-tenant office building, provided that -
 - (1) It is not illuminated other than by illumination that may be provided for the building or site;
 - (2) It does not project more than two (2) inches from the building; and
 - (3) Its surface area does not exceed two (2) square feet.

(1) The sign(s) are placed within the buildable area of the site and do not project beyond any required minimum building setback line; and

(2) Lettering indicating names and suite numbers of tenants does not exceed one and a half (1 1/2) inches in height and all other lettering does not exceed three (3) inches in height.

- e. Stationary directional signs used to give directions to traffic or pedestrians or to give instructions as to special conditions are permitted on an office building or office park site, provided that the surface area of any such sign does not exceed eight (8) square feet.

- f. Each bank located within an office building is permitted one (1) walk-up automated teller machine.

- g. One (1) stationary business sign is permitted for each accessory commercial use within an office building, provided that
 - (1) It does not project more than twelve (12) inches from the building; and
 - (2) Its surface area does not exceed twenty-five (25) square feet.

- h. One stationary freestanding office park identification sign is permitted at each vehicular entrance to an office park and one (1) additional freestanding office park identification sign is permitted for each park, provided that for each sign
 - (1) Its surface area does not exceed fifty (50) square feet per face;
 - (2) No part of the sign is more than twelve (12) feet above the grade level of the street upon which it faces or twelve (12) feet above the grade level of the lot on which it is erected, whichever measurement permits the greater elevation of the sign; and
 - (3) It is not placed within and it does not project into any street right-of-way.

- No other signs or display visible outdoors are permitted.

3. Unless expressly prohibited, the signs permitted under Subparagraph 2 above may be illuminated provided that the light from any illuminated sign or from any light source shall be so shaded, shielded, or directed that the light intensity or brightness shall not adversely affect surrounding or facing premises nor adversely affect the vision of motor vehicle operators.

In Paragraph 205.3.C add a Subparagraph 4 to read as follows:

4. Signs for research institutes and laboratories shall be permitted in accordance with the provisions of Subparagraphs 2 and 3 above. In the application of those provisions, a research institute or laboratory shall be considered as an office building.

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 1984, Legislative Day No. 10
RESOLUTION NO. 47-84

Councilmembers Bachur, Hickernell & Smith

By the County Council, May 21, 1984

A Resolution to request the Planning Board to review the provisions of the Baltimore County Zoning Regulations regarding O-2 zones.

WHEREAS, the Baltimore County Planning Board from time to time considers certain revisions to the Baltimore County Zoning Regulations; and

WHEREAS, Bill No. 24-83 amended certain provisions of the Baltimore County Zoning Regulations relating to O-1 zones in order to expand the types of signs permitted in such zones and the location of signs and in order to expand the types of permitted accessory uses in such zones and in order to make building access more flexible in such zones; and

WHEREAS, these issues addressed by Bill No. 24-83 are equally important with regard to the uses permitted in the O-2 zones which are intended to provide for the development of a limited number of spacious sites for office parks; and

WHEREAS, the Baltimore County Council believes that the same flexibility provided for the O-1 zones by Bill No. 24-83 should be considered as well for the O-2 zones.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Baltimore County, Maryland that the Baltimore County Planning Board be and it is hereby requested to conduct a review of the Baltimore County Zoning Regulations as they apply to the O-2 zones and to consider and recommend to the Baltimore County Council any amendments which may be appropriate in order to provide for the O-2 zones provisions similar to those adopted for the O-1 zones by the Baltimore County Council in the enactment of Bill No. 24-83.

SUMMARY - COUNTY COUNCIL BILL NO. 24-83

Bill No. 24-83 contains the following provisions for the O-1 Zone:

1. Entrances to accessory commercial uses. No exterior entrance to any accessory commercial use within an office building is permitted unless 75% of the principal uses in the building have exterior entrances.

2. Outdoor signs or display for office buildings. In addition to the temporary real estate signs and the temporary construction signs permitted under Subsection 413.1

- a. One (1) stationary building identification sign on each office building is permitted, provided that
 1. It identifies only the name, address, or logo of the building, or a combination of these things;
 2. It is not illuminated other than by illumination that may be provided for the building or site;
 3. It does not project more than six (6) inches from the building and it does not extend above the roof line of the building; and
 4. Its surface area does not exceed two (2) square feet for every 1,000 square feet of floor area.

