

PETITION FOR ZONING VARIANCE  
 W/S Jarrettsville Pike, 520' S  
 of Sweet Air Road  
 (14228 Jarrettsville Pike)  
 10th Election District  
 3rd Councilmanic District  
 Grempler Realty, Inc.  
 Petitioner

BEFORE THE  
 DEPUTY ZONING COMMISSIONER  
 OF BALTIMORE COUNTY  
 Case No. 92-321-A

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This Petition comes before the Deputy Zoning Commissioner as a Petition for Zoning Variance in which the petitioner requests variances from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 259.3.C.2.a to permit a front yard setback of 6 feet in lieu of the minimum required 15 feet; from Section 259.3.C.2.b to permit a side yard setback of 1.5 feet in lieu of the required 15 feet; from Section 259.3.C.3 two permit landscaping of the setback area and parking in said setback area in lieu of the required landscaped 15-foot setback area; and from Section 259.3.C.7.a and .b, for a proposed dwelling reconstruction all as more particularly described on Petitioner's Exhibit 1.

The petitioner, Grempler Realty, Inc., by Donald E. Grempler, appeared, testified and was represented by G. Scott Barhight, Esquire. Also appearing on behalf of the Petition were James S. Kline, Planner and Engineer, and Shellie S. Curry, Architect. Appearing as Protestants in the matter were Mitchell A. Daly, Jr., William W. Leaman, Kazimir J. deKozlowski, and William F. & Norma R. Bergeron, residents of the area. The protestants' concern was with the proposed sign for the property, not the improvements proposed for the building itself.

Testimony indicated that the subject property, known as 14228 Jarrettsville Pike, consists of .71 acres, more or less, zoned B.L.C.R., and is improved with a dwelling currently used as a gift shop. Donald Grempler testified that he started Grempler Realty in 1960. He testified that he purchased the subject property in 1989 with the intention of converting the existing building to real estate offices. Testimony indicated that the Petitioner plans to construct two additions to the existing dwelling to provide a total of 3,500 sq.ft. of office space. Mr. Grempler demonstrated that he has been working with local residents and community associations as to the design of the building and streetscape along Jarrettsville Pike, as well as the sign in question.

Shellie Curry, Petitioner's Architect, testified as to the type of improvements that will be made to the property. Mr. Curry testified that he was instructed to meet with the community to determine their concerns and was advised that they wanted more of a colonial style design than that originally proposed. Mr. Curry testified that the Petitioner voluntarily redesigned the subject sign to be more compatible with the building and that the sign is now a ground-level sign with a brick base as opposed to a sign mounted on a pole. The sign has also been lowered from a height of 25 feet to 6 feet and will be illuminated with interior lamps.

James Kline, a Planner and Engineer with G. W. Stephens, Jr. and Associates, Inc., appeared and testified on behalf of the Petition. He testified that the Petitioner's request satisfies all the requirements of Section 307.1 of the B.C.Z.R.

Mitchell Daley appeared and testified as a Protestants in the matter. Mr. Daley testified that the community loves the building planned for this site but objects to the proposed sign. This was the case with

all of the Protestants. Their cumulative testimony was that the Protestants are opposed to the size and proposed illumination of the sign. The Protestants believe that the proposed sign could be further reduced in size and softly illuminated to minimize any adverse effects upon oncoming traffic and aesthetics in the area.

At the close of the hearing, this Deputy Zoning Commissioner asked both the Petitioners and the Protestants to submit documentation concerning the lighting for the proposed sign within one week of that date. Both sides provided information as instructed. Martin French of the Office of Planning submitted a copy of the Hereford Community Plan which details lighted signs for that rural community. The Protestants asked that I refer to that Plan when rendering my decision in this matter. Further, the Petitioners submitted a letter from Pearson Signs, Inc. in which lighting levels below the standards imposed by the Hereford Plan are proposed.

The Hereford Plan specifically addresses signage and lighting. On Page 52 thereof, the Plan provides that there can be one freestanding sign with a surface area of no more than 25 sq.ft. per side. In addition, the sign must be landscaped and the location approved by the Director of the Office of Planning. The sign proposed to be erected by the Petitioner does meet the 25 sq.ft. restriction as imposed by the Hereford Plan. Furthermore, the Hereford Plan at Page 69 regulates the illumination of signage. The Plan states that freestanding signs may be illuminated by enclosed, soft-glow, internal illumination. This illumination is not to exceed 50 candlefoot power illumination level, which is a maximum of 5 amps per sign. The Petitioner is proposing to utilize 380 watts to illuminate the subject sign. The 380 watts is well below the maximum of 5 amps

utilize 22,400 lumens for this sign which is well below the 50 candlefoot power illumination allowed pursuant to the Hereford Plan.

Inasmuch as I have been asked by the Protestants to utilize the Hereford Plan and the fact that I believe the two communities of Hereford and Jacksonville are similar in their rural character, I am persuaded by the testimony and evidence presented by the Petitioner that this sign complies with the requirements of the Hereford Plan. However, I feel that the Petitioner can accomplish his objective of drawing attention to his place of business with an illuminated sign the dimensions of which shall be 3'6" x 5'9" as opposed to the 4.0' x 6'3" proposed and will so Order.

An area variance may be granted where strict application of the zoning regulations 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 is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

ORDER RECEIVED FOR FILING  
 Date 5/15/92  
 By [Signature]

ORDER RECEIVED FOR FILING  
 Date 5/15/92  
 By [Signature]

ORDER RECEIVED FOR FILING  
 Date 5/15/92  
 By [Signature]

ORDER RECEIVED FOR FILING  
 Date 5/15/92  
 By [Signature]

**PETITION FOR ZONING VARIANCE**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 92-321-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 259.3C.2.a to permit a front yard of 6' as exists in lieu of the required 15' set back. From Sect. 259.3.C.2.b to permit a side yard of 1.5' as exists in lieu of the required 15'. From Sect. 259.3.C.3 to permit landscaping of the varnaced setback area and to permit parking in the setback area in lieu of the required "at least 15" setback to be landscaped". From Sect. 259.3C.7.c to permit illumination of signs permitted under Sect. 259.3C.7(a&b).

Hardship and/or practical difficulty exists because the property is improved by an existing building which violates current setback regulations; because strict compliance with zoning requirements would unreasonably impact on the proposed addition to and/or construction of the existing building; and because property cannot reasonably be adapted to use in accordance with zoning requirements.

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name)	Legal Owner(s): Grempler Realty, Inc. (Type or Print Name)
Signature	Signature
Address	(Type or Print Name)
City and State	Signature
Attorney for Petitioner: Jonathan A. Arnsel (Type or Print Name)	400 E. Joppa Road Address Townson, MD 21204 City and State
Signature	Phone No. 825-6400
101 E. Chesapeake Ave., 5th Fl. Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Towson, Maryland 21204 City and State	Donald E. Grempler Name 400 E. Joppa Road Address Townson, Maryland 21204 Phone No. 825-6400
Attorney's Telephone No.: 821-6800	

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

ORDER RECEIVED FOR FILING  
 Date 5/15/92  
 By [Signature]  
 Zoning Commissioner of Baltimore County.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15<sup>th</sup> day of May, 1992 that the Petition for Zoning Variance from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: from Section 259.3.C.2.a to permit a front yard setback of 6 feet in lieu of the minimum required 15 feet; from Section 259.3.C.2.b to permit a side yard setback of 1.5 feet in lieu of the required 15 feet; from Section 259.3.C.3 two permit landscaping of the setback area and parking in said setback area in lieu of the required landscaped 15-foot setback area; and from Section 259.3.C.7.c to permit illumination of signs permitted under Section 259.3.C.7.a and .b, for a proposed dwelling reconstruction, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) 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 30-day 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.

2) The Petitioner shall install a sidewalk along Jarrettsville Pike. Said sidewalk shall be constructed with brick pavers which will be consistent with the streetscape proposed for the property immediately to the north of this site. This streetscape plan shall be approved by the Office of Planning.

3) The relief granted herein is limited to a sign of 3'6" x 5'9" which shall conform to the design depicted in Petitioner's Exhibit 3. Said sign shall be illuminated consistent with that detailed in the proposal submitted by Pearson Signs, Inc., under cover letter dated April 6, 1992 from G. Scott Barhight, Esquire, a copy of which is attached hereto and made a part hereof. The subject sign shall be illuminated no later than 11:00 PM on any evening.

4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

[Signature]  
 TIMOTHY M. KOTROCO  
 Deputy Zoning Commissioner  
 for Baltimore County

ORDER RECEIVED FOR FILING  
 Date 5/15/92  
 By [Signature]

ORDER RECEIVED FOR FILING  
 Date 5/15/92  
 By [Signature]

322

FROM THE OFFICE OF  
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.  
ENGINEERS

92-321-A

Description to Accompany A  
Zoning Petition for Variances.

November 22, 1991  
KEY MAP 3, 1092  
RE: Grempier Office Building  
14228 Jarrettsville Pike

Beginning at a point located South 15° 57' 14" West 520 feet from the point  
of intersection of the center lines of Sweet Air Road and Jarrettsville Pike thence  
in a clockwise direction:

- 1 - South 15° 57' 14" East 100 feet,
- 2 - North 69° 30' 46" West 318.02 feet,
- 3 - North 18° 05' 14" East 99.77 feet and
- 4 - South 69° 30' 46" East 309.29 feet to the place of beginning.

Containing 0.71 acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY, AND NOT TO BE USED FOR CONVEYANCES  
OR AGREEMENTS)



CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 1st Date of Posting: 3/21/92  
 Posted for: Grempier Realty, Inc.  
 Location of property: 14228 Jarrettsville Pike, 10th Election District  
 Location of Sign: 14228 Jarrettsville Pike  
 Remarks: None  
 Posted by: William Date of return: 3/24/92  
 Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 12, 1992

THIS IS TO CERTIFY, that the annexed advertisement was  
published in TOWSON TIMES, a weekly newspaper published in  
Towson, Baltimore County, Md., once in each of 1 successive  
weeks, the first publication appearing on March 12, 1992

TOWSON TIMES,

S. Zate Orlov  
Publisher

Publisher

\$100.61

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 92-321-A  
 W/S Jarrettsville Pike, 520' S of Sweet Air Road  
 14228 Jarrettsville Pike  
 10th Election District  
 3rd Councilmanic District  
 Petitioner: Grempier Realty, Inc.  
 Hearing Date: Thursday, April 2, 1992 at 9:15 a.m.

