

IN RE: PETITION FOR VARIANCE

E side of York Road; 690 feet NW of
the c/l of Industry Lane
8th Election District
3rd Councilmanic District
(10139 York Road)

BKL York II, LLC
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* CASE NO. 2011-0093-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by Bruce Mortimer, Authorized Representative, on behalf of the legal owner of the subject property, BKL York II, LLC. Petitioner is requesting Variance relief from the Table of Sign Regulations set forth in Section 450.4 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows:

From Attachment 1.5(g) to permit:

- A. A total of 2 freestanding enterprise signs in lieu of the maximum permitted 1 freestanding enterprise sign per franchise agreement held by the dealership (signs A and B); and
- B. A freestanding enterprise sign with a maximum height of 25.59 feet in lieu of 25 feet (sign A); and
- C. A freestanding enterprise sign with a maximum area, in square feet, permitted within the face of a sign of 72 square feet in lieu of the maximum area permitted of 50 square feet per face (sign A); and
- D. A freestanding enterprise signage with a maximum aggregate face area, in square feet, permitted within the face area of the signage of 122 square feet in lieu of the maximum area permitted of 50 square feet (signs A and B).

From Attachment 1.5(a) to permit:

- A. 4 wall-mounted enterprise signs per premises in lieu of the maximum of 3 wall-mounted enterprise signs permitted per premises (signs D, E, F and G); and

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Date 12-8-10

By BZ

- B. 4 wall-mounted enterprise signs per façade in lieu of the maximum of 2 wall-mounted enterprise signs permitted per façade (signs D, E, F and G); and
- C. A wall-mounted enterprise sign with a maximum face area, twice the length of the wall to which the sign is affixed (2 x 32), permitted within the face of a sign of 80 square feet in lieu of the maximum area permitted of 64 square feet per sign (sign D).

From Attachment 1.3 to permit:

- A. A freestanding directional sign with a maximum face area, in square feet, permitted within the face of a sign of 7 square feet in lieu of 3 square feet per face (sign C); and
- B. A wall-mounted directional sign with a maximum height of 10 feet in lieu of the maximum permitted height of 6 feet in nonresidential zones (sign H); and
- C. A wall-mounted directional sign with a maximum height of 13 feet in lieu of the maximum permitted height of 6 feet in nonresidential zones (sign J); and
- D. A wall-mounted directional sign with a maximum face area, in square feet, permitted within the face of a sign of 16 square feet in lieu of the maximum area permitted of 3 square feet per face (sign J); and

For such other and further relief as may be deemed necessary by the Zoning Commissioner for Baltimore County. The subject property and requested relief are more fully described on the redlined site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the Variance requests were Bruce Mortimer on behalf of Petitioner BKL York II, LLC and Jason T. Vettori, Esquire, and David Gildea, Esquire, attorneys for Petitioner. Also appearing in support of the relief was James Matis with Matis Warfield, the professional engineer who prepared the site plan. Attending as an interested citizen was Eric Rockel of 1610 Riderwood Drive in Lutherville.

Testimony and evidence offered revealed that the subject property is rectangular shaped and contains approximately 3.4285 acres, more or less, zoned primarily B.M. and B.M.-A.S., with a very small area of M.L.-A.S. The property is located on the east side of York Road, just north of Industry Lane, in the Cockeysville area of Baltimore County. The property is improved with an

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By [Signature]

existing 30,000 square foot one-story masonry building that is presently used as an auto dealership. By way of background, the property owner and Anderson's group of auto dealerships (referred to collectively as "Petitioner") is undergoing a re-organization of its dealership brands from their original location in Baltimore City to locations in the County, particularly this area of York Road north of Cranbrook Road and south of Warren Road. As part of this reorganization, Petitioner is relocating its Anderson Honda dealership to the subject site. The proposed signage is depicted on the colorized site plan and the computer animated signage detail that were marked and accepted into evidence as Petitioner's Exhibits 2 and 3, respectively.

In support of the variance requests, Petitioner's attorney, Mr. Vettori, discussed Petitioner's signage needs as well as Bruce Mortimer's efforts at educating the nearby residential community and generating their support for the signage plan. He also explained that the need for the variances is driven by the unique layout of the property and specifically the location of the building, which sits back substantially from York Road. The space between the road and the building is filled with on site parking spaces. Additionally, the view from York Road north of the dealership when traveling in a southerly direction is hindered by the nearby terrain and the crest of the hill on approach to the property. That, combined with the relative narrowness of the property (approximately 260 feet wide) makes the view into the site and the location of the dealership's services difficult to delineate without clear and fairly prominent signage.

