

IN RE: PETITIONS FOR SPECIAL HEARING & * BEFORE THE
ZONING VARIANCE
SEC Franklin Square Drive and * ZONING COMMISSIONER
Rossville Blvd.
14th Election District * OF BALTIMORE COUNTY
6th Councilmanic District
Legal Owner: Bay Development Corp * Case No. 98-119-SPHA
Lessee: Franklin Square Hospital
Center, Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing and Petition for Zoning Variance for the property located immediately adjacent to the intersection of Rossville Boulevard and Franklin Square Drive, near the Golden Ring community of Baltimore County. The Petitions were filed by Bay Development Corporation, property owner, and Franklin Square Hospital Center, Inc., Lessee. The Petition for Special Hearing seeks approval for the replacement of an existing hospital sign for the Franklin Square Hospital with an upgraded hospital and corporate identification sign. The Petition for Variance requests relief from Section 450.1 of the Baltimore County Zoning Regulations (BCZR) to permit an Enterprise Sign in an O-R zone with an area per face of 46 ft. for a double face sign, in lieu of the permitted 25 sq. ft. per face. Relief is also requested to allow the proposed sign to be 9 ft. 8 inches in height in lieu of the permitted 6 ft., and to be situated atop a decorative planter, as shown on the site plan. The subject property and requested relief are more particularly shown on the plat to accompany the Petitions for Special Hearing and Variance marked as Petitioners' Exhibit No.1, and the schematic sign drawing which was submitted with the Petitions.

Appearing at the public hearing held for this case were David L. Mork, Jr., on behalf of Franklin Square Hospital Center, Inc., co-Petitioner. Also present was Harry Connolly from Belsinger Sign Works, Inc., the

11/29/97
Date
By: [Signature]

designer of the sign. Also present was John Trueschler, an engineer from Site Resources, Inc., the preparer of the site plan. The Petitioners were represented by Newton A. Williams, Esquire. There were no Protestants or other interested persons present.

As noted above, the instant Petitions pertain to the property located on the southeast corner of the intersection of Rossville Boulevard and Franklin Square Drive. The property is approximately 4.86 net acres in area, zoned OR-1. Presently, the site is unimproved, but for an existing sign for the Franklin Square Hospital.

Testimony and evidence presented was that the Franklin Square Hospital Center, Inc. wishes to upgrade and replace the existing sign. A new sign is proposed, as more particularly shown on the schematic drawing offered as Petitioners' Exhibit No. 1. The new sign will advertise the location of the Franklin Square Hospital and also the fact that the said hospital is part of the Helix Health Network.

At the public hearing, the Petitioner offered substantial testimony and evidence in support of the Petitions. Testimony was offered that Rossville Boulevard at this location is a divided highway with a speed limit of 40 miles per hour. Moreover, due to the topography of the area and the existence of natural vegetation on site, the hospital campus cannot easily be seen from the intersection. In order to provide an appropriate means of identification and direction to visitors to the hospital, the relief to permit the proposed sign is requested. The proposed sign will be a double faced sign which will be internally illuminated. The letters will be stencil cut from an aluminum face. The sign will not be obtrusive in character and the drawings submitted shown that same will be appropriate for the area and in keeping with the spirit and intent of the BCZR.

Based upon the testimony and evidence offered, all of which was uncontradicted, I am persuaded to grant the Petitions. In my judgment, the Petitioner has offered sufficient testimony to support a finding that the requirements of Section 307 of the BCZR have been satisfied. The uniqueness of the property is found in its topography and wooded condition. Moreover, the proposed sign is appropriate and will not cause any adverse impact to the locale or surrounding properties, pursuant to the requirements in Section 502.1 of the BCZR. Moreover, due to the need to advertise the hospital's location and for the safety of the motoring public in this area, I find that a denial of the relief requested would cause a practical difficulty upon the Petitioner. For all of these reasons, the requested relief shall be granted.

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

IT IS, THEREFORE, ORDERED, this 19th day of November, 1997, that, pursuant to the Petition for Special Hearing, approval for the replacement of an existing hospital sign for the Franklin Square Hospital with an upgraded hospital and group identification sign, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 450.1 of the Baltimore County Zoning Regulations (BCZR) to permit an Enterprise Sign in an O-R zone with an area per face of 46 ft. for a double face sign, in lieu of the permitted 25 sq. ft. per face; and to allow the proposed sign to be 9 ft. 8 inches in height, in lieu of the permitted 6 ft., and to be situated atop a decorative planter, be and is hereby GRANTED; subject, however, to the following restriction:

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,



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

11/9/99
M. Gorkh



Baltimore County
Zoning Commissioner
Office of Planning

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

November 19, 1997

Newton A. Williams, Esquire
Nolan, Plumhoff and Williams, Chtd
700 Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204

RE: Petitions for Special Hearing and Variance
Case No. 98-119-SPHA
Legal Owner: Bay Development Corp.
Lessee: Franklin Square Hospital Center

Dear Mr. Williams:

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,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

c: Mr. David L. Mork, Jr.
Franklin Square Hospital Center, Inc.
9000 Franklin Square Drive
Baltimore, Maryland 21237

c: Mr. Harry Connolly
Belsinger Sign Works, Inc.
1300 Bayard Street
Baltimore, Maryland 21230



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County
for the property located at Rossville Blvd. and Franklin Square Drive
which is presently zoned OR-1

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, 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 replacement of an existing hospital sign for Franklin Square Hospital with an upgraded hospital and group identification sign.

98-119-SPHA

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.

Contract Purchaser/Lessee:

David L. Mork

(Type or Print Name)

David L. Mork

Signature

Franklin Square Hospital Center, Inc.

9000 Franklin Square Drive

Address

Baltimore MD 21237
City State Zip Code

Attorney for Petitioner:

Newton A. Williams

Nolan, Plumhoff & Williams

(Type or Print Name)

Newton A. Williams

Signature

700 Nottingham Centre

502 Washington Avenue

410-823-7800

Address

Phone No.

Towson MD 21204
City State Zip Code

Legal Owner(s):

Bay Development Corporation

(Type or Print Name)

[Signature]

Signature

STEVE S. COHEN, VP

(Type or Print Name)

Signature

Suite 301, 2330 W. Joppa Road

Address

Phone No.

Lutherville

MD

21093

City

State

Zip Code

Name, Address and phone number of representative to be contacted.

Newton A. Williams

Nolan, Plumhoff & Williams, Chtd.

Name

700 Nottingham Centre

502 Washington Avenue

Towson, MD 21204

Address

410-823-7800

Phone No.

Office Use Only

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

JPF

DATE

9/26/97



#119



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at Rossville Boulevard & Franklin Square Drive
which is presently zoned OR-1

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, petition for a Variance from Section(s) 450 and 450.1 I. Enterprise Sign

98-119-SPHA

See Attached

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.

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

Contract Purchaser/Lessee:

David L. Monk
(Type or Print Name)
David L. Monk
Signature

Franklin Square Hospital Center, Inc.
9000 Franklin Square Drive
Address
Baltimore MD 21237
City State Zip Code

Attorney for Petitioner:

Newton A. Williams
Nolan, Plumhoff & Williams, Chtd.
(Type or Print Name)
Newton A. Williams
Signature

700 Nottingham Centre
502 Washington Avenue 410-823-7800
Address Phone No.
Towson MD 21204
City State Zip Code

Legal Owner(s):

Bay Development Corporation
(Type or Print Name)
[Signature]
Signature

Steve S. Cohen, Vice President
(Type or Print Name)
Signature

Suite 301, 2330 W. Joppa Road 410-847-6700
Address Phone No.
Lutherville MD 21093
City State Zip Code

Name, Address and phone number of representative to be contacted.
Newton A. Williams
Nolan, Plumhoff & Williams, Chtd.

Name
700 Nottingham Centre
502 Washington Avenue
Towson, MD 21204 410-823-7800
Address Phone No.

Office Use Only
ESTIMATED LENGTH OF HEARING _____
unavailable for Hearing
the following dates _____ Next Two Months
ALL _____ OTHER _____
REVIEWED BY: JDF DATE 9/20/97

Set after 10/19 - New Signatures #119



REQUESTED VARIANCES COR REPLACEMENT,
UPGRADED FRANKLIN SQUARE HOSPITAL SIGN

From Section 450.1, I as follows for an Enterprise Sign in an OR1 zone:

98-119-SPH/A

- V. Area per face - 46 (6.75' x 6.75') square feet per face, double faced, in lieu of the permitted 25 square feet per face.
- VII. A height of 9'8" feet in lieu of the permitted 6 feet, as proposed to be situated, atop a decorative planter as shown.

REASONS IN SUPPORT OF REQUESTED
SIGN VARIANCE, FOR IMPROVED, SMALLER,
UPGRADED FRANKLIN SQUARE HOSPITAL SIGN

98-119-SPH

Franklin Square Hospital Center, Inc. and Bay Development Corporation, hereinafter "Franklin Square", state:

1. That Franklin Square is a major area hospital located on Franklin Square Drive in the Rossville section of central, eastern Baltimore County.

2. That Franklin Square in order to inform and direct hospital traffic from Rossville Boulevard, maintains an attractive, free standing, double faced sign at the northeast corner of Rossville Boulevard and Franklin Square Drive. It is 10 plus feet in height and contains 42 or more square footage per face.

3. That Franklin Square has decided to upgrade this larger, taller sign in a number of respects, namely;

- a. The height will be lower;
- b. The square footage will be less, but over the allowable 25 square feet;
- c. The sign will continue to be internally illuminated;
- d. The sign will be placed on an attractive brick stand and planter;
- e. Placement on the planter/stand well back from the corner will still cause it to be over 6 feet in height to the top, but lower than the present sign;
- f. The new sign will identify Franklin Square as a part of the Helixhealth system.

4. That Franklin Square, like Baltimore County government, staff and county citizens, are all learning together, the content, effects and will gain experience with the new Baltimore County Sign Regulations, Bill 89-97, adopted by the Council on September 2nd and effective September 19, 1997.

5. That the proposed new sign, like the old sign, is located in an OR-1 zone at the southeast corner of Franklin Square Drive and Rossville Boulevard. It is set well back from both these roads in an attractive, landscaped area.

6. Rossville Boulevard is a four lane, major arterial running north and south in the area between Mace Avenue and Stemmers Run Road in Essex to the south and Lillian Holt Drive at the Beltway in Fullerton to the north. Rossville Boulevard at Franklin Square Drive has a speed limit of 45 MPH. In order to properly inform motorists on Rossville Boulevard of the hospital presence, the sign must be double faced; illuminated and higher than six feet in height, with an area per face of at least 46 square feet (6.75 ft. x 6.75 ft). This problem of an adequately sized sign is accentuated by the somewhat hilly nature of Rossville Boulevard in the vicinity of Franklin Square Drive.

98-119-SP41A

7. The presence of Franklin Square set back from Rossville Boulevard is not the typical OR-1 situation envisioned by the new Regulations, due to the difficulty in seeing the hospital the size of the boulevard and the speed allowed. The purpose of this sign is to identify the hospital and direct all types of traffic, including visitors, suppliers, emergency vehicles and others to this modern, low level hospital center.

8. That all of these points collectively constitute the special circumstances and conditions that exist in this case as required by Section 307.1 of the Regulations, and without the requested variances, Franklin Square will sustain practical difficulty and unreasonable hardship.

