IN RE: PETITIONS FOR SPECIAL HEARING

AND VARIANCE

SW/S Deereco Road, approx.1460'

SE of c/l Padonia & Deereco Roads *

9515 Deereco Road

8th Election District 4th Councilmanic District

9500 Deereco Road Partnership

Associates, Legal owner

Clifton Gunderson, LLC, Tenant Petitioners

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 97-261-SPHA

AMENDED FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner pursuant to an Order for remand, issued by the County Board of Appeals of Baltimore County ("Board") on June 17, 1997. On that date, the Board granted a joint Petition for Remand, ordering that the case be remanded to the Zoning Commissioner for Baltimore County for consideration of a Petition for Variance for signage.

This matter previously came before this Zoning Commissioner pursuant to a Petition for Special Hearing. That Petition was filed by the property owner, 9500 Deereco Road Partnership Associates, and the Tenant/Lessee, Clifton Gunderson, LLC. The Petition for Special Hearing sought relief for the subject property located at 9515 Deereco Road in Timonium. Specifically, the Petition sought approval for the installation of one wall mounted non-illuminated enterprise sign (Class II) as permitted by the Baltimore County Zoning Commissioner's Policy Manual (Section 413). By an opinion and Order dated April 7, 1997, the Petition for Special Hearing was granted. The opinion fully set forth this Zoning Commissioner's findings of fact and analysis of applicable provisions of the BCZR and the As stated in that decision, I was persuaded that the Policy Manual. proposed sign should be permitted and was appropriate. To the extent that

same is not inconsistent with the findings herein, my prior opinion is hereby adopted and incorporated herein.

An appeal of the decision and Order was timely filed by the Office of Peoples Counsel of Baltimore County. However, as noted above, before the appeal was considered on its merits by the Board of Appeals, the matter was remanded for further proceedings before this Zoning Commissioner.

The new Petition for Variance which has been filed which requests variance relief from Sections 413.2.A and 413.6.A of the BCZR, to permit two stationary building wall signs with 365 sq. ft. of sign area in lieu of the permitted 267 sq. ft. The relief requested is more particularly shown on Petitioners' Exhibit No. 1, the amended plat to accompany the Petition for Variance.

The matter was reconvened for public hearing at which time Terry Hancock, on behalf of Clifton Gunderson, LLC, appeared. As noted in the prior opinion, Clifton Gunderson is a firm of certified public accountants and a major tenant of the building. Also appearing at the second hearing was Linda Shaneor and Bill Russell on behalf of the property owner. Chris Brennan from the sign company, and David Martin from G.W. Stephens, Inc. were also present. As was the case at the first hearing, the Petitioners were represented by Stephen Nolan, Esquire. There were no Protestants or other interested persons present.

As noted in the earlier opinion, the subject property is improved with a 10 story high rise building which contains a number of businesses and commercial tenants. As noted above, Clifton Gunderson is a major tenant in the building. The side of the building, facing I-83, features a wall mounted sign identifying the building as the Timonium Corporate Center. Clifton Gunderson, LLC desires to erect a second wall mounted sign on that building face, including its company name and logo.

Section 413.2.A of the BCZR regulates business signage. Specifically, that section allows a sign to be affixed parallel to a wall of the building for so long as same does not exceed in square feet four times the length of the wall to which is affixed, and if it adjoins the eve of the roof, same shall not extend more than four feet in height above such eve. Section 413.6.A states that stationary building signs are permitted on a building, provided that the sign does not project more than 12 inches from the building; that the sign does not extend above the roof line for the building; and that the surface area of the sign affixed to each wall of the building, does not exceed, in square feet, 1-1/2 times the length of the wall. Variance relief is requested from these sections in that the total signage proposed will occupy 365 sq. ft., in excess of the permitted 267 sq. ft.

In my judgment, the variance relief should be granted. As stated in the earlier opinion, the construction of the two signs depicted on the site plan will not be detrimental to the surrounding properties. This is a large property which is unique by its configuration, size and location. Moreover, the size of the building, itself, is significant. As was observed at the hearing, this is one of the taller buildings in the area and the area of wall surface is substantial. The existing Timonium Corporate Center sign and Clifton Gunderson sign are all appropriate and not out of character for the building this size.

Therefore, for the reasons set forth above, the variance should be granted. I expressly find, based on the testimony and evidence presented, that the Petitioner has satisfied the criteria set forth in Section 307 of the BCZR, as construed by the case law. As noted above, I hold that the property, itself, is unique, based on its size, configuration, location, and improvements thereon. Moreover, a denial of the variance would surely

result in practical difficulty upon the Petitioners, in that, in such event, a permissible use (signage) would not be allowed. Also, there will be no detrimental impact on surrounding properties.

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.

1. The Petitioners are hereby made aware that proceeding at this time is at its 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.

LAWRENCE É. SCHMIDT Zoning Commissioner for Baltimore County

LES:mmn

JOINT MOTION TO REMAND

PEOPLE'S COUNSEL FOR BALTIMORE COUNTY and PETITIONERS 9500

DEERECO ROAD PARTNERSHIP ASSOCIATES and CLIFTON GUNDERSON, LLC,

jointly move to remand this case for further proceedings, for these reasons:

- 1. PEOPLE'S COUNSEL has appealed this business wall sign approval because it exceeds the area allowed by BCZR 413.2 and therefore requires a variance.
- 2. PEOPLE'S COUNSEL believes that the Zoning Commissioner's Policy Manual provision purporting to authorize the sign is in conflict with the law and therefore invalid under County Code Sec. 26-135.
- 3. Following discussion with Petitioners' counsel, PEOPLE'S COUNSEL and PETITIONERS both believe it would be appropriate to remand the case to the Zoning Commissioner to afford Petitioners the opportunity to amend their petition to add a request for variance, post the property, and proceed to another hearing.
- 4. This procedure would be without prejudice to Petitioners' right to litigate or pursue their Special Hearing based on the Zoning Commissioner's Policy Manual.

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5. In the event, however, that the case is resolved on the basis of the variance, it is possible that the Special Hearing request will be most and that protracted litigation may not be necessary.

WHEREFORE, PEOPLE'S COUNSEL FOR BALTIMORE COUNTY and PETITIONERS 9500 DEERECO ROAD PARTNERSHIP ASSOCIATES and CLIFTON GUNDERSON, LLC, request a hearing and deliberation on this Motion, and an Order remanding the case to the Zoning Commissioner for further proceedings.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel

Room 47, Courthouse

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

STEPHEN J. NOLAN

Nolan, Plumhoff & Williams

502 Washington Avenue, Suite 700

Towson, MD 21204

(410) 823-7800

Attorney for Petitioners

One One Manager Filling

By

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE

SW/S Deereco Road, approx.1460'

SE of c/l Padonia & Deereco Roads * ZONING COMMISSIONER

9515 Deereco Road

8th Election District * OF BALTIMORE COUNTY

4th Councilmanic District

9500 Deereco Road Partnership * Case No. 97-261-SPH

Associates, Legal owner

Clifton Gunderson, LLC, Tenant *

Petitioner

* * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 9515 Decreco Road in Timonium. The Petition is filed by 9500 Decreco Road Partnership Associates, property owner, and Clifton Gunderson LLC, tenant. The Petitioner seeks approval of the installation of wall mounted non-illuminated enterprise sign (Class 11) as permitted by the Baltimore County Zoning Commissioner's Policy Manual (Section 413). The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case were Terry Hancock, CPA and Susan Gorham on behalf of Clifton Gunderson, L.L.C. Clifton Gunderson, L.L.C. is a firm of certified public accountants and a major tenant on the subject property. Also present was Linda Shaneor and Bill Russell on behalf of Hill Management, the managers of the property engaged in that capacity by the property owner. Also present was Chris Brennan from Belsinger Sign Works, Inc., and Jim Kline from G.W. Stephens. G.W. Stephens prepared the site plan. The Petitioner was represented by Stephen J. Nolan, Esquire. There were no Protestants or other interested persons present.

Date Date The Filling By

The property at issue is well known to this Zoning Commissioner and is located adjacent to Interstate 83 in Timonium. The site is an irregularly shaped parcel zoned M.L.-I.M. The property is improved with a 10 story masonry and glass office building in which the offices of Clifton Gunderson, L.L.C. are located. The site also contains a large parking area which is accessory to the office building use.

Presently there exists a wall mounted sign located above the 10th floor identifying the building as the "Timonium Corporate Center". This sign is not illuminated and faces traffic on I-83. The Petitioner proposes constructing a second wall mounted sign identifying Clifton Gunderson, L.L.C. as a major tenant in the building. In addition to the name of the firm, Clifton Gunderson's logo will also be attached to the building. Special hearing relief is requested to approve this sign.

The Baltimore County Zoning Regulations regulates signage within Section 413. Moreover, certain definitions relative to those regulations are provided within Section 101 of the BCZR. Therein, a business sign is defined as "A sign which causes attention to a business, service, industry, or other activity conducted on the premises upon which the sign is located." Surely, this general definition encompasses the proposed business sign.

The Zoning Commissioner's Policy Manual adopted on May 13, 1992 further delineates the regulation of signage in Baltimore County. The Policy Manual identifies a number of different classes of sign and regulates the uses of these different types of signage. Signs are classified according to characteristic, use, etc. Among the classifications listed are joint identification signs, shown in the Policy Manual as Class 14. Joint identification signs are defined as displaying the identity of a multi-occupant non-residential development including an office building.

SADER FILTING Date

Date

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Surely, the Timonium Corporate Center sign is a joint identification sign under this definition. The sign generally describes the use ongoing on the property as a whole without specifically identifying any particular tenant.

Also contained within the Policy Manual is a description of an enterprise sign, Class 11. An enterprise sign is defined as a commercial sign that displays the identity of a specific tenant or commercial entity. The Clifton Gunderson sign is such a sign, in that a particular business activity/tenant are identified.

Wall mounted enterprise signs in an M.L. zone are limited to an area in square feet of 1.5 times the length of the wall of the building on which they are situated. Testimony and evidence offered by Mr. Kline, in this regard, was that the subject building's wall is 178 ft., thus, an area of 267 sq. ft. would be allowed for an enterprise sign. The subject Clifton Gunderson sign which is proposed is 166.5 sq. ft., within the limit allowed.

Other testimony offered at the hearing was that the Clifton Gunderson sign is necessary to identify the firm's location and advertise same. In this regard, counsel proffered that Clifton Gunderson is a professional Certified Public Accountant firm with an expanding presence in the Baltimore Metropolitan Area. It was also noted that the proposed sign will be compatible with the building and surrounding uses. In this regard, representatives from Hill Management noted that no complaints had been received by them about the proposed sign and that the property owner was agreeable to the construction of the sign proposed.

The BCZR and the Zoning Commissioner's Policy Manual are not compatible in their treatment of signage. As noted above, the Policy Manual defines a number of different types of signs which are not designated in

Date Date Ship Por Filing
By

the BCZR. Moreover, it is clear that the BCZR is controlling. Business signs in the ML zone are permitted pursuant to Section 413.6 of the BCZR. An examination of that section discloses that the proposed sign is in compliance with all standards contained therein.