Variance: to permit a front yard of 6 feet (+/-) as exists in lieu of the required 15 foot minimum; to permit a side yard of 1.5 feet (+/-) as exists in lieu of the required 15 foot minimum; to permit landscaping of the varietal setback area and to permit parking in the setback to be landscaped; and to permit illumination of signs.

LAWRENCE E. SCHMIDT  
 Zoning Commissioner of Baltimore County  
 TJS/156 March 12

NOTICE OF HEARING  
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 Zoning Commissioner of Baltimore County  
 TJS/156 March 12

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in Towson, Baltimore County, Md., once in each of 1 successive  
weeks, the first publication appearing on March 12, 1992

THE JEFFERSONIAN,

S. Zate Orlov  
Publisher

\$100.61

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

Date: 2/26/92 Account: R-001-4190  
 Number: HYE 0332 Item No. 10  
 PUBLIC HEARING FEE: QTY PRICE  
 020 ZONING VARIANCE FILING: 1 X \$175.00  
 TOTAL: \$175.00  
 LAST NAME OF OWNER: GREMPIER REALTY  
 PAID PER HAND WRITTEN RECEIPT DATED 2/21/92  
 Please Make Checks Payable To: Baltimore County

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Date: 2-21-92 Account: R-001-4190  
 Number: HYE 0332 Item No. 3  
 PUBLIC HEARING FEE: QTY PRICE  
 020 ZONING VARIANCE FILING: 1 X \$175.00  
 TOTAL: \$175.00  
 LAST NAME OF OWNER: GREMPIER REALTY  
 PAID PER HAND WRITTEN RECEIPT DATED 2/21/92  
 Please Make Checks Payable To: Baltimore County \$175.00  
 SA 101116-M02-21-92

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

DATE: 3/17/92

Grempier Realty, Inc.  
400 E. Joppa Road  
Towson, Maryland 21204

RE:  
CASE NUMBER: 92-321-A  
W/S Jarrettsville Pike, 520' S of Sweet Air Road  
14228 Jarrettsville Pike  
10th Election District - 3rd Councilmanic  
Petitioner(s): Grempier Realty, Inc.

Dear Petitioner(s):

Please be advised that \$ 125.61 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Carl Jablon  
ARNOLD JABLON  
DIRECTOR

cc: Jonathan A. Azrael

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

MARCH 6, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 92-321-A  
 W/S Jarrettsville Pike, 520' S of Sweet Air Road  
 14228 Jarrettsville Pike  
 10th Election District - 3rd Councilmanic  
 Petitioner(s): Grempier Realty, Inc.  
 HEARING: THURSDAY, APRIL 2, 1992 at 9:15 a.m.

Variance to permit a front yard of 6 feet (+/-) as exists in lieu of the required 15 foot minimum; to permit a side yard of 1.5 feet (+/-) as exists in lieu of the required 15 feet; to permit landscaping of the varietal setback area and to permit parking in the setback to be landscaped; and to permit illumination of signs.

Lawrence E. Schmidt  
Lawrence E. Schmidt  
Zoning Commissioner of Baltimore County

cc: Grempier Realty, Inc.  
Jonathan A. Azrael

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

March 26, 1992

Jonathan A. Azrael, Esquire  
101 E. Chesapeake Avenue, 5th Floor  
Towson, MD 21204

RE: Item No. 332, Case No. 92-321-A  
 Petitioner: Grempier Realty, Inc.  
 Petition for Zoning Variance

Dear Mr. Azrael:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

Your petition has been received and accepted for filing this  
24th day of February, 1992.

Carl Jablon  
ARNOLD JABLON  
DIRECTOR

Received By:  
W. Carl Richard, Jr.  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Grempier Realty, Inc.  
 Petitioner's Attorney: Jonathan A. Azrael

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration  
and Development Management  
DATE: March 16, 1992

FROM: Gary Kerns, Chief  
Community and Comprehensive Planning Division  
Office of Planning and Zoning

SUBJECT: Grempler Realty, Inc., Item No. 332

In reference to the applicant's request, staff offers the following comments:

This office supports the requested variances for front and side yard setbacks with the following condition. A sidewalk should be provided along Jarrettsville Pike. It is suggested that it be constructed with paver blocks which would be consistent with the streetscape proposed for the property immediately to the north.

The office is not opposed to supporting a variance for illumination of a sign but not the proposed sign. The Master Plan designates Jacksonville as one of the two rural commercial centers. Also, the C. R. District regulations (Section 259.3) provide for strict guidelines of design in order to ensure a more rural appearance of buildings. Staff would support internal or ground illumination of a sign using materials which are compatible with the rural or colonial style of Jacksonville.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

Report prepared by:

*Jeffrey Long*  
Jeffrey Long

GK:JL:pph  
ITEM332.ZAC/ZAC1

RECEIVED  
MAR 26 1992  
ZONING OFFICE

Baltimore County Government  
Fire Department

700 East Joppa Road, Suite 901  
Towson, MD 21204-5500

(301) 887-4500

MAR 3, 1992

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: GREMPLER REALTY, INC.  
Location: #14228 JARRETTSVILLE PIKE  
Item No.: 332 Zoning Agenda: MARCH 3, 1992

Entitlement:  
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *G. Scott Barhight* Noted and Approved  
Planning Code Fire Prevention Bureau  
Special Inspection Division

JF/PPF

RECEIVED  
MAR 5 1992  
ZONING OFFICE

BALTIMORE COUNTY  
ECONOMIC DEVELOPMENT COMMISSION

Memorandum

TO: Julie Winiarski  
Office of Zoning Administration and  
Development Management

FROM: A. J. Haley, Deputy Director  
Economic Development Commission

DATE: March 3, 1992

RE: Zoning Advisory Comments for Meeting of March 3, 1992

This office has no comment for items 328, 329, 330, 331, 332, 333, and 334.

cc: Ken Nohe

RECEIVED  
MAR 3 1992  
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and Development Management  
DATE: March 16, 1992

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting  
for March 3, 1992

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 117 (Case No. 92-108-X), 329, 330, 331, 333 and 334.

For Item 316, the previous minor subdivision comments still apply.

For Item 298 (Case No. 92-296-XA), and Item 332, the sites must be submitted through the new subdivision process for review and comments.

For Item 328, the site must be submitted through the minor subdivision process for review and comments.

*Robert W. Bowling*  
ROBERT W. BOWLING, P.E., Chief  
Developers Engineering Division

RWB:s

RECEIVED  
MAR 17 1992  
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND  
Inter-Office Correspondence

TO: Robert J. Emilli  
Bureau of Traffic Engineering  
DATE: April 13, 1992

FROM: Timothy M. Kotrocco  
Deputy Zoning Commissioner

SUBJECT: ZAC Comments  
Petition for Zoning Variance  
W/S Jarrettsville Pike, 520' S of Sweet Air Road  
(14228 Jarrettsville Pike)  
Grempler Realty, Inc. - Petitioner  
Case No. 92-321-A

Thank you for your comments dated March 26, 1992 concerning the above-captioned matter which was scheduled for hearing on April 2, 1992. While your comments were dated well in advance of the hearing, they were not delivered to the petitioner or the Zoning Commissioner's Office for consideration until one hour into the hearing.

While I consider the Zoning Plans Advisory Committee comments to be a very valuable part of the zoning process, due consideration cannot be given to them unless they are delivered to this office in sufficient time for review prior to the hearing. Further, it is patently unfair to the petitioners to be required to respond to comments for which they have had no prior opportunity to review. In the instant case, the petitioner and their attorney, G. Scott Barhight, had no knowledge of your comments in their attorney's letter well into the hearing and as such, were unprepared to address the concerns raised by Traffic Engineering. Therefore, I have taken the position that unless comments are received by both the Petitioner and the Zoning Commissioner's Office prior to the hearing taking place on the matter, those comments will not be considered nor will they be made a part of the record. Therefore, your comments in this matter are being returned to you and will not be considered a part of the record.

It is hoped that we can avoid this unfortunate incidence in the future.

TMK:bjs  
cc: G. Scott Barhight, Esquire  
210 W. Pennsylvania Avenue, Suite 500, Towson, Md. 21204

Case File

LAW OFFICES  
WHITEFORD, TAYLOR & PRESTON

SEVEN SAINT PAUL STREET  
BALTIMORE, MARYLAND 21202  
TELEPHONE 410-547-8100

500 COURT TOWERS  
210 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-4515  
410-832-2000  
FAX: 410-832-2015

SUITE 400  
888 17TH STREET, NW  
WASHINGTON, D.C. 20004  
TELEPHONE 202-638-4800

G. SCOTT BARRIGHT  
DIRECT NUMBER  
410-832-2000

April 9, 1992

RECEIVED  
APR 9 1992  
ZONING COMMISSIONER

HAND DELIVERED  
Timothy M. Kotrocco, Esquire  
Deputy Zoning Commissioner  
Court House  
Towson, Maryland 21204

RE: Petition for Zoning Variance  
Petitioner: Grempler Realty, Inc.  
Case No. 92-321-A

Dear Mr. Kotrocco:

*William Miller*  
Pursuant to your request at the April 2nd hearing, enclosed is a letter from Pearson Signs, Inc. discussing the proposed elimination of Grempler's Jacksonville sign. If I can be of any further assistance, please feel free to contact me.