- b. One (1) stationary freestanding identification sign is permitted on each lot on which a Class B or a Class C office building is situated, provided that
 1. Its surface area does not exceed 25 square feet per face;
 2. It is not placed within and does not project into any street right-of-way;
 3. No part of the sign is more than six (6) feet above the level of the street upon which it faces or six (6) feet above the grade level of the lot on which it is erected, whichever measurement permits the greater elevation of the sign; and
 4. The light from any illuminated sign or from any light source shall be so shaded, shielded, or directed that the light intensity or brightness shall not adversely affect surrounding or facing premises nor adversely affect the vision of motor vehicle operators.

- c. One (1) stationary identification sign is permitted at each exterior entrance to a use within an office building; provided that
 1. It is not illuminated other than by illumination that may be provided for the building or site;
 2. It does not project more than two (2) inches from the building; and
 3. Its surface area does not exceed two (2) square feet.

- d. Stationary directory signs identifying the names and locations of tenants are permitted for each multi-tenant office building, provided that -
 - (1) It is not illuminated other than by illumination that may be provided for the building or site;
 - (2) It does not project more than two (2) inches from the building; and
 - (3) Its surface area does not exceed two (2) square feet.

- e. One (1) stationary business sign is permitted on each office building and on each building for an accessory use permitted under Paragraph 205.3.B, provided that
 - (1) It is not illuminated other than by illumination that may be provided for the building or site;
 - (2) It does not project more than six (6) inches from the building and it does not extend above the roof line of the building; and
 - (3) Its surface area does not exceed two (2) square feet for every 1,000 square feet of floor area.

- f. On each lot on which is situated an office building or a building for an accessory use permitted under Paragraph 205.3.B, one (1) stationary freestanding business sign is permitted for each street to which the lot has direct vehicular access, provided that -
 - (1) Its surface area does not exceed 25 square feet per face;
 - (2) It is not placed within and it does not project into any street right-of-way; and
 - (3) No part of the sign is more than six (6) feet above the grade level of the street upon which it faces or six (6) feet above the grade level of the lot on which it is erected, whichever measurement permits the greater elevation of the sign.

- g. One (1) stationary identification sign is permitted at each exterior entrance to a use within an office building, provided that -
 - (1) It is not illuminated other than by illumination that may be provided for the building or site;
 - (2) It does not project more than two (2) inches from the building; and
 - (3) Its surface area does not exceed two (2) square feet.

- h. Stationary directory signs identifying the names and locations of tenants are permitted for each multi-tenant office building, provided that -
 - (1) It is not illuminated other than by illumination that may be provided for the building or site;
 - (2) It does not project more than two (2) inches from the building; and
 - (3) Its surface area does not exceed two (2) square feet.

- No other signs or display visible outdoors are permitted.

3. Unless expressly prohibited, the signs permitted under Subparagraph 2 above may be illuminated provided that the light from any illuminated sign or from any light source shall be so shaded, shielded, or directed that the light intensity or brightness shall not adversely affect surrounding or facing premises nor adversely affect the vision of motor vehicle operators.

2. It does not project more than two (2) inches from the building; and

3. Its surface area does not exceed one (1) square foot.

- d. Stationary directory signs identifying the names and locations of tenants are permitted for each multi-tenant office building, provided that
 1. 75 percent of the tenants identified on the sign(s) have independent outside access;
 2. The sign(s) are placed within the buildable area of the site and do not project beyond the required minimum building setback line; and
 3. Lettering indicating names and suite numbers of tenants does not exceed one (1) inch in height and all other lettering does not exceed three (3) inches in height.

- e. Stationary directional signs used to give directions to traffic or pedestrians or to give instructions as to special conditions are permitted on an office building site, provided that the surface area of any such sign does not exceed eight (8) square feet.

- f. Each bank located within an office building is permitted one (1) walk-up automatic teller machine.

- g. One (1) stationary identification sign is permitted for each accessory commercial use within an office building, provided that -
 1. The light from any one light source shall be shielded or directed so that the light intensity or brightness shall not adversely affect surrounding premises;
 2. It does not project more than twelve (12) inches from the building; and
 3. Its surface area does not exceed twenty-five (25) square feet. No other signs or display visible outdoors are permitted.