GORDON T. LANGDON
EDWARD F. DEIACO-LOHR
BRUCE E. DOAK

GERHOLD, CROSS & ETZEL, LTD.
Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318

410-823-4470
FAX 410-823-4473

EMERITUS
PAUL G. DOLLENBERG
FRED H. DOLLENBERG
CARL L. GERHOLD
PHILIP K. CROSS
OF COUNSEL
JOHN F. ETZEL

98-119-SP111

July 9, 1997

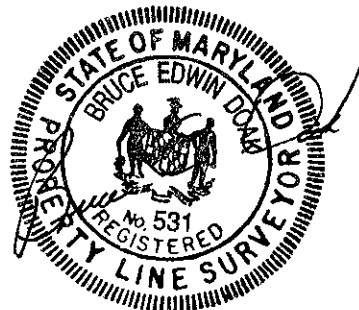
Zoning Description for part of P. 708

Beginning at a point on the southeastern right-of-way line of Rossville Boulevard (120 feet wide) being southwesterly 466.39 feet, more or less, along said right-of-way line from the centerline of Franklin Square Drive and thence running from said point of beginning the seven following courses and distances, viz: 1) North 09 degrees 55 minutes 00 seconds East 410.89 feet, 2) North 52 degrees 10 minutes 46 seconds East 75.00 feet, 3) South 80 degrees 05 minutes 00 seconds East 73.38 feet, 4) along a curve to the left with a radius of 705.00 feet, a length of 262.09 feet, and subtended by a chord bearing and distance of North 89 degrees 16 minutes 00 seconds East 260.58 feet 5) North 78 degrees 37 minutes 00 seconds East 89.14 feet, 6) South 9 degrees 24 minutes 10 seconds East 371.03 feet, 7) South 81 degrees 20 minutes 40 seconds West 617.89 feet to the point of beginning.

Containing 211,934 square feet or 4.865 acres, more or less.

Note: This description is not for conveyance purposes and only fulfills the requirements of Baltimore County Office of Zoning.

#119



Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than *

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98-119-A SPHA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: *

DATE AND TIME: *

REQUEST: VARIANCE - To allow a free standing sign
with an area of 46 sq. ft. per face and a height of
9'8" in lieu of the required 25 sq. ft and 6 ft.,
respectively. SPECIAL HEARING - The replacement of an
existing hospital sign for Franklin square hospital with an
upgraded hospital and group identification sign.
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



ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

98-119-SHA

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 119

Petitioner: Bay Development Corp. / Franklin Square Hospital

Location: Franklin Square Dr. & Rosville Blvd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Franklin Square Hospital, Inc. - Attn, David J. Mark

ADDRESS: 7000 Franklin Square Dr., Balt., Md. 21237

PHONE NUMBER: 410-682-7257

AJ:ggg

(Revised 09/24/96)

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

042727

DATE 9-26-97 ACCOUNT R-001-615-000

AMOUNT \$ 500.00

RECEIVED FROM: Bay Dev. Corp.
Franklin Sq. Hwyp.
FOR: 020 Variance Item # 119
040 SP# Taken by JRF

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
9/29/1997 9/26/1997 15:51:10

REG 4801 CASHIER CLUM CHL DRAWER 1

\$ MISCELLANEOUS CASH RECEIPT

Receipt # 023494 OFU

CR NO. 042727

500.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

SP#A
98-119-

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 9, 1997

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Oct. 9, 1997.

THE JEFFERSONIAN,

A. Henrichson
LEGAL AD. - TOWSON

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 in Towson, Maryland on the property identified herein as follows:

Case: #98-119-SPHA
SEC Franklin Square Drive and
Rossville Boulevard
14th Election District
6th Councilmanic
Legal Owner(s):

Bay Development Corpora-
tion
Contract Purchaser(s):
Franklin Square Hospital
Center

Special Hearing: to approve the replacement of an existing hospital sign with an upgraded hospital and group identification sign. **Variance:** to permit a 46 square foot per face sign in lieu of the permitted 25 square feet per face, and to permit a height of 9 feet, 8 inches in lieu of the permitted 6 feet.

Hearing: Tuesday, October 28, 1997 at 11:00 a.m.,
Room 407 Courts Bldg., 401
Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are

Handicapped Accessible; for
special accommodations
Please Call (410) 887-3353.

(2) For information concern-
ing the File and/or Hearing,
Please Call (410) 887-3391.

10/166 Oct. 9 C180285

CERTIFICATE OF POSTING

RE: Case No.: 98-119-A

Petitioner/Developer: FRANKLIN SQUARE HOSP, ETAL
% NEWTON WILLIAMS, ESQ.

Date of Hearing/Closing: 10/28/97

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

Attention: Endolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were placed conspicuously on the property located at N.E.C. ROSSVILLE BLVD.
@ FRANKLIN SQUARE DRIVE

The sign(s) were posted

10/12/97

(Month, Day, Year)

Sincerely,

Patrick M O'Keefe 10/19/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

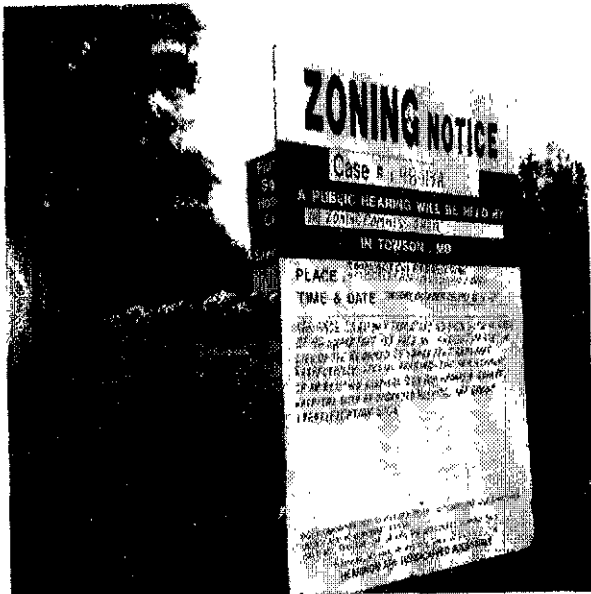
Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366

(Telephone Number)

905-8571
Pager (410) ~~905-8571~~



98-119-A
FRANKLIN SQ. DR. % NEWTON WILLIAMS.
@ ROSSVILLE BLVD.

P. 10/12/97



Baltimore County
Department of Permits and
Development Management

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

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-119-SPHA
SEC Franklin Square Drive and Rossville Boulevard
14th Election District - 6th Councilmanic
Legal Owner(s): Bay Development Corporation
Contract Purchaser(s): Franklin Square Hospital Center

Special Hearing to approve the replacement of an existing hospital sign with an upgraded hospital and group identification sign.

Variance to permit a 46 square feet per face sign in lieu of the permitted 25 square feet per face; and to permit a height of 9 feet, 8 inches in lieu of the permitted 6 feet.

HEARING: TUESDAY, OCTOBER 28, 1997 at 11:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with a large, stylized "J" and "B".

Arnold Jablon
Director

cc: Bay Development Corporation
Franklin Square Hospital Center, Inc./David L. Monk
Newton A. Williams, Esq.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY OCTOBER 13, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



TO: PUTUXENT PUBLISHING COMPANY
October 9, 1997 Issue - Jeffersonian

Please forward billing to:

Franklin Square Hospital, Inc.
David L. Mork
9000 Franklin Square Drive
Baltimore, MD 21237
410-682-7257

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-119-SPHA
SEC Franklin Square Drive and Rossville Boulevard
14th Election District - 6th Councilmanic
Legal Owner(s): Bay Development Corporation
Contract Purchaser(s): Franklin Square Hospital Center

Special Hearing to approve the replacement of an existing hospital sign with an upgraded hospital and group identification sign.

Variance to permit a 46 square feet per face sign in lieu of the permitted 25 square feet per face; and to permit a height of 9 feet, 8 inches in lieu of the permitted 6 feet.

HEARING: TUESDAY, OCTOBER 28, 1997 at 11:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
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.



Baltimore County
Department of Permits and
Development Management

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

October 22, 1997

Newton A. Williams, Esquire
700 Nottingham Centre
502 Washington Avenue
Towson, MD 21204

RE: Item No.: 119
Case No.: 98-119-SPHA
Petitioner: Bay Development Corp.

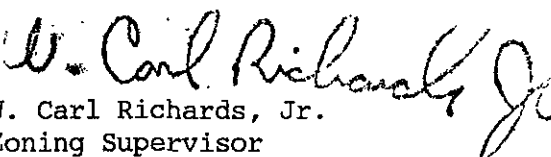
Dear Mr. Williams:

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 September 20, 1997.

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 (410-887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





Maryland Department of Transportation
State Highway Administration

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 10-3-97
Item No. 119 JRF

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,

Cindy M. Webb

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 10/7/97

FROM: R. Bruce Seeley *RBS/sp*
Permits and Development/Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Oct. 6, 1997

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

Item #'s:

109

118

111

119

112

114

115

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

00 14

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: October 8, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

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

Item Nos. 109, 110, 111; 113, 114, 116, 117, 118, and 119

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by: *Jeffrey W. Long*

Division Chief: *Gary L. Kerns*

AFK/JL

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: October 15, 1997

FROM: *RWB* Robert W. Bowling, Chief
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for October 14, 1997
 Item Nos. 108, 109, 111, 112, 113,
 114, 115, 118, and 119

 The Bureau of Developer's Plans Review has reviewed the subject
zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE1014.NOC



Baltimore County
Fire Department

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

October 14, 1997

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 October 6, 1997

Item No.: 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:

108, 109, 110, 111, 114, 116, 117, 118, 119

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



RE: PETITION FOR SPECIAL HEARING * BEFORE THE
PETITION FOR VARIANCE *
SEC Franklin Square Dr and Rossville Blvd * ZONING COMMISSIONER
14th Election District, 6th Councilmanic *
Legal Owner(s): Bay Development Corp. * OF BALTIMORE COUNTY
Contract Purchaser(s): Franklin Square * CASE NO. 98-119-SPHA
Hospital Center *
Petitioners *

* * * * *

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
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole 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 21st day of October, 1997, a copy of the foregoing Entry of Appearance was mailed to Newton A. Williams, Esq., Nolan, Plumhoff & Williams, 502 Washington Avenue, Suite 700, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

98-119-SPH

OK to
Grant

- David Mook

- John F. Tinsley

- Harry Conner

Bellinger Segms -

SE Corner of Norwalk + Franklin
Sq Ave -

4.86 Net acres

DN ~~1.1~~ 1.1

Red No 3 -

Norwalk - divided arterial
Hwy
40 mph

Can Barely see HOS from ^{intersection}

Franklin Sq + Norwalk -
at summit of Hill

New Segm to be

~~For~~
Enterprise Sign -
Free Standing

Variance from New Reg.