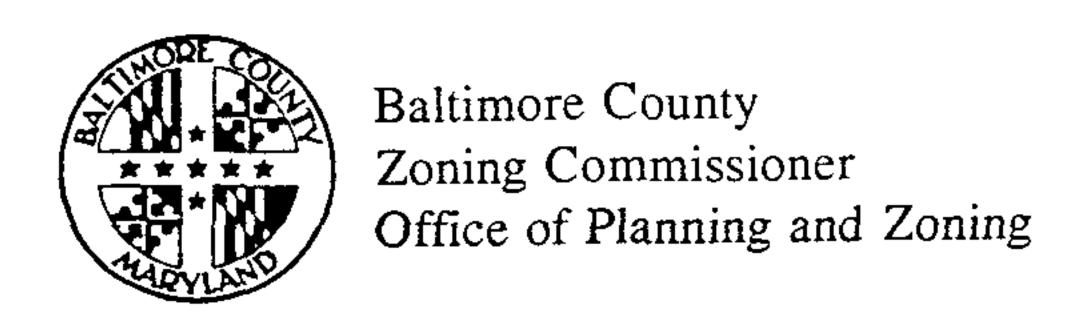
For these reasons, I am persuaded that the proposed sign should be permitted. In my judgment, the proposal is consistent not only with the provisions of the BCZR, but also with the requirements of the Policy Manual. Although the BCZR and Policy Manual are in conflict, the sign complies with the spirit and intent and express language of both sources. Moreover, it is clear that the proposal will not be detrimental to the subject locale and is compatible with the use of the subject property.

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.

1. The Petitioner is hereby made aware that proceeding at this time is at its 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:mmn



Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

April 4, 1997

Stephen J. Nolan, Esquire Nolan, Plumhoff and Williams, Chtd. Suite 700, Nottingham Centre 502 Washington Avenue Towson, Maryland 21204

RE: Petition for Special Hearing
Case No. 97-261-SPH
Property: 9515 Deereco Road
9500 Deereco Road Partnership Assoc., Petitioner

Dear Mr. Nolan:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restriction, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:mmn encl.

c: Anthony E. Julio, General Partner 9500 Deereco Road Partnership Assoc. 10 Parks Avenue, Cockeysville, Md. 21030-4922



Petition for Special Hearing

97-261-5PHto the Zoning Commissioner of Baltimore County

for the property located at

9515 Deereco Road

which is presently zoned

ML-IM

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve the installation of one wall-mounted, non-illuminated enterprise sign (Class II) as permitted by the Baltimore County Zoning Commissioner's Policy Manual (Section 413).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing 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 penjury, that I/we are the legal owner(s) of the property which is the subject of this Petition
Σζηταξιβεία (Lessee:	Legal Owner(s)
Clifton Gunderson, L.L.C.	9500 Deereco Road Partnership Associates
(Type or frint Name) y: Signature T. Hancock, Member-in-Charge	(Type or Print Name) Signature
9515 Deereco Road, Suite 500 Address	Anthony · E. Julio (Type or Print Name)
Baltimore Maryland 21093	6en 200
City State Zipcode	Signature (G) - 1
	10 Parks Avenue
Attorney for Petitioner. Stephen J. Nolan, Esquire	Address Phone No
Nolan, Plumhoff & Williams, Chtd.	Cockeysville Maryland 21030-4922
(Type or Print Name) Alephen J. Nollan	City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representative to be contacted. Stephen J. Nolan, Esq. Nolan Dismboff S. William Chal
Suite 700 - Nottingham Centre	Nolan, Plumhoff & Williams, Chtd. Name Suite 700 - Nottingham Centre 502 Washington Avenue 823-7800
502 Washington Ave. 823-7800 Address Phone No	Address Towson, MD 21204 Phone No.
Towson Maryland 21204	OFFICE USE ONLY
City State Zipcode	ESTIMATED LENGTH OF HEARING unavailable for Hearing
	the following dates Next Two Months
No REVIEW	ALLOTHER
■	REVIEWED BY:DATE
12/16/96	



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

9515 Deereco Road

which is presently zoned

ML-IM

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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(s) 413.2 A. and 413.6.A. to permit two (2) stationary building wall signs with 365 sq. ft. of sign area in lieu of the permitted 267 sq. ft.

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

See Attached

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.

Address Phone No Cockeysville MD 21030-4922 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representative to be contacted Stephen J. Nolan Nolan, Plumhoff & Williams, Chtd.
Signature
Signature Anthony E. Julio (Type or Print Name)
9500 Deereco Road Partnership Associat (Type or Print Name)
•

RESET FOR UULY 15, 1997, 94,11,

REASONS IN SUPPORT OF REQUESTED SIGN RELIEF AND VARIANCES

- 1. The Petitioners originally filed and were granted 2 signs of this size pursuant to the Policy Manual by Decision dated April 7, 1997. There were no protestants.
- 2. The People's Counsel entered an appeal, not objecting on the merits of the case, but saying that the Sign Regulations, Section 413 *et seq*. of the BCZR are in conflict with the purported greater sign area allowance of the Policy Manual -- i.e. 547 square feet per Manual -- See Site Plan of December 9, 1996, v. 267 square feet BCZR 4x length of wall to which mounted.
- 3. The subject building is on the west side of Deereco Road, and east side of I-83, south of Padonia Road. The existing wall sign identifies "Timonium Corporate Center", the name of the building, and it comprises 198 square feet, non-illuminated. The Petitioners wish to add a second, non-illuminated wall sign to the same wall stating the name of the principal tenant with its logo "Clifton Gunderson, L.L.C."
- 4. The proposed, second sign, like the first, is meant to be visible from both I-83 and Deereco Road in a northbound direction only.
- 5. The signs are in proportion to one another, and are in proportion to the building, to the roads and to the need to inform each road's business visitors of the name of the building and principal tenant.
- 6. The size, height, and two roads to be covered all mark this sign and building as unique, and peculiar to this site and structure. It is the tallest building by far of all on the west side of Deereco Road and east side of I-83.
- 7. It would be inappropriate to require removal of the first sign and/or radical downsizing of the second, and contrary to aesthetics and motorist safety, its objects.
- 8. The two signs appropriately occupy less than one half of the unique, banded parapet on top of the tenth, the top floor.
- 9. The proposed sign will foster the health (economic of the building and area and actual health and safety of motorists looking for the tenant and the building) safety (legible to motorists at 55 to 65 MPH on I-83) and welfare of the area involved consistent with the Policy Manual and in an appropriate size and design as to the building and the signs' purposes.
 - 10. For such other and further reasons as shall be brought out at the remanded hearing herein.

Stephen J. Nolan

Stephen J. Nolan

Nolan, Plumhoff & Williams, Chtd.

Suite 700 - Nottingham Centre 502 Washington Avenue

Towson, Maryland 21204

(410) 823-7800

Attorneys for Petitioners



97-261-SPH

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC. CONSULTING ENGINEERS

GEORGE WILLIAM STEPHENS, JR

(1888-1983)

W HARRY JESSOP, JR., PLS CHIEF EXECUTIVE OFFICER

CHARLES E FICK, PE

PRESIDENT

LEONARD A PARRISH, PE

VICE PRESIDENT

BEL AIR

SENIOR ASSOCIATES

WAYNE E MAISENHOLDER PLS PAUL W TAYLOR PE

ASSOCIATES

JOHN M CONWELL JR PE ROWAN G GLIDDEN LA GERALD P MARAGOS PE & PLS WALTER H. NOYES, PL S. RICHARD I. UMBARGER PE

Date: December 12, 1996

ASSOCIATES

TOWSON

SENIOR ASSOCIATES

FREDERICK N CHADSEY IV PF

ROBERT B BARKELL

PASQUALE R CIARLO

ROBERT P HENRY PLS

NICHOLAS I BRADER III, PE WALTER F EISNER PLN JAMES A MARKLE PE DAVID I MARTIN LA ROBERT W MATIS PPLS BERNT C PETERSEN LA EVERETTE C SMITH PLS IWONA ROSTEK-ZARSKA PF THOMAS N WOOLFOLK, JR. LA.

> Petition To Accompany A Petition For A Special Hearing

Re: Timonium Corporate Center 9515 Deereco Road

Beginning at a point located South 30° East ± 1460 feet more or less from the point of intersection of the centerlines of Deereco Road and Padonia Road, thence in a clockwise direction:

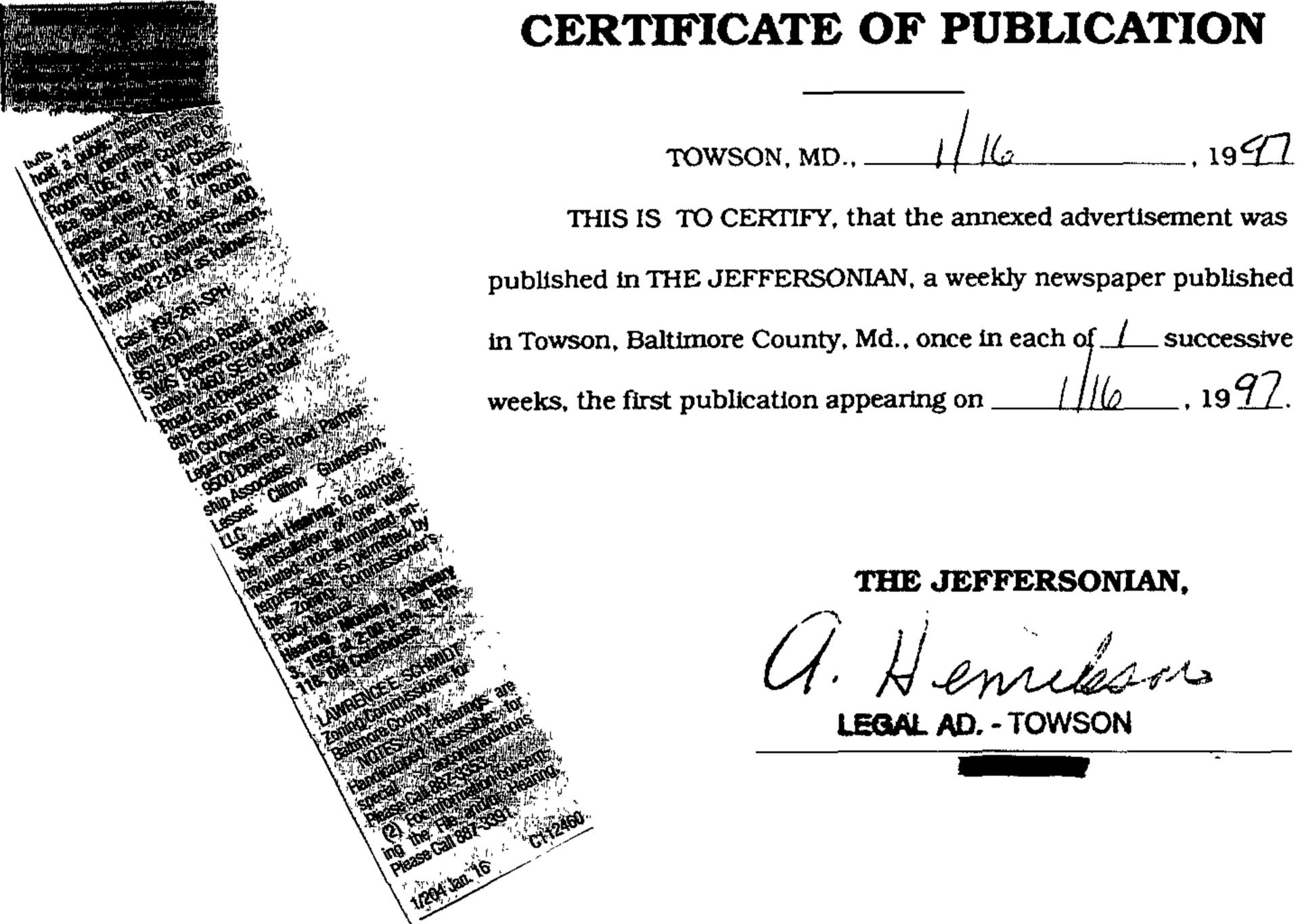
- 1) S 53° 11' 02" E 10 Feet ±
- 2) \$ 36° 48' 58" W 180 Feet ±
- 3) N 53° 11' 02" W 10 Feet ±

And 4) N 36° 48' 58" E 180 Feet ± to the place of beginning.