PROPOSED AMENDMENTS TO OFFICE PARK (0-2) ZONING REGULATIONS
RESPONSE TO COUNTY COUNCIL RESOLUTION #47-84
JOINT RECOMMENDATIONS OF MACKENZIE & ASSOCIATES
AND WHALEN PROPERTIES
JULY 26, 1984

USES PERMITTED AS OF RIGHT (Section #205.3(A))

Add the following permitted uses to the present list:

Parking Structures

Accessory Buildings, including maintenance, storage and utility buildings, sheds, etc.,

Cross-parking with adjacent residential, office, or business zones, subject to the provisions of Section #409

ACCESSORY COMMERCIAL USES (Section #205.3(A)(b))

Make the following modifications and additions to the list of accessory commercial uses permitted within office buildings:

Subitem 1) Modify to "Banks, including drive-thru facilities, and automatic banking devices".

Subitem 2) Modify to "Photocopying, printing, and reproduction service establishments."

Subitem 5) Modify to "Eating or drinking establishments", deleting restrictions on dancing and live entertainment.

Add the following additional uses:

Opticians

Garment Cleaning Services

Newstands

Data Processing and Office Equipment Product Sales and Services

Photographic Processing

Card and Gift Shops

Fitness Centers, Health Clubs, Tennis and Racquet Courts and Club

Child Care Facilities and Nursery Schools

Add a new section permitting the following accessory commercial uses by right, as either freestanding uses, or in excess of the 25% limitation on accessory commercial uses in 205.3(c)(b):

Banks, including drive-thru facilities, and automatic banking devices

Eating or drinking establishments, providing table service, and exclusive of restaurants which are primarily drive-thru or carry-out type restaurants (exclude "fast foods")

Fitness Center, Health Clubs, Tennis or Racquet Courts and Clubs, and similar establishments

SPECIAL EXCEPTIONS (Section #205.3(B))

Delete restrictions on "exterior public entrances"

Revise language in last sentence to read, "provided that the Zoning Commissioner or County Board of Appeals finds that the uses will (primarily) serve the principal uses of the lot be generally compatible with the principal uses of the office park."

Delete Subitem #2, "Eating or Drinking Establishments ...", since this would be a permitted freestanding use under the proposed revisions to 204.3(A) 3(b), above.

SUPPLEMENTARY USE REGULATIONS (Section 205.3(c))

1. ACCESSORY USE FLOOR AREA LIMITATIONS

Revise subitem (a) so that the aggregate 10% limitation on gross floor area of accessory commercial uses applies to the entire office park, and not to "any lot."

Revise subitem (b) so that the words "on the lot" are revised to "in the office park".

Revise subitem (c) to add "Banks, including drive-thru facilities and automatic banking devices" and "Fitness centers, health clubs, tennis and racquet courts and clubs, and similar establishments", to eating and drinking establishments.

ENTRANCES TO ACCESSORY COMMERCIAL USES (section 205.3(c)(2))

Delete this section in its entirety, and any other restrictions in the 0-2 regulations on exterior entrances to accessory commercial uses.

SIGNS OR DISPLAY (section 205.3(c)(3))

In Paragraph 205.3.C, delete Subparagraph 3 and add a new Subparagraph 3 to read as follows:

3. Outdoor signs or display for office buildings. In addition to the temporary real estate signs and the temporary construction signs permitted under Subsection 413.1 -

a. One (1) stationary identification and/or business sign, illuminated or non-illuminated, is permitted on each office building and on each building for an accessory use permitted under Paragraph 205.3.B, provided that -

(1) It identifies only the name, address, or logo of the building, and/or the name(s), address(es), and logo(s) of the tenant(s), or a combination of these things;

(2) (delete restriction on illumination)

(3) It does not project more than twelve (12) inches from the building, and it does not extend above the roof line of the building; and

(4) Its surface area does not exceed two (2) square feet for every 1,000 square feet of floor area;

b. One (1) stationary freestanding identification and/or business sign is permitted for each office building or a building for an accessory use permitted under Paragraph 205.3.B, provided that

(1) Its surface area does not exceed 25 square feet per face;

(2) It is not placed within and it does not project into any street right-of-way; and

(3) No part of the sign is more than six (6) feet above the grade level of the street upon which it faces or six (6) feet above the grade level on which it is erected, whichever measurement permits the greater elevation of the sign.

(4) The sign may identify the office building name, address, and logo, the name(s), address(es), and logo(s) of the tenant(s), and the name and logo of the developer and project manager.