Need old

See

9.8 feet high from grade
6.25 feet ~~to~~ height

Double Faced

internally illuminated

Letters are stencil cut from
aluminum face

Need this height for visibility

Will not obstruct

- back planter
- Salmon -

Limestone Caps. -

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Req.	Area/Face	No./Prem.	Ht.	Illumination	Addit'l limits
ENTERPRISE, cont'd	(k) Free-standing	RCC, OR-1 OR-2, OT, SE; BMM, BMB, BMYC	Bldg. <u>USE</u>	25 sq. ft.; 30 sq. ft. in SE	One per frontage	6 ft.; 13 ft. in SE; 25 ft. for waterfront sign in BMM, BMB, BMYC	Yes No in RCC, CR	In SE, must be compatible with building. In RCC, integrate with landscaping, and Director of Office of Planning approves location
	(l) Wall-mounted; free-standing	Farmer's roadside stand, farm market, commercial agriculture, or farm produce stand	Bldg. <u>USE</u>	25 sq. ft. total for all signs	Not regulated	6 ft.	Yes	Min 10 ft set-back from right-of-way and 75 ft from highway intersection centerlines
	(m) Wall-mounted, projecting	Elderly housing facility in DR, commercial use in DR, RC, ROA, RO, RCC, BMYC	Bldg. <u>USE</u>	8 sq. ft., 6 sq. ft. in ROA, <u>150 FT. IN DR</u>	One		No, but Yes for tearoom or restaurant	In RO, may also have 15 sq ft freestanding sign 6 ft high if on principal arterial adjoining and facing non-residentially zoned property
	(n) Wall-mounted	Strip-tease business, pawnshop	Use	2 sq. ft. per linear ft. of frontage, not more than 50 sq. ft.	One	Not applicable	Yes	Zoning Commissioner's hearing required for Use permit

1 IDENTIFICATION SIGN MAY BE ERECTED WITHIN 100 FEET, AND NO ENTERPRISE
2 SIGN MAY BE ERECTED WITHIN 25 FEET, OF A RESIDENTIAL ZONE.

3 C. THE MAXIMUM HEIGHT OF A FREE-STANDING SIGN MAY NOT
4 EXCEED THE HEIGHT SPECIFIED IN SECTION 450.4.

5 D. THE MAXIMUM AREA FOR ANY FREE-STANDING SIGN
6 PERMITTED IN SECTION 450.4 MAY BE INCREASED RELATIVE TO THE SETBACK
7 FROM A RIGHT-OF-WAY OF THE NEAREST HIGHWAY ON WHICH A PREMISES HAS
8 FRONTAGE: 5% IF SETBACK IS AT LEAST 10 FEET; 10% IF SETBACK IS AT LEAST 20
9 FEET; AND 15% IF SETBACK IS 50 OR MORE FEET FROM THE RIGHT-OF-WAY.

10 5. "INTEGRAL SIGN" MEANS A SIGN COMPRISING PART OF THE FACE
11 OF A BUILDING BY BEING CARVED OR CAST, AS IN STONE, BRONZE OR
12 ALUMINUM, OR OTHERWISE MADE OR AFFIXED AS A PERMANENT COMPONENT
13 OF THE BUILDING TO DISPLAY SUCH INFORMATION AS BUILDING-NAME, DATE OF
14 ERECTION, COMMEMORATIVE CITATIONS OR THE LIKE. AN INTEGRAL SIGN IS
15 NOT SUBJECT TO THE PROVISIONS OF SECTION 450.8 PERTAINING TO ABANDONED
16 OR NONCONFORMING SIGNS OR ABATEMENT.

17 ~~6. "PORTABLE SIGN" MEANS A SIGN ERECTED ON AN A-FRAME,~~
18 ~~SANDWICH BOARD, WHEELED FRAMEWORK, OR ANY SIMILAR MANUFACTURED~~
19 ~~STRUCTURAL FORM WHICH IS NOT PERMANENTLY ATTACHED TO A~~
20 ~~FOUNDATION IN THE GROUND, OR A SIGN ON A WHEELED VEHICLE, WHETHER OR~~
21 ~~NOT REGISTERED FOR OPERATION ON PUBLIC HIGHWAYS, INTENDED PRIMARILY~~
22 ~~FOR THE DISPLAY OF INFORMATION. PORTABLE SIGNS ARE PROHIBITED, EXCEPT~~

PLEASE PRINT CLEARLY

Bay Development - Case No. 98-119-SPHA
PETITIONER(S) SIGN-IN SHEET

Relix Health

NAME

ADDRESS

Newton Williams, Esq.

700 Nottingham Centre

DAVID L. MORK, JR.

502 Wash. Ave., Trason, Md 21204

HARRY CONNOLLY

9000 Franklin Square, Baltimore, Md. 21237

BELSINGER SIGN WKS INC.

JOHN TRESCHLER
SITE RESOURCES, INC.

1300 BAYARD ST BALTO MD 21230

1738 BOGGS RD FOREST HILL MD 21050



EXISTING LAND USES ACROSS ROSSVILLE BOULEVARD

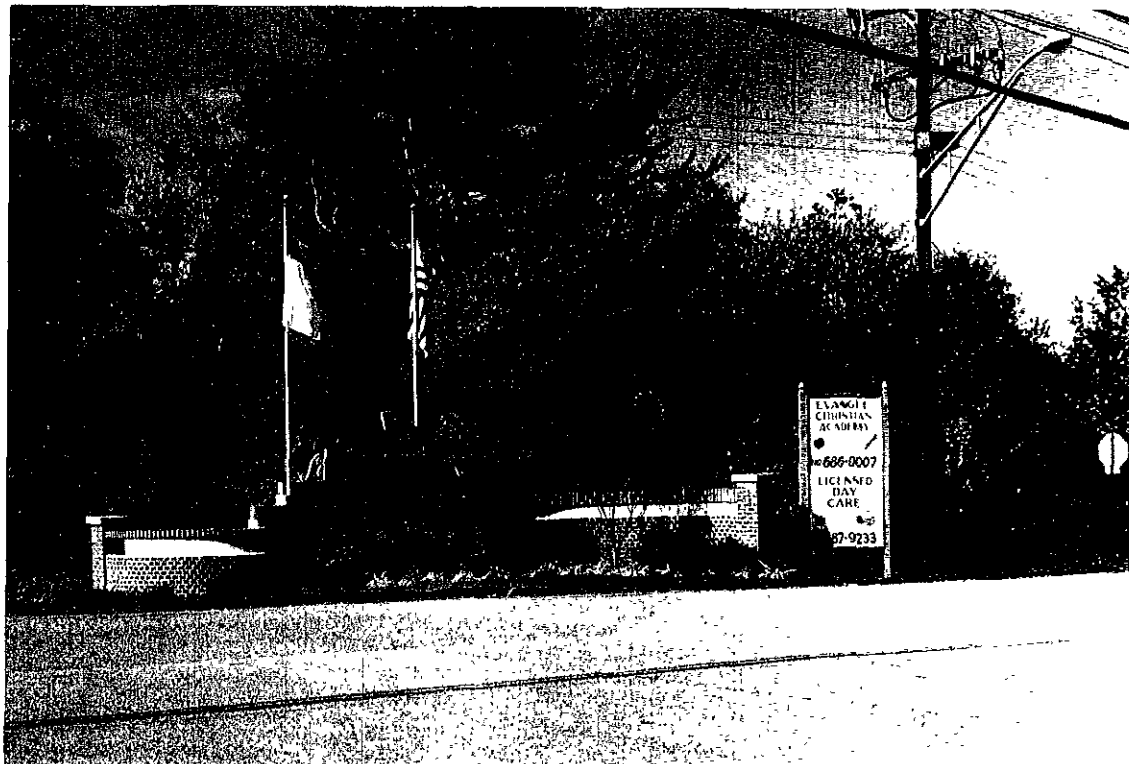
HELIX SIGN VARIANCE

OCTOBER 28, 1997

SITE RESOURCES, INC.



FULLER MEDICAL CENTER



EVANGEL CHRISTIAN ACADEMY

SIGN SITE IS CONTIGUOUS WITH HOSPITAL CAMPUS

HELIX SIGN VARIANCE

OCTOBER 28, 1997

SITE RESOURCES, INC.



GRADING & LANDSCAPING ARE OF SINGULAR DESIGN



THE SIGN SITE FEATURES MANY OF THE SAME TREES AS THE HOSPITAL

EXISTING SIGN INADEQUATE SIZE FOR TRAFFIC CONDITIONS

HELIX SIGN VARIANCE

OCTOBER 28, 1997

SITE RESOURCES, INC.



VIEW OF EXISTING SIGN FROM INTERSECTION



TRAFFIC ON ROSSVILLE BLVD TRAVELING @ 45 MPH OR MORE

***VIEW OF HOSPITAL DRIVING EAST ON FRANKLIN SQUARE DRIVE
THE SITE FOR THE PROPOSED SIGN IS ON RIGHT***

HELIX SIGN VARIANCE

OCTOBER 28, 1997

SITE RESOURCES, INC.



Ref No 3A

OBSTRUCTED VIEW OF HOSPITAL FROM ROSSVILLE BOULEVARD

HELIX SIGN VARIANCE

OCTOBER 28, 1997

SITE RESOURCES, INC.



Ref 3B

VIEW @ PASSANGER CAR HEIGHT - TOPOGRAPHY BLOCKS HOSPITAL



Ref 3C

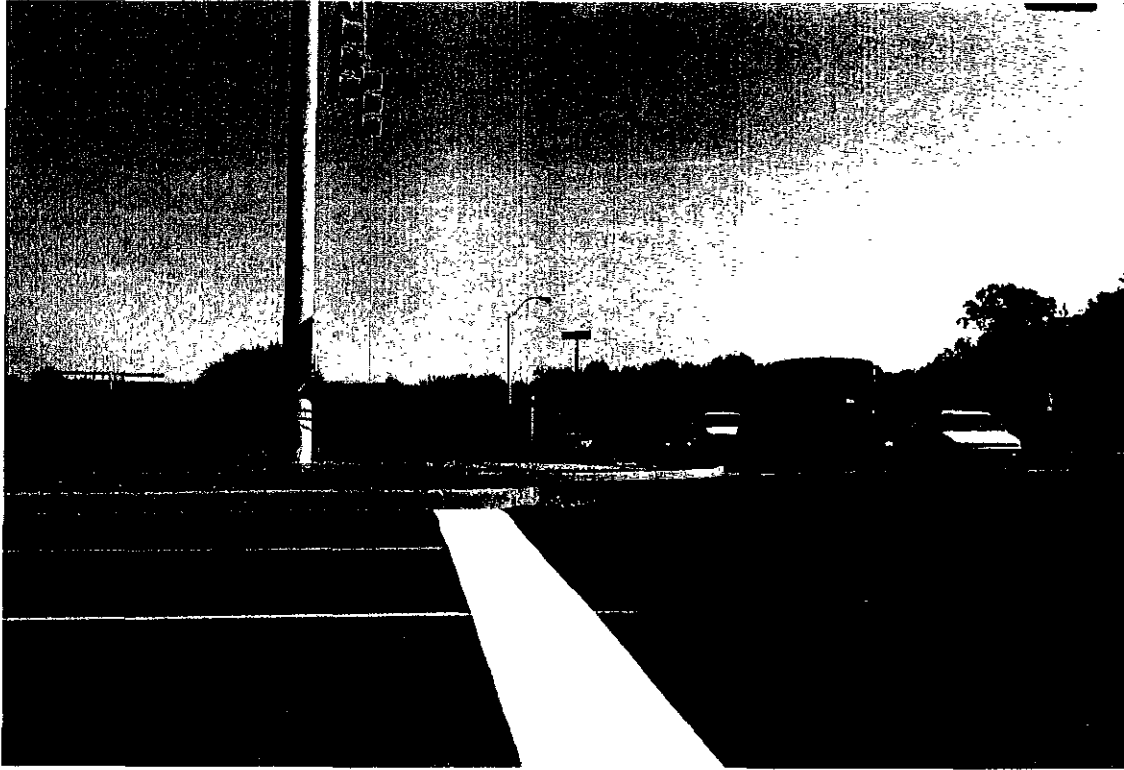
VIEW @ VAN HEIGHT - TOP OF HOSPITAL BARELY VISIBLE

OBSTRUCTED VIEW OF HOSPITAL FROM ROSSVILLE BOULEVARD

HELIX SIGN VARIANCE

OCTOBER 28, 1997

SITE RESOURCES, INC.