Mr. Vettori also indicated that the proposed signage is very similar to Honda's national branding efforts and desire to have a relatively uniform and consistent look throughout is dealerships. Moreover, the proposed signs will in large measure be recycled from the dealership downtown and used again in the new dealership at the subject site.

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By [Signature]

Mr. Rockel also provided testimony in response to the proposal in his individual capacity and on behalf of the Greater Timonium Coordinating Council. His remarks reflected general support for the signage, indicating that it appears to be very typical of "Honda" signage that is utilized elsewhere. He did express concern, however, about the proposed changeable copy sign and the frequency with which it will be changed in a given day. In response, Mr. Vettori indicated Petitioner has agreed that the copy would be changed no more than four times per day and would be related and ancillary to the commercial activity on site.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated October 28, 2010 which indicates that they do not oppose the request provided that the proposed changeable copy sign will not violate the current regulations. All of the signs requested in the variance are typical of a Honda car dealership and there is no opposition from the surrounding communities.

Based upon the testimony and evidence presented, I am persuaded to grant the request for variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. I agree that the layout and configuration of the site, combined with the relative narrowness of the property's width, and the crest of the hill to the site from a southerly direction, drives the need for the proposed signage and the attendant variance relief. I also find that strict compliance with the Zoning Regulations would result in practical difficulty or unreasonable hardship upon Petitioner. If the requested relief were not granted, Petitioner would not have the ability to properly direct customers to the site and within the site itself; moreover, Petitioner would also be forced to deviate from signage that has become a staple within Honda's own corporate branding. Petitioner would also lose out on a great opportunity to re-use and recycle existing signage from its downtown dealership, thereby wasting

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By pm

perfectly adequate, existing resources. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. In my view, the proposed signage will not overwhelm the site and will enable customers and potential customers to access the property and efficiently navigate the site and locate the services they wish to utilize, whether it be new or used car sales, or parts and service. I am also impressed with the letter of support dated October 20, 2010 from Christian D. Harvey of the Monterey Improvement Association ("MIA"), which was marked and accepted into evidence as Petitioner's Exhibit 5. Mr. Harvey indicates in his letter that his community is located directly behind the dealership to the east, and that his Association has been in regular contact with Mr. Mortimer and the parties have reviewed and discussed the various signage proposals. He concludes that MIA is supportive of the variance requests and that is also a persuasive factor in Petitioner's favor.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered, I find that Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED this 8th day of December, 2010 by this Deputy Zoning Commissioner that Petitioner's Variance requests as follows:

From Attachment 1.5(g) to permit:

- A. A total of 2 freestanding enterprise signs in lieu of the maximum permitted 1 freestanding enterprise sign per franchise agreement held by the dealership (signs A and B); and
- B. A freestanding enterprise sign with a maximum height of 25.59 feet in lieu of 25 feet (sign A); and
- C. A freestanding enterprise sign with a maximum area, in square feet, permitted within the face of a sign of 72 square feet in lieu of the maximum area permitted of 50 square feet per face (sign A); and

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By RB

- D. A freestanding enterprise signage with a maximum aggregate face area, in square feet, permitted within the face area of the signage of 122 square feet in lieu of the maximum area permitted of 50 square feet (signs A and B); and

From Attachment 1.5(a) to permit:

- A. 4 wall-mounted enterprise signs per premises in lieu of the maximum of 3 wall-mounted enterprise signs permitted per premises (signs D, E, F and G); and
- B. 4 wall-mounted enterprise signs per façade in lieu of the maximum of 2 wall-mounted enterprise signs permitted per façade (signs D, E, F and G); and
- C. A wall-mounted enterprise sign with a maximum face area, twice the length of the wall to which the sign is affixed (2 x 32), permitted within the face of a sign of 80 square feet in lieu of the maximum area permitted of 64 square feet per sign (sign D); and

From Attachment 1.3 to permit:

- A. A freestanding directional sign with a maximum face area, in square feet, permitted within the face of a sign of 7 square feet in lieu of 3 square feet per face (sign C); and
- B. A wall-mounted directional sign with a maximum height of 10 feet in lieu of the maximum permitted height of 6 feet in nonresidential zones (sign H); and
- C. A wall-mounted directional sign with a maximum height of 13 feet in lieu of the maximum permitted height of 6 feet in nonresidential zones (sign J); and
- D. A wall-mounted directional sign with a maximum face area, in square feet, permitted within the face of a sign of 16 square feet in lieu of the maximum area permitted of 3 square feet per face (sign J),

be and are all hereby **GRANTED**, subject to the following which are conditions precedent to the granting of the relief:

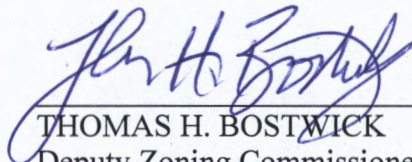
1. Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The proposed changeable copy sign shall not be changed more than four (4) times daily.

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Date 12-8-10

By [Signature]

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

Date 12-8-10

By B



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

December 8, 2010

JASON T. VETTORI
DAVID GILDEA
GILDEA & SCHMIDT, LLC
600 WASHINGTON AVENUE, SUITE 200
TOWSON, MD 21204

Re: Petition for Variance
Case No. 2011-0093-A
Property: 10139 York Road

Dear Messrs Vettori and Gildea :

Enclosed please find the decision rendered in the above-captioned case.

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.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB/pz

Enclosure

c: Bruce Mortimer, BKL York II LLC, 115 West 25th Street, Baltimore MD 21218
James Matis, Matis Warfield Inc., 10540 York Road, Suite M, Hunt Valley MD 21030
Eric Rockel, 1610 Riderwood Drive, Lutherville MD 21093
Christian D. Harvey, Monterey Improvement Association, 10105 Daventry Drive, Cockeysville MD 21030



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at: 10139 York Road

which is presently zoned: BM-AS and BM

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):

PLEASE 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)

TO BE PRESENTED 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:

Jason T. Vettori
Name - Type or Print _____
Signature Jason T. Vettori
Gildea & Schmidt, LLC
Company
600 Washington Avenue, Suite 200 (410) 821-0070
Address Telephone No.
Towson MD 21204
City State Zip Code

Legal Owner(s):

BKL York II, LLC
Name - Type or Print _____
Signature Bruce Mortimer
Signature Bruce Mortimer, Authorized Representative
Name - Type or Print _____
Signature _____
115 W. 25th Street
Address Telephone No.
Baltimore MD 21218-5005
City State Zip Code

Representative to be Contacted:

Jason T. Vettori, Gildea & Schmidt, LLC
Name
600 Washington Avenue, Suite 200 (410) 821-0070
Address Telephone No.
Towson MD 21204
City State Zip Code