Sincerely yours,  
*G. Scott Barhight*  
G. Scott Barhight

GSB:aas

cc: Mr. Donald Grempler  
(w/copy of enclosure)

Enclosure

LAW OFFICES  
WHITEFORD, TAYLOR & PRESTON

SUITE 400  
SEVEN SAINT PAUL STREET  
BALTIMORE, MARYLAND 21202  
TELEPHONE 410-547-8100

500 COURT TOWERS  
210 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-4515  
301-832-2000  
FAX: 301-832-2015

SUITE 400  
888 17TH STREET, NW  
WASHINGTON, D.C. 20004  
TELEPHONE 202-638-4800

G. SCOTT BARRIGHT  
DIRECT NUMBER  
301-832-2010

May 12, 1992

RECEIVED  
MAY 12 1992  
ZONING COMMISSIONER

VIA HAND DELIVERY  
Timothy M. Kotrocco, Esquire  
Deputy Zoning Commissioner  
Court House  
Towson, Maryland 21204

RE: Petition for Zoning Variance  
Petitioner: Grempler Realty, Inc.  
Case No. 92-321-A

Dear Mr. Kotrocco:

As was discussed during the April 2, 1992 hearing, enclosed is a black and white copy of Petitioner's Exhibits No. 3 and 4. Petitioner's Exhibit No. 3 identifies the proposed sign and Petitioner's Exhibit No. 4 places the proposed sign in the context of a perspective view of the building.

It is my understanding that the original Petitioner's Exhibits No. 3 and 4 can be returned to the architect now that a suitable copy has been provided for your records. If appropriate, please contact my office and I will have someone pick up the original exhibits which are mounted on boards.

Should you have any questions or comments, please feel free to contact me. Thank you for your kind attention to this matter.

Sincerely yours,  
*G. Scott Barhight*  
G. Scott Barhight

Enclosure  
cc: Mr. Donald Grempler  
(w/copy of enclosure)

TMK/bjs  
00749/grempler/timothy m. kotrocco

Pearson Signs, Inc.

838 S. Main Street  
Hampstead, Maryland 21074  
COMPLETE SIGN SERVICE  
(301) 239-3838

Mr. Scott Barhight  
Whiteford, Taylor & Preston  
500 Court Towers  
210 W. Penn Ave.  
Towson, MD 21204

Our company has been contracted to design, fabricate and install one (1) interior illuminated sign for Grempler Realtors, whose branch office is to be located in Jacksonville, Maryland. Size of proposed sign is 4' x 6' - 3" with standard interior fluorescent tube illumination. Signs of this design and size require four (4) six foot fluorescent tube. More or less tubes (lamps) would be an alteration of standard procedures. Lumens for standard lighting of a 4' x 6' - 3" sign would be 22,400 and 380 watts. *44,800 lumens = 720 watts*

For comparison purposes, the current sign located at Grempler Realtors present office in Jacksonville is a 4' x 10' sign, bearing four (4), ten foot fluorescent tubes. The lumens are 48,000 with 720 watts.

The face material would also have an effect on the brightness of the sign, for example, white plexiglass faces would be substantially brighter than yellow plexiglass faces.

The number of lamps utilized also effect the brightness of the sign. Standard placement of lamps is 12" on center. The usual Grempler signs at most locations are 6' x 8' (48 sq. ft.) Lumens would be 57,600, watts would be 960. (All calculations are based on cool white high output lamps.)

In my opinion, any sign smaller than 25 sq. ft. would be illegible and very ineffective.

I trust this information will be beneficial, should you require additional documentation, feel free to call.

In your service,  
*Charles A. Brauning*  
Charles A. Brauning, Sales Rep.

CAB/laz

LAW OFFICES  
WHITEFORD, TAYLOR & PRESTON

520 COURT TOWERS  
210 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21284-4515  
410-831-2000  
FAX 410-831-2015

G. SCOTT BARHIGHT  
3000 N. WASHINGTON  
TOWSON, MD 21286

March 25, 1992

Arnold Jablon, Director  
Department of Zoning Administration  
and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

RE: Grempler Realty, Inc.  
Case No. 92-321-A

Dear Mr. Jablon:

Please enter my appearance in the above referenced case. This office will be representing the Petitioner, Grempler Realty, Inc. at the hearing on April 2nd.

Should you have any questions or comments, please feel free to contact me.

Very truly yours,

G. Scott Barhight

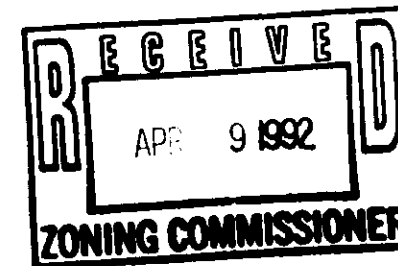
GSB:aes

cc: Mr. Donald Grempler  
Jonathan A. Azrael, Esquire

RECEIVED  
ZONING OFFICE

**Greater Jacksonville Association inc.**  
P. O. BOX No. 126  
PHOENIX, MARYLAND 21131

April 7, 1992



Mr. Timothy Kotroco  
Deputy Zoning Commissioner  
Room 113, Old Courthouse  
400 Washington Ave.  
Towson, MD 21204

Re: Grempler Realty, Inc.  
Case #92 321A

Dear Mr. Kotroco:

At the formal hearing on Thursday April 2, 1992, opposition was presented to you by the community in reference to the variance requested by Grempler Realty for the illumination of a sign. You asked that any pertinent information be presented to you by April 9, 1992 in order for you to make your decision.

I am enclosing an excerpt from a Federal Highway Administration report regarding the safety and environmental considerations of electric signs. I will let you review the highlighted portions that reference the level of illumination of roadside signs.

In addition to this enclosure, I would also refer you again to the Hereford Town Center Plan that specifically references outdoor advertising signs and the illumination of those signs. The Office of Planning and Zoning has been working with the Greater Jacksonville Association towards a similar Town Plan for Jacksonville. It is the association's desire to maintain and develop the community in a similar fashion to the Hereford area.

At the general membership meeting of our association on March 31, 1992, the resounding opinion of the community members in attendance was total opposition to the signage that was presented at the meeting. This is the same signage entered as an exhibit at the hearing last Thursday. The association has worked with Mr. Grempler on the design of his proposed building and have been very happy with the results. It was felt that opposition to any of the other variance requests was not necessary because of the mutual cooperation. The request for the sign variance however goes counter to the overall community opinion on this issue.

The association requests you to consider heavily the community sentiment against the illumination and size of the sign in your decision.

Sincerely,  
Mitchell A. Daly, Jr.  
President

APR 3 '92 11:02 FROM NATL ELEC SIGN ASSN TO 148666088 PAGE 002/003

...figure required to be as brief as the actual time required to replace one message with another by the system hardware and software in conjunction with minimum performance standards, but an acceptable flash rate must be based upon research through which the tradeoff between the motorist's ability to read the entire message and a flash-rate low enough to avoid excessive attentional attraction can be optimized empirically. The resolution of this issue will also have to take into account the maximum message length (total information cycle) that the motorist is expected to read, and his compulsion to read the entire text.

An initial approach to this problem might proceed as follows. Assume that the goal is that the "average motorist" (one traveling at the 85th percentile speed, perhaps) be able to read a sign's complete message during a fixed percentage (perhaps 30 percent) of the time it will take him to travel from the point at which the sign's message is first legible until he passes it. Then the flash rate would be determined to be that subdivision of the total information cycle length that allows the entire message to be seen once in that time period. For further discussion of this issue refer to H. Total length of information cycle.

K. Brightness and contrast. Like the issue of letter and sign size discussed in a later section, the major parameters affecting sign legibility due to brightness and contrast are well documented in the human factors literature. Two studies of relevance are "Sign Brightness in Relation to Legibility" (Allen, et al., 1966), and "The Luminous Requirements of Retroreflective Highway Signing" (Olson and Bernstein, 1976). Under daytime conditions it is usually irrelevant to talk about a sign that is too bright or contains too much contrast. At night, however, this is not the case. The degree of brightness depends heavily on ambient lighting conditions. The adaptation level of the eye (or the pupil size, or both), and competition from nearby illuminated signs can all interfere

Although it is premature to discuss specific suggestions for upper limits of brightness and contrast in the present report since there are a great many variables which must be taken into account, results from the two studies cited above may be helpful. The Allen, et al. (1966) report, for example, found a noteworthy interaction between sign luminance and ambient illumination when the dependent measure was legibility distance. In their research, a sign of low luminance was seen better in low ambient illumination, and a bright sign was seen better in high ambient illumination. (Studies of the effectiveness of different within-sign contrast levels indicated that it would not be necessary to establish different luminance requirements or restrictions for signs with differently colored backgrounds.) The authors suggested general maximum sign luminance levels, and these are cited below. The reader should bear in mind that, although this was a well-controlled field experiment, neither the signs nor the subjects' task was directly related to the type of situation being addressed in the present report. These conclusions, therefore, should serve only as general guidelines:

...the data suggested that high-luminance signs can change the adaptation level of the eye (or the pupil size, or both). This finding suggests that the

APR 3 '92 11:03 FROM NATL ELEC SIGN ASSN TO 148666088 PAGE 003/003

...of such tasks requiring the installation of unusually bright signs which are unpleasant to the driver and may impair his vision. In the authors' opinion, a "bright" sign would be one that is "bright" for rural locations. For rural locations, luminance about 100 cd/m<sup>2</sup> would be definitely too bright. For illuminated signs, luminance as high as 100 cd/m<sup>2</sup> is probably not permissible. Brightly lit urban areas luminance as high as 500 cd/m<sup>2</sup> or perhaps even higher, might be satisfactory (p. 33).