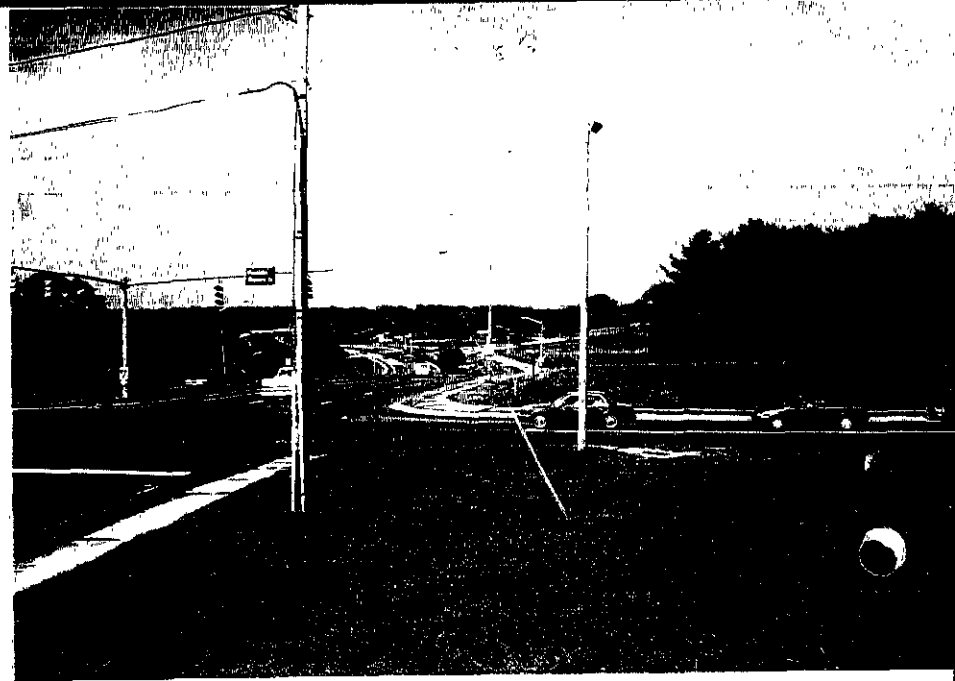


Ref 3D

***VIEW FROM ROSSVILLE BOULEVARD,
NORTH SIDE OF FRANKLIN SQUARE DRIVE
@ PASSANGER CAR HEIGHT - TOPOGRAPHY BLOCKS HOSPITAL***



A. Looking NE at present sign from.
Rossville Blvd.



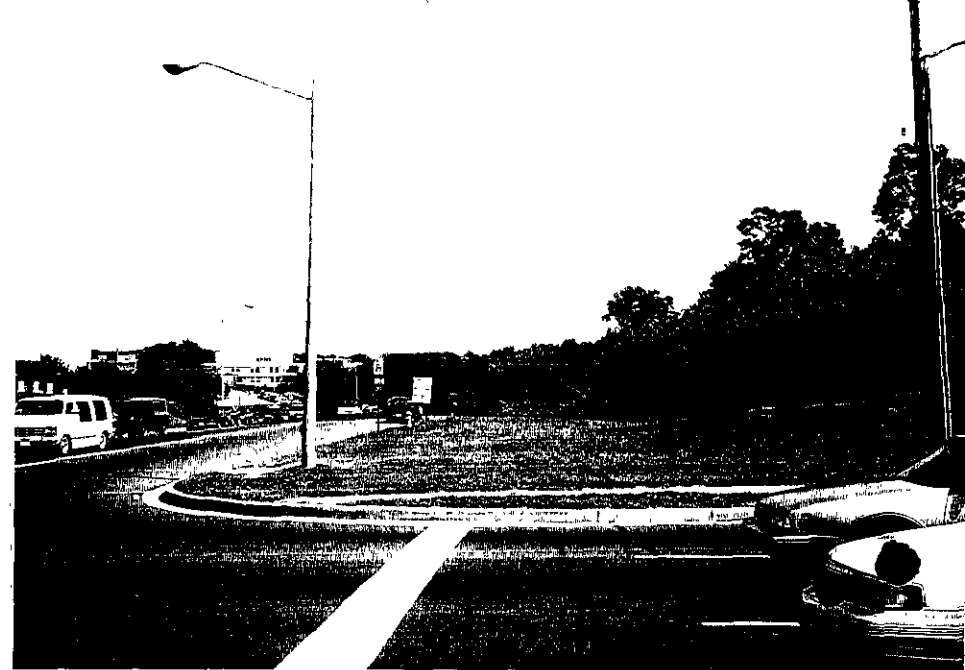
B. Looking N on Rossville Blvd. -
S of Franklin Square Drive
from area of present sign.

Bay Development Corp.
Franklin Square Hospital
Center

Case No. 98-119-SPHA

Pet #2

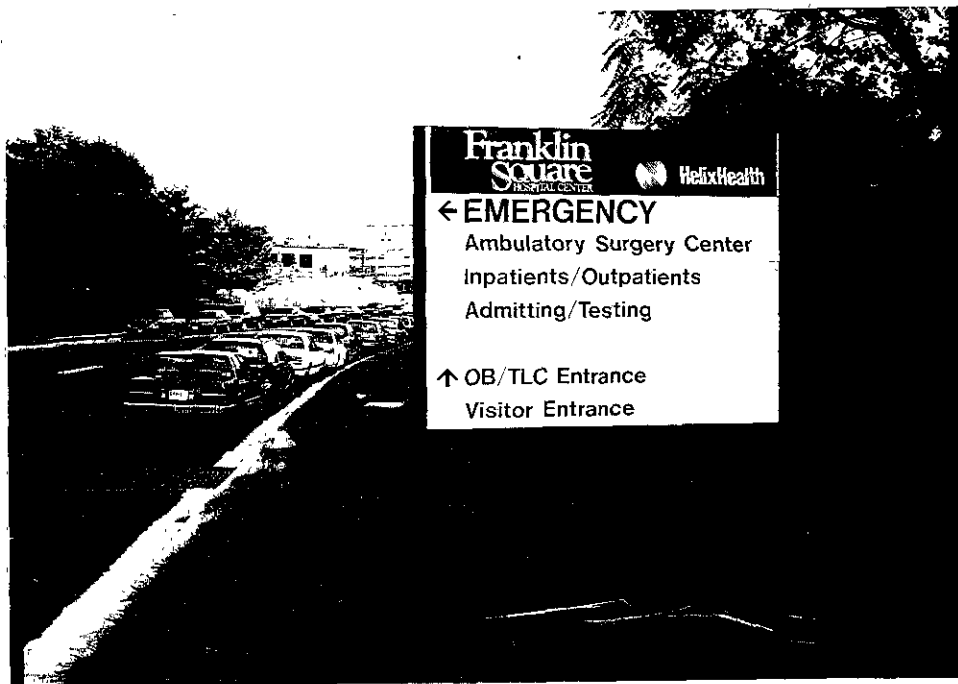
C. Looking S on Franklin Square Dr.
from area of present sign