(5) In the event the office or accessory commercial use building has more than one entrance on a public street or right-of-way, one additional sign conforming to the restrictions of this paragraph shall be permitted for each building.

c. One (1) stationary identification sign is permitted at each exterior entrance to a use within an office building; provided that -

(1) It is not illuminated other than by illumination that may be provided for the building or site;

(2) It does not project more than two (2) inches from the building; and

(3) Its surface area does not exceed two (2) square feet.

d. Stationary directory signs identifying the names and locations of tenants are permitted for each multi-tenant office building, provided that -

(1) (Delete restriction on outside access)

(2) The sign(s) are placed within the buildable area of the site and do not project beyond any required minimum building setback line; and

(3) Lettering indicating names and suite numbers of tenants does not exceed three (3) inches in height.

e. Stationary directional signs used to give directions to traffic or pedestrians or to give instructions as to special conditions are permitted on an office building or office park site, provided that: the surface area of any such sign does not exceed eight (8) square feet.

f. (Delete bank provisions - Covered under new proposal for Section 205.3(A)(3)(b), above)

g. One illuminated or non-illuminated (1) stationary identification and/or business sign is permitted for each accessory commercial use and for real estate brokerage uses, provided that -

(1) It does not project more than twelve (12) inches from the building; and

(2) Its surface area does not exceed twenty-five (25) square feet.

h. One stationary freestanding identification sign, illuminated or non-illuminated, is permitted for each office park, and one additional stationary freestanding identification sign is permitted for each vehicular entrance to the park from any public street or right-of-way provided that, for each such sign:

(1) Its surface area does not exceed fifty (50) square feet per face;

(2) No part of the sign is more than twelve (12) feet above the grade level of the street upon which it faces or twelve (12) feet above the grade level of the lot on which it is erected, whichever measurement permits the greater elevation of the sign; and

(3) It is not placed within and it does not project into any street right-of-way.

No other signs or display visible outdoors are permitted.

In Paragraph 205.3.C, add Subparagraph 4 to read as follows:

(4) The light from any illuminated sign permitted under Subparagraph 3 above or from any light source shall be so shaded, shielded, or directed that the light intensity or brightness shall not adversely affect surrounding or facing premises nor adversely affect the vision of motor vehicle operators.

BULK REGULATIONS (Section 105.A)

Subitem A) Add that accessory buildings shall be governed by the bulk regulations applying to accessory buildings to residential uses in DR-10.5 zones, as defined in Section 400.

Subitem C(1) For Class B buildings, add that: "The minimum setback from any lot line within the office park, or with contiguous business or office-zoned lots adjacent to the park, may be reduced to as little as a zero setback, for the purposes of integrating, adjoining, siting, positioning or connecting structures on contiguous lots, with the expressed approval of the owners of the contiguous lots".

MISCELLANEOUS

1) Redefine a Class B Building in an 0-2 zone, (and also in an 0-1 zone) so that as long as it meets the height restrictions for Class B buildings, the mere siting of more than one such building on a single lot of record shall not automatically cause all the buildings on that lot to be considered Class C buildings. In other words, eliminate multiple buildings on a single lot as a prima facie definition of a Class C building and look instead to the other bulk requirements (namely, height).

2) Why is F.A.R. in 0-1 zone set at 0.50 for Class B and 0.55 for Class C, but in 0-2 zone, the F.A.R. relationship is reversed and Class C ratio is 0.40 while Class B is still 0.50? What is the rationale?

3) How is the 10% limitation on accessory commercial uses going to be determined (10% of what)? Gross floor area reflected in a County-approved site development plan? Or for space for which building permits have actually been issued? Or for space actually constructed?

4) Define the area of a sign as the area of the smallest rectangle or series of rectangles which include all advertising, identification, logos, or lettering, but not including any enclosures, bases, planters, or other support structures, as long as the latter do not actually include any portion of the advertising or identification information.

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
LEGISLATIVE SESSION 1985, LEGISLATIVE DAY NO. 12

BILL NO. 91-85

Mr. Ronald B. Hickernell, Councilman

By the County Council, June 3, 1985

A BILL

ENTITLED

AN ACT concerning

Zoning Regulations - Office Park Zones

FOR the purpose of amending the Baltimore County Zoning Regulations

in order to permit certain types of outdoor signs in the 0-2

(office park) zones under certain conditions.

BY repealing and re-enacting, with amendments,

Section 205.3.B.

Baltimore County Zoning Regulations, as amended

BY repealing

Section 205.3.C.2. and 3.