Containing 1800 square feet of land more or less.

This description is for zoning purposes only and not intended to be used for conveyances or agreement.





CERTIFICATE OF PUBLICATION

TOWSON, MD.,	
S TO CERTIFY, that t	he annexed advertisement was
THE JEFFERSONIAN,	a weekly newspaper published

weeks, the first publication appearing on 100, 1997.

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

OFFICE OF	RE COUNTY, MARYLAND FINANCE · REVENUE DIVISION NEOUS CASH RECEIPT	No. 028513 DROP-OFF — NO REVIEW ITEM #261
DATE	12/16/96ACCOUNT.	001-6150
	AMOUNT.	\$ 250.00 (WCR)
RECEIVED	Clifton Gunderson	LLC
	#040 L SP	ECIAL HEARING
	9515 Deereco Ro	ad
FOR:	<u> ·</u>	<u>,</u>
	0269180346M BA CV02124PI	
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	F BUDGET & FINANCE LANEOUS RECEIPT			No.	044516
DATE	12, 16/97	ACCOUNT	001-	6150	· ·
		AMOUNT \$	250.30	(WCP)	
RECEIVED FROM:	Nolan,	Plumhoff	& Willi	วพร	<u></u> ,
FOR:	#020 - VA	RIANCE	 		
	9515 Deers Addition	ecc Road nal Varia	nce	#G7-26	51-SFH

YELLOW - CUSTOMER

BALTIMORE COUNTY, MA' '.AND

PINK - AGENCY

DISTRIBUTION

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CASHIER'S VALIDATION

CERTIFICATE OF POSTING

cert.doc

	RE: Case No.: 97-66/5PH
	Petitioner/Developer:
	Date of Hearing/Closing:
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
This letter is to certify under the penalties of perwere posted conspicuously on the property local 9515 DEER ECO	ted at
The sign(s) were posted on $\frac{5/30}{}$	97
	Month, Day, Year)
	Sincerely, (Signature of Sign Poster and Date)
	(Printed Name)
	(Address)
•	(City, State, Zip Code)
9/96	(Telephone Number)

CERTIFICATE OF POSTING

RE: Case No.: 977-261 SPH

Petitioner/Developer: CLIFTON/GUNDERSON LLP

905TEYE NOLAN, ESQ

Date of Hearing/Closing: 7 15 97

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at # 1515 DEERECO ROAD The sign(s) were posted on (Month, Day, Year)

Sincerely,

(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

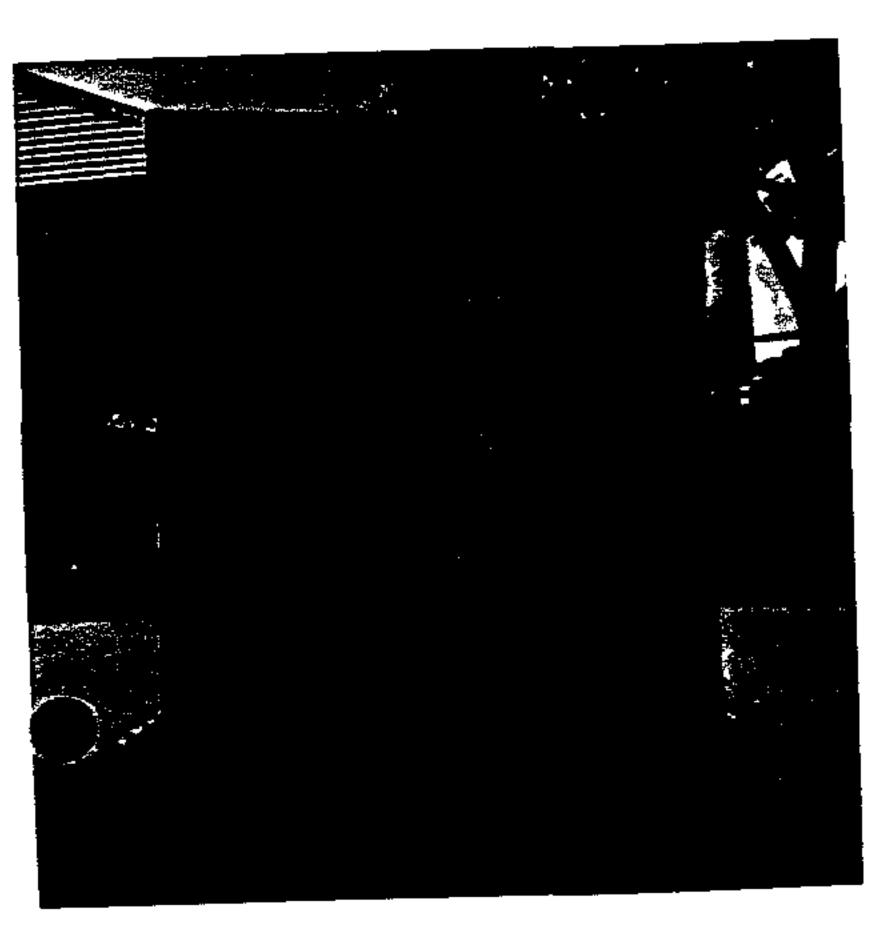
Hunt Valley, MD 21030

(City, State, Zip Code)

[410] 666-5366

Pager (410) 646-8354

(Telephone Number)



497-261 SPH H975 DEERECO ROAD

Request for Zoning: Varia Special Exception, or Special Hearing	
Date to be Posted: Anytime before but no later than	97-261-5PH
Format for Sign Printing, Black Letters on White Background:	

ZONING NOTICE

Case No.: 99-261-5PH

APPENDENCE COMMISSIONER
INTOWSON MD

PLACE:	·····	<u> </u>		<u> </u>		 -
DATE AND TIME:				· <u> </u>		·
REQUEST: SP	ECIAL	HEA	RING	3 TO	APPRO	E THE
INSTALLA						
NON-ILLU						-
LISTED						

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.

TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PUTUXENT PUBLISHING COMPANY

January 16, 1997 Issue - Jeffersonian

Please foward billing to:

Stephen J. Nolan, Esq.
Nolan, Plumhoff & Williams, Chtd.
Nottingham Centre #700
502 Washington Avenue
Towson, MD 21204
823-7800

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-261-SPH (Item 261)

9515 Deereco Road

SW/S Deereco Road, approximately 1460' SE of c/l Padonia Road and Deereco Road

8th Election District - 4th Councilmanic

Legal Owner(s): 9500 Deereco Road Partnership Associates

Lessee: Clifton Gunderson, LLC

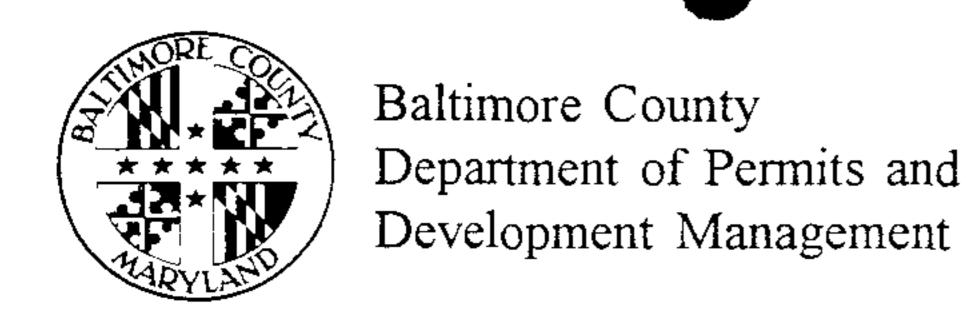
Special Hearing to approve the installation of one wall-mounted, non-illuminated enterprise sign as permitted by the Zoning Commissioner's Policy Manaul.

HEARING: MONDAY, FEBRUARY 3, 1997 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMEDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

January 10, 1997

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-261-SPH (Item 261)

9515 Deereco Road

SW/S Deereco Road, approximately 1460' SE of c/l Padonia Road and Deereco Road

8th Election District - 4th Councilmanic

Legal Owner(s): 9500 Deereco Road Partnership Associates

Lessee: Clifton Gunderson, LLC

Special Hearing to approve the installation of one wall-mounted, non-illuminated enterprise sign as permitted by the Zoning Commissioner's Policy Manaul.

HEARING: MONDAY, FEBRUARY 3, 1997 at 2:00 p.m. in Room 118, Old Courthouse.

Arnold Jablon

Director

cc: 9500 Deereco Road Partnership Associates

Clifton Gunderson, L.L.C. Stephen J. Nolan, Esq.

NOTES: (1) YOU MUST HAVE THE ZONTING NOTICE SIGN POSTED ON THE PROPERTY BY JANUARY 19, 1997.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

January 26, 1998

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER 97-261-SPHA

9515 Deereco Road

SW/S Deereco Road, approximately 1460' SE of centerline Padonia and Deereco Roads

8th Election District - 4th Councilmanic District

Legal Owner: 9500 Deereco Road Partnership Associates

Lessee: Clifton Gunderson, L.L.C.

Special Hearing to approve the installation of one wall-mounted, non-illuminated enterprise sign as permitted by the Zoning Commissioner's Policy Manual. Variance to permit two stationary building wall signs with 365 square feet of sign area in lieu of the permitted 267 square feet.

HEARING:

Wednesday, February 25, 1998 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablos

Director

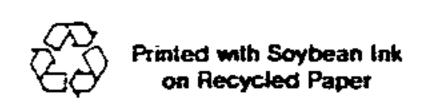
c: Stephen J. Nolan, Esquire 9500 Deereco Road Parternship Associates Clifton Gunderson, L.L.C. People's Counsel G.W. Stephens

Hill Management

Belsinger Sign Works, Inc.