D. Looking E on Franklin Square Dr.
from Rossville Blvd.

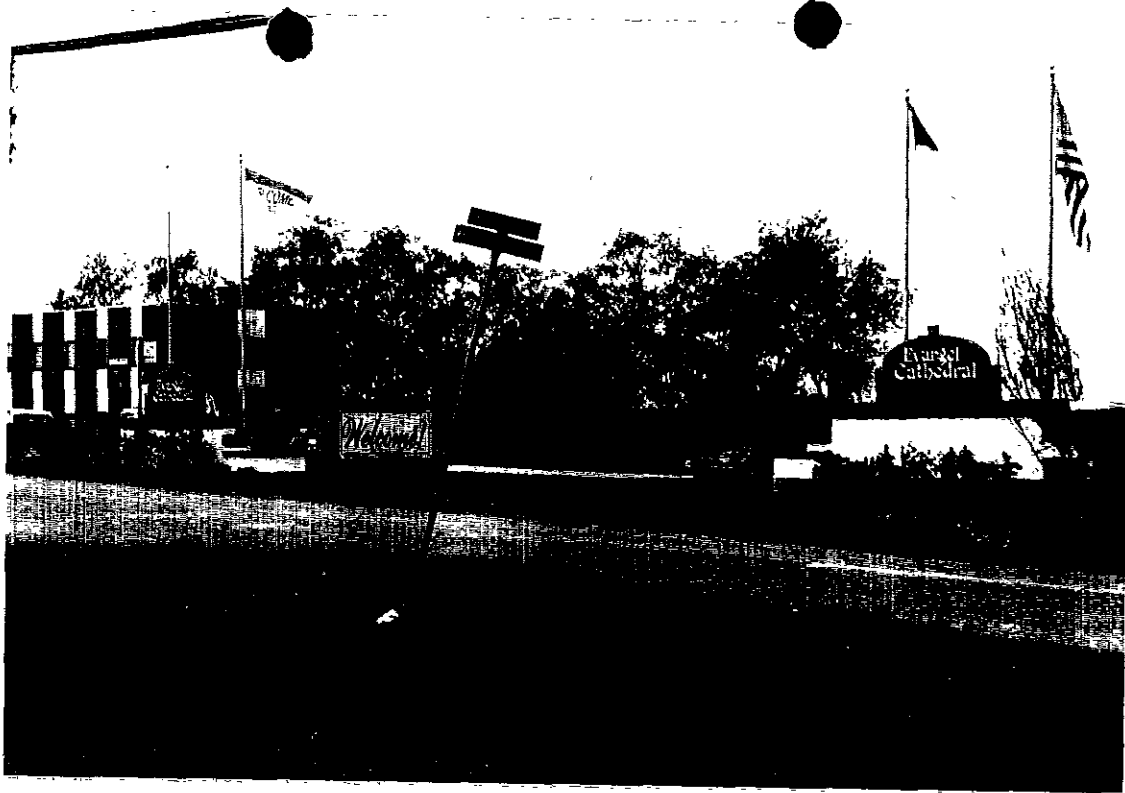
Ref No 2

E. Present Sign on S/S of Franklin Square Dr.



F. Looking W on Franklin Square Dr.
Up hill to Rosville Blvd.

Ref No 2



S,

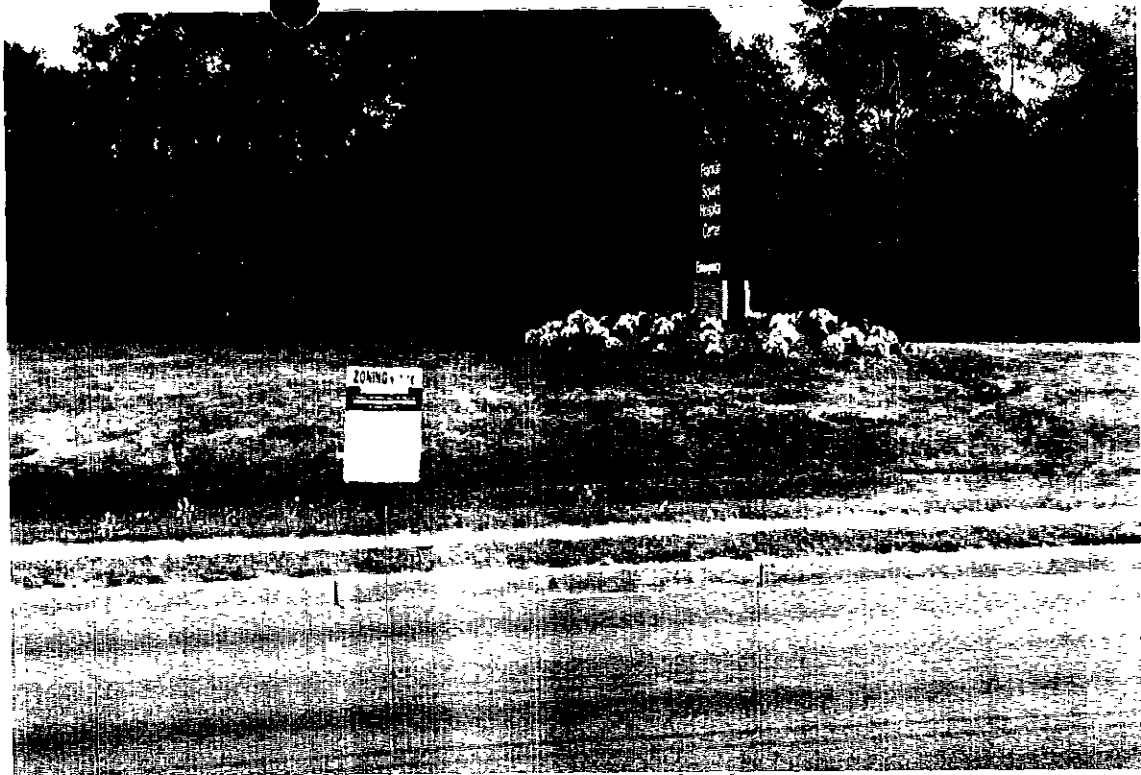
SOUTH SIDE INTERSECTION @ ROSSVILLE BLVD.
& FRANKLIN SQUARE DR. (SERVICE DRIVE)



T,



U,



W.

LOOKING AT EX. SIGN



X.

ON W.B.L. ROSSVILLE BLVD.
LOOKING AT FRANKLIN SQ. DR.



TYPICAL ELEVATION

Ref No 5

©Copyright 1996 by Belsinger Sign Works

Project

MAIN IDENTITY SIGN

Title

DESIGN CONCEPT
OPTION **1-AR**

Client

FRANKLIN SQUARE

Location

FRANKLIN SQUARE

Drawing

Scale 1/2" = 1'-0" Copyright

Drawn By V.MYERS Date 10-16-96

Checked By Date

* This drawing is for contour only unless dimensioned.*

Revisions

Drawn By	Checked By	Date
V.MYERS		1-2-97
V.MYERS		2-4-97

Drawing No.	Sheet No.	Job No.
96114	1 of 3	

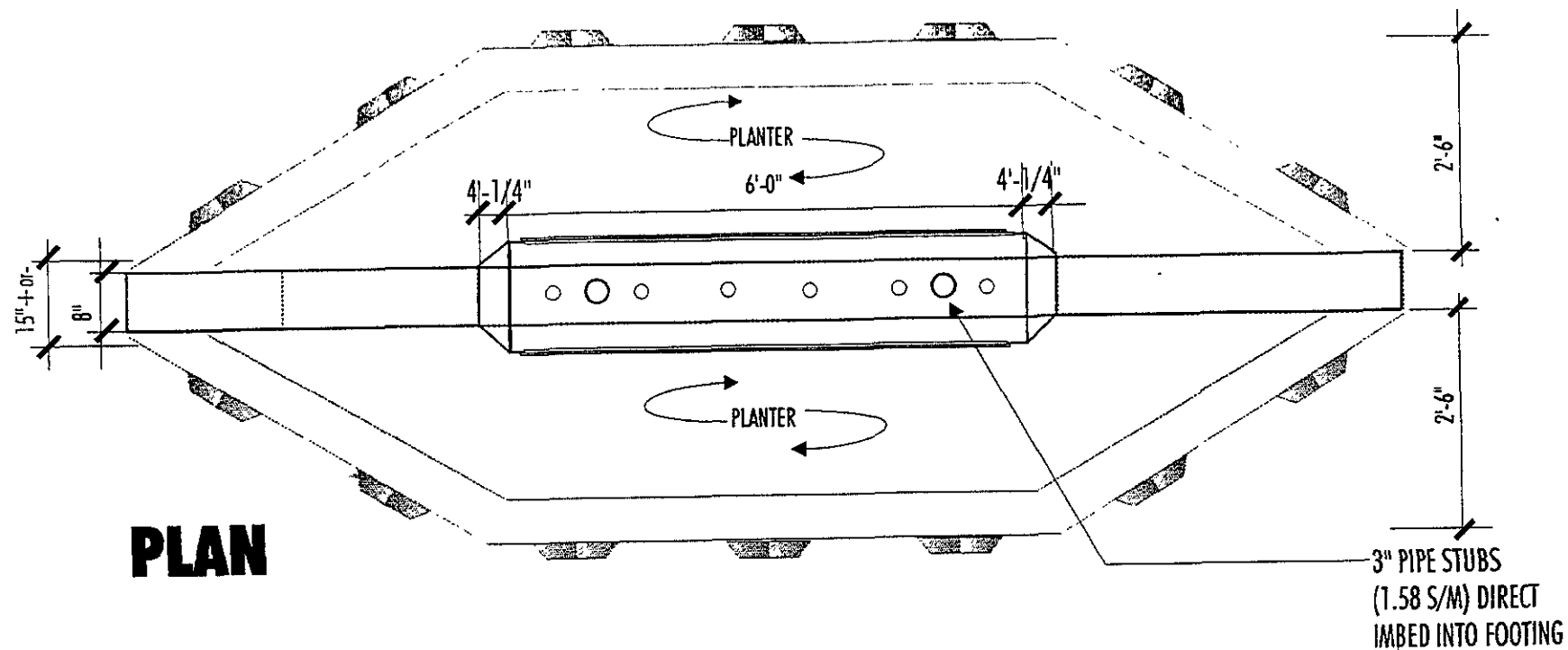
Belsinger

1300 Bayard Street

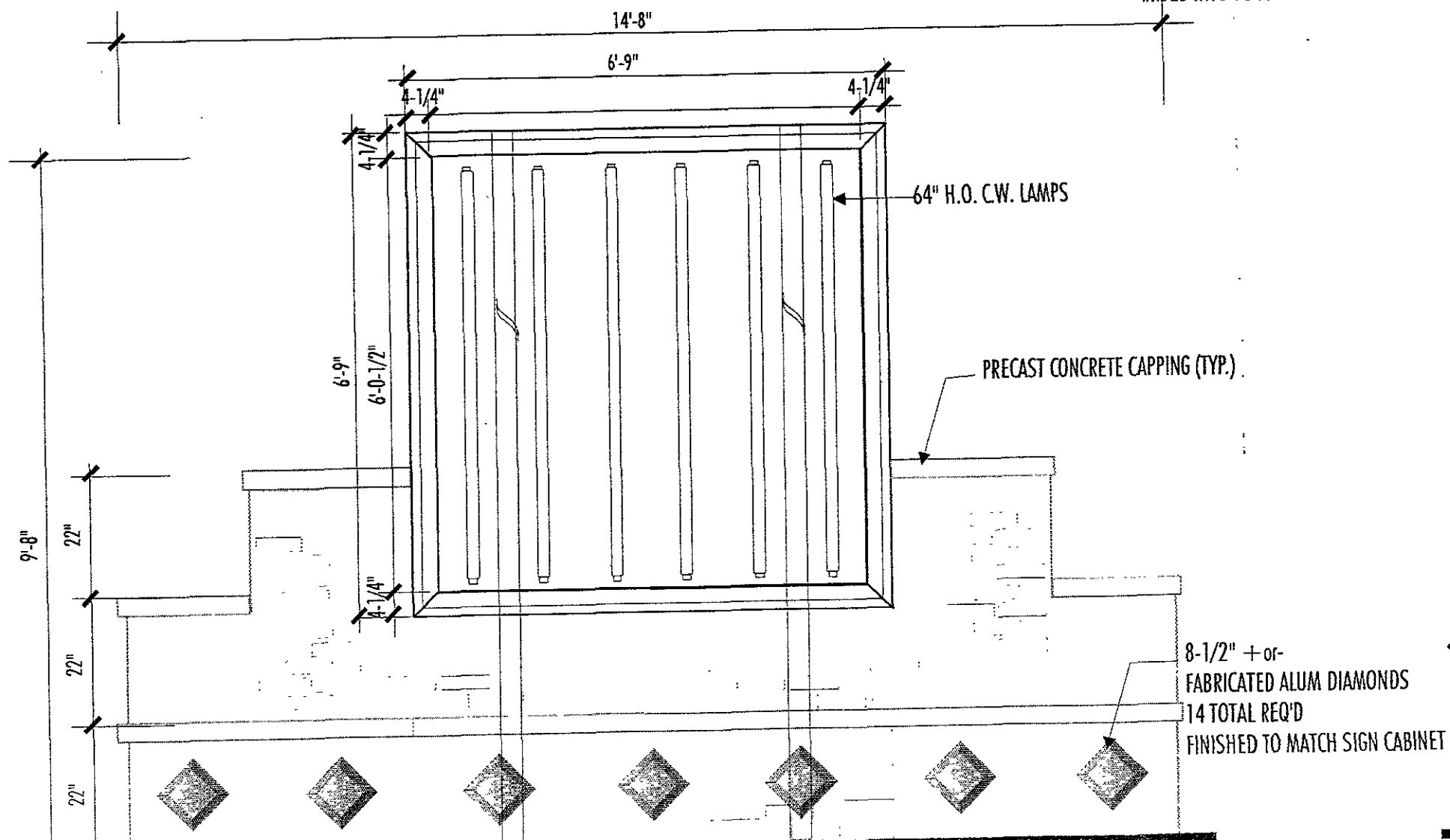
Baltimore, MD 21230

410-837-2700, 1-800-428-8848

FAX-410-837-6550



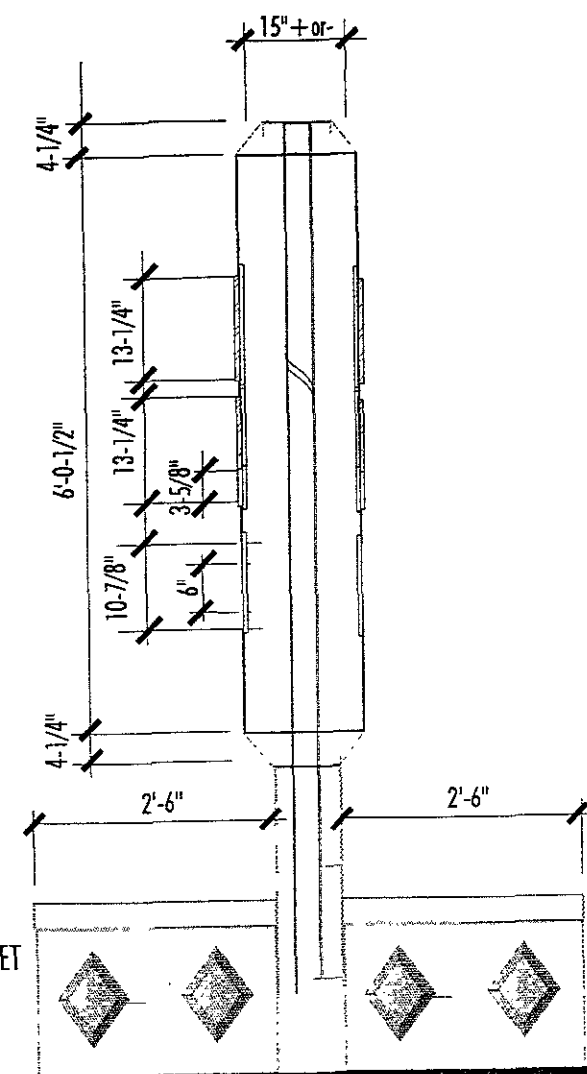
PLAN



FRONT ELEVATION

INTERNALLY ILLUM FREE-STANDING SIGN
DECORATIVE ELEMENTS & EXTRUDED ALUM FRAME
FINISHED TO MATCH METALIC SILVER

DOUBLE FACE ALUM CABINET w/ ALUM FACE TO BE
FINISHED TO MATCH METALIC SILVER
LETTERING TO BE ROUTED AWAY
BACKED UP AND PUSHED-THRU w/ ACRYLIC
'FRANKLIN...CENTER' - ACRYLIC PUSH THRU w/BLUE TRANS. VINYL
ADDITIONAL LOGO & COPY
TO BE WHITE ACRYLIC
ILLUM INTERNALLY w/ 800 MA/HO LAMPS
BRICK DECORATIVE BASE & PLANTERS-
BORAL BRICKS, INC.
MOD TSM F/R
MORTAR: FLAMINGO C-272