Lighting engineers and designers speak of two phenomena which may be caused by excessive illumination, and which are closely related. These are disability glare (the more severe), and discomfort glare. The former often results in a reduction in contrast of the visual stimulus (Allen, et al., p. 21), and may adversely affect the driver's ability to read a sign; the latter, as its name implies, makes the sign reading task less pleasant, and may affect the effort which a driver will make to read a sign. Glare sources, some of which were mentioned above, will additionally impair seeing at night since they can change the eye's pupil size and its degree of dark adaptation. Obviously, a brightly illuminated sign, or simply a sign of high luminance, may affect sign reading comfort or ability not only of its own message, but also of nearby signs and road markings as well. When it is remembered that a brightly lit advertising sign could act as a glare source, conceivably affecting the driver's ease of reading nearby official signs and markings, it becomes clear why regulations establishing upper limits on CVWS night-time luminance must be set so as to avoid possible discomfort glare. Such limits are not easily defined, and should be subject to empirical validation.

L. Animation and message flow. The characteristic of a sign or light bank which has perhaps the greatest potential for motorist distraction as well as a dominant visual impact on the aesthetic environment is motion or the illusion of motion of lights or other display features. Signs

Specifically excluded from this section and addressed in other sections of this chapter, are signs in which the message may be changed, electronically or mechanically, by the appearance of complete substitution or replacement of one display by another, but in which the appearance of movement during message display, or of messages appearing to move across the display face, is not present. The distinction being made is that of a changeable message display, in which a message being presented is visually removed and then replaced with another, versus an animated, moving, or dissolving display in which part or all of a message displayed on the sign appears to move during the time it is intended to be read.

N. Size of sign and lettering. It is the function of this report to prescribe to the advertising industry the optimum human factors display characteristics for their products. Yet, with regard to choice of character size, spacing, and typeface used on CVWS visible from the highway, the goals of the

Protestant (S) SIGN-IN SHEET

NAME	ADDRESS
Mr. Charles A. Curry #144	1717 York Ridge Rd Columbia MD 21043

Protestant (S) SIGN-IN SHEET

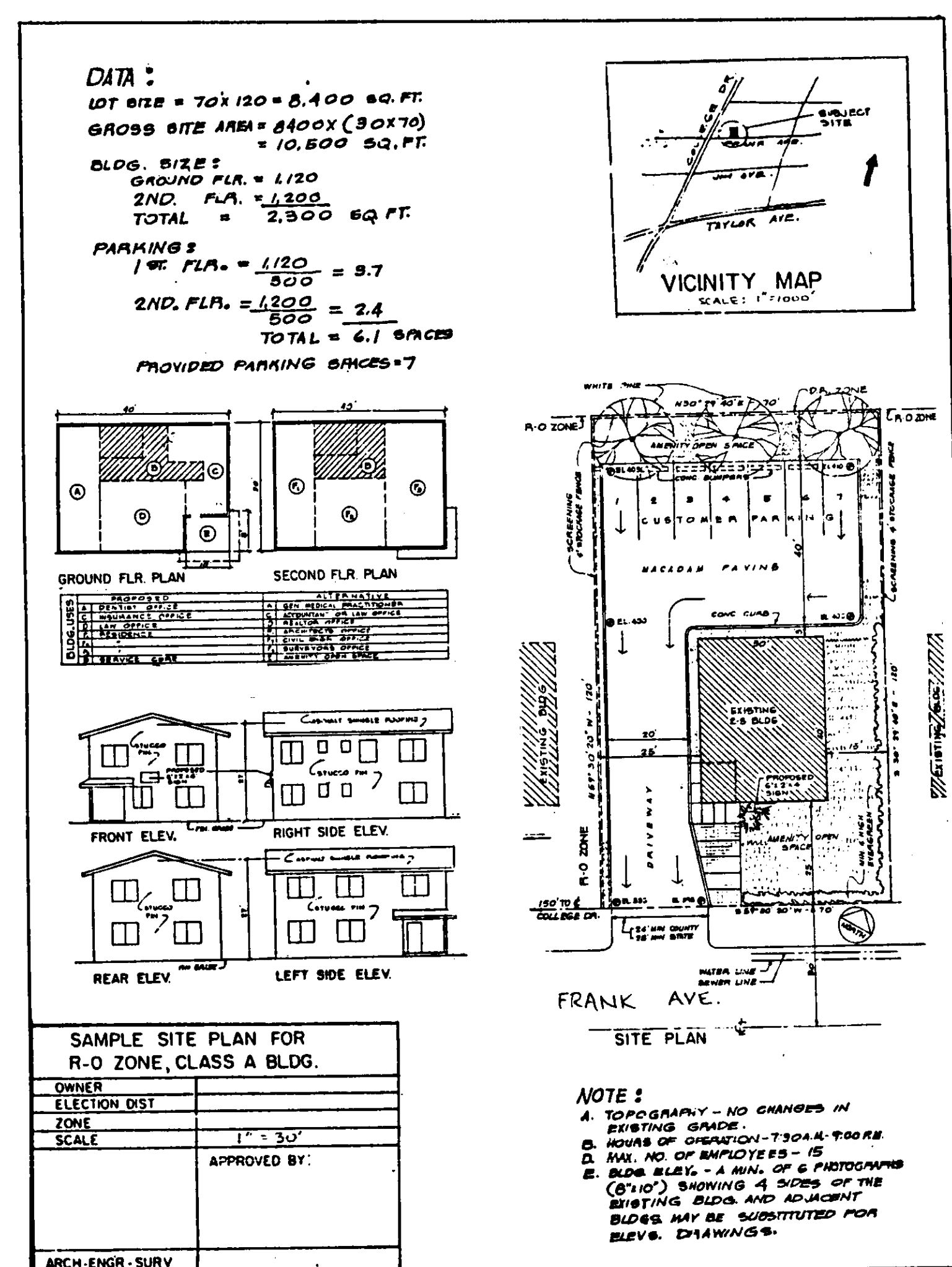
NAME	ADDRESS	PHONE
* Mitchell A. Daly Jr	15807 Ansari Lane	21013
* Kazimierz J. deKozlowski	19 Greenbriar Drive	21131
Norma R. Bergeron	37 Clubview Lane	21131
William F. Bergeron	4 Valleygreen Ct	21131

**HEREFORD COMMUNITY PLAN**



**HEREFORD PLAN COMMITTEE & BALTIMORE COUNTY OFFICE OF PLANNING & ZONING**

SUBMITTED TO THE BALTIMORE COUNTY COUNCIL  
As adopted by Baltimore County Planning Board  
March 15, 1990