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

May 30, 1997

NOTICE OF ASSIGNMENT /Joint Motion to Remand

CASE #: 97-261-SPH

IN THE MATTER OF: 9500 Deereco Road Partnership
Associates /Legal Owner; Clifton Gunderson, LLC
/Tenant -Petitioners 9515 Deereco Road
8th E; 4th C

(Motion Only Hearing /Joint Motion to Remand)

ASSIGNED FOR: TUESDAY, JUNE 17, 1997 at 12:30 p.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco Legal Administrator

cc: Appellant : People's Counsel for Baltimore County

Counsel for Petitioner: Stephen J. Nolan, Esquire

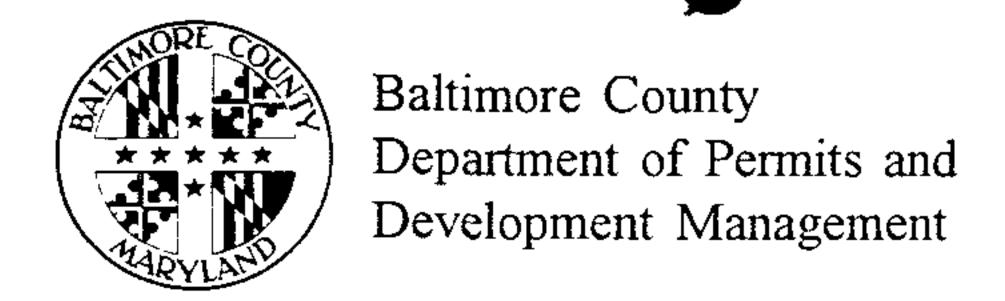
Petitioner /Legal Owner: Anthony E. Julio, General Partner

9500 Deereco Rd Partnership Assoc

Petitioner /Tenant : Terry Hancock /Clifton Gunderson LLC

Pat Keller Lawrence E. Schmidt Arnold Jablon, Director /PDM Virginia W. Barnhart, County Attorney





Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

January 22, 1997

Stephen J. Nolan, Esquire Nolan, Plumhoff & Williams, Chtd. Suite 700 - Nottingham Centre 502 Washington Avenue Towson, MD 21204

RE: Item No.: 261

Case No.: 97-261-SPH

Petitioner: Anthony E. Julio

Dear Mr. Nolan:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on December 16, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely

W. Carl Richards, Jr. Zoning Supervisor

WCR/re
Attachment(s)



Printed with Soybean Ink on Recycled Paper



David L. Winstead Secretary Parker F. Williams Administrator

Ms. Roslyn Eubanks Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

Baltimore County /2.31.94 Item No. 24/ (WCR)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

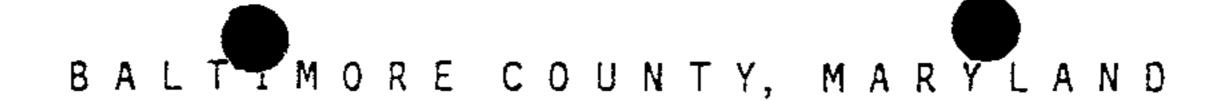
Very truly yours,

Ponald Burns, Chief

Engineering Access Permits

Division

LG



DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

PDM

DATE: 12/3/96

FROM: R. Bruce Seeley

Permits and Development Review

DEPRM

SUBJECT: Zoning Advisory Committee

Meeting Date:

| Dec 30, 9 |

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

258

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: December 30, 1996

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director Office of Planning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 258, 259, 261, 263, 267, 268, and 269

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 887-3495.

Prepared by:

Division Chief:

PK/JL

Fan Wilifardi

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

:OT

Arnold Jablon, Director

Date: January 3, 1997

Department of Permits & Development

Management

Robert W. Bowling, Chief Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for January 6, 1997 Item Nos. 258, 259, 261, 262, 263, 265, 267, 268

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:jrb

cc: File

Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: 01/08/97

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF DEC. 30, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

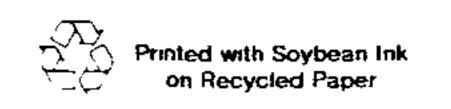
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 258, 259, 261, 262, 263, 265, 266, 267, 268 AND 269.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



RE: PETITION FOR SPECIAL HEARING *
9515 Decreco Road, SW/S Decreco Road, appx
1460' SE of c/l Padonia Rd and Decreco Rd *
8th Election District, 4th Councilmanic *

9500 Deereco Road Partnership Associates Petitioners BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 97-261-SPH

*

*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Peter Max Zimmeimas

Laure S. Demilio

CAROLE S. DEMILIO

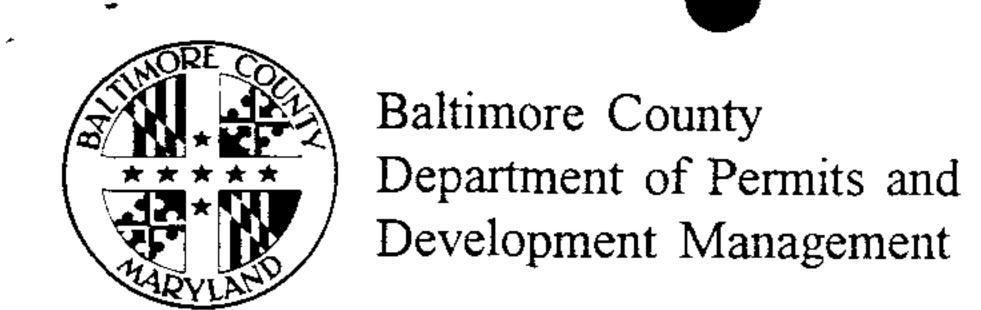
Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 300 day of February, 1997, a copy of the foregoing Entry of Appearance was mailed to Stephen J. Nolan, Esq., Nolan, Plumhoff & Williams, 502 Washington Avenue, Suite 700, Towson, MD 21204, attorney for Petitioners.

PETER MAX ZIMMERMAN



97-261-5PH

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

December 16, 1996

Stephen J. Nolan, Esquire Suite 700 - Nottingham Centre 502 Washington Avenue Towson, MD 21204

RE: Drop-Off Petition (Item #261)

9515 Deereco Road 8th Election District

Dear Mr. Nolan:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. Once a detailed review has been completed by the staff, those comments will be forwarded to you (hopefully before the hearing).

As Baltimore County is no longer responsible for posting properties, I have enclosed the proper forms pertaining to this. There is a form indicating the posting standards required by Baltimore County, as well as a list of vendors serving the Baltimore County area. The sign must contain the wording indicated on the "Zoning Notice" form and the certificate of posting must be completed by the poster and returned to Gwendolyn Stephens.

If you have any questions regarding the sign posting, please do not hesitate to contact Gwendolyn Stephens at 887-3391.

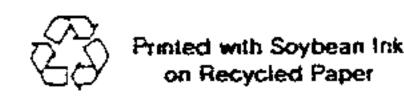
Very truly yours,

W. Carl Richards, Jr.
Zoning Supervisor

Zoning Review

WCR:scj

Enclosures



97-261-5PH

DATE:

December 23, 1996

TO:

Hearing Officer

FROM:

W. Carl Richards, Jr.

Zoning Supervisor, Zoning Review

SUBJECT:

Item #261

9515 Deereco Road

Due to the fact that there was an error in the policy manual that has no basis in the BCZR, we did not issue the permit and that is why they are applying for the special hearing. We feel the application would be more correct as a variance to the BCZR rather than a special hearing to accept the policy that has no basis in the BCZR.

WCR:scj

IN RE:

Zoning Commissioner's Policy Manual (ZCPM)

PURSUANT TO:

Sections 2-416 thru 422 and 26-135 of the Baltimore County Code

WHEREAS, on August 13, 1990, Baltimore County Council Bill No. 88-90 became effective establishing a Code of Baltimore County Regulations and the method for adoption and amendment of same; and

WHEREAS, on March 26, 1992, the Zoning Commissioner's Policy Manual (ZCPM) amendments received the approval of the County Attorney; and

WHEREAS, a public hearing was scheduled, and advertised in two newspapers of general circulation, and copies of the amendments to the Zoning Commissioner's Policy Manual (ZCPM) were made available for review; and

WHEREAS, on May 13, 1992, the Director of the Office of Zoning Administration and Development
Management held a Public Hearing on the Zoning Commissioner's Policy Manual (ZCPM); and

WHEREAS, there being no adverse testimony submitted either written or verbal; and NOW THEREFORE, IT IS ORDERED by the Director of the Office of Zoning Administration and Development Management, this 13th day of May, 1992, that the Zoning Commissioner's Policy Manual as Amended, be and is hereby ADOPTED and shall be incorporated into the Code of Baltimore County Regulations.

Arnoid Jablon, Director.

Zoning Administration &

Development Management

SIGNS

Introduction

Preparing this section involved a thorough analysis of the Baltimore County Code, and the Baltimore County Zoning Regulations (B.C.Z.R.), in addition to the old Zoning Policy Manual (Z.P.M.).

The major organizational feature is the use of a table to present much of the regulatory data. This form was adopted from a past attempt of the Office of Planning and Zoning (Legislative Project 86-10) to revise the sign regulations. It has decided advantages for both clarity and brevity.

The concern for clarity in County regulations includes a concern to improve their usability, especially for persons such as prospective sign-users who may not often deal with the complexities of regulations. The analysis suggested that probably the most convenient starting point for any user would relate to the basic purpose for wanting to erect a sign. The user would either have the purpose clearly in mind or would be able to identify its purpose from a comprehensive list.

Thus, the first column in the table lists 24 different classes of signage. The classes are succinctly defined in the same column. Succeeding columns then specify the restrictions (size, height, etc.) pertaining to each class and varying with the proposed structural type and zone location.

The table is intended to be a comprehensive list of all expected sign purposes. The classes, therefore, are mutually-exclusive; each sign falls only into one class. By providing a single, comprehensive list, a user need refer only to one place, the table, as the starting point for determining what regulations (it any) govern the intended usage.

It may be noted that the classification system uses certain new terminology as a way to emphasize that new concepts are being employed. It is hoped that this manual is clearly enough defined and differentiated and that the provision of ample illustrations will make it easy to understand.

The table, of course, cannot cover every aspect of the policies and regulations on signs. Therefore, the text begins with various definitions, as well as several Z.C.P.M. policies, which interpret and elaborate requirements indicated in the table.

