

IN RE: PETITION FOR VARIANCE
NWC Greenside Drive and
Adams Avenue
8th Election District
4th Councilmanic District
(9720 Greenside Drive)

Monroe Associates, L.P., by and through
Joseph H. Seipp, Jr., General Partner
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-373-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Monroe Associates, L.P., by and through Joseph H. Seipp, Jr., General Partner. The variance request involves property located at 9720 Greenside Drive, which property is zoned RO. Specifically, the Petitioner is requesting permission to allow 2 freestanding illuminated enterprise signs, each with an area of 15 sq. ft. and a height of 6 ft. in lieu of the permitted 8 sq. ft. non-illuminated wall mounted or projecting sign.

Appearing at the hearing on behalf of the variance request were Joseph Seipp, appearing on behalf of the owner of the property, Brian Dietz, appearing on behalf of Gerhold, Cross and Etzel, the land surveyors who prepared the site plan of the property and Ben Bronstein, attorney at law, representing the Petitioner. Appearing in opposition to the Petitioner's request were several residents of the surrounding community, namely Marie and Michael Noppenberger, Stephen Weber and Pat Gartrell of the County Home Park Community Association.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.61 acres, more or less, zoned RO. The subject property is improved with an existing 2-story office building and associated parking. The property is located on the northwest corner of the intersection of Greenside Drive and Adams Avenue in Cockeysville. The Petitioner is requesting permission to construct 2 freestanding illuminated signs on the

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DATE 9/25/01
BY J. H. Seipp

subject property in the area as shown on Petitioner's Exhibit No. 1, the site plan of the property. The Petitioner has already installed wall mounted signs on the building itself to identify the tenants located therein. However, in an effort to lease the remaining vacant space within the building and to further identify the subject property, the Petitioner is proposing the 2 signs as shown on the site plan.

As stated previously, several residents from the surrounding community appeared in opposition to the Petitioner's request. Testimony of these neighbors demonstrated that they are opposed to the sign proposal as requested by the Petitioner. These neighbors indicated that they supported the Petitioner in his special exception request to construct a Class B office building several years ago, on condition that the building would be tastefully designed and that it would act as a buffer between the commercial enterprises in the area and their residential community. Those same neighbors now object to the placement of these 2 illuminated signs, in that they feel that the signs themselves will tend to over commercialize an otherwise tastefully designed project. In addition, they are also concerned that other office buildings in the area will also see the need for freestanding illuminated signs and therefore, request variances for their properties. The citizens believe that the property as it exists is properly identified and the need for these large illuminated signs is not necessary.

Mr. Stephen Weber, appearing on behalf of the County Home Park Community Association, indicated at the hearing that his association would support a freestanding sign which was no taller than 5 ft. in height, was 2 ½ ft. by 4 ft. in dimension, placed atop a 1 ft. pedestal. In addition, his association would like to see landscaping proposed around the base of the sign itself. Furthermore, his association requested that the sign not be illuminated. Lastly, the County Home Park Community Association would only support such a sign if it were situated no further east than 8 ft. from the easternmost façade of the building itself.

Finally, the citizens in attendance not only object to a new sign being illuminated on the property, but had some concerns over the light standards that were used by the developer when constructing the building and parking lot areas. Apparently, the previous zoning order which approved the Class B office building contained a restriction that the Petitioner install lighting that would not reflect onto adjacent residential properties. This is usually accomplished by the developer installing lighting containing shaded fixtures that direct the light down to the ground and not in a 360° manner. The lamp posts used by this Petitioner reflect light in all directions and, therefore, do not meet the standards as set by the previous zoning order. Therefore, as a result of this hearing, I shall request that Mr. Avery Harden, Landscape Architect for Baltimore County, review the lighting used by the Petitioner on the property to determine compliance with the previous zoning order. In the event Mr. Harden determines that the light fixtures are not sufficiently designed so as to prevent light from reflecting into adjacent residential properties, then the Petitioner shall be required to bring any and all lighting into compliance with not only the previous zoning order, but this particular order as well.

Turning to the variance request in the instant case, I find that the Petitioner's request to install 2 freestanding illuminated enterprise signs, each with an area of 15 sq. ft. and a height of 6 ft., should be denied. However, I shall approve a variance to allow the Petitioner to install 2 freestanding enterprise signs consistent with the request of the County Home Park Community Association, as stated by Mr. Stephen Weber at the hearing before me. Accordingly, the Petitioner shall be permitted to install 2 freestanding non-illuminated enterprise signs, each with a dimension of 2 ½ ft. x 4 ft. in area, installed on a pedestal no higher than 1 ft. In addition, the Petitioner shall be required to submit to Mr. Avery Harden, Landscape Architect for Baltimore County, a landscape plan showing the appropriate type and location of plantings to be placed at the base of said signs. As stated previously, in no event shall the signs, as permitted by this

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Date 6/8/01
By J. P. J. J. J.

order, be illuminated in any fashion. Furthermore, the location of these signs shall be placed no further east than 8 ft. from the wall of the office building. The Petitioner shall be required to resubmit a new site plan in accordance with the new dimensions as specified in this order.

THEREFORE, IT IS ORDERED this 8th day of June, 2001, by this Deputy Zoning Commissioner, that the variance to permit 2 freestanding illuminated enterprise signs, each with an area of 15 sq. ft. with a height of 6 ft. in lieu of the permitted 8 sq. ft. non-illuminated wall sign or projecting sign, be and is hereby DENIED.

IT IS FURTHER ORDERED, that the Petitioner shall be permitted and a variance shall be granted to allow 2 freestanding non-illuminated enterprise signs, each with a dimension of 2 ½ ft. x 4 ft. placed on a 1 ft. high pedestal for a total height of 5 ft. in lieu of the permitted 8 sq. ft. non-illuminated wall mounted or projection sign.

IT IS FURTHER ORDERED, that the location of the sign approved pursuant to this Order shall be situated no further east than 8 ft. from the building foundation wall.

IT IS FURTHER ORDERED, that the wall mounted sign for which the new approved sign is replacing shall be removed from the façade of the building upon the installation of the new freestanding sign.

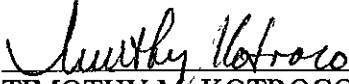
IT IS FURTHER ORDERED, that the Petitioner shall submit a landscape plan to Avery Harden proposing landscaping around the base of the new freestanding signs. In addition, Mr. Harden shall review the existing lighting on the property to insure that the lighting does not reflect onto adjacent residential properties. In the event, in Mr. Harden's discretion, that the lighting does not satisfy the restrictions of the previous zoning order, then the Petitioner shall be required to modify said lighting in order to bring the property into compliance with all lighting restrictions.

ORDER RECEIVED FOR FILING

Date

By

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty
(30) days of the date of this Order.

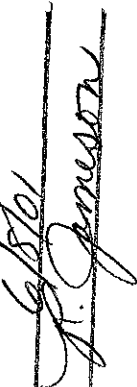

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING

Date

By





Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

June 8, 2001

Benjamin Bronstein, Esquire
George & Bronstein LLP
29 W. Susquehanna Avenue, Suite 205
Towson, Maryland 21204

Re: Petition for Variance
Case No. 01-373-A
Property: 9720 Greenside Drive

Dear Mr. Bronstein:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been granted in accordance with the enclosed Order.

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 from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Copies to:

Joseph H. Seipp, Jr.
Monroe Associates, L.P.
725 Deepdene Road
Baltimore, MD 21210

Brian Dietz, P.E.
Gerhold, Cross & Etzel
320 E. Towsontown Boulevard
Towson, MD 21286

Mr. Stephen Weber
County Home Park Community Assn.
9801 Van Buren Lane
Cockeysville, MD 21030

Ms. Pat Gartrell
County Home Park Community Assn.
100 Gibbons Boulevard
Cockeysville, MD 21030

Mr. & Mrs. Michael Noppenberger
5 Gibbons Boulevard
Cockeysville, MD 21030



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9720 Greenside Drive

which is presently zoned RO

This Petition shall be filed with the Department of Permits and 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)

450.4.5(m) to permit 2 freestanding illuminated enterprise signs, each with an area of 15 sq ft with a height of 6 ft in lieu of the permitted 8 sq ft non-illuminated wall mounted or projecting sign.

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

1. Configuration of the site
2. Topography of the site
3. And for such other and further reasons as may be demonstrated at hearing.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Benjamin Bronstein

Name - Type or Print

Signature

George & Bronstein, LLP

Company

729 West Susquehanna Avenue, Suite 205

410-296-0200

Address

Telephone No.

Towson

Maryland

21204

City

State

Zip Code

Legal Owner(s):

Monroe Associates, L.P.

Name - Type or Print

Signature

Joseph H. Seipp, Jr., General Partner

Name - Type or Print

Signature

725 Deepdene Road

410-433-513

Address

Telephone No.

Baltimore

Maryland

21210

City

State

Zip Code

Representative to be Contacted:

Gerhold, Cross & Etzel, Ltd.

Name

320 E. Towsontown Boulevard

410-823-4470

Address

Telephone No.

Towson

Maryland

21286

City

State

Zip Code

OFFICE USE ONLY

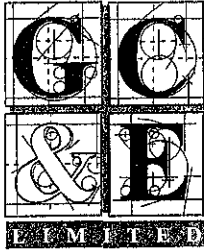
ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By JNP

Date 3/21/01

OFFICE RECEIVED
Case No. 01-373-A
Date 3/15/98
By



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towson Town Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

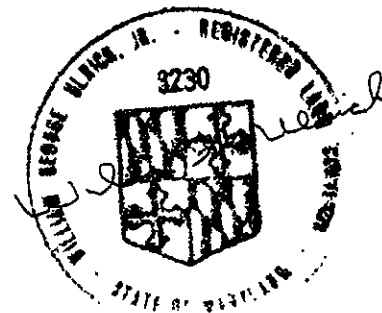
January 16, 2001

ZONING DESCRIPTION TO ACCOMPANY A PETITION FOR 9720 GREENSIDE DRIVE

Beginning for the same at a point on the west side of Greenside Drive (70 feet wide), said point being measured northerly 15 feet along the west side of Greenside Drive from the intersection of the extension of the north side of Adams Avenue as widened to 40 feet with the west side of Greenside Drive, thence running and binding on the west side of Greenside Drive, (1) Northerly by a line curving to the left having a radius of 2829.74 feet for a distance of 101.04 feet, thence leaving said Greenside Drive and running and binding on the lands of the herein petitioner, the two following courses and distances viz: (2) North 84 degrees 10 minutes 52 seconds West 231.51 feet, and (3) South 5 degrees 49 minutes 08 seconds West 116.00 feet to the north side of Adams Avenue as widened to forty feet, thence running and binding on the north side of Adams Avenue, (4) South 84 degrees 10 minutes 52 seconds East 214.12 feet, and thence by a line connecting the north side of Adams Avenue with the west side of Greenside Drive, (5) North 52 degrees 11 minutes 34 seconds East 21.74 feet to the place of beginning.