Baltimore County Zoning Regulations, as amended

BY adding

Section 205.3.C.2., 3. and 4.

Baltimore County Zoning Regulations, as amended

WHEREAS, the Baltimore County Council has received a final report

from the Planning Board concerning the subject legislation and has

held a public hearing thereon; now, therefore

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE

COUNTY, MARYLAND, that Section 205.3.B. of the Baltimore County

Zoning Regulations, as amended, be and it is hereby repealed and

re-enacted, with amendments, to read as follows:

Section 205-0-2 (OFFICE PARK) ZONES

205.3 Use Regulations of 0-2 Zones.

b. Uses allowable by special exceptions. Uses allowable by

special exception in a D.R. 10.5 zone are allowable by special

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[brackets] indicate matter stricken from existing law.

Strike-out indicates matter stricken from bill.

Underlining indicates amendments to bill.

exception in an 02 zone. The following accessory uses are allowable by special exception if they [have exterior public entrances,] are not within office buildings [,] or would occupy more floor area than would be allowed under the standard of sub-subparagraph 205.3.C.1.b., provided that the Zoning Commissioner or County Board of Appeals finds that the uses will primarily serve the principal uses if the lot:

1. Conference facilities

2. Eating or drinking establishments without dancing or live entertainment

3. Hotel, motel

SECTION 2. AND BE IT FURTHER ENACTED, that Section 205.3.C.2. and 3. of the Baltimore County Zoning Regulations, as amended, be and they are hereby repealed:

205.3. Use Regulations of 0-2 Zones.

C. Supplementary use regulations (see also Section 206)

(2. Entrances to accessory commercial uses. No exterior entrance to any accessory commercial use in an office building is permitted.

3. Signs or display. In addition to signs permitted under Sub-section 413.1-

a. 1 stationary outside business sign on each building is permitted in accordance with the standards of Sub-subparagraph a through d of Subparagraph 204.3.C.3 (signs or displays in 0-1 zones), except that its surface area may be as much as 2 square feet for every 1000 square feet of floor area; and

b. 1 stationary free-standing identification sign for each public automobile entrance is allowable on each lot on which 3 or more office buildings are situated, provided that -

1. It does not identify any accessory commercial use or conference facilities;

2. If a sign is to externally illuminated, the light source must be concealed from public view; and

3. Its surface area does not exceed 100 square feet.

No other signs or displays visible outdoors are permitted.]

SECTION 3. AND BE IT FURTHER ENACTED, that Section 205.3.C.2., 3. and 4. be and they are hereby added to the Baltimore County Zoning Regulations, as amended, to read as follows:

205.3 Use Regulations of 0-2 Zones.

C. Supplementary use regulations (see also Section 206)

2. OUTDOOR SIGNS OR DISPLAY FOR OFFICE BUILDINGS AND OFFICE PARKS. IN ADDITION TO THE TEMPORARY REAL ESTATE SIGNS AND THE TEMPORARY CONSTRUCTION SIGNS PERMITTED UNDER SUBSECTION 413.1

A. ONE (1) STATIONARY BUSINESS SIGN IS PERMITTED ON EACH OFFICE BUILDING AND ON EACH BUILDING FOR ANY ACCESSORY USE PERMITTED UNDER PARAGRAPH 205.3.b, PROVIDED THAT

~~1) IT IS NOT ILLUMINATED OTHER THAN BY ILLUMINATION THAT MAY BE PROVIDED FOR THE BUILDING OR SITE;~~

~~2) (1) IT DOES NOT PROJECT MORE THAN SIX (6) TWELVE (12) INCHES FROM THE BUILDING AND IT DOES NOT EXTEND ABOVE THE ROOF LINE OF THE BUILDING; AND~~

~~3) (2) ITS SURFACE AREA DOES NOT EXCEED TWO (2) SQUARE FEET FOR EVERY 1,000 SQUARE FEET OF FLOOR AREA. AND~~

~~(3) NOTWITHSTANDING THE LIMITATIONS CONTAINED IN THIS PARAGRAPH, IF AN OFFICE BUILDING IS COMPRISED OF TWO OR MORE BUILDING WINGS OR HAS LOT FRONTAGE ON MORE THAN ONE STREET, ONE (1) ADDITIONAL STATIONARY BUSINESS SIGN IS PERMITTED IN~~