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Commercial Signs

	Congataons	in 0-2, "office building" includes research institute or laboratory 204.3.a.3	204.3.c.3.b	"Office building" includes research institute or laboratory	413.6.e In 0-2, one additional sign allowed per office park	413.2.e t f	
11 1 mi-	nat 10n	Yes	¥es	Yes	Yes	Yes	Yes
و	14	Not applicable	6 T	6 ft.	12 ft.	25 ft.	25 ft.
· ·	NO. /PTEM.	One per principal building	One per lot	One per frontage	One per vehicular entrance; see Column 1	~	2
<u>.</u>	Aree/Fece	2 mg. ft. per 1,000 ft. of floor arms of the building	25 sq. ft.	25 8q. ft.	50 sq. ft.	100 sq. ft.	200 sq. 11.
Permit	Reg.	B1 dg .	Bldg.	Bldg.	Bldg.	Bldg.	Bldy.
Zone	or thee	0-1, 0-2. MLR.	Accessory to Class B or C office building in 0-1	Accessory to office building or "accessory use" bidg. in 0-2	Accessory to indus- trial or office park in 0-2, Off,	BR. NR.	3
6 2	788	Kall- inted	b. Free- standing	c. free- standing	d. Free- standing	o. Free-	*411-

15. Commercial	Wall-	녎		Bldg.	300 6q. ft.	ft.	₩.	25 ft.	Yes	Must be
Advertising,	mounted;	E.	₹,	,	(500 sq.	; ;				from in
meaning a bill-	free-	ş			1f hand					with du
board or other	standing				painted)	_				Paghway.
HON-BCCessory										from ai
sign that is										interse
commercially										
maintained										
principally					•			,		
for calling					SEE THE	FOLIA	SEE THE FOLLOWING CASES:			
attention to					/ Metrome	lin v	Metromedia V Balto. County	_		
places,					Circuit	Court	Circuit Court Equity #103167	67		
businesses,										
products,					87-139-X	J				
services, or					82-226-XSPH	(SPH				
activities					84-93-X			-		
that are located,					R4-109-X	_		-		
produced,					85-18-X			_		
offered or con-					\85-174-X	_				
ducted on another					•					
premises										

BLE OF SIGN REGULATIONS

Commercial Signs

	=	υ	۵	ing.	L .	ڻ	=	-
1	7yPe	Zone or Use	Permit Reg.	Area/Face	No./Prem.	H.	111umi-	Special
	a. Wall- mounted; free- standing	Accessory to antique shop, residential	Bldg.	5 Bq. ft.	One	Not applicable	None	By conversion, pursuant to Sections 402B.1 or 402C.1
	b. Wall- mounted; free- standing	Accessory to tes room or rest- aurant	Bldg.	15 sq. ft.	One	Notregulated	Yes	Pursuant to Section 402.3 413.1.d
	c. Wall-	Accessory to office or retail or service uses in RAE-1, RAE-2, O-1, O-2, OT, MUR, HL	B1 dg.	1 #q. ft.	Ome at each exterior entrance to a sep- arate en- tity within the building	Not applicable	None	413.6.c Does not include "accessory com- mercial uses" es defined for 0-1 and 0-2; see 11.e and 11.f below
	d. Wall- mounted	R-0	B1dg.	8 sq. ft.	One	Not epplicable	None	203.3.E.1
	c. Wall- mounted	0-1, 0-2	Bldg.	2 sq. ft. per 1,000 sq. ft. of floor ares	One per office building	Not applicable	None	204.3.C.3 In 0-2, may also have one sign per "accessory use" permitted by Section 205.3.B
	f. Wall- mounted	Accessory to "commer- nial use" within office bldg. in 0-1, 0-2; eee Column I	Bìdg.	25 Bq. ft.	One per "accessory commercial use"; see Column 1	Not Applicable	.	For uses permitted by Sections 204.3.A.3, 204.3.B.2, or 205.3.A.3.b
	y. Mall-	M., HR	Bldg.	In 89. ft., 1.5 times	One per frontage	Not applicable	¥0.5	413.6.6

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: K. Howanski DATE: May 30, 1997

C. Marks

H. Buchheister

FROM: Kathi

SUBJECT: Case No. 97-261-SPH /9500 Deereco Rd Partnership Associates /Hearing and Deliberation of Joint Motion to Remand

The subject matter is scheduled for motion hearing only and deliberation of same on Tuesday, June 17, 1997 at 12:30 p.m. Please note that the only other matter on that date is scheduled to begin following this Motion Only Hearing.

Attached for your information and review prior to Motion hearing is a copy of the Joint Motion to Remand which was filed with this office by Peter Zimmerman and Steve Nolan (representing Petitioners). One further note -- the appeal in this matter was filed by People's Counsel.

Should you have any questions, please call me.

kathi

Attachment

Maria

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Arnold Jablon, Director

DATE: January 8, 1998

Office of Permits & Development Management

FROM: Charlotte E. Radcliffe

County Board of Appeals

SUBJECT: 9500 Deereco Road Partnership Associates -L.O.

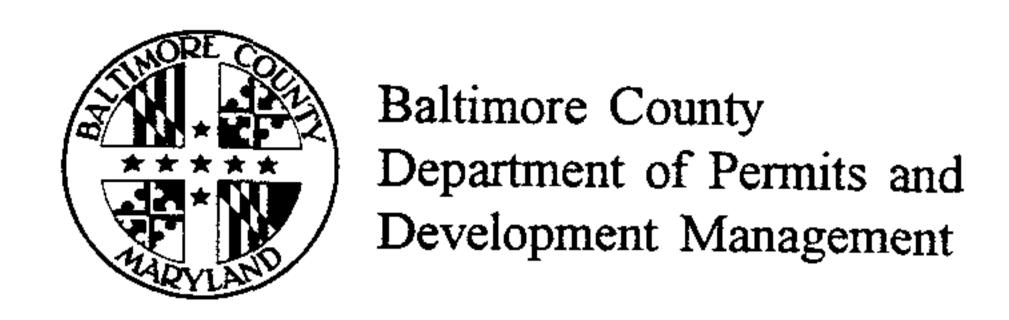
Clifton Gunderson, LLC - Tenant

Case No. 97-261-SPH

Pursuant to the Order dated June 17, 1997, in which the County Board of Appeals REMANDED this case to the Zoning Commissioner, we are hereby returning the file to your office.

Should you have any questions, please call me at ext. #3180.

Attachment (Case filed No. 97-261-SPH)



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

January 30, 1998

Stephen J. Nolan, Esquire Nolan, Plumhoff & Williams Suite 700 - Nottingham Centre 502 Washington Avenue Towson, MD 21204

> RE: Zoning Case 97-261-SPHA 9515 Deereco Road 8th Election District

Dear Mr. Nolan:

This letter is in response to the telephone call yesterday from your office regarding the above referenced case.

The notice of zoning hearing (dated January 26, 1998) should be disregarded as this hearing was scheduled in error. The above referenced case file is complete and there is a copy of the zoning commissioner's order dated July 18, 1997 in the file.

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

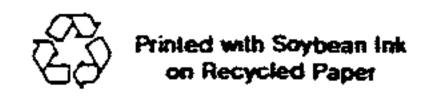
Very truly yours,

W. Carl Richards, Jr. Zoning Supervisor Zoning Review

U. Callibal)

WCR:scj

c: 9500 Deereco Road Partnership Associates Clifton Gunderson, LLC People's Counsel G.W. Stephens Hill Management Belsinger Sign Works, Inc.











Baltimore County
Department of Permits and
Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

May 5, 1997

Stephen J. Nolan, Esquire Nolan. Plumhoff & Williams, Chtd. Suite 700 - Nottingham Centre 502 Washington Avenue Towson, MD 21204

RE: Petition for Special
Hearing
SW/S Deereco Rd, approx.
1460' SE of c/l Padonia &
Deereco Roads
(9515 Deereco Road)
8th Election District
4th Councilmanic District
9500 Deereco Road
Partnership Associates Legal Owner
Clifton Gunderson, LLC,
Tenant - Petitioner
Case No. 97-261-SPH

Dear Mr. Nolan:

Please be advised that an appeal of the above-referenced case was filed in this office on May 2, 1997 by Peter Max Zimmerman and Carole S. Demilio on behalf of the People's Counsel of Baltimore County. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call 410-887-3180.

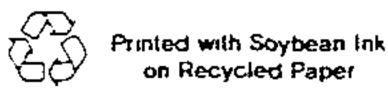
Sincerely,

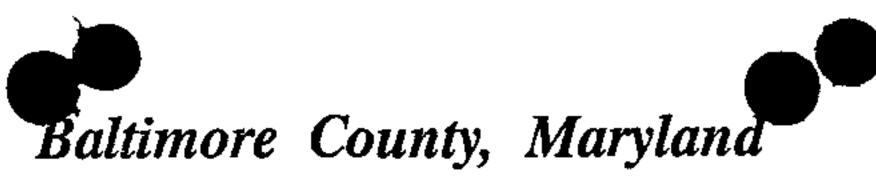
ARNOLD JABLON

Director

AJ:rye

c: Anthony E. Julio People's Counsel







OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

(410) 887-2188

People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

May 2, 1997

Arnold Jablon, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

<u>Hand-delivered</u>

Re: PETITION FOR SPECIAL HEARING

9515 Deereco Road, SW/S Deereco Rd, appx. 1460' SE of c/l Padonia and Deereco Rds. 8th Election District, 4th Councilmanic 9500 DEERECO RD. PTNRSHIP, Legal Owners

CLIFTON GUNDERSON, LLC, Lessee

Case No. 97-261-SPH

Dear Mr. Jablon:

Please enter an appeal of the People's Counsel for Baltimore County to the County Board of Appeals from the Order dated April 7, 1997 of the Baltimore County Zoning Commissioner in the above-entitled case.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

Peter Max Zimmerman

People's Counsel for Baltimore County

Peter Max Zimmerman

Carole S. Demilio

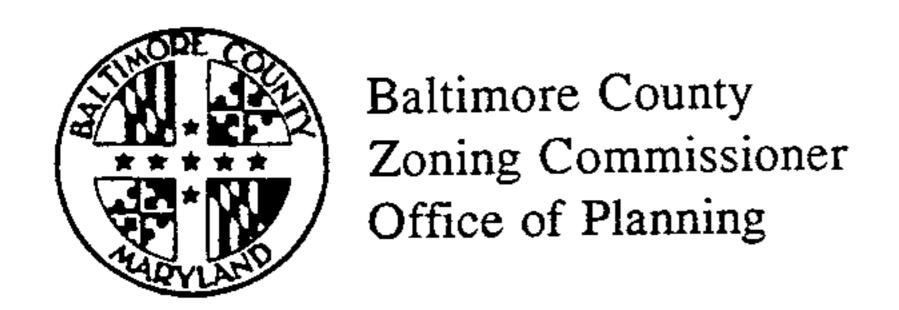
Carole S. Demilio

Deputy People's Counsel

PMZ/CSD/caf

cc: Stephen J. Nolan, Esq.
Attorney for Petitioners

600 5/2/91 DM JOSEN JOSEN



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

July 17, 1997

Stephen J. Nolan, Esquire Suite 700, Nottingham Centre 502 Washington Avenue Towson, Maryland 21204

> RE: Petitions for Special Hearing and Variance Property: 9515 Deereco Road Case No. 97-261-SPHA

Dear Mr. Nolan:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Variance have been granted, with restriction.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

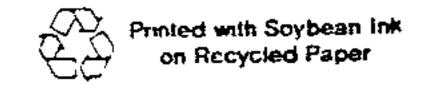
Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn

att.

c: Terry Hancock, CPA, 9515 Deereco Road, Suite 500, Timonium, Md.21093 Linda Shaneor, Hill Management, 11350 McCormick Road, Hunt Valley, Maryland 21031



APPEAL

Petition for Special Hearing SW/S Deereco Road, approx. 1460' SE of c/l Padonia & Deereco Roads (9515 Deereco Road)

8th Election District - 4th Councilmanic District 9500 Decreco Road Partnership Associates - Legal Owners Clifton Gunderson, LLC, Tenant - Petitioners Case No. 97-261-SPH

Petition for Special Hearing

Description of Property

No Certificate of Posting Found

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

Petitioners Sign-In Sheet

Petitioners' Exhibits: 1 - Letter from Joseph C. Merrey to Stephen J.