SIDE

Project

MAIN IDENTITY SIGN

Title

DESIGN CONCEPT

OPTION **1-AR**

Client

FRANKLIN SQUARE

Location

FRANKLIN SQUARE

Drawing

Scale 1/2" = 1'-0" Copyright

Drawn By V.MYERS Date 9-30-96

Checked By Date

* This drawing is for contour only unless dimensioned.*

Revisions

Drawn By	Checked By	Date
V.MYERS		10-16-96
		1-2-97
		2-4-97
		2-10-97
		10-21-97

Drawing No.	Sheet No.	Job No.
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96114	2 of 3	
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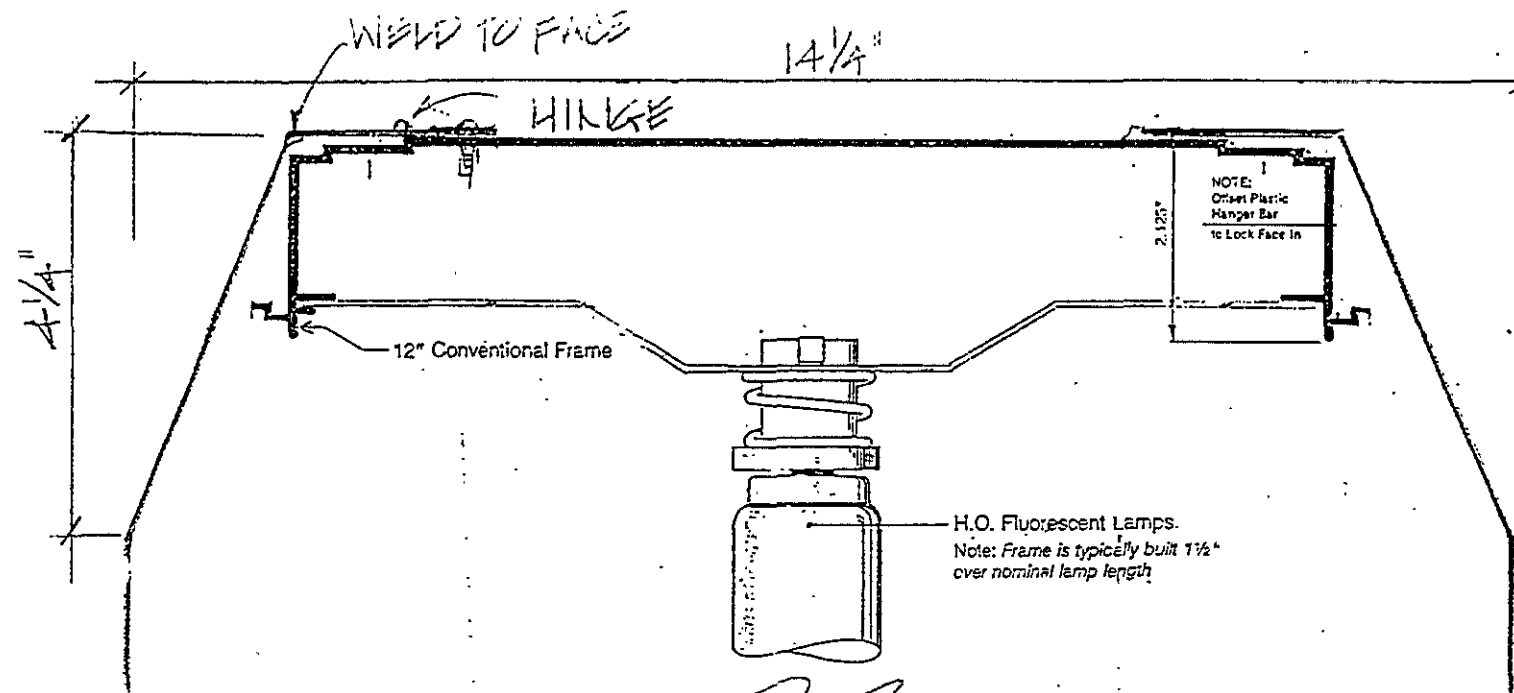
Belsinger
SIGN WORKS INC.

1300 Bayard Street

Baltimore, MD 21230

410-837-2700, 1-800-428-8848

FAX-410-837-6550

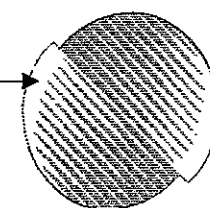


DETAIL @ TOP OF CABINET

LETTERS - WHITE ACRYLIC PUSH-THRU FACE
w/ BLUE TRANS. VINYL FACE
SHADOW (SHOWN IN LIGHT GRAY)
ACHIEVED w/ PRECISION CUT VINYL
FINISHED TO MATCH FACE OF CABINET
& APPLIED TO FACE OF LETTER

Franklin
Square
HOSPITAL CENTER

LOGO - WHITE ACRYLIC FACE-
CUT OUT OF ALUM FACE SHOWN AS DOTTED LINE
SECOND COLOR (SHOWN IN LIGHT GRAY)
ACHIEVED w/ PRECISION CUT VINYL
FINISHED TO MATCH FACE OF CABINET
& APPLIED TO FACE OF LOGO



HelixHealth

DETAIL OF LETTERING & LOGO

Project

MAIN IDENTITY SIGN

Title

DESIGN CONCEPT

OPTION **1-AR**

Client

FRANKLIN SQUARE

Location

FRANKLIN SQUARE

Drawing

Scale 1/2" = 1'-0"

Copyright

Drawn By V.MYERS

Date 9-30-96

Checked By

Date

* This drawing is for contour only unless dimensioned. *

Revisions

Drawn By	Checked By	Date
V.MYERS		10-16-96 1-2-97 2-4-97 2-10-97 10-21-97

Drawing No.	Sheet No.	Job No.
96114	3 of 3	

Belsinger
SIGN WORKS INC

1300 Bayard Street

Baltimore, MD 21230

410-837-2700, 1-800-428-8848

FAX-410-837-6550



98-119-SPHA



Project

MAIN IDENTITY SIGN

Title

DESIGN CONCEPT
OPTION **1-A**

Client

FRANKLIN SQUARE

Location

FRANKLIN SQUARE

Drawing

Scale 1/2" = 1'-0" Copyright

Drawn By V.MYERS Date 10-16-96

Checked By Date

* This drawing is for contour only unless dimensioned.*

Revisions

Drawn By Checked By Date

--	--	--

Drawing No. Sheet No. Job No.

96114	1 of 2	
-------	--------	--

Belsinger

SIGN WORKS, INC.

1300 Bayard Street

Baltimore, MD 21230

410-837-2700, 1-800-428-8848

FAX-410-837-6550

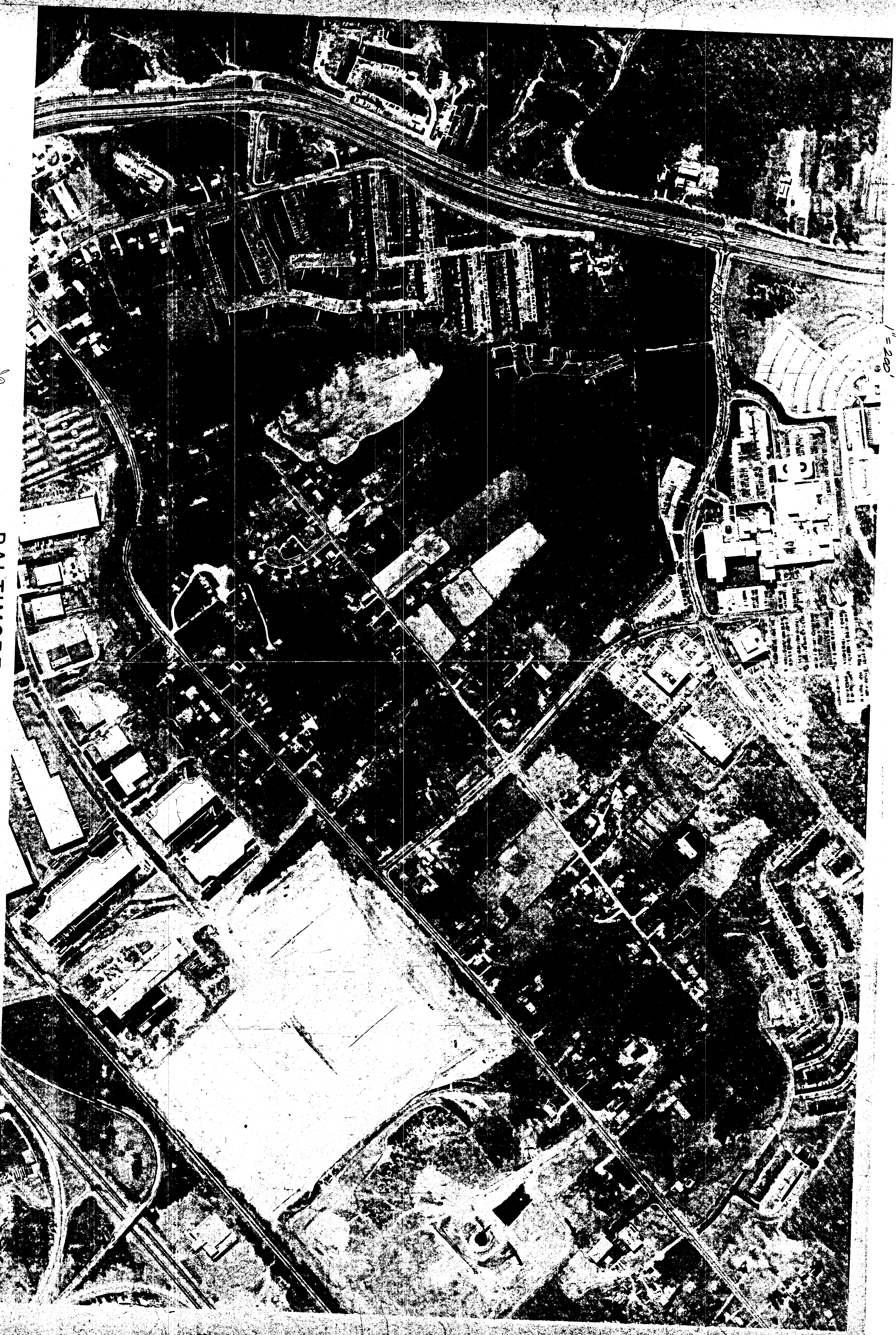


98-119-5PHA



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FAX-410-837-6550



1" = 200'

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

10/16/60

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
AERIAL PHOTOGRAPH

SCALE	LOCATION	SHEET
1" = 200'	ROSSVILLE	NE
DATE		5-6

CERTIFICATION REGARDING ACCOUNTS

The undersigned owner hereby certifies under oath that there are no delinquent accounts for any developments owned by Bay Development Corporation, applicant/owner/developer.