~~ADDITION TO THE SIGN PERMITTED BY THIS PARAGRAPH, IF THE CUMULATIVE SURFACE AREA OF BOTH SIGNS DO NOT EXCEED A TOTAL OF TWO (2) SQUARE FEET FOR EVERY 1,000 SQUARE FEET OF FLOOR AREA.~~

B. ON EACH LOT ON WHICH IS SITUATED AN OFFICE BUILDING OR A BUILDING FOR AN ACCESSORY USE PERMITTED UNDER PARAGRAPH 205.3.b, ONE (1) STATIONARY FREESTANDING BUSINESS SIGN IS PERMITTED FOR EACH STREET TO WHICH THE LOT HAS DIRECT VEHICULAR ACCESS, PROVIDED THAT -

(1) ITS SURFACE AREA DOES NOT EXCEED 25 SQUARE FEET PER FACE;

(2) ITS SURFACE AREA DOES NOT EXCEED TWO (2) SQUARE FEET FOR EVERY 1,000 SQUARE FEET OF FLOOR AREA. AND

(3) NOTWITHSTANDING THE LIMITATIONS CONTAINED IN THIS PARAGRAPH, IF AN OFFICE BUILDING IS COMPRISED OF TWO OR MORE BUILDING WINGS OR HAS LOT FRONTAGE ON MORE THAN ONE STREET, ONE (1) ADDITIONAL STATIONARY BUSINESS SIGN IS PERMITTED IN

ADDITION TO THE SIGN PERMITTED BY THIS PARAGRAPH, IF THE CUMULATIVE SURFACE AREA OF BOTH SIGNS DO NOT EXCEED A TOTAL OF TWO (2) SQUARE FEET FOR EVERY 1,000 SQUARE FEET OF FLOOR AREA.

B. ON EACH LOT ON WHICH IS SITUATED AN OFFICE BUILDING OR A BUILDING FOR AN ACCESSORY USE PERMITTED UNDER PARAGRAPH 205.3.b, ONE (1) STATIONARY FREESTANDING BUSINESS SIGN IS PERMITTED FOR EACH STREET TO WHICH THE LOT HAS DIRECT VEHICULAR ACCESS, PROVIDED THAT -

(1) ITS SURFACE AREA DOES NOT EXCEED 25 SQUARE FEET PER FACE;

(2) ITS SURFACE AREA DOES NOT EXCEED TWO (2) SQUARE FEET FOR EVERY 1,000 SQUARE FEET OF FLOOR AREA. AND

(3) NOTWITHSTANDING THE LIMITATIONS CONTAINED IN THIS PARAGRAPH, IF AN OFFICE BUILDING IS COMPRISED OF TWO OR MORE BUILDING WINGS OR HAS LOT FRONTAGE ON MORE THAN ONE STREET, ONE (1) ADDITIONAL STATIONARY BUSINESS SIGN IS PERMITTED IN

ADDITION TO THE SIGN PERMITTED BY THIS PARAGRAPH, IF THE CUMULATIVE SURFACE AREA OF BOTH SIGNS DO NOT EXCEED A TOTAL OF TWO (2) SQUARE FEET FOR EVERY 1,000 SQUARE FEET OF FLOOR AREA.