Nolan, Esquire dated December 2, 1996

2 - Plat to Accompany Petition for Special

Hearing

3 - Copies of Photographs of Timonium Corporate

Center

4 - Letter from Linda T. Shaneor to Clifton Gunderson & Company dated May 16, 1996

Inter-Office Memorandum from W. Carl Richards, Jr., Zoning Supervisor to Hearing Officer dated December 23, 1996

Letter from Stephen J. Nolan, Esquire to Arnold Jablon, Director of PDM, dated January 6, 1997

Copy of Pages from the Zoning Commissioner's Policy Manual

Zoning Commissioner's Order dated April 7, 1997 (Granted)

Notice of Appeal received on May 2, 1997 from Peter Max Zimmerman and Carole S. Demilio on behalf of the People's Counsel of Baltimore County

c: Stephen J. Nolan, Esquire, Nolan, Plumhoff & Williams, Chtd., Suite 700, Nottingham Centre, 502 Washington Ave, Towson, MD 21204 Anthony E. Julio, General Partner, 9500 Deereco Road Partnership Assoc., 10 Parks Avenue, Cockeysville, MD 21030-4922 People's Counsel of Baltimore County, M.S. 2010

Request Notification: Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM

Case No. 97-261-SPH

SPH -Approval of installation of wall moun illuminated enterprise sign (Class 11) as peby ZC's Policy Manual, Section 413.

4/07/97 -Zoning Commissioner's Order in requested relief was GRANTED.

5/29/97 -Joint Motion to Remand filed by People's Counsel and Petition request for hearing and deliberation on Motion.

5/30/97 -Upon confirmation of availability of Messrs Zimmerman and Nola Notice of Assignment sent to following for hearing on Motion to Remand on scheduled for Tuesday, June 17, 1997 at 12:30 p.m.:

People's Counsel for Baltimore County
Stephen J. Nolan, Esquire
Anthony E. Julio, General Partner
9500 Deereco Rd Partnership Assoc
Terry Hancock /Clifton Gunderson LLC
Pat Keller
Lawrence E. Schmidt
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

6/17/97 -Completed hearing on Joint Petition to Remand (K.C.B.); granted petition; to be remanded to Zoning Commissioner; Order so remanding to be issued by CBA.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

June 17, 1997

Stephen J. Nolan, Esquire NOLAN, PLUMHOFF & WILLIAMS, CHTD. Suite 700, Nottingham Centre 502 Washington Avenue Towson, MD 21204 Peter Max Zimmerman
People's Counsel for
Baltimore County
Room 47, Old Courthouse
Towson, MD 21204

RE: Case No. 97-261-SPH 9500 Deereco Road Partnership Associcates

Ruling on Joint Petition for Remand

Dear Counsel:

Enclosed please find a copy of the Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

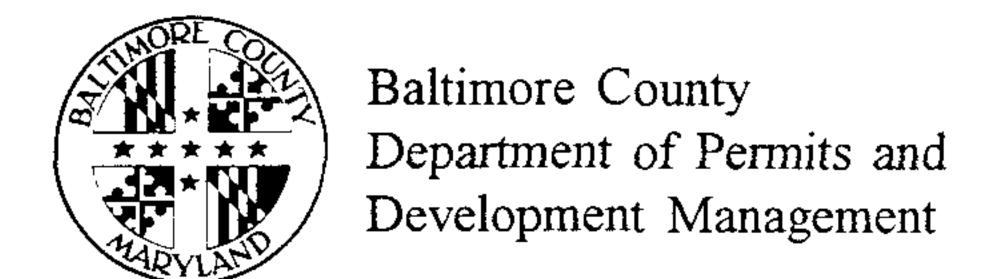
Very truly yours,

Harbur C. Bianco

Administrator

encl.

cc: Anthony E. Julio, General Partner
9500 Deereco Road Partnership Assoc.
Terry Hancock /Clifton Gunderson LLC
Pat Keller
Lawrence E. Schmidt
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

January 21, 1997

Stephen J. Nolan, Esquire Nolan, Plumhoff & Williams Suite 700 - Nottingham Centre 502 Washington Avenue Towson, MD 21204

RE: Drop-Off Petition Review (Item #261)

9515 Deereco Road 8th Election District

Dear Mr. Nolan:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

- 1. In what capacity is Anthony Julio signing on behalf of the legal owner?
- 2. Need telephone number for legal owner on the petition form.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

Joseph C. Merrey

Planner I, Zoning Review

JCM:scj

Enclosure (receipt)

c: Zoning Commissioner



NEWTON A WILLIAMS
THOMAS J RENNER
WILLIAM R ENGLEHART, JR
STEPHEN J. NOLAN*
ROBERT L. HANLEY, JR
ROBERT S. GLUSHAKOW
STEPHEN M. SCHENNING
DOUGLAS L. BURGESS
ROBERT E. CAHILL, JR.
C. WILLIAM CLARK

"ALSO ADMITTED IN D.C.
"ALSO ADMITTED IN NEW JERSEY

E.BRUCE JONES**

STUART A. SCHADT

LAW OFFICES

NOLAN, PLUMHOFF & WILLIAMS

CHARTERED

SUITE 700, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4528

(410) 823-7800

TELEFAX: (410) 296-2765

January 6, 1997

JAMES D. NOLAN (RETIRED 1980)

J. EARLE PLUMHOFF

RALPH E. DEITZ

(1916-1990)

WRITER'S DIRECT DIAL

e 2 3 - 7853

18/97 mm

47-261

VIA HAND DELIVERY

Arnold Jablon, Director
Zoning Administration and
Development Management
Baltimore County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Petition for Special Hearing

Location: 9515 Deereco Road

Election District No. 8

Legal Owner: 9500 Deereco Road Partnership Associates

Tenant: Clifton Gunderson, L.L.C.

Item No.: 261

Request for Hearing Date

Dear Mr. Jablon:

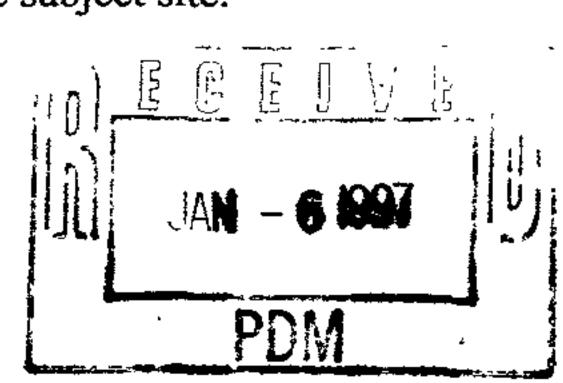
Re:

On December 13, 1996, I filed on behalf of my client, Clifton Gunderson, L.L.C., a petition for special hearing with regard to my client's sign permit application.

This morning, my secretary spoke with Mr.Carl Richards of your office to determine whether a hearing date had been set for this matter. She was informed that since this was a "drop off" petition, the case had neither been assigned a case number nor reviewed for completion of your office's intake procedures.

Since the sole reason for the submission of the special hearing petition in this matter stems from my November 12, 1996 zoning verification request and Mr. Merrey's December 2 reply, my client is desirous of obtaining a hearing at the earliest possible date.

Accordingly, I would appreciate the establishment of a hearing date so that I may proceed to make arrangements for the requisite posting of the hearing notice on the subject site.



Arnold Jablon, Director **ZADM** January 6, 1997 Page two

Thank you for your kind consideration of this letter.

Very truly yours,

Alexander

Stephen J. Nolan

SJN:mao

Mr. Carl Richards cc:

Ms. Gwen Stephens

Clifton Gunderson, L.L.C.

LAW OFFICES

NOLAN, PLUMHOFF & WILLIAMS CHARTERED

> SUITE 700, NOTTINGHAM CENTRE 502 WASHINGTON AVENUE TOWSON, MARYLAND 21204-4528 (410) 823-7800 TELEFAX: (410) 296-2765

JAMES D NOLAN

J EARLE PLUMHOFF

(1940-1988)

(RETIRED :980)

RALPH E DEITZ (1918-1990)

WRITER S DIRECT DIAL

December 13, 1996

"ALSO ADMITTED IN D.C. "ALSO ADMITTED IN NEW JERSEY

NEWTONA WILLIAMS

THOMAS J RENNER

STEPHEN J NOLAN*

ROBERT L HANLEY, JR

ROBERT S GLUSHAKOW

STEPHENM SCHENNING

DOUGLAS L. BURGESS

ROBERT E CAHILL, JR

C WILLIAM CLARK

E BRUCE JONES**

STUART A. SCHADT

WILLIAM P ENGLEHART, JR

VIA HAND DELIVERY

Mr. W. Carl Richards, Jr. Office of Zoning Administration and Development Management Baltimore County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

> Petition for Special Hearing Re:

Location: 9515 Deereco Road

Election District No. 8

Legal Owner: 9500 Deereco Road Partnership Associates

Tenant: Clifton Gunderson, L.L.C.

Dear Mr. Richards:

On December 12, 1996, I received Mr. Joseph C. Merrey's reply letter dated December 2 concerning the above-referenced property and my client's sign permit application. Mr. Merrey's letter directed us to proceed to file a petition for special hearing. As counsel for Clifton Gunderson, L.L.C., I am pleased to enclose herewith the following documents for filing as a new zoning case:

- Three (3) original copies of Petition for Special Hearing;
- Three (3) copies of Stephens & Associates zoning description; 2.
- Twelve (12) copies of Plat to Accompany a Petition for Special 3. Hearing prepared by George W. Stephens, Inc.; and
- Clifton Gunderson, L.L.C. check number 011777 payable to 4. Baltimore County, Maryland in the amount of \$250.00, representing the filing fee for this case.

I have also enclosed a self-addressed, stamped envelope for you to return the filing receipt to my attention.

December 13, 1996 page two

Kindly notify us of the Zoning Commissioner's hearing date. We greatly appreciate your kind assistance in this matter.

Very truly yours,

Stephen J. Nolan

Stephen J. Nolan

Counsel for Petitioner

SJN:mao encls.

Cc: Mr. T. Hancock

Clifton Gunderson, L.L.C.