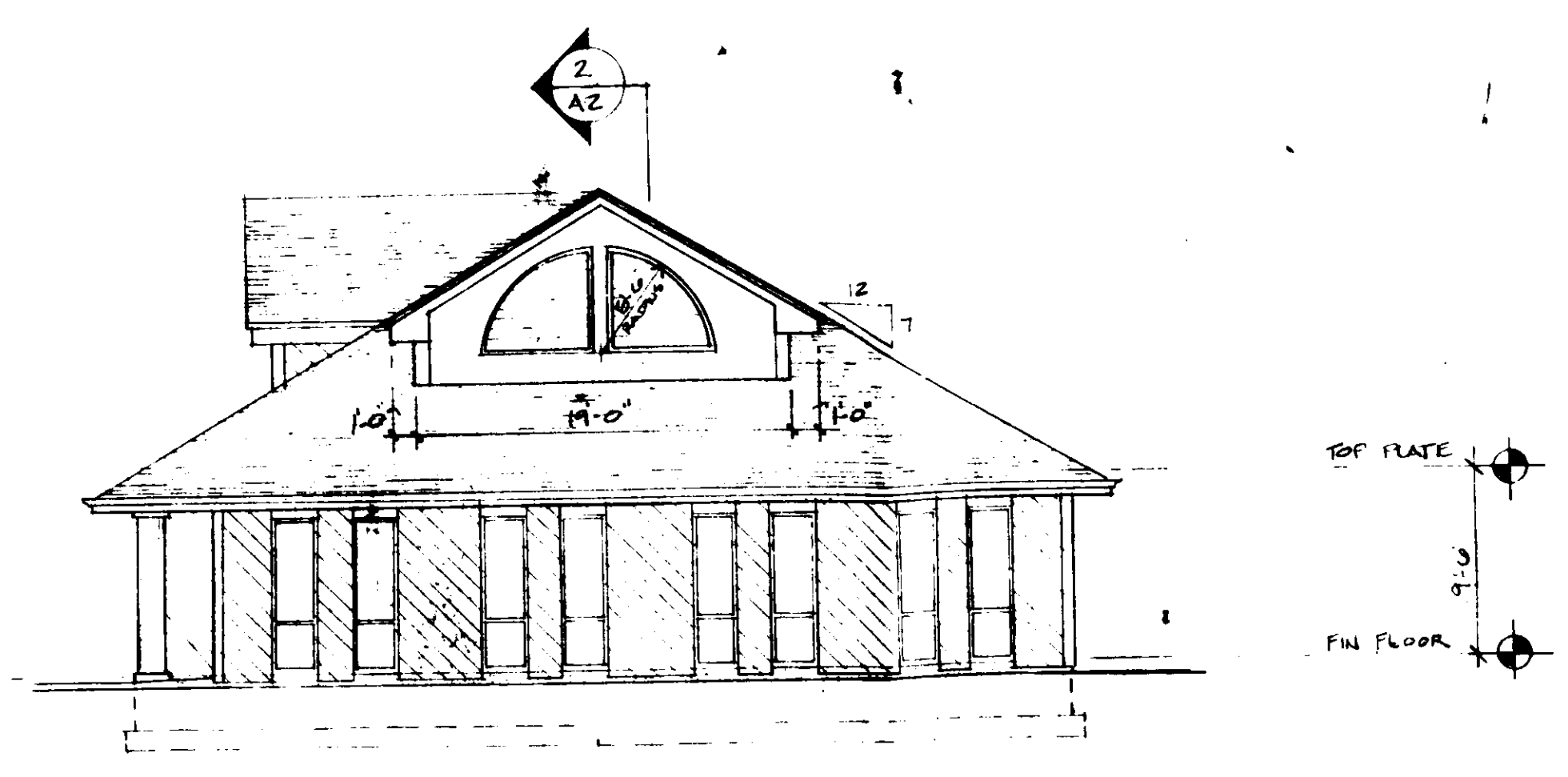
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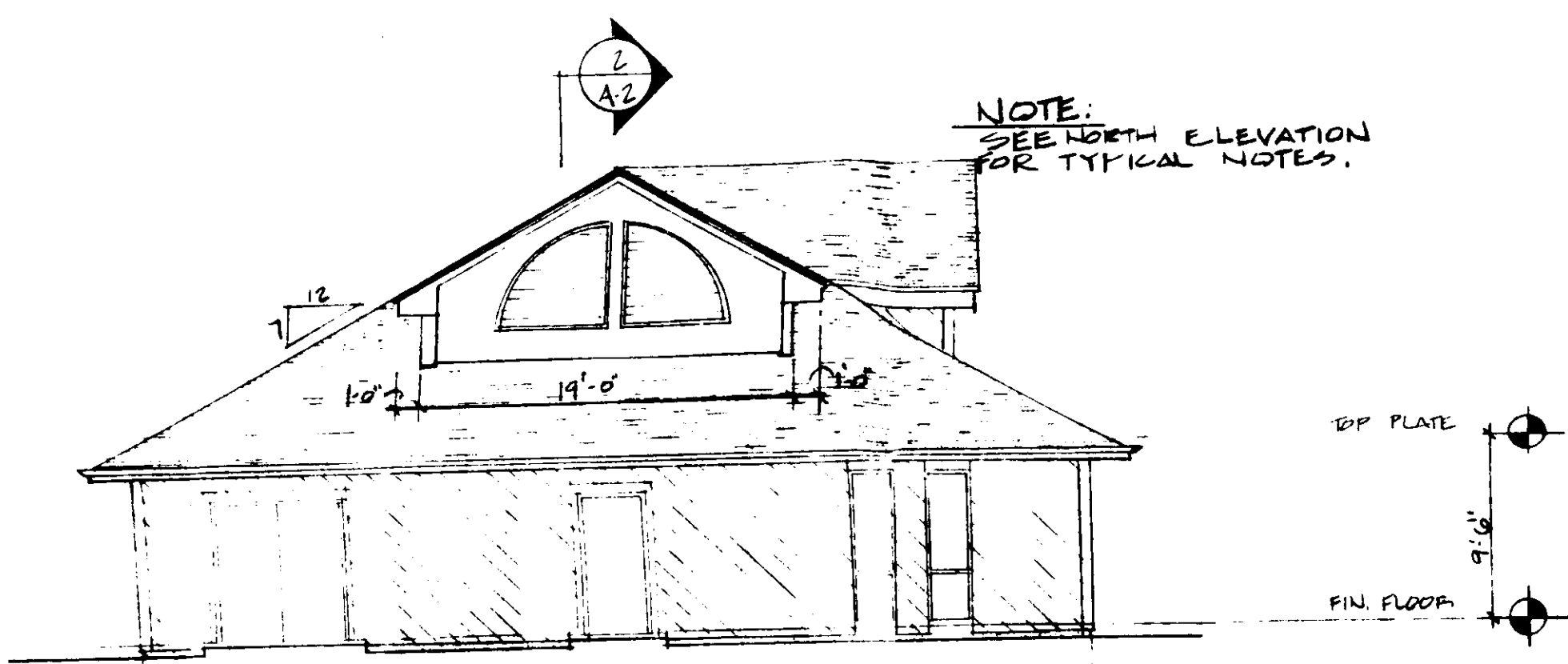
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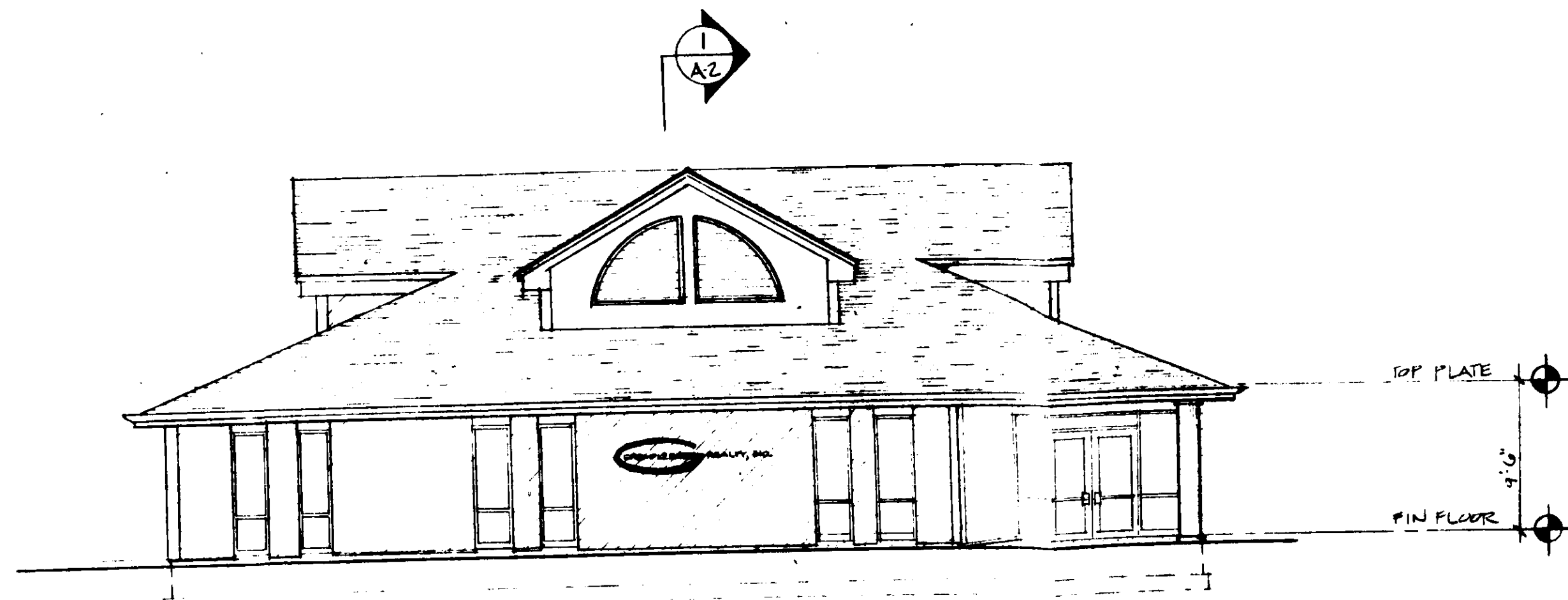
#11



EAST ELEVATION  
18'-0"



WEST ELEVATION  
19'-0"



SOUTH ELEVATION  
18'-0"