Containing 0.61 of and Acre, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 93043

DATE 2/21/01 ACCOUNT N-201-006-6150
AMOUNT \$ 250.00

RECEIVED FROM: George & Bernstein, LLP
FOR: 9172A Lane Side Court
C1-273-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
ACTUAL DATE
3/21/2001 15:08:30
REC MS01 PRINTER JRIC JMR BRW01
RECEIPT 9304393
028 ZONING VERIFICATION
CR 01 93043
Receipt Tot 250.00
90.00 OK
Baltimore County, Maryland

CASHIER'S VALIDATION

**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: #01-373-A
9720 Greenside Drive
NW Corner Greenside Drive
and Adams Avenue
8th Election District
4th Councilmanic District
Legal Owner(s): Monroe
Associates, LP

Variance: to permit 2 free-standing illuminated enterprises signs, each with an area of 15 square feet with a height of 6 feet in lieu of the permitted 8 square feet non-illuminated wall mounted or projecting sign.

Hearing: Tuesday, May 8, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/4/777 Apr. 24 C464608

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/24/2001 4/26/2001

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 01-373-A

Petitioner/Developer: MONROE

Associates LP

Date of Hearing/Closing: May 8, 2001

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 7720 Greenside Dr

The sign(s) were posted on APRIL 23, 2001
(Month, Day, Year)

Sincerely,

SSG Robert Black 4/23/01
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



RECEIVED

APR 27 2001

DEPT. OF POHNTS AND
DEVELOPMENT AND PLANNING

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 01-373-A

Petitioner: Monroe Associates, L.P.

Address or Location: 9720 Greenside Drive

PLEASE FORWARD ADVERTISING BILL TO:

Name: Benjamin Bronstein

Address: George & Bronstein, LLP

29 W. Susquehanna Avenue, Towson, MD 21204

Telephone Number: 410-296-3719

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 24, 2001 Issue -- Jeffersonian

Please forward billing to:
Benjamin Bronstein
George & Bronstein LLP
29 W Susquehanna Avenue
Towson MD 21204

410 296-3719

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: 01-373-A
9720 Greenside Drive
NW/Corner Greenside Drive and Adams Avenue
8th Election District – 4th Councilmanic District
Legal Owner: Monroe Associates LP

Variance to permit 2 freestanding illuminated enterprises signs, each with an area of 15 square feet with a height of 6 feet in lieu of the permitted 8 square feet non-illuminated wall mounted or projecting sign.

HEARING: Tuesday, May 8, 2001 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue


Lawrence E. Schmidt
GDZ

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

April 3, 2001

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: 01-373-A
9720 Greenside Drive
NW/Corner Greenside Drive and Adams Avenue
8th Election District – 4th Councilmanic District
Legal Owner: Monroe Associates LP

Variance to permit 2 freestanding illuminated enterprises signs, each with an area of 15 square feet with a height of 6 feet in lieu of the permitted 8 square feet non-illuminated wall mounted or projecting sign.

HEARING: Tuesday, May 8, 2001 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with the number "602" written below it.

Arnold Jablon
Director

C: Benjamin Bronstein, George & Bronstein LLP, 29 W Susquehanna Avenue,
Suite 205, Towson 21204
Joseph H Seipp Jr, Monroe Associates LP, 725 Deepdene Road, Baltimore 21210
Gerhold Cross & Etzel Ltd, 320 E Towsontown Blvd, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, APRIL 23, 2001.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

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

May 4, 2001

Benjamin Bronstein
George & Bronstein LLP
29 W Susquehanna Avenue
Suite 205
Towson MD 21204

Dear Mr. Bronstein:

RE: Case Number: 01-373-A, 9720 Greenside Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 21, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Joseph H Seipp Jr, Monroe Associates LP, 725 Deepdene Road, Baltimore 21210
Gerhold Cross & Etzel Ltd, 320 E Towsontown Blvd, Towson 21286
People's Counsel



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 12, 2001

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

SUBJECT: 9720 Greenside Drive

INFORMATION:

Item Number: 01-373-A

Petitioner: Monroe Associates L.P.

Property Size: .61 acres

Zoning: RO

Requested Action: Variance

REQUEST:

The variance being requested in this case is from Section 450.4.5(m) to permit 1 double sided freestanding illuminated enterprise sign, with a total area of 225 sq. ft with a height of 6 ft in lieu of the permitted 8 square foot non-illuminated wall mounted or projected sign.

The subject property is a .61 acre parcel of land located in a small residential community. Although zoned RO the area primarily consist of single family dwellings and 2 home occupation uses (in single family residential dwelling units) within the community.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning recommends denial of the requested variance due to the fact that the sign requested does not comply with the existing signage in the area. The sign is too large to be placed in a small residential community.

Prepared By: Mark A. Cunningham

Section Chief: Jeffrey W. Long

AFK/JL:MAC



Baltimore County
Fire Department

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

March 29, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF April 2, 2001

Item No.: See Below

Dear Ms. Stephens:

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:

365, 366, 372, 373, 374, 375, 376, 377,

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4.2.01

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

RE: Baltimore County
Item No. 373

JMP

Dear Ms. Jackson:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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 & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *rc/rbs*

DATE: April 9, 2001

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of April 2, 2001

DEPRM has no comments for the following zoning petitions:

Item #	Address
364	426 Sherwood Road
367	9400 Liberty Road
368	6631-6635 Baltimore National Pike
369	116 Kinship Road
370	1914 Midland Road
371	Trappe Road Lots 16-20
373	9720 Greenside Drive
377	11 Olivia Court

RE: PETITION FOR VARIANCE
9720 Greenside Drive, NW/cor Greenside Dr
and Adams Ave
8th Election District, 4th Councilmanic

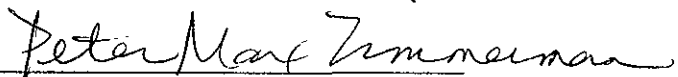
Legal Owner: Monroe Associates, L.P.
Petitioner(s)

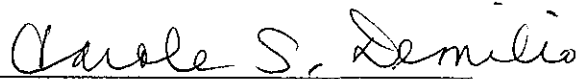
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-373-A

* * * * *

ENTRY OF APPEARANCE

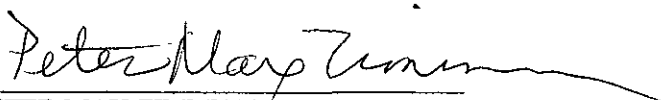
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of April, 2001 a copy of the foregoing Entry of Appearance was mailed to Benjamin Bronstein, Esq., George & Bronstein, 29 W. Susquehanna Avenue, Suite 205, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

June 27, 2001

Benjamin Bronstein, Esquire
George and Bronstein, LLP
Susquehanna Building, Suite 205
29 W. Susquehanna Avenue
Towson, Maryland 21204

Re: Petition for Variance
Case No. 01-373-A
Property: 9720 Greenside Drive

Dear Mr. Bronstein:

Please be advised that this letter will acknowledge receipt of your informal request for modification of my previously issued order involving the above-captioned matter. You have asked in your letter that I reconsider and permit low level sign illumination until 8:00 p.m.

After consideration of your request and after reviewing the letter from Stephen Weber on behalf of the County Home Park Community Association, I shall decline to modify my previously issued order and accordingly, your informal request for modification of my decision is hereby Denied.

In the event that your client wishes to file an appeal of my decision, said appeal must be filed in writing within thirty (30) days from the date of this letter and not from the date of my original order.

Very truly yours,

Timothy M. Kotroco
Hearing Officer

TMK:raj
c: Mr. George Zahner, PDM

Census 2000

For You, For Baltimore County

Census 2000



JHP 3/19/01

Intake Planner

JHP-GD

Date Assigned

3/20/01 - left message
for Ben

**DROP-OFF PETITIONS
PROCESSING CHECK-OFF**

- ☒ **Two Questions Answered on Cover Sheet:**
Any previous reviews in the zoning office? ✓
Any current building or zoning violations on site? ✓

- ☒ **Petition Form Matches Plat in these areas:**

Address ✓

Zoning ✓

Legal Owner(s) ~~(Derek & Rose L.P. (limited partnership?) on the plat)~~

Contract Purchaser(s) ✓

Request (if listed on plat) ✓

- ☒ **Petition Form (must be current PDM form) is Complete:**

Request:

Section Numbers ✓

~~Right of Appeal~~ (Correct Wording (must relate to the code, especially floodplain and historical standard wording. Variances must include the request in lieu of the required code quantities.

Hardship/Practical Difficulty Reasons ✓

Legal Owner/Contract Purchaser:

Signatures (originals) ✓

Printed/Typed Name and Title (if company) ✓

Attorney (if incorporated) ✓

Signature/Address/Telephone Number of Attorney ✓

- ☒ **Correct Number of Petition Forms, Descriptions and Plats**

- ☒ **200 Scale Zoning Map**

- ☒ **Check: Amount Correct? Signed?**

- ☒ **ZAC Plat Information:**

Location (by Carl) 9720 Greengside DR. w/s approximately 340ft.