Mr. Anthony E. Julio

9500 Deereco Road Partnership Associates

Mr. James S. Kline

George W. Stephens, Jr. & Associates

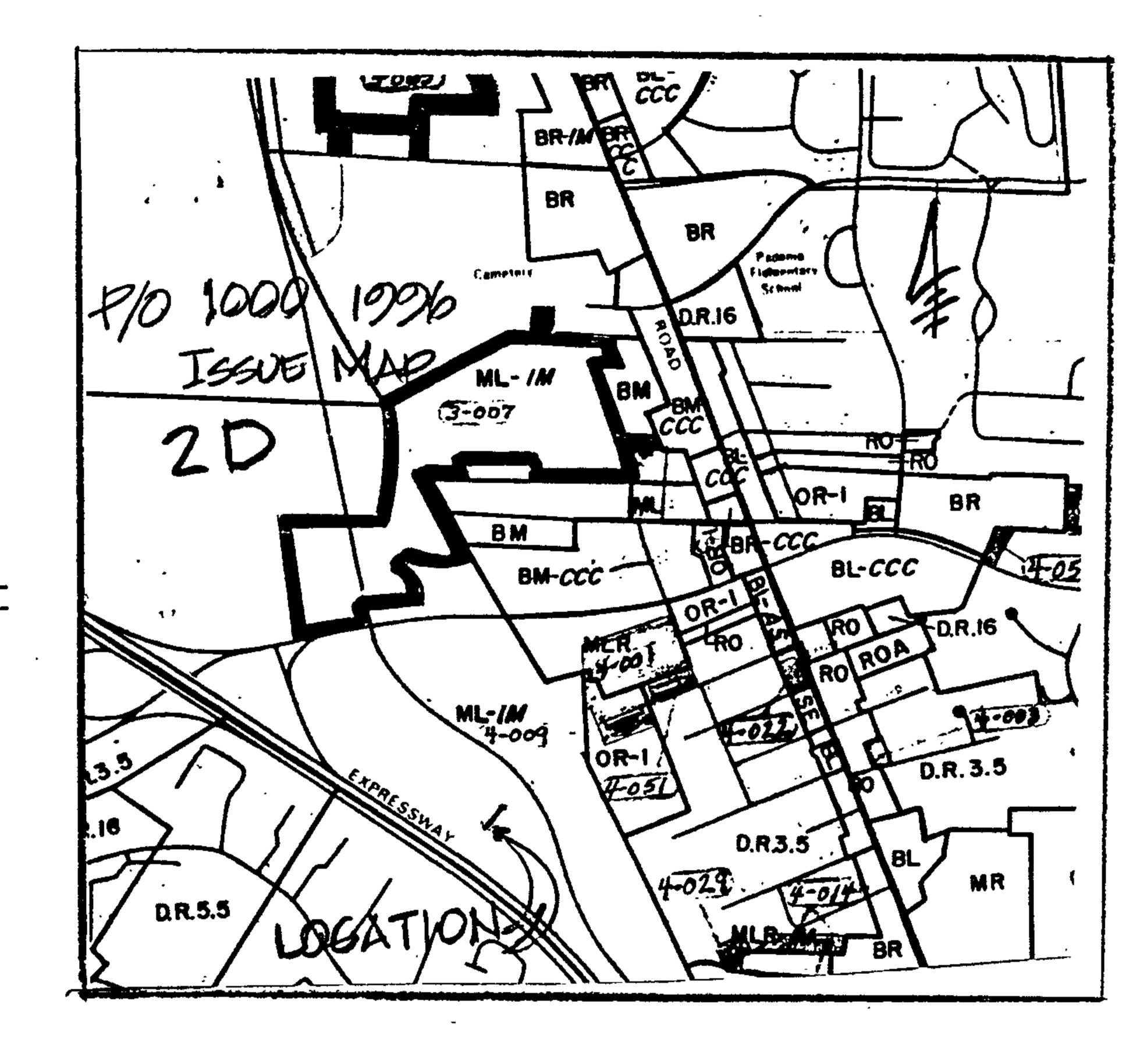
Ms. Susan Gorham

Clifton Gunderson, L.L.C.

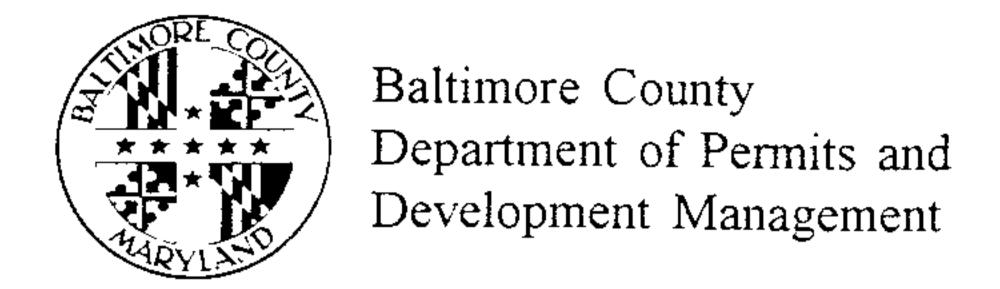
CC; Zoning Commission Dawrence E. Schmidt, Cont House. CC; Stephens and Associatio, Fox - 410-583-0288 LAW OFFICES FORLS 410-882-2469, 410-628-2574 Fax CC-M. Pat O'Kufe NOLAN, PLUMHOFF & WILLIAMS 97-261-5PH CHARTERED Re; Remanded, Reset SUITE 700, NOTTINGHAM CENTRE Mrs. Leven Stephens 502 Washington Avenue Clifton Lunderson, LLC TOWSON, MARYLAND 21204-4528 PDM, Zoning (410) 823-7800 9500 Desser Road Partnership Associates Tuesday, July 15,1997, County Office Building Towson, Maryland. TELEFAX: (410) 296-2765 June 24, 1997 Lear Mrs. Stephens; Thank you and Commissioner Schmidt for setting this remanded, atter case, with new variances for hearing as above, to be reported, 1. Three (3) copies of altered Petition for Special Hearing - Volicy Manual deleter

PETITIONER(S) SIGN-IN SHEET

NAME 1	ADDRESS
STEPHEN J. NOLAN	502 Washington Ave.
	Cto Jos To All
JIM KUNE G.WSEDHAN	650 KEHLWALTH FR
	1000 KEHLWANTH FR. TOWSM 21204
Terry Hancock, CPA	9515 Deereco Rd.
(Clifton, Coundorson L.L.C.)	7 Ju. Md 21093
Susan Gorham	9515 Deereco Rd.
(Clifton Gunderson LLC)	Timonium, MD 21093
Rendo N. Stanear	11350 McCornick Rd.
(Hell Management)	Hunt Vally Md. 21031
Bill Russell	9640 Decreco RD
Afell Mist	THONIUM HD 21093
Mis Svennan	1300 Rayon St.
Belsinger Sign Works Inc)	1300 Kagend St. 12 glt more (M) 21230
	
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(海海部)(1977)



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

December 2, 1996

Stephen J. Nolan, Esquire Nolan, Plumhoff & Williams Suite 700, Nottingham Centre 502 Washington Avenue Towson, MD 21204-4528

> RE: Zoning Verification 9515 Deereco Road

8th Election District

Dear Mr. Nolan:

Pursuant to your correspondence of November 12, 1996, you have requested an opinion from this office regarding a wall-mounted "enterprise sign" (Class 11), located in the M.L.-I.M. zone, at the above referenced address.

This issue was discussed at the last staff meeting and there was consensus that, as the proposed sign is not specifically mentioned in the <u>Baltimore County Zoning Regulations</u>, the apparent inconsistency between the policy manual and the zoning regulations should most appropriately be addressed by the zoning commissioner at a public hearing via a petition for special hearing.

Evidently there was a misunderstanding, as it was suggested to Mr. Kline that a meeting between himself and Mr. Carl Richards would likely be the most expedient way to address this issue. This meeting apparently never occurred.

Should you have any questions or comments regarding the above, please feel free to contact me at (410) 887-3391.