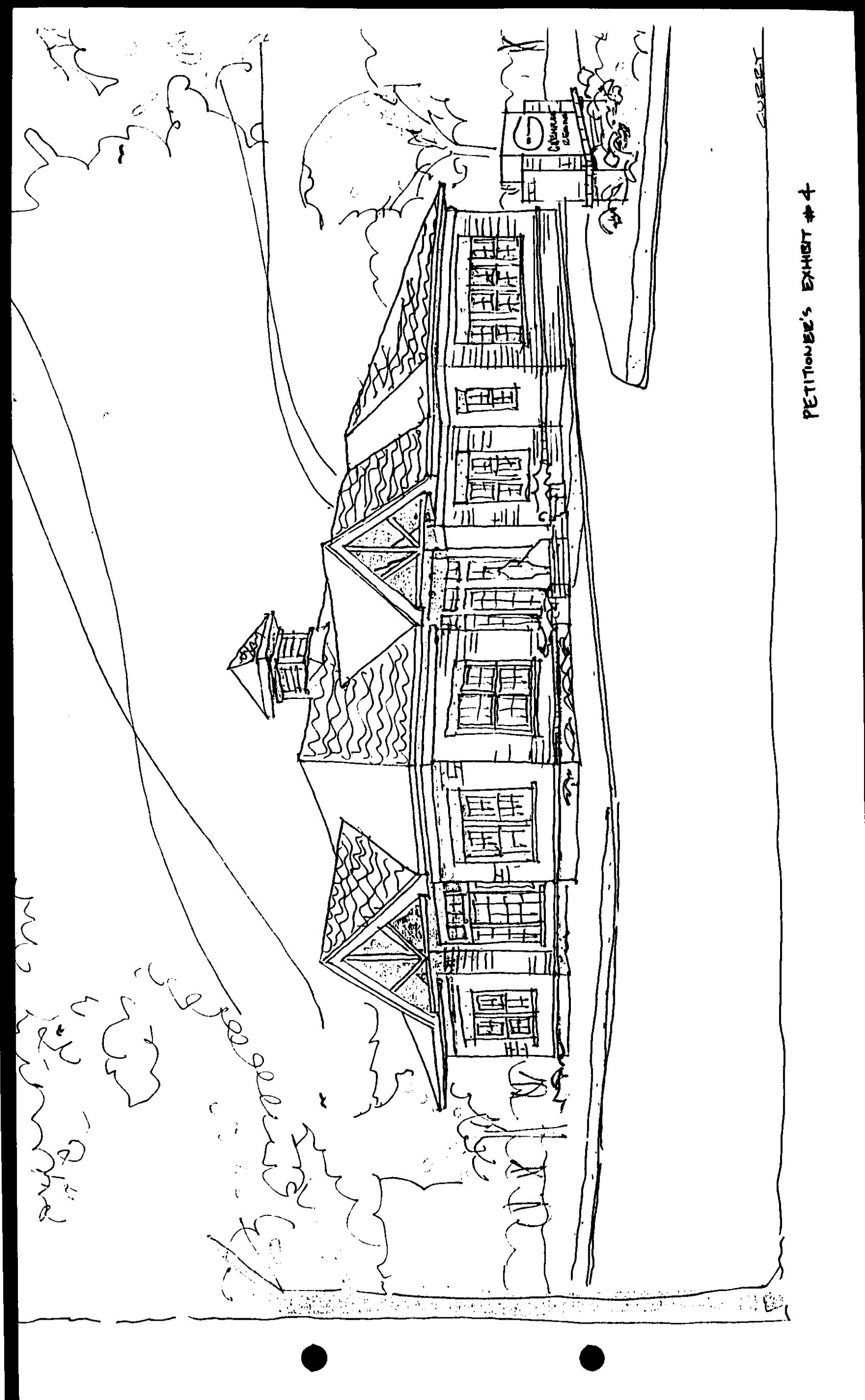
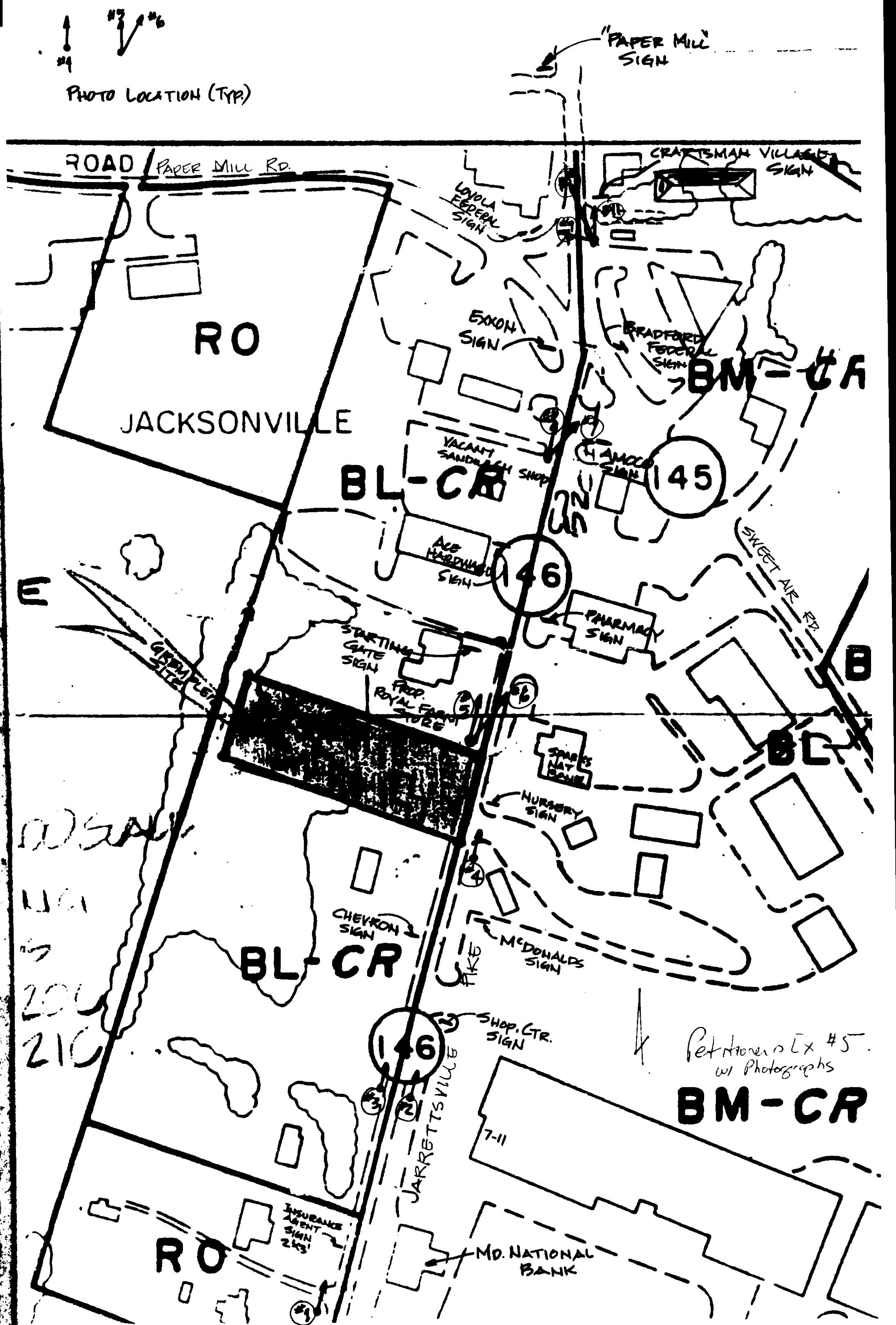
Pet Ex #2

DONALD B. RATCLIFFE & ASSOC.  
ARCHITECTS AND PLANNERS  
10304 Stevenson Road, Stevenson, Maryland 21153  
484-7010

GREMLER OFFICE BUILDING  
7888 EASTERN AVENUE  
BALTIMORE COUNTY, MARYLAND

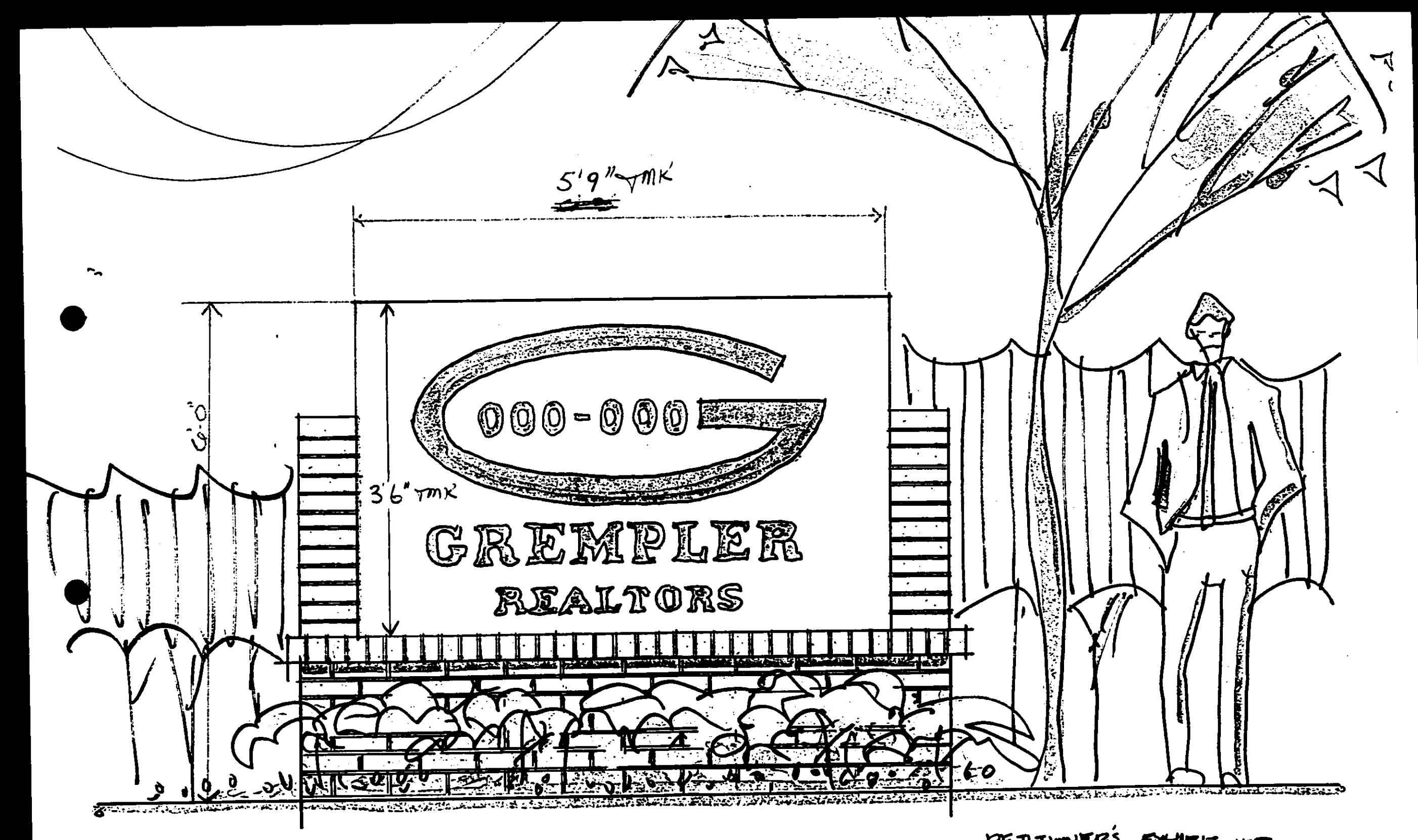
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Drawn  
Scale  
Revised  
Date 3-9-90  
Drawing  
**A1**  
Sheet 1 of 1