N. & Paulina Rd.

Zoning: RO

Acreage: .61 Ac±

Previous Hearing Listed With Decision

Election District 8

Councilmanic District 4

Case # 98-69-XA (Granted 10/3/97)

Check to See if the Subject Site or Request is:

98-437-SPH (Granted 7/20/98)

CBCA ✓

Floodplain ✓

Elderly ✓

Historical ✓

Pawn Shop ✓

Helicopter ✓

*If Yes, Print Special Handling Category Here

*If No, Print No

NO

373

Item Number Assigned

3/21/01

Date Accepted for Filing

LAW OFFICES

GEORGE AND BRONSTEIN, LLP

SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(410) 296-0200
FAX: (410) 296-3719
georgbron@aol.com

HARRIS JAMES GEORGE
BENJAMIN BRONSTEIN

CONSTANCE K. PUTZEL
OF COUNSEL

March 19, 2001

Arnold Jablon, Director
Department of Permits and
Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

*By phone with BB 3/19
JUL review
no violations
UC*

RE: 9720 Greenside Drive

Dear Mr. Jablon:

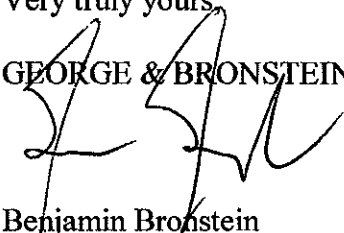
In reference to the above entitled property I am hereby enclosing the following:

1. Petition for Variance in triplicate;
2. Twelve (12) copies of the Plat to Accompany a Petition for a Variance Request;
3. Three copies of the description under seal;
4. Copy of the 200 Scale Zoning Map; and
5. My check to cover costs.

Please enter my appearance on behalf of the Petitioner and advise me as to the hearing date. Please also note that there are no violations.

Very truly yours,

GEORGE & BRONSTEIN, LLP


Benjamin Bronstein

BB/mlh
Enclosures

01-373-A

Roberta Jameson - Case No. 01-373-A, 9720 Greenside Drive

From: Stephen Weber
To: Timothy Kotroco
Date: 6/26/01 1:05 PM
Subject: Case No. 01-373-A, 9720 Greenside Drive

Dear Mr. Kotroco-

I am writing to you on behalf of the County Home Park Community Association and in response to Mr. Benjamin Bronstein's 6/14/01 letter to you requesting consideration of low level sign illumination until 8 p.m. We have discussed this issue and find that this same request was made and considered in the hearing. The petitioner specifically asked for this at the hearing and we made our views known at that time that we could see no practical benefit to allowing it plus our impression that doing so would more commercialize the property.

I am puzzled as to what Dr. Seipp is trying to accomplish by allowing "low level" illumination. (We don't know how many lumens this means.) As you know, this sign is relatively low to the ground and is in a prime location to be illuminated by car headlights that would be entering Adams Avenue. Any light that the petitioner would supply to the sign would pale in comparison to the illumination provided by vehicle headlights. It would be like lighting a room with a 50 watt bulb so that persons walking into the room carrying two lit 250 watt bulbs could see where they were walking. The extra 50 watts would do nothing to accomplish the goal of the person being able to see where they walk and wouldn't even be noticed in the presence of the other 500 watts. The same is true of this sign. While Mr. Bronstein doesn't define what "low level" illumination is, if it is truly "low", the light placed on the sign is NOT going to add any noticeable illumination to a driver whose headlights are shining on it. I also brought up at the hearing that if Dr. Seipp is concerned that the sign will not be bright enough, he could have it constructed out of reflective sheeting, similar to that used for traffic signs. These signs can be seen from several hundred feet away when a headlight shines on it. Such a material would make the sign extremely visible as soon as a driver turned off of Greenside Drive. Therefore Dr. Seipp has appropriate signing materials to use to address his concerns without having the need to shine a "low level" light on it. At this point, it seems the petitioner is asking for illumination for illumination's sake, not because it is essential in having the sign carry out its function. Therefore, the community association is very opposed to Mr. Bronstein's request for low level illumination till 8:00 p.m. at night. We appreciate your order in this matter and thank you for assisting in the preservation of the residential integrity of this neighborhood.

Sincerely,
Stephen E. Weber
9801 Van Buren Ln
Cockeysville, MD 21030
County Home Park Community Assoc., Executive Board Member

LAW OFFICES

GEORGE AND BRONSTEIN, LLP

JUN 18

SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(410) 296-0200
FAX: (410) 296-3719
georgbron@aol.com

HARRIS JAMES GEORGE
BENJAMIN BRONSTEIN

CONSTANCE K. PUTZEL
OF COUNSEL

June 14, 2001

The Honorable Timothy M. Kotroco
Deputy Zoning Commissioner for Baltimore County
County Courts Building - Suite 405
401 Bosley Avenue
Towson, Maryland 21204

RE: Petition for Variance
Case No.: 01-373-A
Property: 9720 Greenside Drive

Dear Deputy Commissioner Kotroco:

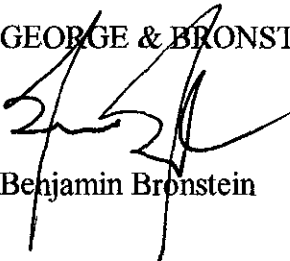
Thank you for forwarding me a copy of your Order dated June 8, 2001. My client will promptly review the parking lot lights and make sure that they are in compliance with the previous zoning requirements.

As you know, this is a small office building. Please consider revising your Order to permit low level sign illumination until 8:00 p.m. This will be particularly helpful in the winter months for visitors and tenants.

Thank you for your kind consideration.

Very truly yours,

GEORGE & BRONSTEIN, LLP



Benjamin Bronstein

BB/mlh

cc: Joseph H. Seipp, Jr., D.D.S.

Brian Dietz, P.E.

Mr. Stephen E. Weber 2-3554

Ms. Pat Gartrell

Mr. and Mrs. Michael Noppenberger

COUNTY HOME PARK COMMUNITY ASSN., INC.

120 Gibbons Boulevard
Cockeysville, MD 21030

May 7, 2001

Baltimore County Zoning Commissioner
401 Bosley Avenue
Towson, MD 21204

RE: Sign Variance - 9720 Greenside Drive
Hearing Date - May 8, 2001

Dear Mr. Commissioner:

At a recent meeting of the community association, we elected Steve Weber to appear before you to present the following official association view on the requested variance to allow **two illuminated 15 sq. ft.** signs to be placed along Greenside Drive in lieu of **one non-illuminated 8 sq. ft.** sign attached to the building. This is the third hearing on this particular property over the past few years.

First of all the community members are strongly opposed to the granting of any such variance. We are composed of a series of single-family homes along Gibbons Boulevard in a D.R. 3.5 zone. Back in the mid-1980's, this community worked with Councilwoman Barbara Bachur in her decision to rezone the current property from D.R. 3.5 to R.O. Prior to this, the land on the south side of Adams Avenue was zoned for office buildings and on the north side was zoned for single family homes. To try and help prevent the continuous pressure to have the land under our homes rezoned for more commercial use, Councilwoman Bachur decided to apply what was then a relatively new zone, R.O., with the intent of providing a buffer zone between the D.R. 3.5 and the office zoning. Offices in the R.O. zone were to exhibit high compatibility with the adjacent residential community and were not to exhibit the commercial trappings of many more intense office uses. Greenside Drive which comes north off Padonia Road goes between a multi-story office building on one side and Fox Chevrolet on the other. Neither of these intense uses has any stand-alone signs along Greenside Drive. Greenside Drive is a residential street except for the few hundred feet next to Padonia Road. The road is adjacent to single family homes, apartments, two schools, a library, and the County Home Park. It very much exhibits a residential character and we have worked hard to insure that it remains that way. Numerous attempts have unsuccessfully been made to rezone property further north of the subject site, trying to turn our residential street into a commercial corridor. Dr. Seipp, who has direct interest in 9720 Greenside Drive, also owns two rental homes immediately to the north of the subject site and he has also tried to have these properties, which are directly in our residential community, rezoned for office use.

We see the requested variance as a definite commercialization of the Greenside Drive corridor, something which we have intensively fought. Our work with Councilwoman Bachur to agree to R.O. zoning on the subject property was done with the indication that such a zone would help to strongly protect the residential character of the area. Subsequent work with Councilman Douglas Riley continued to provide strong support to maintaining the residential character of the community and to prevent any activities which would do otherwise. While Dr. Seipp financially benefited greatly by the rezoning of his property from D.R. 3.5 to R.O., likewise such a change in zoning came along with the understanding that the R.O. was being established for the sole purpose of providing strong compatibility with the adjacent homes and to buffer our community from the office zoning to the south. Providing illuminated signs along Greenside Drive goes totally contrary to the very ideal that was used to establish this R.O. zone less than 20 years ago. Attached are two photographs of the Greenside Professional Building which is on the other side of Greenside Drive from the subject property and rests on the other ribbon of R.O. land between the commercial and residential zones. When this property came into the Zoning Commissioner to gain permission for a Class B office building, the community found the sign scheme to be very tasteful and compatible with the adjacent residential homes. Dr. Seipp however seems intent on introducing a far more commercialized scheme, providing more signage and lights than are oftentimes found in more commercial settings for such offices.

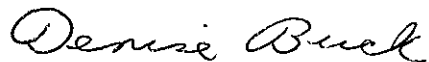
Dr. Seipp knew what the sign restrictions were for R.O. property and he didn't seek variances to these restrictions when he came before the Zoning Commissioner a few years ago. The community reasonably supported his efforts to build the Class B office building finding it reasonably attractive and helping to provide the very buffer we are seeking just south of our homes. However, now after getting the building in place, the request is made to commercialize what is supposed to be a very unobtrusive office building. Had Dr. Seipp come in with such a proposal from the very beginning, we would have been strongly opposed to the whole proposal. If this building is granted the requested variance, we can almost be guaranteed that the Greenside Professional Center across the street will want the same thing. Then it is not too far fetched for Dr. Seipp to then come back to the County in several years asking that his rental homes need to be rezoned to R.O. because the southern end of the Greenside Drive corridor has become so commercialized with other office buildings and illuminated signs, his residentially zoned properties can't reasonably serve in a residential capacity. Thus he creates his own hardships and then asks the community and adjacent residents to pay the consequences.