1. (2) IS NOT PLACED WITHIN AND IT DOES NOT PROJECT
2. INTO ANY STREET RIGHT-OF-WAY; AND
3. (3) NO PART OF THE SIGN IS MORE THAN SIX (6) FEET
4. ABOVE THE GRADE LEVEL OF THE STREET UPON WHICH IT FACES OR SIX (6)
5. FEET ABOVE THE GRADE LEVEL OF THE LOT ON WHICH IT IS ERECTED
6. WHICHEVER MEASUREMENT PERMITS THE GREATER ELEVATION OF THE SIGN.
7. C. ONE (1) STATIONARY IDENTIFICATION SIGN IS
8. PERMITTED AT EACH EXTERIOR ENTRANCE TO A USE WITHIN AN OFFICE
9. BUILDING, PROVIDED THAT -
10. (1) IT IS NOT ILLUMINATED OTHER THAN BY ILLUMINATION
11. THAT MAY BE PROVIDED FOR THE BUILDING OR SITE;
12. (2) IT DOES NOT PROJECT MORE THAN TWO (2) INCHES FROM
13. THE BUILDING; AND
14. (3) ITS SURFACE AREA DOES NOT EXCEED TWO (2) SQUARE
15. FEET.
16. D. STATIONARY DIRECTORY SIGNS IDENTIFYING THE
17. NAMES AND LOCATIONS OF TENANTS ARE PERMITTED FOR EACH MULTI-TENANT
18. OFFICE BUILDING, PROVIDED THAT -
19. (1) THE SIGN(S) ARE PLACED WITHIN THE BUILDABLE AREA
20. OF THE SITE AND DO NOT PROJECT BEYOND ANY REQUIRED MINIMUM BUILDING
21. SETBACK LINE; AND
22. (2) LETTERING INDICATING NAMES AND SUITE NUMBERS OF
23. TENANTS DOES NOT EXCEED ONE AND A HALF (1 1/2) INCHES IN HEIGHT AND
24. ALL OTHER LETTERING DOES NOT EXCEED THREE (3) INCHES IN HEIGHT.
25. E. STATIONARY DIRECTIONAL SIGNS USED TO GIVE
26. DIRECTIONS TO TRAFFIC OR PEDESTRIANS OR TO GIVE INSTRUCTIONS AS TO
27. SERIAL CONDITIONS ARE PERMITTED ON AN OFFICE BUILDING OR OFFICE PARK
28. SITE, PROVIDED THAT THE SURFACE AREA OF ANY SUCH SIGN DOES NOT
29. EXCEED EIGHT (8) SQUARE FEET.
30. F. EACH BANK LOCATED WITHIN AN OFFICE BUILDING IS
31. PERMITTED ONE (1) WALK-UP AUTOMATED TELLER MACHINE.
32. G. ONE (1) STATIONARY BUSINESS SIGN IS PERMITTED
33. FOR EACH ACCESSORY COMMERCIAL USE WITHIN AN OFFICE BUILDING,
34. PROVIDED THAT -

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level and the one in the front will identify those same tenants and indicate that the stairs to the upper level are in the rear. Each office door will have a 2' x 6" tenant identification sign. The proposed building will have no lobby or interior stairs to the upper level and the entrances to the offices will be located outside. Therefore, the proposed signs are obviously needed. There must be some means by which the prospective tenants can be located. A 14' x 2' sign, also attached to the building, is proposed for Dr. Glasser. He argued that the office buildings on either side of him have signage exceeding the permitted size and that people traveling York Road, which the building will front, must be given the same opportunity to identify his property. As an optometrist, he is dependent on sign identification and, therefore, requests the larger sign. He also requests that the signs be illuminated for the same reason.

After hearing the testimony presented, Mrs. Ginn does not oppose the requested relief.

The Petitioners seek relief from Section 203.3.B.2, pursuant to Section 502.1, Baltimore County Zoning Regulations (BCZR), and from Section 203.3.C, pursuant to Section 307, BCZR.

It is clear that the BCZR permit the use requested by the Petitioners in a special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined whether the conditions as delineated by Section 502.1 are satisfied by the Petitioner.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions, as more fully described below.

The Petitioners had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements

- 2 -

1. (1) DOES NOT PROJECT MORE THAN TWELVE (12) INCHES
2. FROM THE BUILDING; AND
3. (2) ITS SURFACE AREA DOES NOT EXCEED TWENTY-FIVE (25)
4. SQUARE FEET.
5. H. ONE STATIONARY FREESTANDING OFFICE PARK
6. IDENTIFICATION SIGN IS PERMITTED AT EACH VEHICULAR ENTRANCE TO AN
7. OFFICE PARK AND ONE (1) ADDITIONAL FREESTANDING OFFICE PARK
8. IDENTIFICATION SIGN IS PERMITTED FOR EACH PARK, PROVIDED THAT FOR
9. EACH SIGN -
10. (1) ITS SURFACE AREA DOES NOT EXCEED FIFTY (50) SQUARE
11. FEET PER FACE;
12. (2) NO PART OF THE SIGN IS MORE THAN TWELVE (12) FEET
13. ABOVE THE GRADE LEVEL OF THE STREET UPON WHICH IT FACES OR TWELVE
14. (12) FEET ABOVE THE GRADE LEVEL OF THE LOT ON WHICH IT IS ERECTED,
15. WHICHEVER MEASUREMENT PERMITS THE GREATER ELEVATION OF THE SIGN; AND
16. (3) IT IS NOT PLACED WITHIN AND IT DOES NOT PROJECT
17. INTO ANY STREET RIGHT-OF-WAY.
18. NO OTHER SIGNS OR DISPLAY VISIBLE OUTDOORS ARE PERMITTED.
19. 3. UNLESS EXPRESSLY PROHIBITED, THE SIGNS PERMITTED UNDER
20. SUBPARAGRAPH 2 ABOVE MAY BE ILLUMINATED PROVIDED THAT THE LIGHT FROM
21. ANY ILLUMINATED SIGN OR FROM ANY LIGHT SOURCE SHALL BE SO SHADED,
22. SHIELDED, OR DIRECTED THAT THE LIGHT INTENSITY OR BRIGHTNESS SHALL
23. NOT ADVERSELY AFFECT SURROUNDING OR FACING PREMISES NOR ADVERSELY
24. AFFECT THE VISION OF MOTOR VEHICLE OPERATORS.
25. 4. SIGNS FOR RESEARCH INSTITUTES AND LABORATORIES SHALL BE
26. PERMITTED IN ACCORDANCE WITH THE PROVISIONS OF SUBPARAGRAPHS 2 AND 3
27. ABOVE. IN THE APPLICATION OF THOSE PROVISIONS, A RESEARCH INSTITUTE
28. OR LABORATORY SHALL BE CONSIDERED AS AN OFFICE BUILDING.
29. SECTION 4. AND BE IT FURTHER ENACTED, that this Act shall
30. take effect forty-five days after its enactment.