PROGRESS POINT 3-9-90

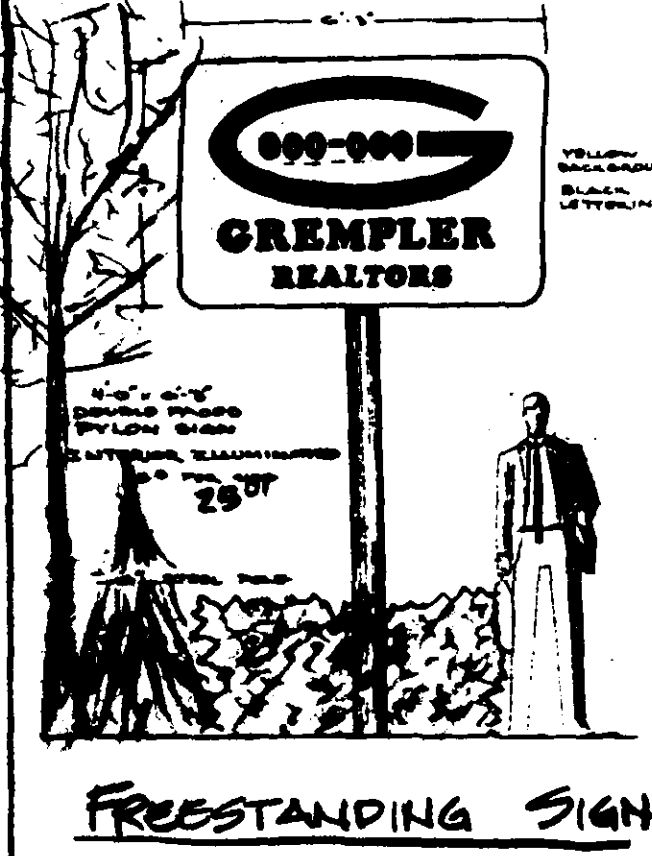
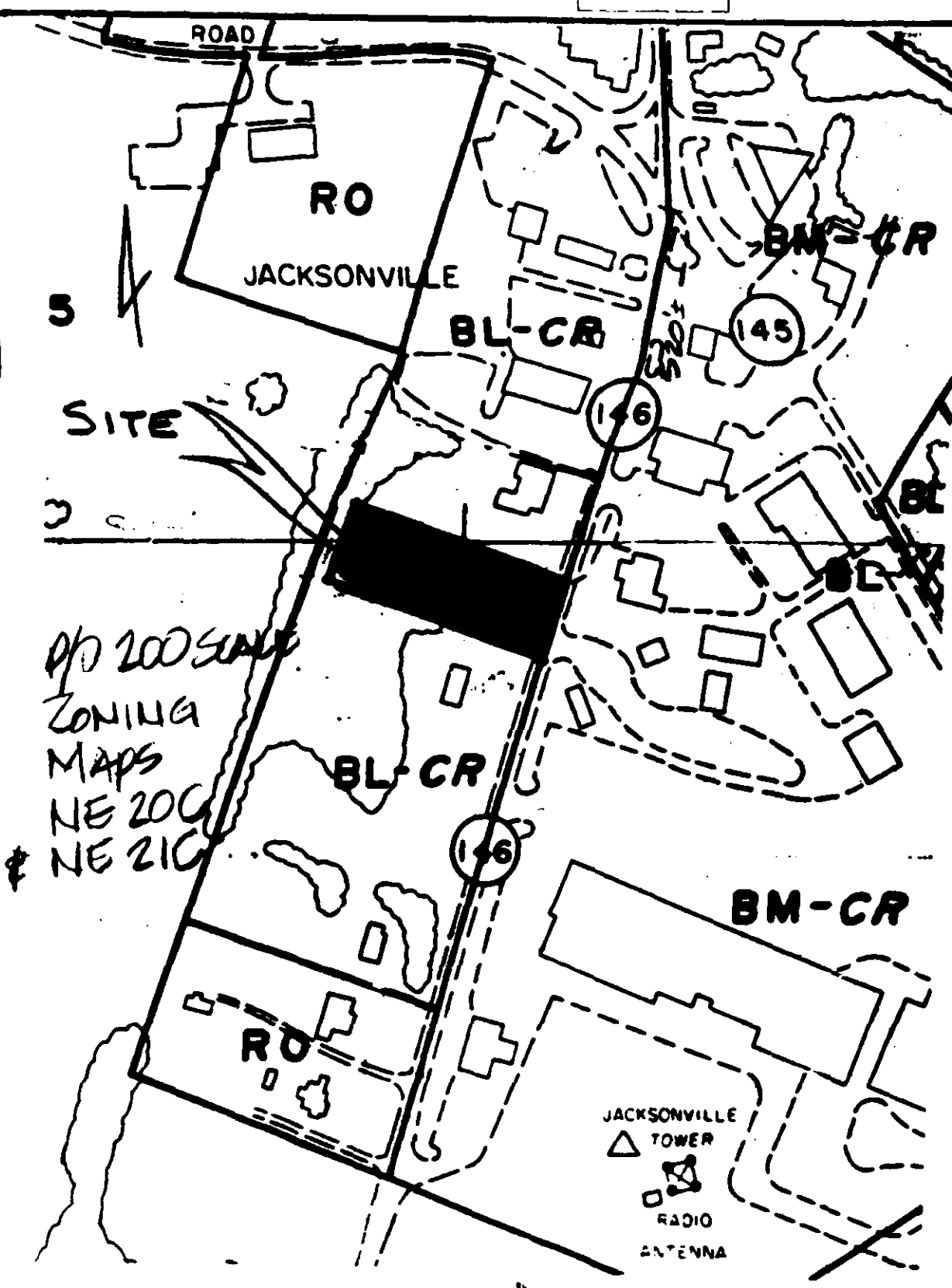
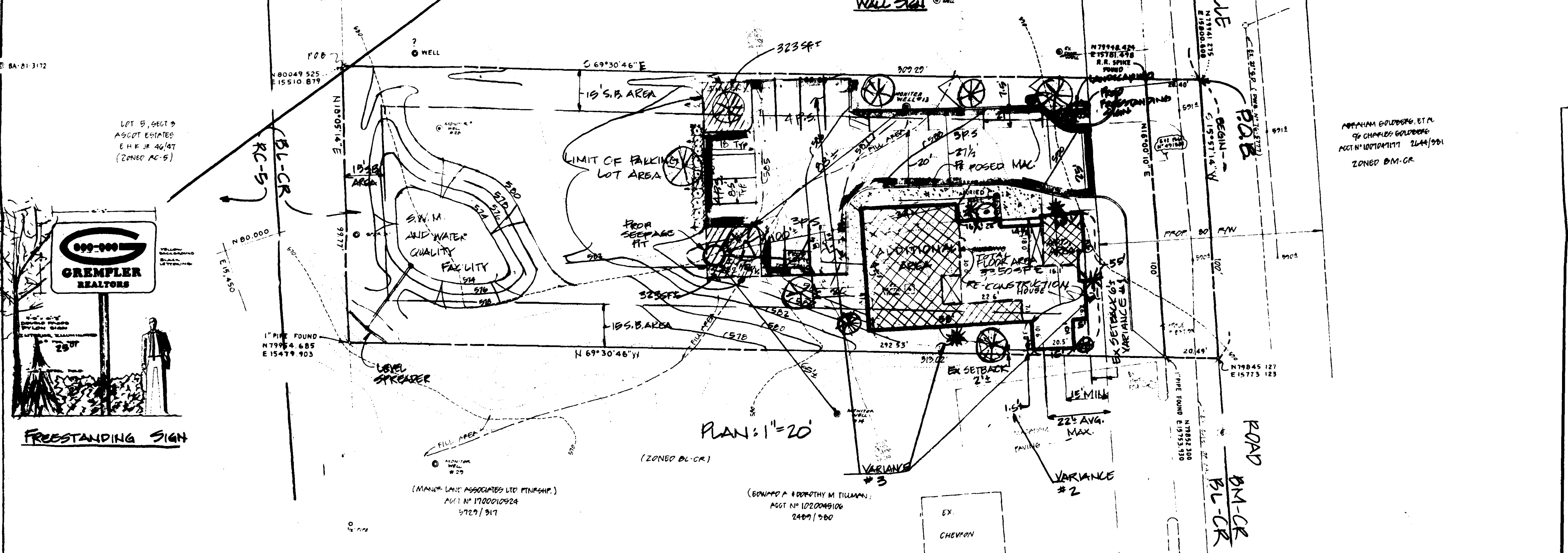
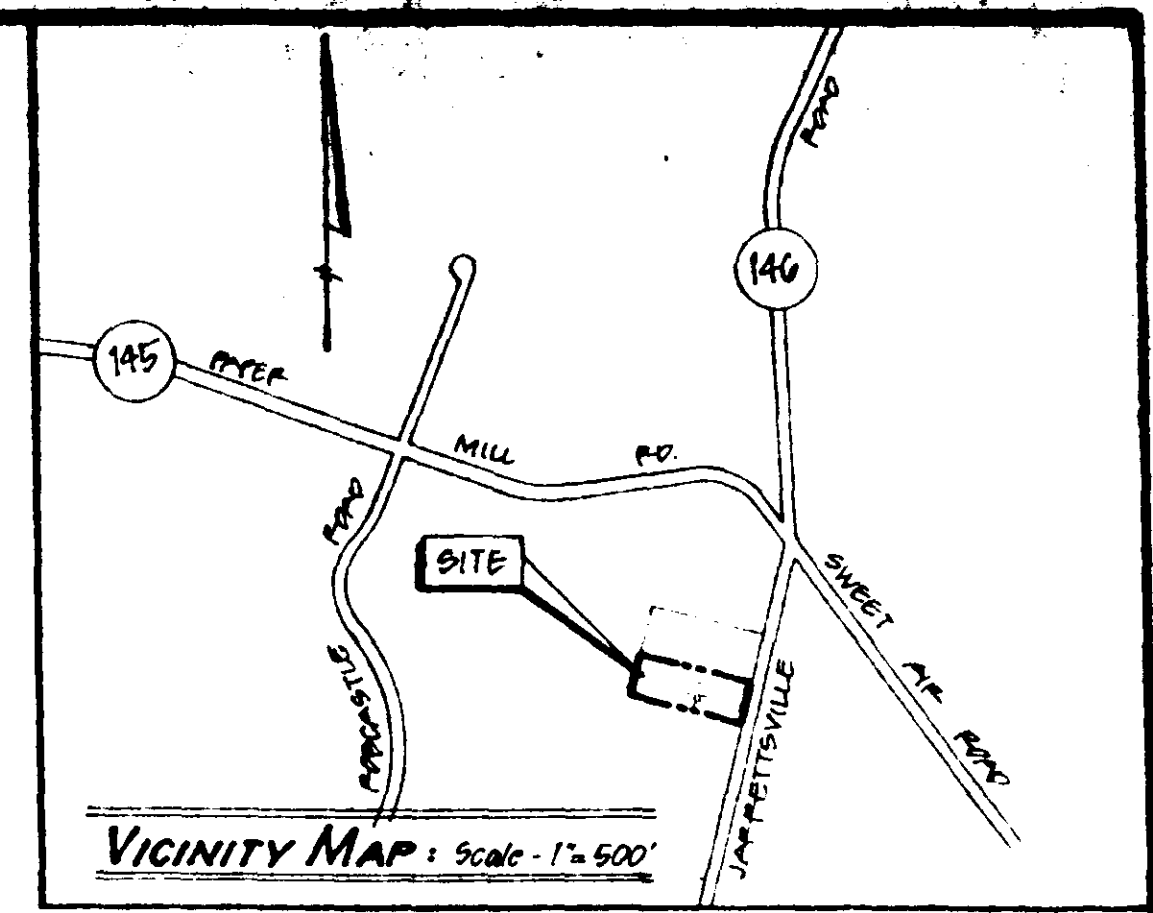
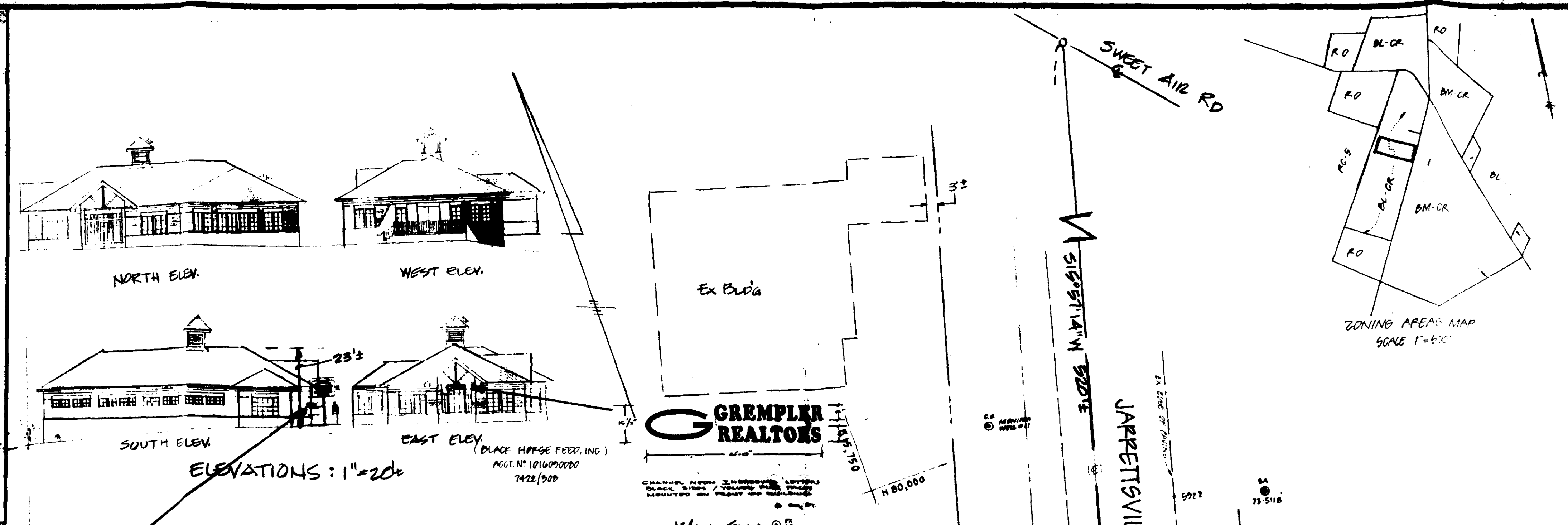
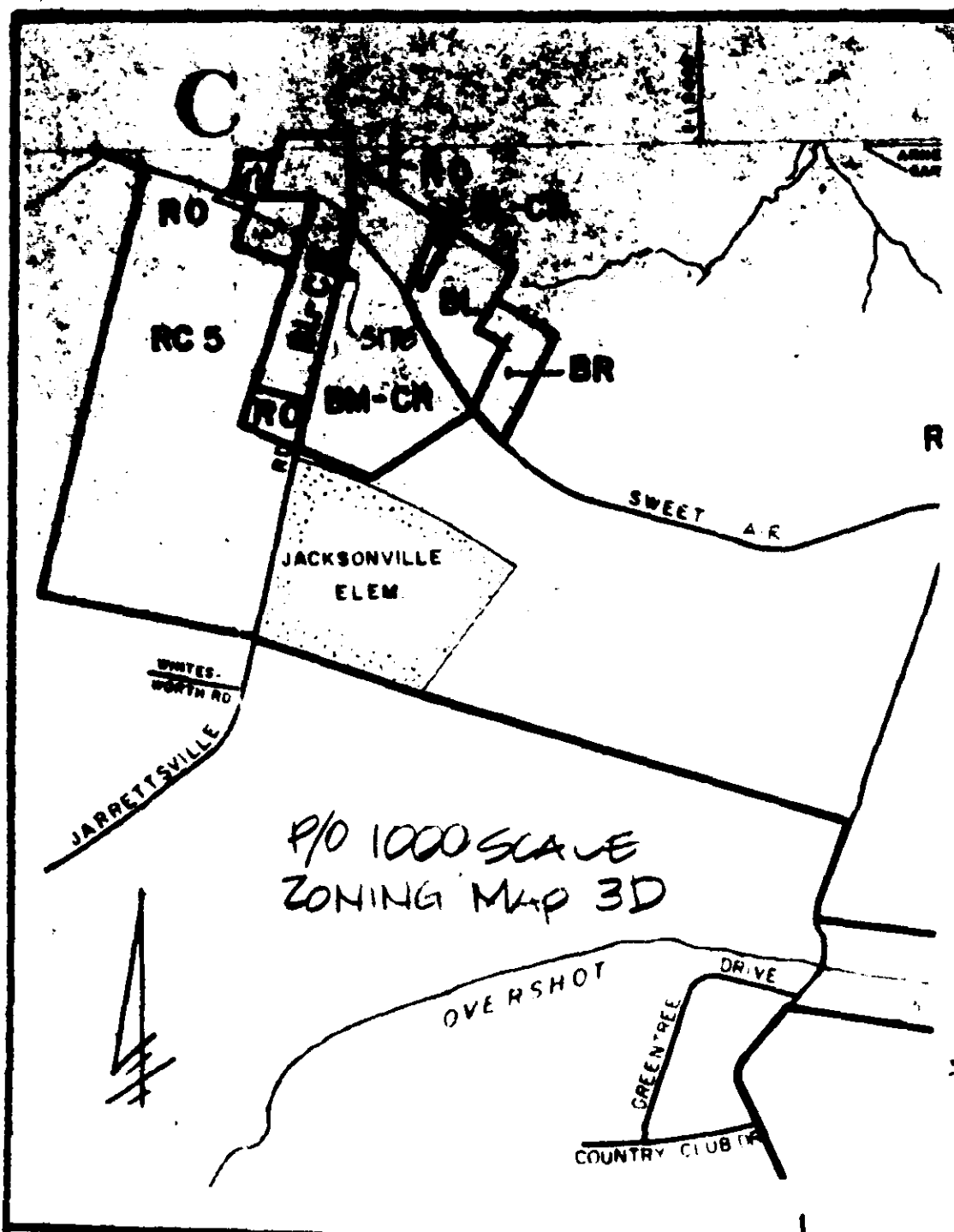