Therefore, we strongly oppose the requested variance. We have attached pictures of the area and #9720 to give you some flavor for the area. Please note the street light which is located in front of #9720 which is a substantial light source. The current "For

Lease" sign in front of the building can EASILY be read at night with no problem just from the light from this street light. The request for further lighting a sign in this area would be adding more lighting to what is already a well lit area. We also note, and request the Zoning Commissioner's assistance, in having the terms of the previous orders for this property being carried out. In the previous Commissioner's order, all lighting for the parking lot was not supposed to be directed to the homes, in accordance with the recommendation of the Planning Office and also at our request. There are several pictures showing the luminaires used on this project, which all project light 360 degrees around the light standard. This lighting needs to be changed to be in compliance with the order. If this is something you feel should be addressed to Code Enforcement rather than you, please advise. However, this is clear evidence that the petitioner has no regard for ensuring that the neighbors are not being adversely affected by the existing lighting which has been allowed to be constructed on this property. We thank you for your consideration of our views on this matter and hope that you will not see sufficient justification to grant the petitioner's variance request and will work to help adequately preserve the residential character of our neighborhood.

This letter and its views have been shared with the membership and consensus exists as to the residents feelings and concerns for this issue. It is their wish that you take their views into consideration in your decision.

Respectfully submitted,

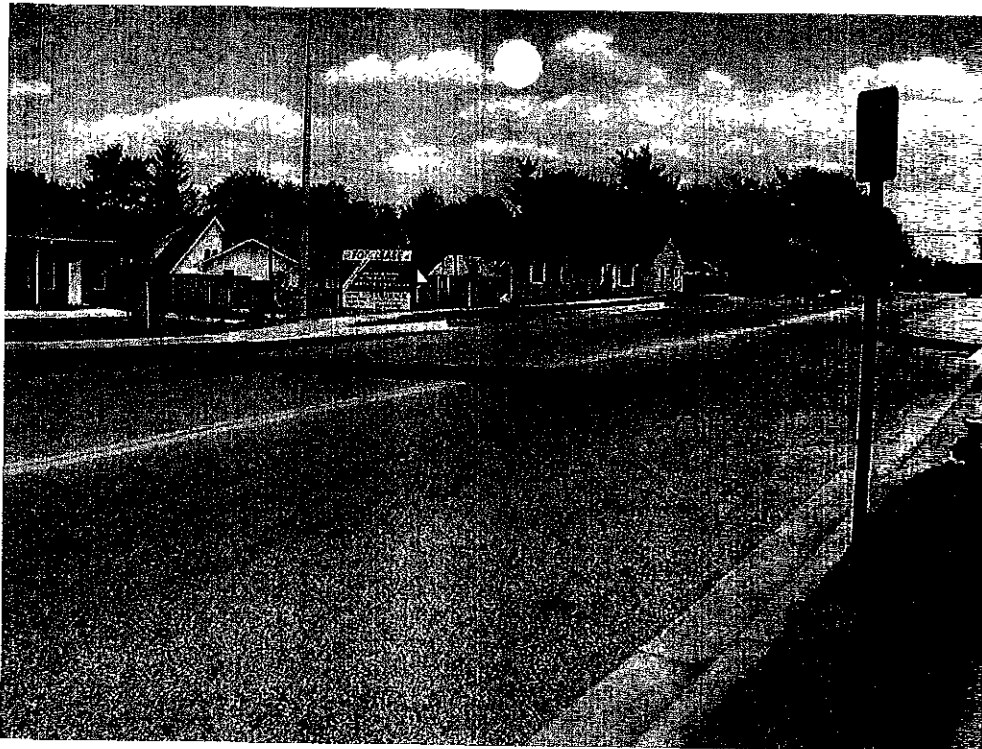


Denise Buck, Secretary
County Home Park Community Assn., Inc.

cc: The Honorable Wayne M. Skinner



LOOKING NORTH ON GREENSIDE DR FROM
JUST NORTH OF PADONIA RD



LOOKING NORTH ON GREENSIDE DR
SUBJECT BLDG (#9720) ON LEFT,
GIBBONS BLVD HOMES TO THE RIGHT



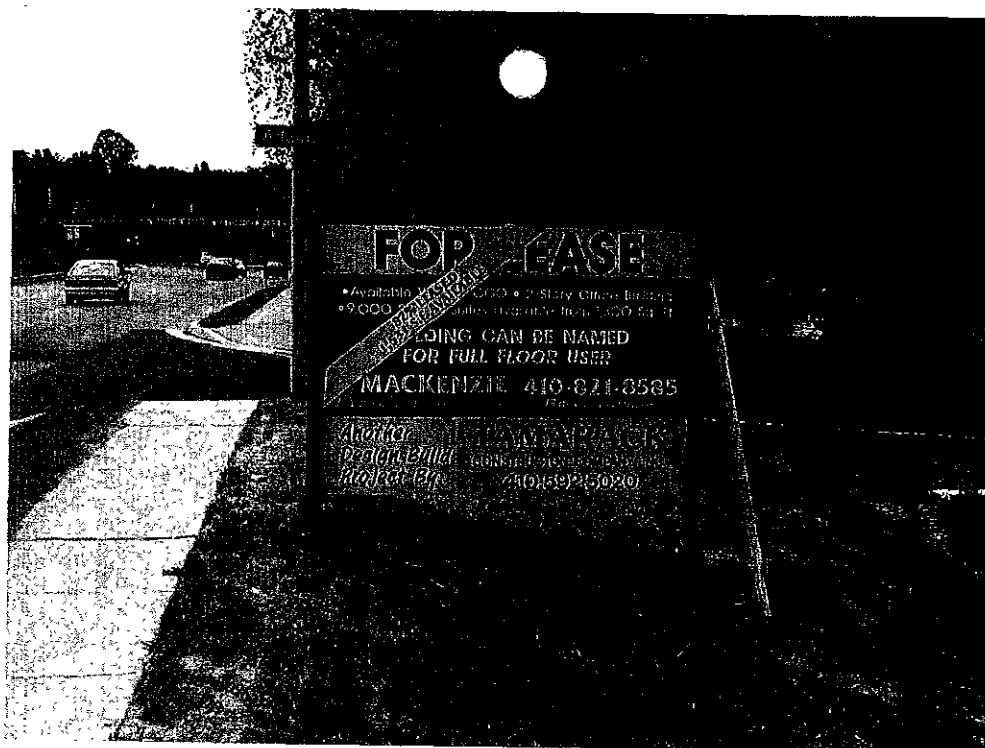
LOOKING NORTH ON GREENSIDE DR
FROM ADAMS AVE



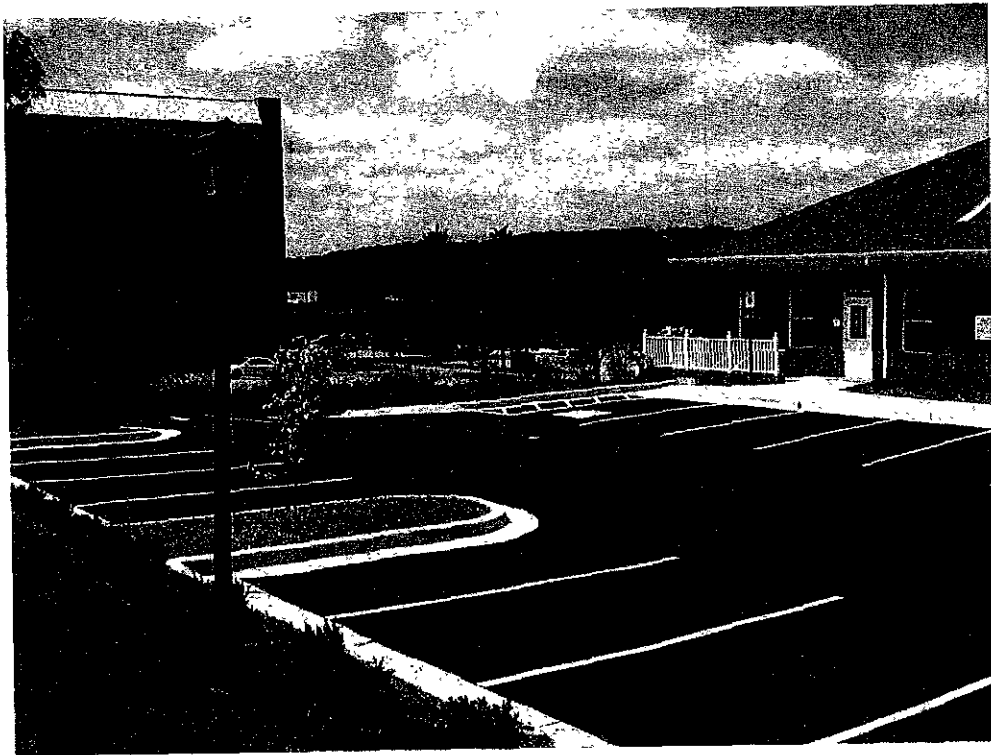
LOOKING SOUTH ON GREENSIDE DR
FROM GIBBONS BLVD.