Very truly yours,

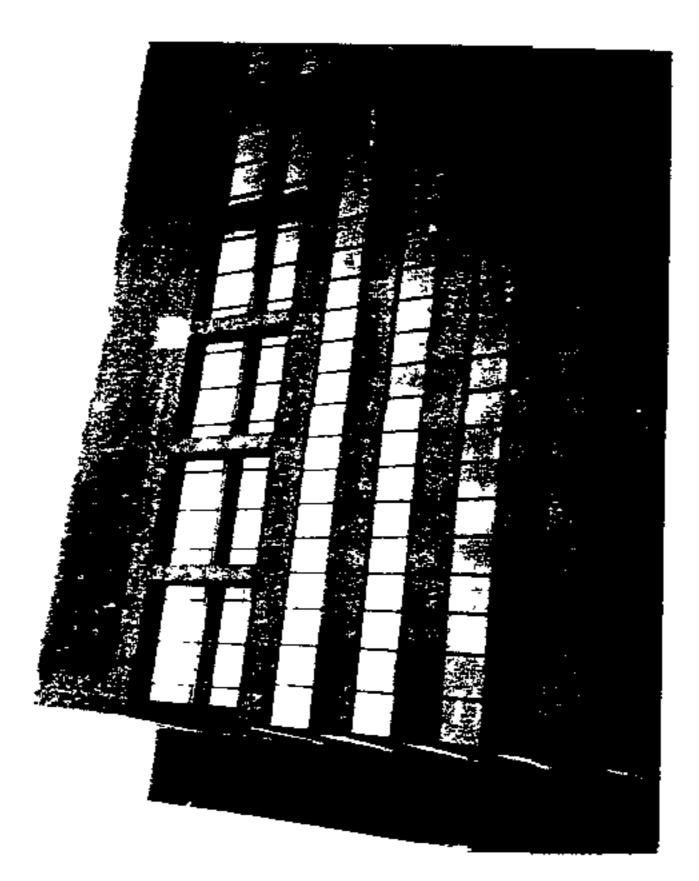
Joseph C. Merrey

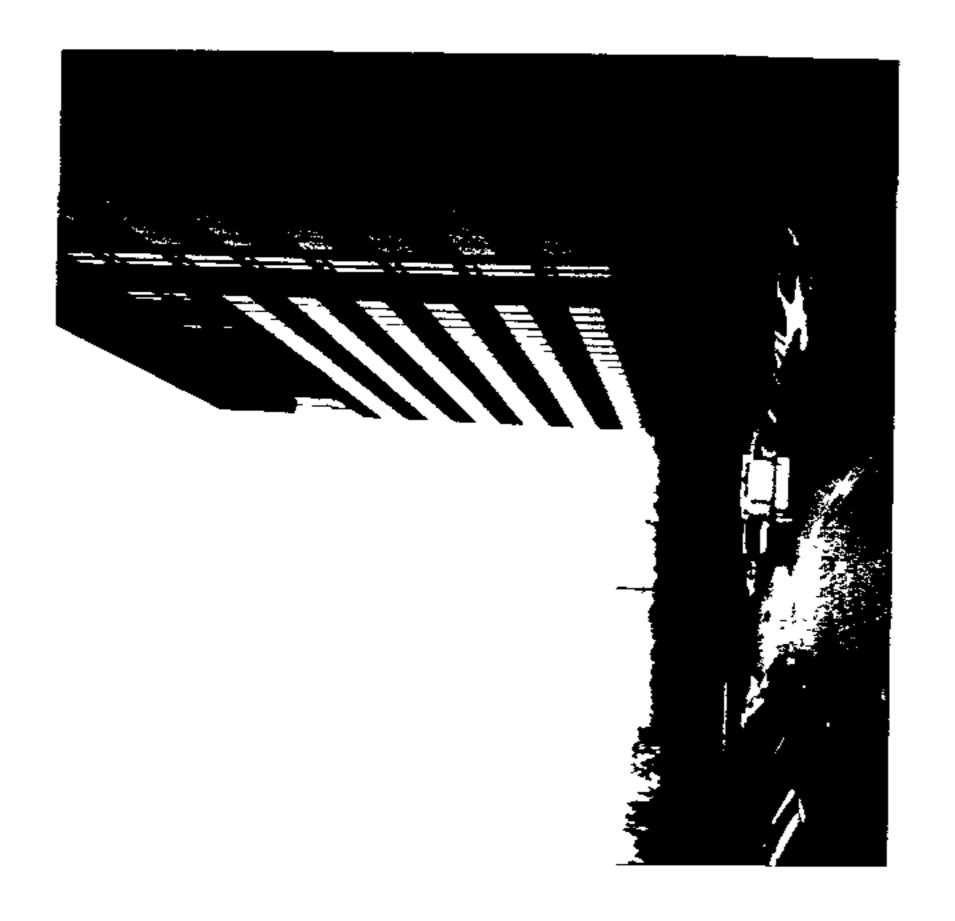
Planner I

Zoning Review

JCM:scj









Hill Management Services, Inc. 11350 McCormick Road Executive Plaza IV Hunt Valley, Maryland 21030

(410) 785-7770 Fax (410) 785-1832

May 16, 1996

Clifton, Gunderson & Company Attn: Mr. Terry Hancock 9515 Deereco Road Timonium, MD. 21093

RE: Signage

Dear Terry,

Please accept this letter as your official notice of approval for the exterior building signage as proposed. Enclosed please find your drawing that Susan Kodek requested that we return.

I spoke with Belsinger and gave them the information that was needed to apply for permits. We would appreciate you letting us know the time frame for installation.

If you have any questions, please contact me at 785-7770.

Sincerely,

Hill Management Services, Inc.

Gundar T. Shaneou Linda T. Shaneor Property Manager

LTS/vc

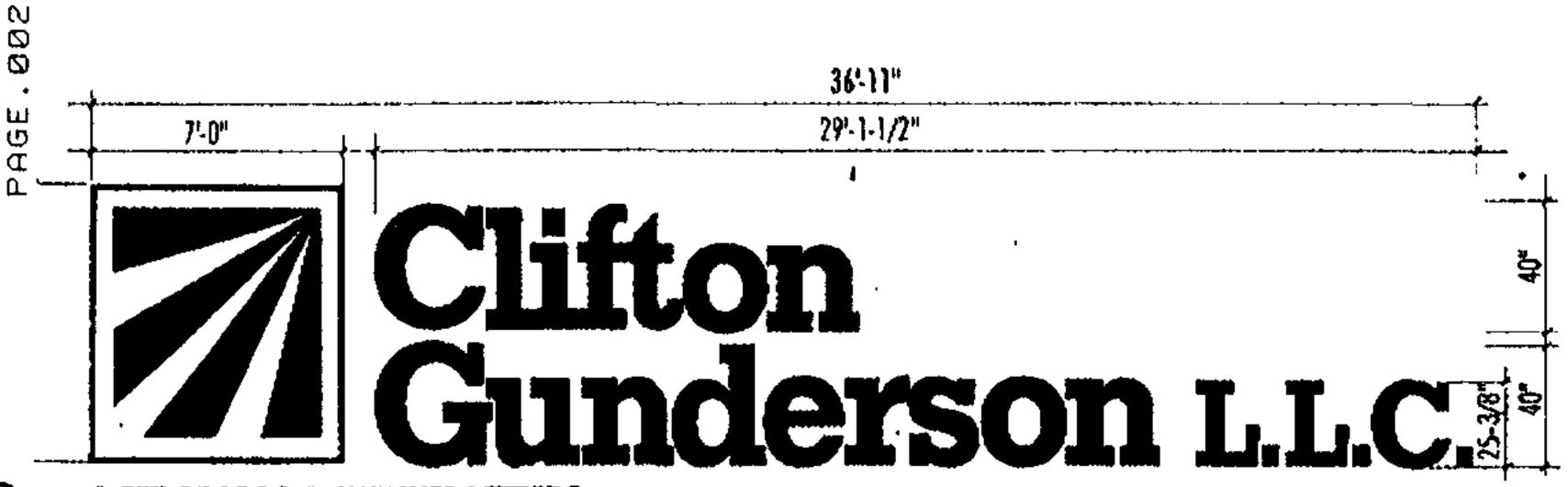
COMPONING GONE CO

International Council of Shopping Centers



National Association of Home Builders

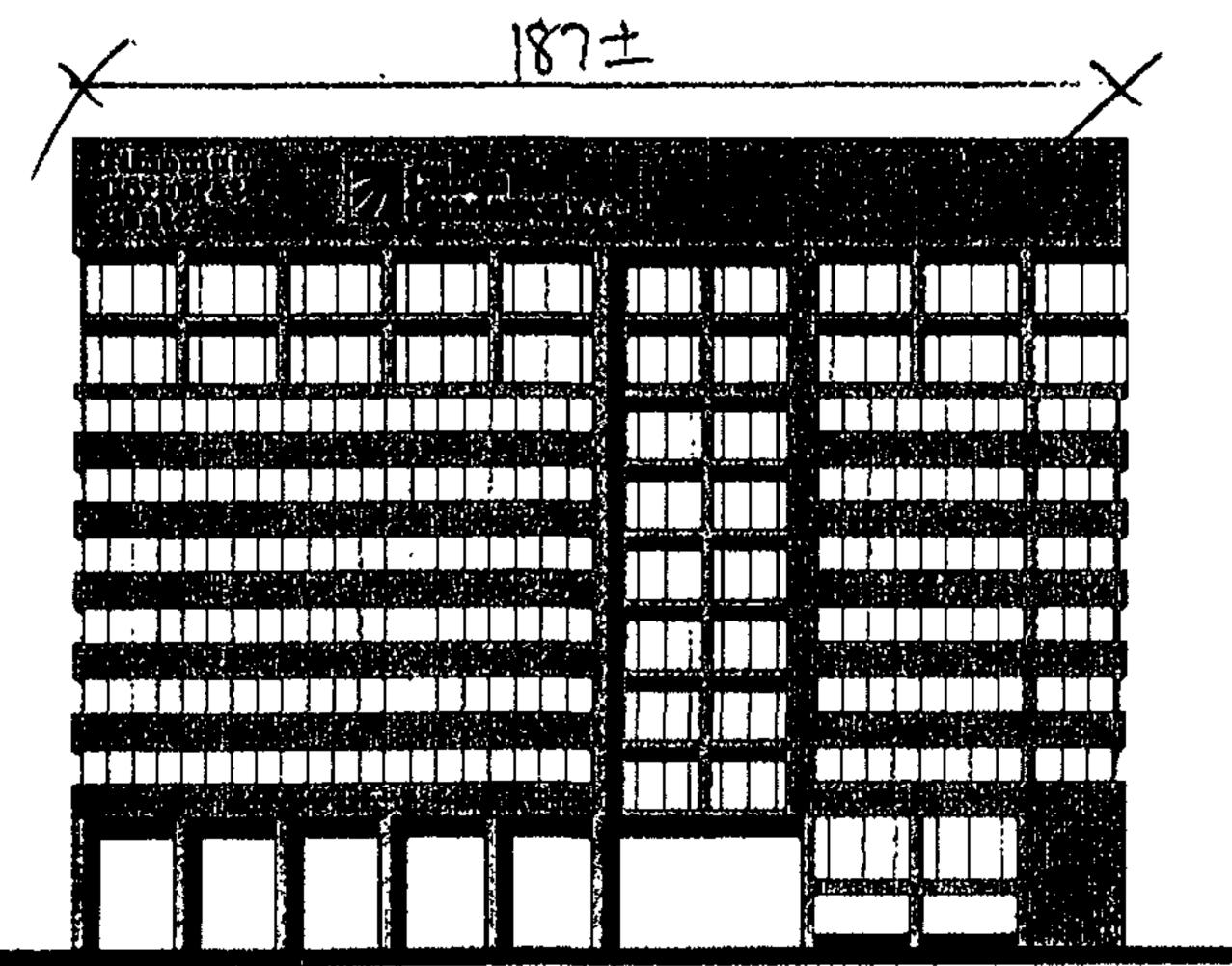




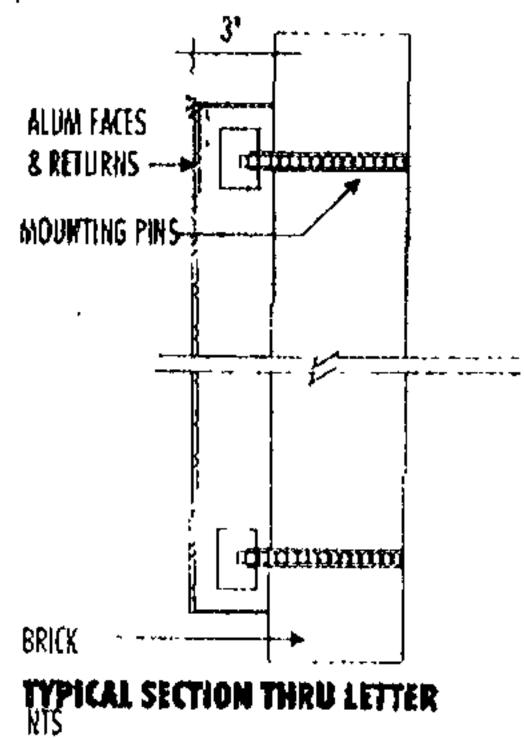
I SET OF LOGO & CHANNEL LETTERS

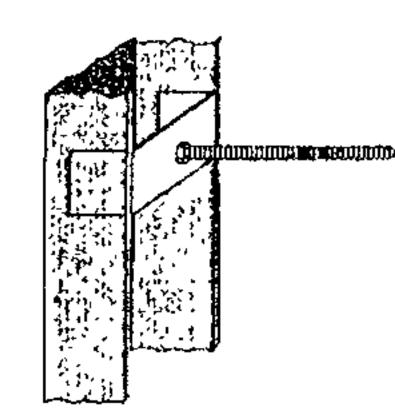
SCALE: 1/4"=1'-0"

FINISHED TO MATCH PAIS #330 DARK GREEN



FRONT ELEVATION SCALE: 3/64"==1'-0"





But Kunell Hours, Servier, for 2/3/97 DETAIL