OWNER
Bay Development Corporation
Stephen S. Cohen, V.P.

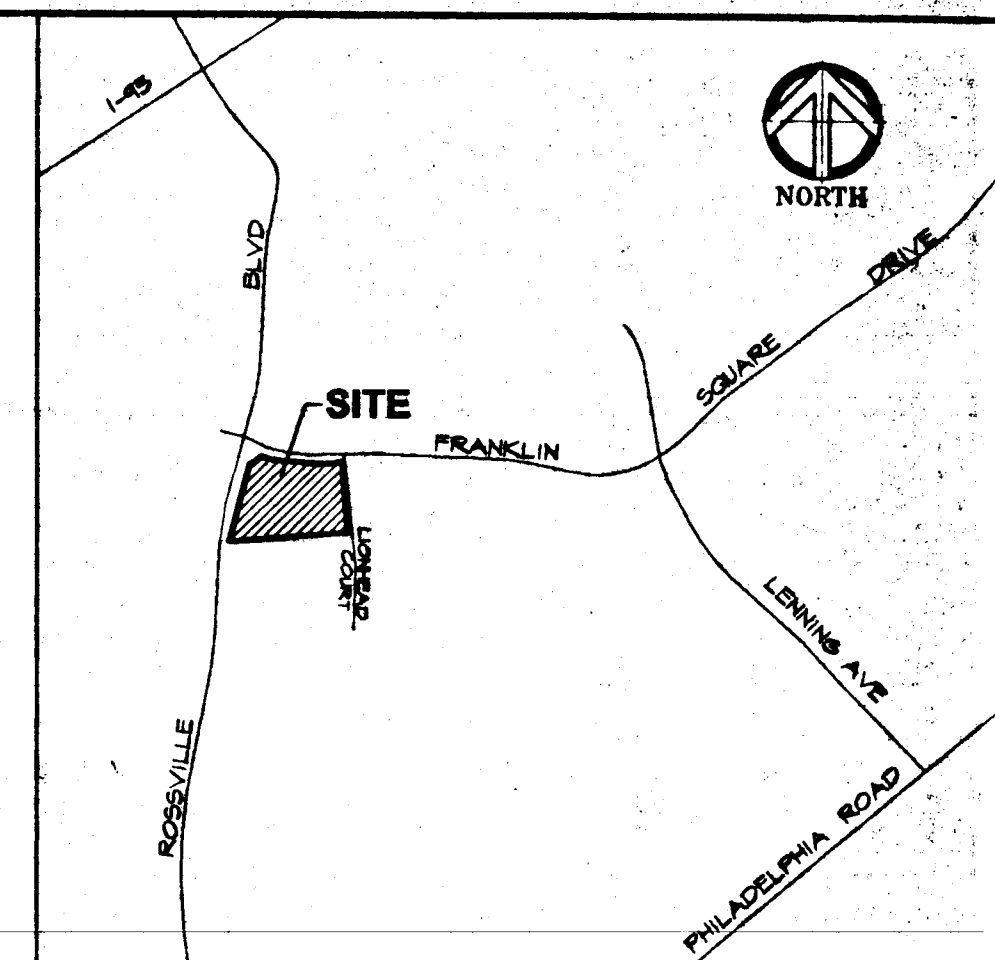
8/20/97

This is to certify that there are no known zoning violations on any properties within Baltimore County owned or controlled by the undersigned property owner of the development known as Bay development Co.
The undersigned acknowledges that should any zoning violations be discovered during processing of this development, the provisions of Title 22, Bill 18-90, may prevent the County from granting approvals at any stage of the process.

OWNER
Bay Development Corporation
Stephen S. Cohen, V.P.

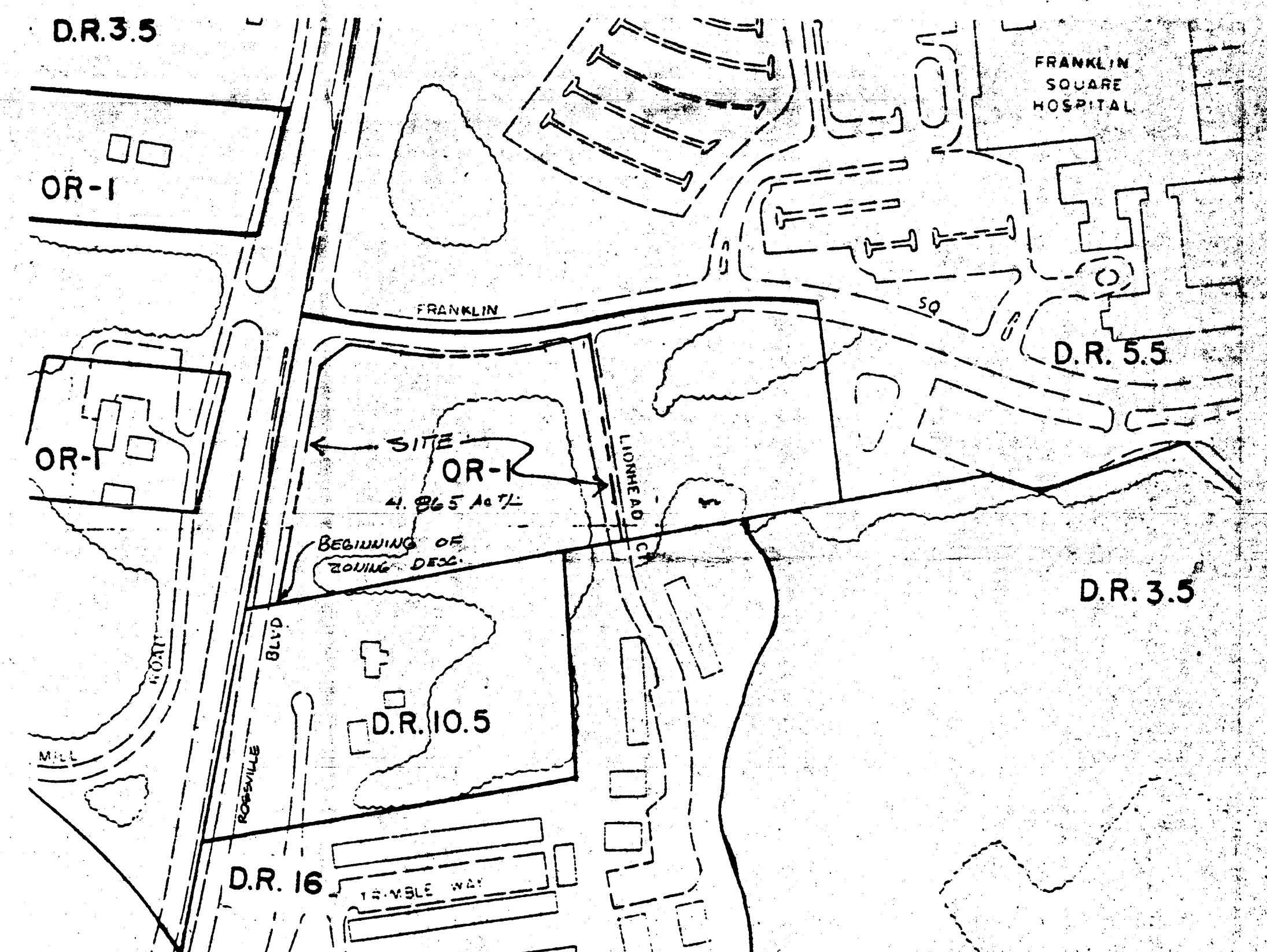
8/20/97

ESSEX COMMUNITY
COLLEGE
4263/201
TAX ID 1402060270
USE: COLLEGE



VICINITY MAP

1"=1000'

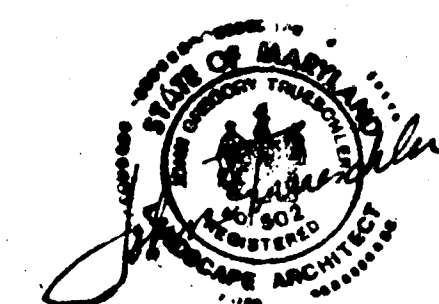


PORTION OF ZONING MAP NE 5-G

1"=200' 98-119-SPHA

GENERAL NOTES

1. Owner/Applicant:
Bay Development Corporation
Suite 301, 2330 West Joppa Road
Lutherville, Timonium, MD 21093
Baltimore, MD 21228
2. Deed Reference: 5014/412; Tax Account Number: 14-06059960
3. Acreage: 4.86 Net, 5.49 Gross
4. Current Zoning: D.R. 1
5. Election District 14; Councilmanic District 6
6. There are no known previous Building Permits.
7. There are no known prior Zoning Hearings, CRG, DRC, or waivers.
8. There are no known easement agreements
9. Proposed improvement: One double faced free standing internally illuminated sign placed within a raised planter bed.
Dimensions: Sign: 6'9" wide by 6'9" high by 1" deep, 163 SF
Planter: 14'8" wide by 1'10" high by 5' deep
Combined Height: 9'8"
10. All trees shown on this plan are existing.
11. There are no streams, wetlands, or Forest buffers on the site.
12. Hazardous materials & underground fuel tanks: To the best of our knowledge, there are no known hazardous materials or below ground fuel tanks located on the property.
13. To the best of knowledge of the owner and site planner, there are no existing wells or septic systems within 100' of the site.
14. Critical areas & Endangered species: To the best of our knowledge, there are no critical areas or endangered species habitat on the property.
15. Archeological sites & historic structures: To the best of our knowledge, there are no archeological sites on the property.