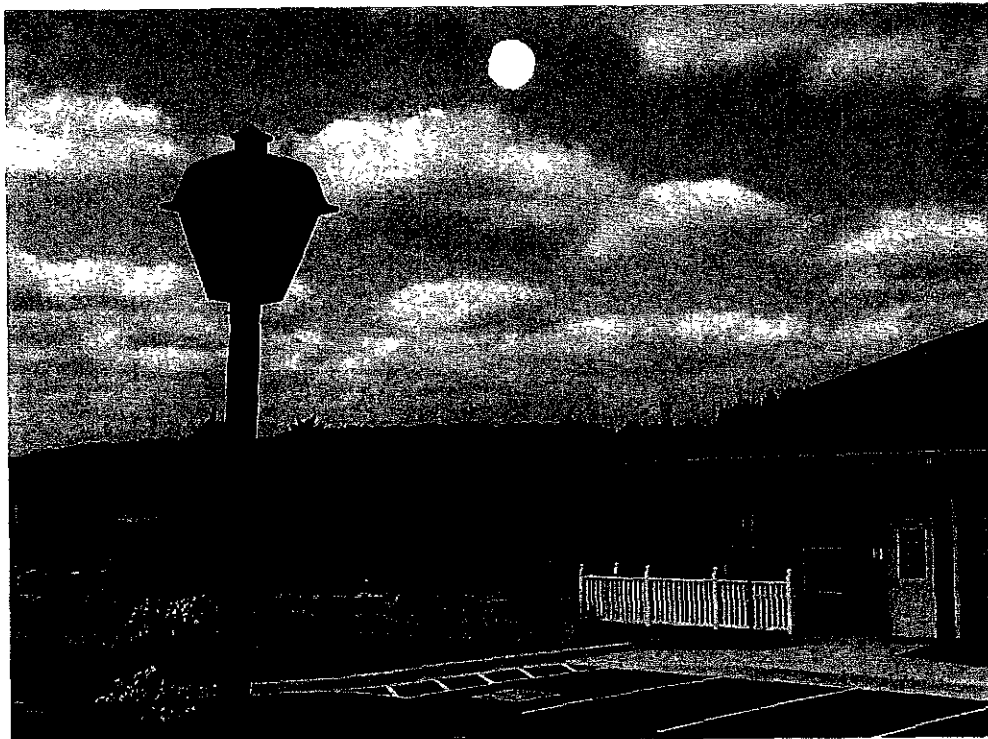
LOOKING SOUTH ON GREENSIDE DR FROM
JUST SOUTH OF GIBBONS BLVD



LOOKING SOUTH ON GREENSIDE DR
FROM IN FRONT OF #9720



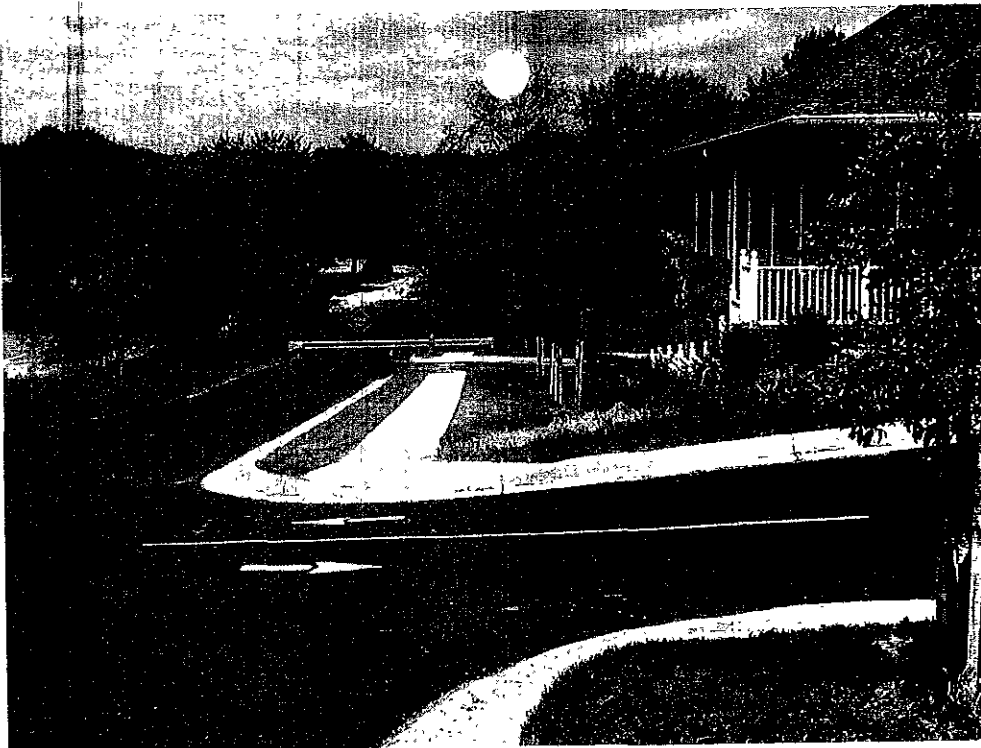
FRONT PARKING LOT FOR #9720
WITH NON-DIRECTIONAL LUMINAIRE



NON-DIRECTIONAL LUMINAIRE ADJACENT
TO PARKING LOT.



FRONT OF #9720 GREENSIDE DR



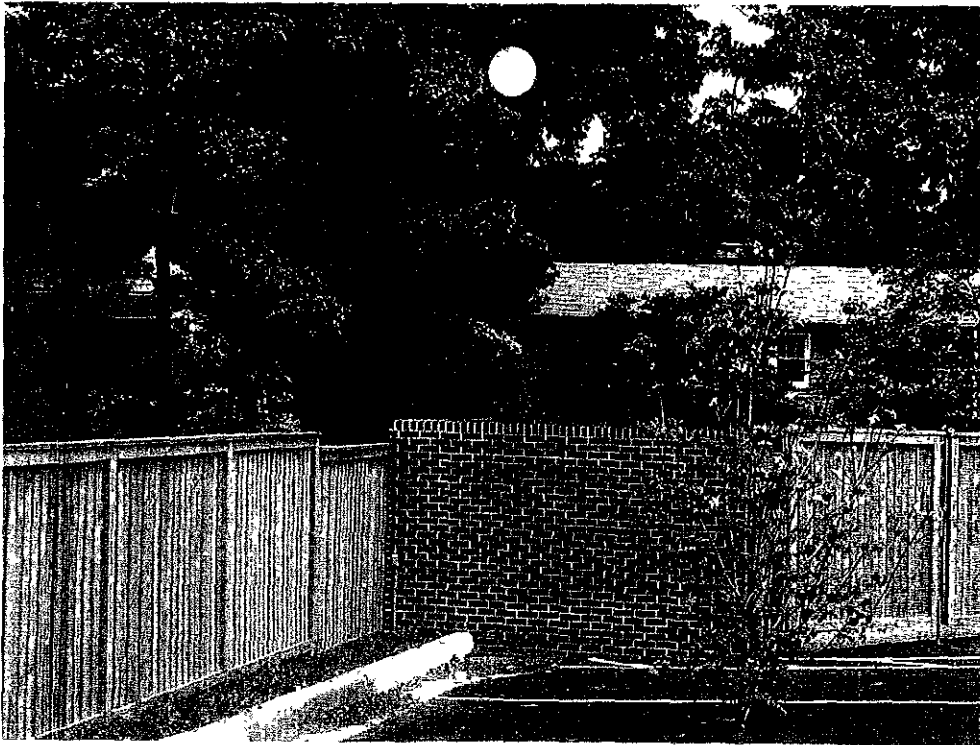
LOOKING WEST ON ADAMS AVE
FROM GREENSIDE DR



BACK OF 9720 GREENSIDE DR WITH
GIBBONS BLVD HOMES TO THE NORTH
OF THIS PROPERTY.



WEST SIDE OF BACK PARKING LOT
FOR #9720 WITH TWO NON-DIRECTIONAL
LUMINAIRE



LOOKING NORTH FROM THE NW CORNER
OF THE SUBJECT PROPERTY. NOTE THE
NON-DIRECTIONAL LUMINAIRES WHICH
SHINE LIGHT INTO NEIGHBOR'S BACK YARDS



NON-DIRECTIONAL LUMINAIRE
NO SHIELDING OF LIGHT TO HOMES



THE GREENSIDE PROFESSIONAL CENTER
SE CORNER GREENSIDE DR &
GIBBONS BLVD, ZONED R.O.



CLASS B OFFICE BLDG. OF SE CORNER
OF GREENSIDE DR & GIBBONS BLVD.
ZONED R.O.

EXAMPLE OF A VERY COMPATIBLE &
TASTEFUL SIGN ON AN R.O. PROPERTY

Case Number 01-373-A

PLEASE PRINT LEGIBLY

PROTESTANT'S SIGN-IN SHEET

[illegible]