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set forth in Section 502.1. In fact, the Petitioners have shown that the proposed use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioners' Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the BCZR.

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

ORDER RECEIVED FOR FILING
DATE April 19, 1985
BY [Signature]

- 3 -

March 6, 1985

Howard S. Klein, Esquire
401 Washington Avenue
Towson, Maryland 21204

NOTICE OF HEARING
RE: Petition for Special Exception and Variance
E/S York Rd., 109' N from the c/l of Gorsuch
Road (1921 York Road)
Emanuel S. Glasser, M.D. - Petitioner
Case No. 85-282-XA

TIME: 1:30 P.M.
DATE: Wednesday, April 3, 1985
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

No. 130581

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 4/1/85 ACCOUNT R-01-615-000
AMOUNT \$200.00

RECEIVED FROM [Signature] FOR [Signature]
C 114*****2000010 401-A

VALIDATION OR SIGNATURE OF CASHIER

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of property, and public hearing held, and it appearing that by reason of the requirements of Section 502.1 having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception and variance should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of April, 1985, that the Petition for Special Exception for a Class B office building and, additionally, the Petition for Zoning Variance to permit 33 square feet of illuminated signage rather than the permitted 8 square feet of non-illuminated signage be and the same are hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief herein granted:

1. The two 2' x 1 1/2' directory signs and the nine 2' x 6" tenant identification signs shall be located as shown on Petitioners' Exhibit 2. Dr. Glasser's identification sign shall be no more than 9' x 2' and shall also be located as shown on Petitioners' Exhibit 2.
2. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
DATE April 19, 1985
BY [Signature]

- 4 -

IN RE: PETITION SPECIAL EXCEPTION AND VARIANCE
E/S of York Road, 109' N of the centerline of Gorsuch Road (1921 York Road) - 8th Election District
Emanuel S. Glasser, M.D., et al.,
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-282-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special exception for a Class B office building and, additionally, a variance to permit 40 square feet of illuminated signage rather than the permitted 8 square feet of non-illuminated signage, as shown on Petitioners' Exhibits 1 and 2. At the onset of the hearing, the Petitioner moved to amend the requested variance from 40 square feet to 43 square feet.

The Petitioner, Dr. Emanuel S. Glasser, appeared and testified and was represented by Counsel. Leo Rader, a registered land surveyor, testified on behalf of the Petitioner. Mary Ginn, representing the Association of Baltimore County Councils, also appeared.

Testimony indicated that the subject property, zoned R.O., is improved with an abandoned, vandalized residence that the Petitioners wish to raze and, in its stead, construct a 45' x 65' two-story office building. The surrounding area consists of commercial office buildings, although there are some residences about 25 to 100 feet from the rear property line. There will be three professional offices on each floor. The County Review Group (CRG) approved the subject proposal on February 20, 1985.

The Petitioners wish to attach two 2' x 1 1/2' directory signs on the building. The one in the rear will identify the three tenants located on the upper

cc: Howard S. Klein, Esquire
Mrs. Mary Ginn
People's Counsel

ORDER RECEIVED FOR FILING
DATE April 19, 1985
BY [Signature]

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