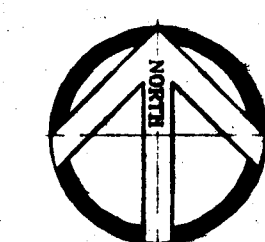


1738 Boggs Road • Forest Hill, Maryland 21050
(410) 879-5994 • Fax (410) 879-5995

Plan to Accompany Zoning Variance

Baltimore County Maryland

Sign at Rossville Blvd and Franklin Square Drive



DATE: 8/20/1997

SCALE: AS SHOWN

PROJECT NO: 1997

DRAWING NO: SD-1

SHEET 1 OF 1

COPYRIGHT SITE RESOURCES INC. 1997

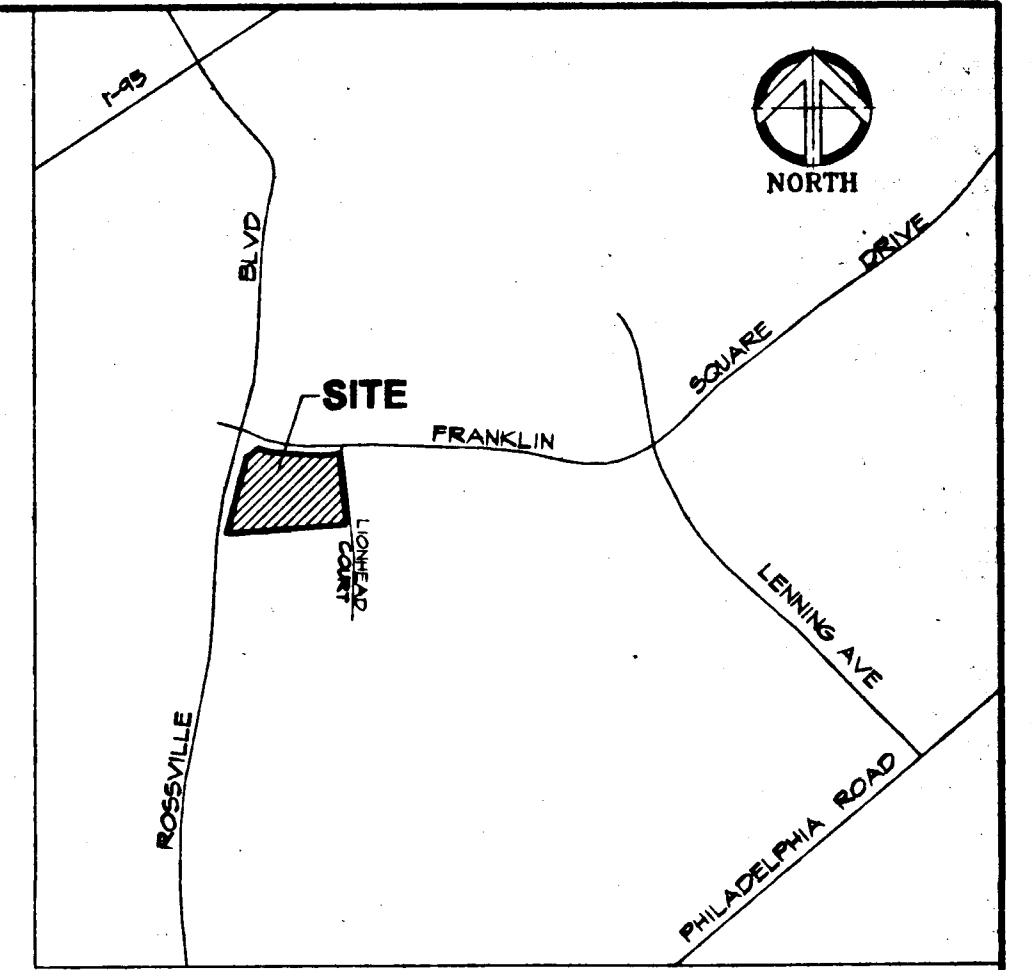
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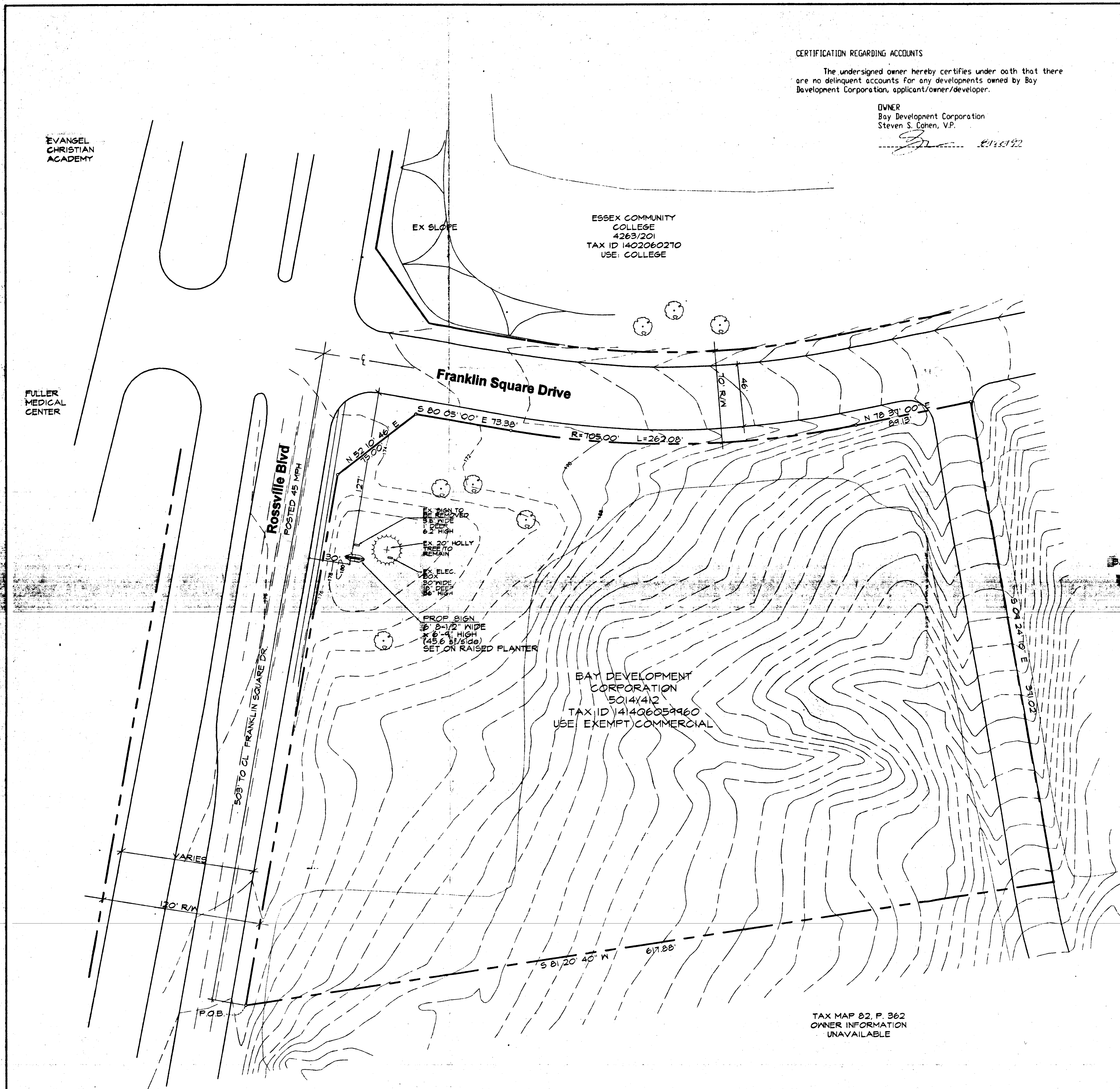
OWNER
Bay Development Corporation
Steven S. Cohen, V.P.

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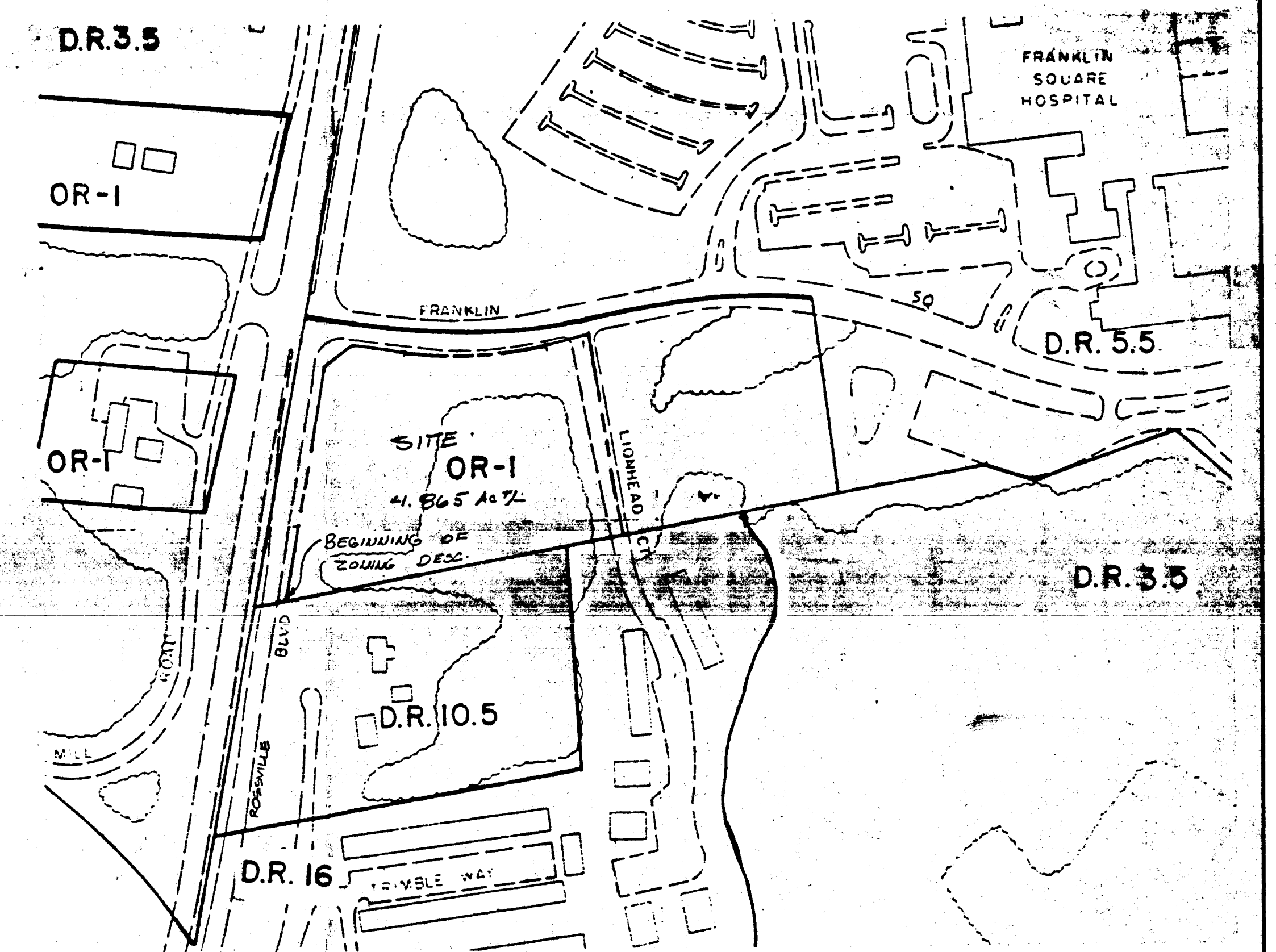
OWNER
Bay Development Corporation
Stephen S. Cohen, V.P.



VICINITY MAP 1"=1000'



SITE PLAN 1"=40'



PORTION OF ZONING MAP NE 5-G 1"=200'

GENERAL NOTES

- Owner/Applicant: Bay Development Corporation, Suite 301, 2330 West Joppa Road, Lutherville, Timonium, MD 21093, Baltimore, MD 21228
- Deed Reference: 5014/412; Tax Account Number: 14-06059960
- Acres: 4.85 Net; 5.49 Gross
- Current Zoning: OR-1
- Election District 14; Councilmanic District 6.
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- Archaeological sites & historic structures: To the best of our knowledge, there are no archeological sites on the property.



1738 Bagg Road • Forest Hill, Maryland 21050
(410) 879-6964 • Fax (410) 879-6965

Plan to Accompany Zoning Variance

Baltimore County Maryland

Sign at Rossville Blvd and Franklin Square Drive

DATE: 8/20/1997
REVISED: 10/27/1997

SCALE: AS SHOWN

PROJECT NO: 1997

DRAWING NO: SD-1

SHEET 1 OF 1

PETITIONER'S EXHIBIT 101