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

01-373-A

NAME

ADDRESS

Ben Bernstein
Joseph H Seiff
BRIAN DIETZ

29 W Susquehanna Ave 21204
725 Deepdene Rd 21210
GERHARD CROSS + ETZEL
820 E. TOWSONTOWN BLVD 21296



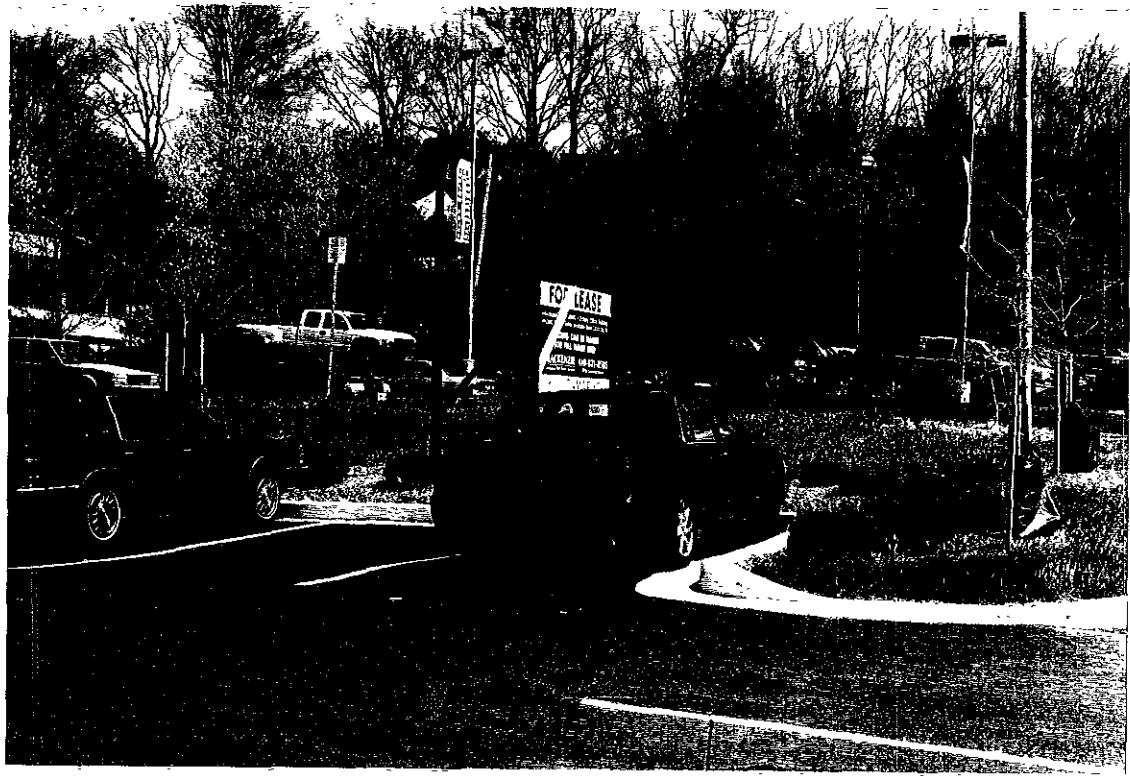
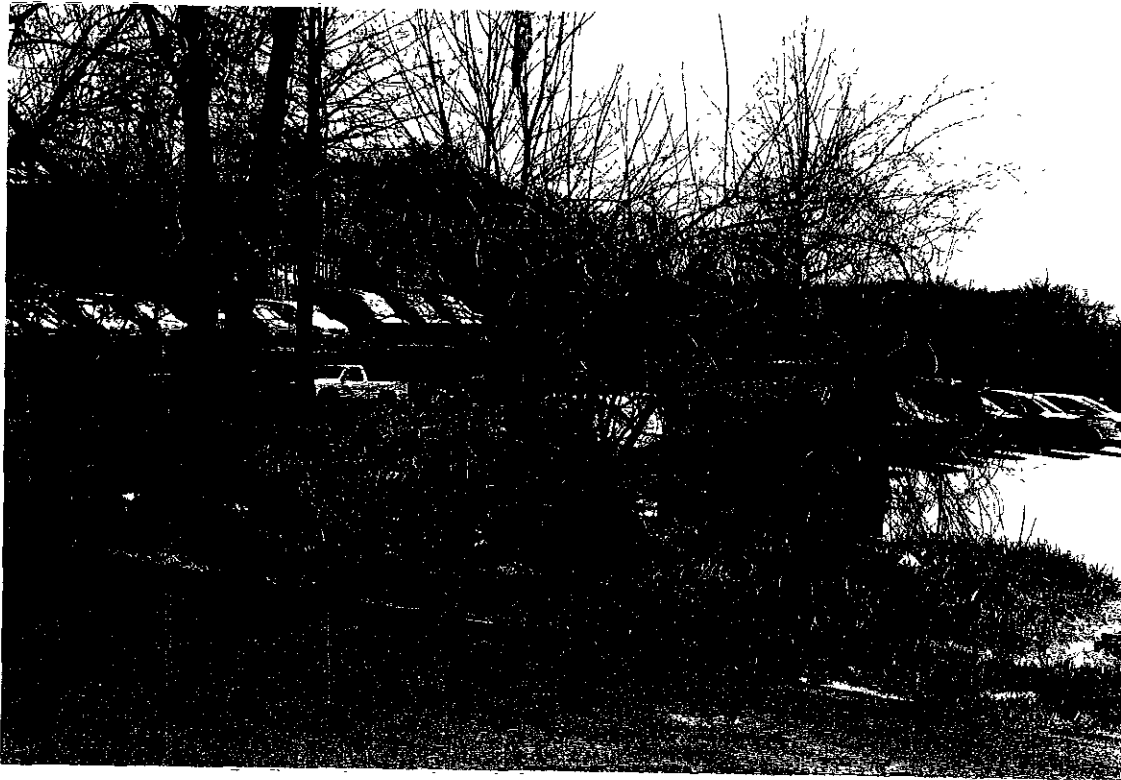


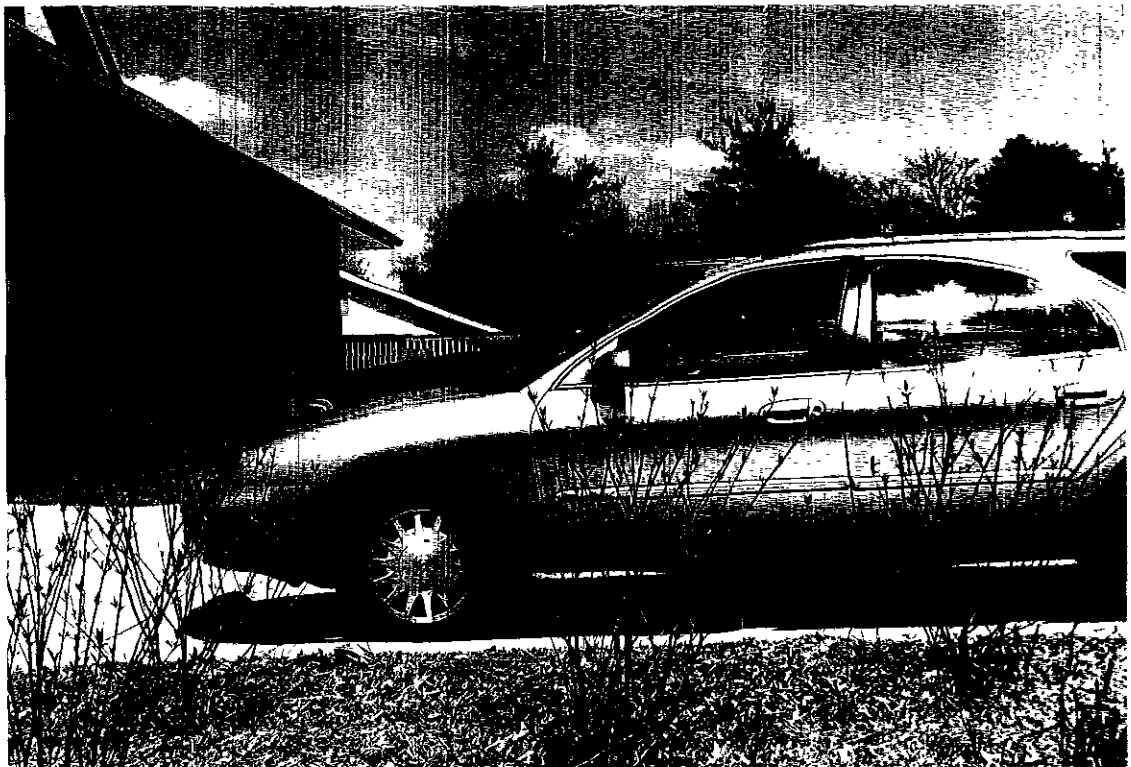
Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
4-01 Bosley Avenue
Towson, Maryland 21204