PETITIONER'S EXHIBIT #4

285 G40  
PETA



PETITIONER'S EXHIBIT #7



**SECT: 259.3C.3b**  
 AREA OF PARKING LOT  
 5975 SF  
 INPA AREA REQ = 5,015 x .07  
 = 410.25 SF  
 IMPERVIOUS AREA SHOWN = 666 SF

- VARIANCES**
- FROM SECT. 259.3C.7.C. TO PERMIT ILLUMINATION OF SIGNS PERMITTED UNDER SECT. 259.3C.7 (A & B)
  - FROM SECT. 259.3C.2.A TO PERMIT A FRONT YARD OF 6' AS EXISTS IN LIEU OF THE REQUIRED 15' MIN.
  - FROM SECT. 259.3C.2.B TO PERMIT A SIDE YARD OF 1.5' AS EXISTS IN LIEU OF THE REQUIRED 15'
  - FROM SECT. 259.3C.3.A TO PERMIT LANDSCAPING OF THE VARIANCED SETBACK AREA AND TO PERMIT PARKING IN THE SETBACK AREA IN LIEU OF THE REQUIRED ENTIRE 15' SETBACK TO BE LANDSCAPED.

**PARKING REQUIRED**  
 3.3/1000 SF  
 3.95 x 3.3 = 11.04 = 12 PS REQ.  
 SHOWN  
 3 PARALLEL SPACES @ 7'5" x 10'  
 10 PERPENDICULAR @ 0.5' x 10'  
 1 HANDICAP SPACE @ 13' x 10'  
 14 PS TOTAL SHOWN

**SITE DATA**  
 1) AREA = .71 AC<sup>2</sup> (GROSS)  
 2) FAR PERMITTED = .2 x .71 = .142 x 43560 SF = 6185.92 SF  
 3) FAR PROPOSED = 3,350 / 2727.6 = .106  
 4) SIGNS PERMITTED (SECT 25.3C7)  
 5) DEED REF: B3567187  
 6) PROP # 10-12-000125  
 CRG WAVER # (W91-21) W92-04

PLAT TO ACCOMPANY A Petitioner's Ex #1  
 ZONING PETITION FOR  
 VARIANCES AT THE FILED  
**GREMPLER OFFICE**  
**PROPOSED ADDITION AND RECONSTRUCTION**  
**14220 JARRETSVILLE RD. 322**  
 BALTIMORE COUNTY, MD. ELECT. DIST. 10  
 COUNCILMANIC DIST. #3 MAY 1, 1990  
 REV JUNE 12, 1990  
 REV NOV 1, 1991  
 REV FEB 3, 1992 **ADD SIGN**  
 JOB # 90-0711

**GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.**  
 CIVIL ENGINEERS & LAND SURVEYORS  
 400 HEDDENORTH DRIVE, SUITE 100  
 TOWSON, MARYLAND 21284  
 (410) 283-9120  
**J. S. KING**

**92-321-A**