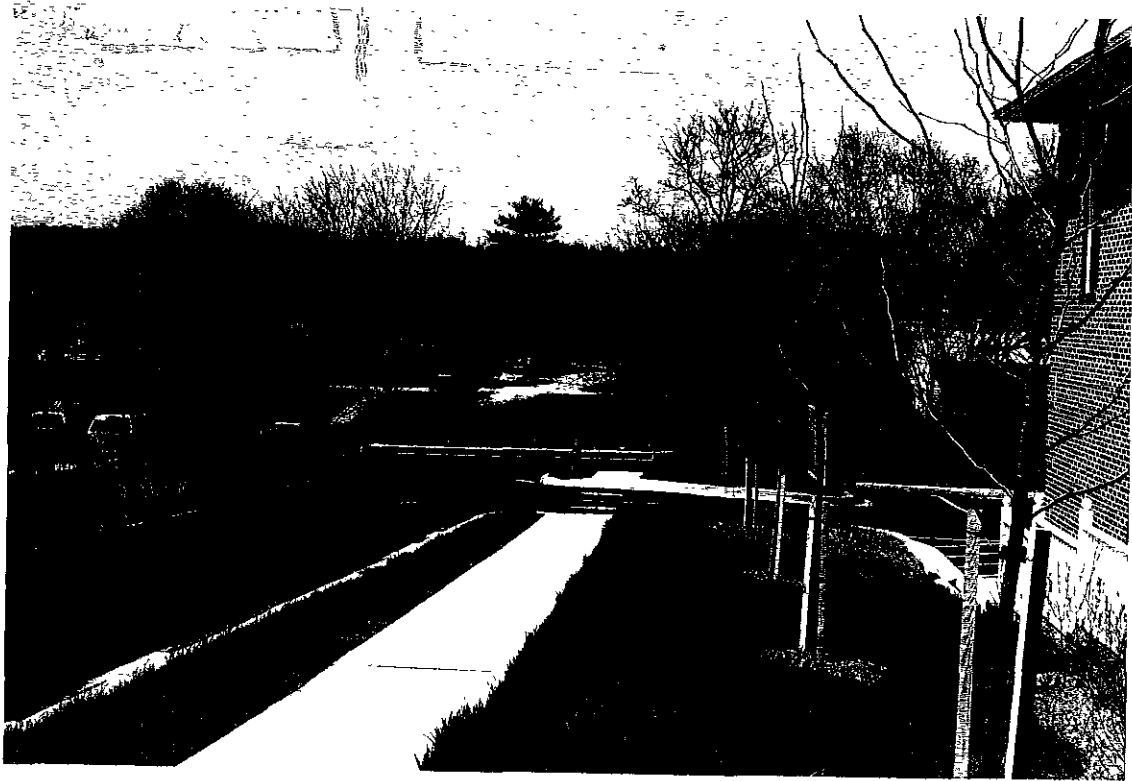
Photographs
#01-373-A

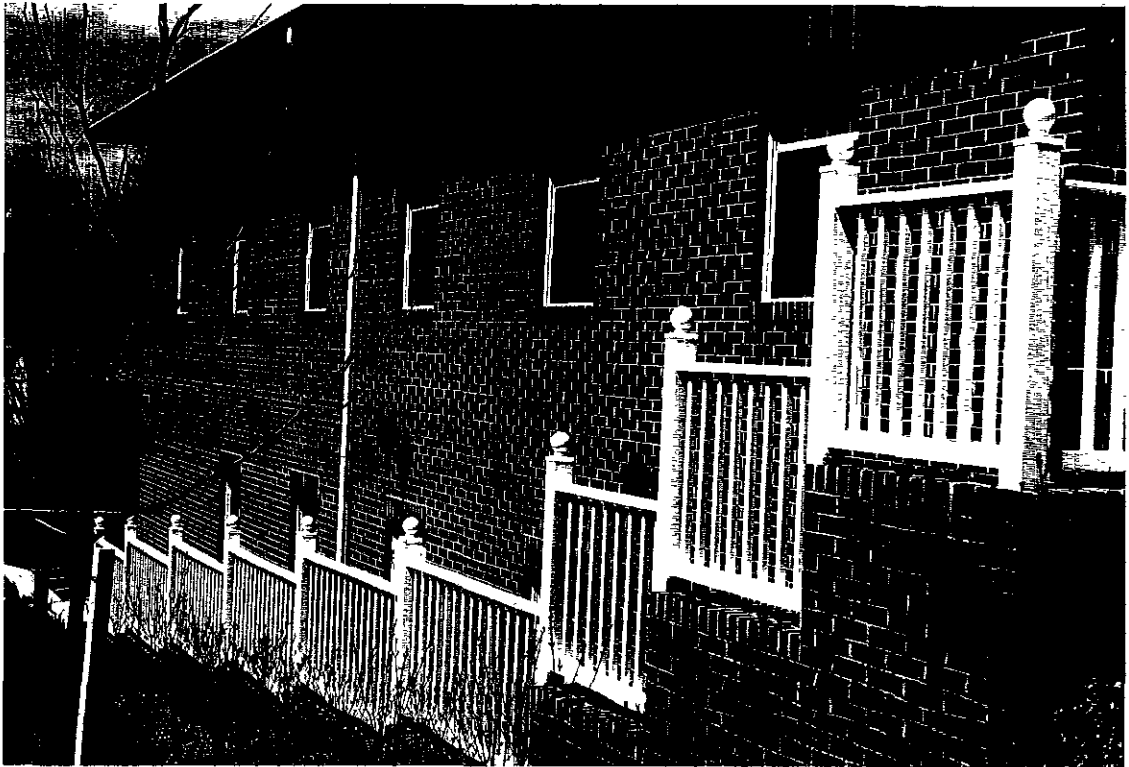
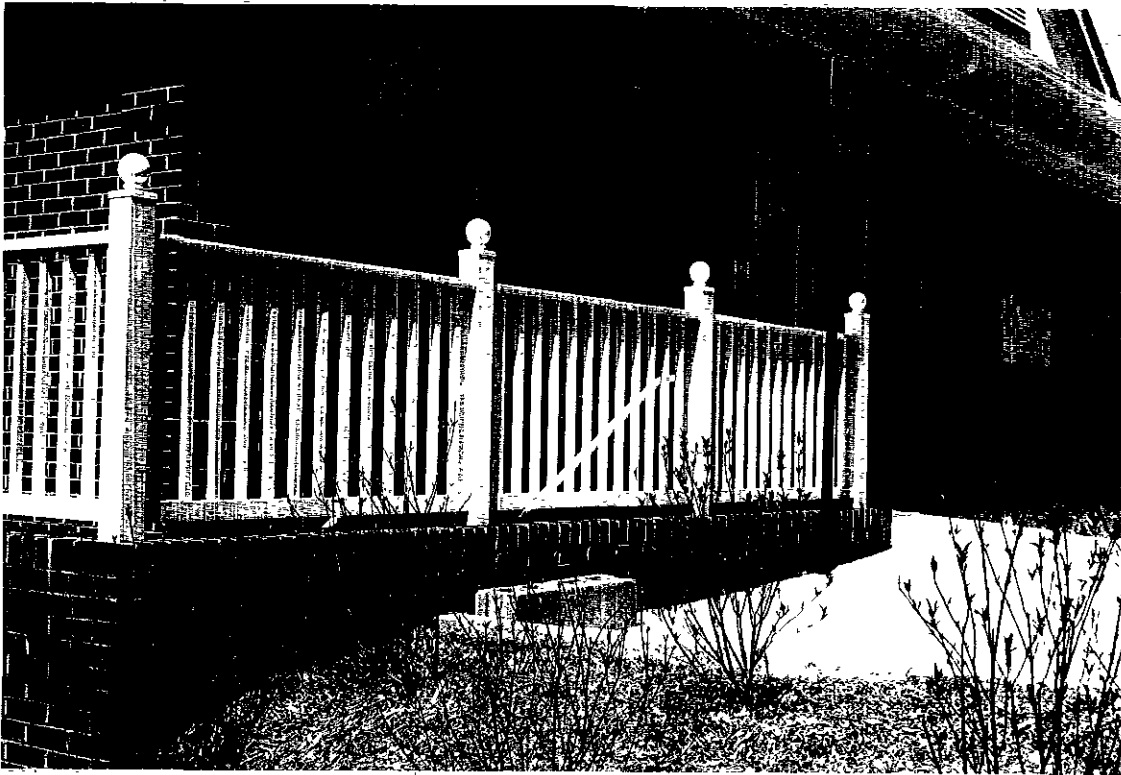


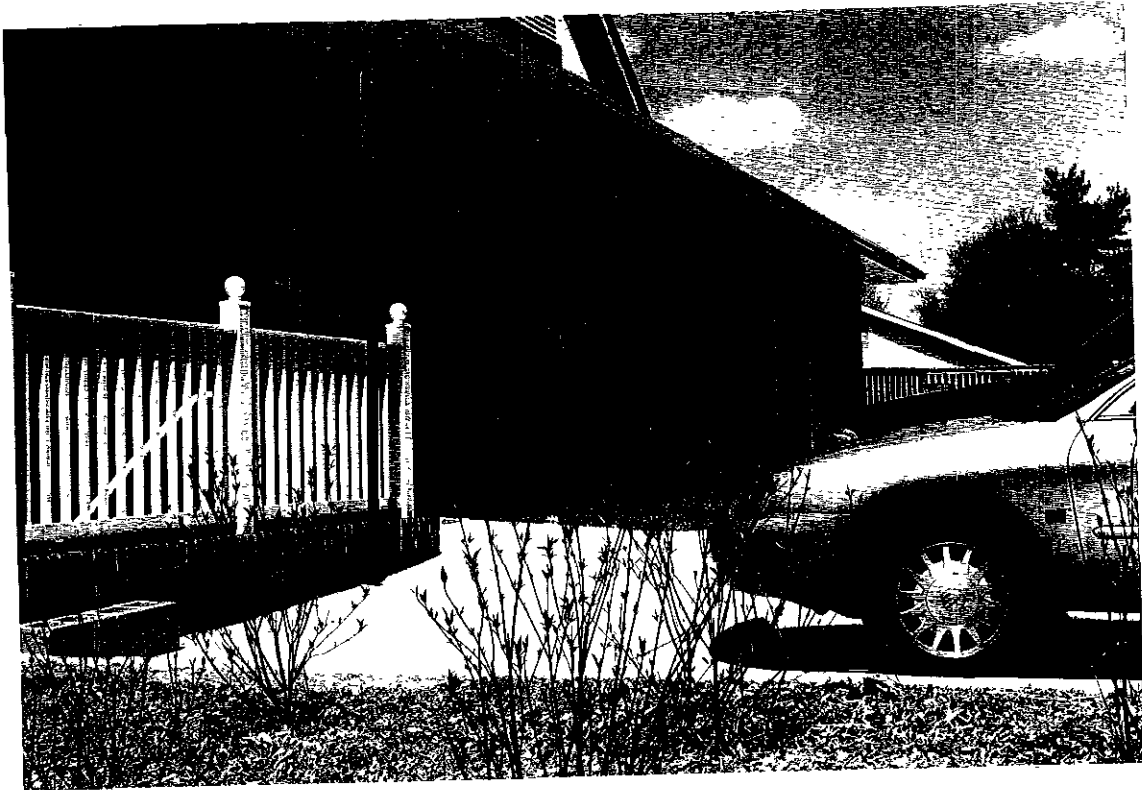






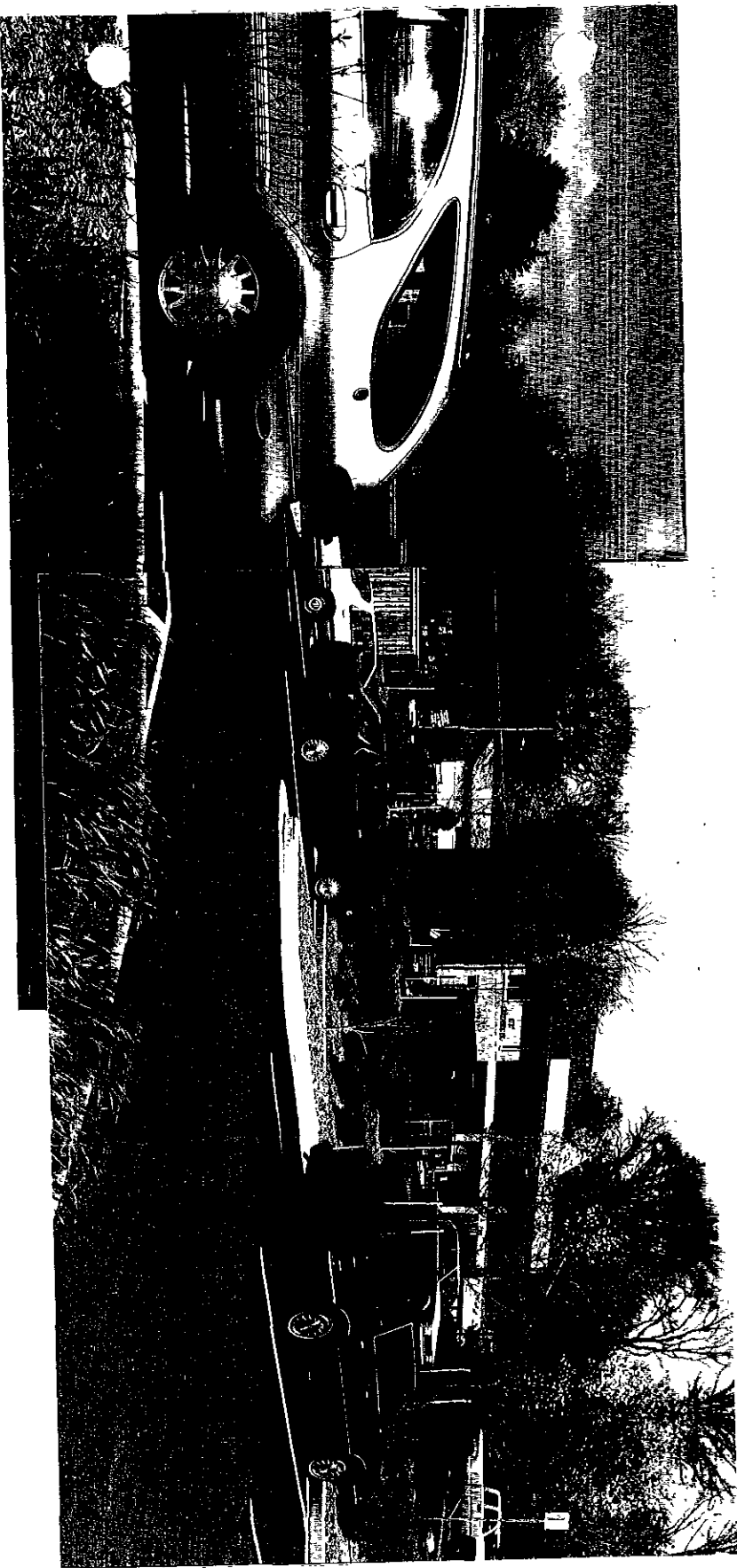














BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1964 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1964
ORD. Nos. 129-64, 130-64, 131-64, 132-64, 133-64, 134-64, 135-64

Kevin Canan
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHOD
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

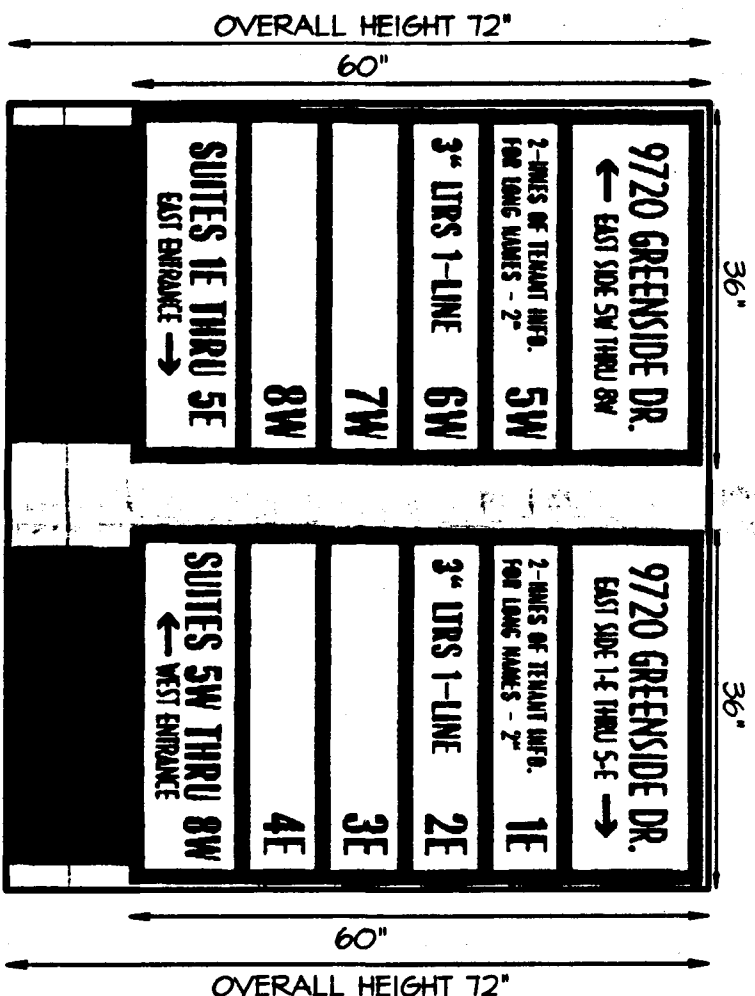
SCALE	1" = 200' ±
DATE OF PHOTOGRAPHY	JANUARY 1985

LOCATION
PADONIA
NW
15-A

01-373-A

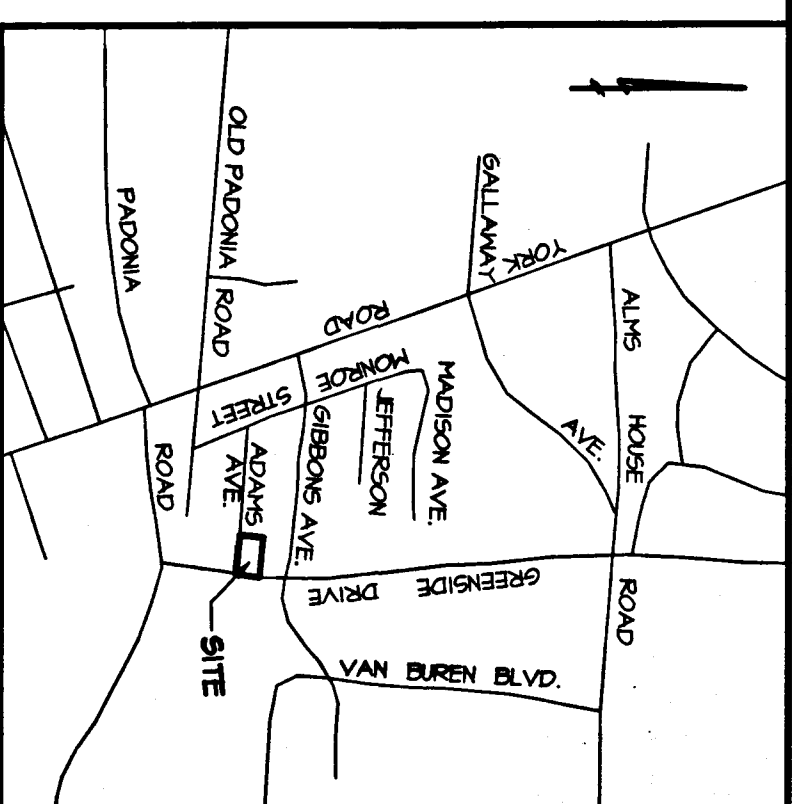


MONROE ASSOCIATES
SM 14161/728
SM 14161/728
SM 8392/789



PARKING CALCULATIONS

MINIMUM NUMBER OF PARKING SPACES REQUIRED
53 PER 1000 S.F.
TOTAL PARKING SPACES REQUIRED = 20
PARKING SPACES PROVIDED = 30



VICINITY PLAN
SCALE: 1" = 2000'

SIGN DETAIL NOT TO SCALE

GENERAL NOTES

1. OWNER: MONROE ASSOCIATES, L.P. #4
2. TAX ACCOUNT NO. 08-16-009121, 08-16-009128, 08-16-009129, 08-16-009124
3. TITLE DEED NO. SM 11961/991, SM 15892/701, SM 15671/353
4. THE PROPERTY IS ZONED R.O.
5. 200' SCALE ZONING MAP NO. MN 15A.
6. CENSUS TRACT 408503 A.D.C. MAP 4 GRID 19 K4
7. THIS SITE IS SERVICED BY PUBLIC SEWER AND WATER.
8. PRIOR ZONING CASES:
10-64-XA VARIANCE OF SECTION 204.4.2.2 TO PERMIT A LANDSCAPE BUFFER OF 10' IN THE REQUIRED 20' SPECIAL EXCEPTION FOR A CLASS B OFFICE BUILDING IN AN R.O. ZONE GRANTED 10-03-97.
10-93-59H APPROVE AN AMENDMENT TO THE SPECIAL EXCEPTION GRANTED IN PRIOR CASE 10-64-XA TO AFFIRM THE VARIANCE RELIEF GRANTED 1-20-98

PLAN TO ACCOMPANY A PETITION FOR A VARIANCE REQUEST OF THE MONROE ASSOCIATES PROPERTY

9720 GREENSIDE DRIVE
Zoned: R.O.
Tax Map 51; Grid 18; Parcel 375

8th ELECTION DISTRICT
4th COUNCILMANIC DISTRICT
SCALE: 1" = 20' DATE: JANUARY 17, 2001

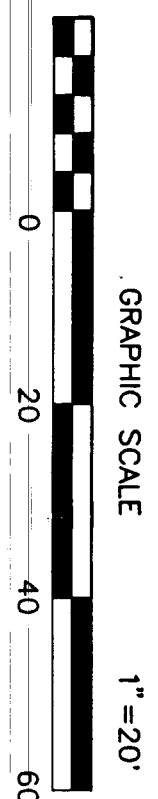
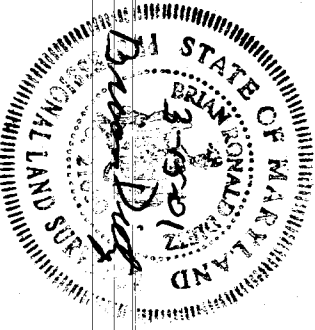
GERHOLD, CROSS & ETZEL, LTD
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100
320 East Townsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

THE MARYLAND TITLE
GUARANTEE COMPANY
SM 14161/728
SM 14161/728
SM 8392/789

LEGEND

- BUILDING
- CHAIN-LINK FENCE
- ZONING DIVISION LINE
- BUILDING SETBACK LINE
- BOUNDARY LINE
- FIRE HYDRANT
- MANHOLE
- UTILITY POLE
- GAS OR WATER VALVE



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PRODUCT IS STRICTLY PROHIBITED WITHOUT THE WRITTEN
PERMISSION OF GERHOLD, CROSS & ETZEL LTD.

REVISION SIGN AREA
DATE 3-15-01

PLAT DATE: 3/15/2001
TECHNICIAN: BDIETZ
FILE NAME: X:\SRSEP\Seplon.pro

01-373-A JNP