OFFICE USE ONLY

Case No. 2011-0093-A

ESTIMATED LENGTH OF HEARING _____

REV 9/15/98

Reviewed By W UNAVAILABLE FOR HEARING Date 9/8/10

ORDER RECEIVED FOR FILING

Date 12-8-10

By P

ATTACHMENT TO PETITION FOR VARIANCE

10139 York Road

1. § 450.4 *Attachment 1.5(g)* of the BCZR to permit:
 - A. A total of two (2) freestanding enterprise signs in lieu of the maximum permitted one (1) freestanding enterprise sign per franchise agreement held by the dealership (Signs A & B). § 450.4 *ATTACHMENT 1.5(g)(VI)*
 - B. A freestanding enterprise sign with a maximum height of 25.59 feet in lieu of the maximum permitted height of 25 feet (Sign A). § 450.4 *Attachment 1.5(g)(VII)*
 - C. A freestanding enterprise sign with a maximum area, in square feet, permitted within the face of a sign of ~~70~~ 72 square feet in lieu of the maximum area permitted of 50 square feet per face (Sign A). §§ 450.4 *Attachment 1.5(g)(V)* and (IX)
 - D. Freestanding enterprise signage with a maximum aggregate area, in square feet, permitted within the face area of the signage of 122 square feet in lieu of the maximum area permitted of 50 square feet (Signs A and B). §§ 450.4 *Attachment 1.5(g)(V)* and (IX)
2. § 450.4 *Attachment 1.5(a)* of the BCZR to permit:
 - A. Four (4) wall-mounted enterprise signs per premises in lieu of the maximum of three (3) wall-mounted enterprise signs permitted per premises (Signs D, E, F and G). § 450.4 *Attachment 1.5(a)(VI)*
 - B. Four (4) wall-mounted enterprise signs per façade in lieu of the maximum of two (2) wall-mounted enterprise signs permitted per façade (Signs D, E, F and G). § 450.4 *Attachment 1.5(a)(VI)*
 - C. A wall-mounted enterprise sign with a maximum area, twice the length of the wall to which the sign is affixed (2x32), permitted within the face of a sign of 80 square feet in lieu of the maximum area permitted of 64 square feet per sign (Sign D). § 450.4 *Attachment 1.5(a)(V)*
3. § 450.4 *Attachment 1.3* of the BCZR to permit:
 - A. A freestanding directional sign with a maximum area, in square feet, permitted within the face of a sign of 7 square feet in lieu of the maximum area permitted of 3 square feet per face (Sign C). § 450.4 *Attachment 1.3(V)*
 - B. A wall-mounted directional sign with a maximum height of 10 feet in lieu of the maximum permitted height of 6 feet in nonresidential zones (Sign H). § 450.4 *Attachment 1.3(VII)*
 - C. A wall-mounted directional sign with a maximum height of 13 feet in lieu of the maximum permitted height of 6 feet in nonresidential zones (Sign J). § 450.4 *Attachment 1.3(VII)*
 - D. A wall-mounted directional sign with a maximum area, in square feet, permitted within the face of a sign of 16 square feet in lieu of the maximum area permitted of 3 square feet per face (Sign J). § 450.4 *Attachment 1.3(V)*
4. For such other and further relief as may be deemed necessary by the Zoning Commissioner for Baltimore County.

C093-A

ATTACHMENT TO PETITION FOR VARIANCE

10139 York Road

1. § 450.4 *Attachment 1.5(g)* of the BCZR to permit:
 - A. 2 freestanding enterprise signs in lieu of 1 per franchise agreement.
 - B. A freestanding enterprise sign with a maximum height of 25.59 feet in lieu of 25 feet.
 - C. A freestanding enterprise sign with a maximum face area permitted of 72 square feet in lieu of 50 square feet.
 - D. Freestanding enterprise signage with a maximum aggregate face area permitted of 122 square feet in lieu of 50 square feet.
2. § 450.4 *Attachment 1.5(a)* of the BCZR to permit:
 - A. 4 wall-mounted enterprise signs per premises in lieu of the maximum of 3.
 - B. 4 wall-mounted enterprise signs per façade in lieu of the maximum of 2.
 - C. A wall-mounted enterprise sign with a maximum face area of 80 square feet in lieu of the maximum area permitted of 64 square feet.
3. § 450.4 *Attachment 1.3* of the BCZR to permit:
 - A. A freestanding directional sign with a maximum face area of 7 square feet in lieu of 3 square feet.
 - B. A wall-mounted directional sign with a maximum height of 10 feet in lieu of 6 feet.
 - C. A wall-mounted directional sign with a maximum height of 13 feet in lieu of 6 feet.
 - D. A wall-mounted directional sign with a maximum face area of 16 square feet in lieu of 3 square feet.
4. For such other and further relief as may be deemed necessary by the Zoning Commissioner for Baltimore County.

BALTIMORE COUNTY, MARYLAND

Note to File

DATE: September 8, 2010
TO: Zoning Commissioner and File
FROM: Leonard Wasilewski, Planner II, Zoning Review 
SUBJECT: Petition for Variance BKL YORK II LLC (Anderson Honda)
Case No. 2011-0093-A
(10139 York Road)

- A. For clarification, this office accepted a Petition for sign Variances on September 8, 2010 from the petitioner Gildea and Schmidt LLC.
- B. During the filing appointment the petitioner was advised that, the proposed 7 square feet freestanding Directional Sign did not require a variance due to a misprint in the sign table that has never been corrected from the original Bill No.89-1997. The original bill approved an 8 square feet Directional Sign.
- C. Additionally, it has been the Zoning Offices view that a **wall mounted** Directional Sign does not have the same height restriction as a **freestanding** Directional Sign, rendering this variance unnecessary.
- D. Please call me if you have any questions. (410-887-3391)

LW

August 31, 2010

Description to Accompany Zoning Petition
3.4285 Acre parcel located at 10139 York Road
Zoned BM-AS, BM and ML-AS
Election District 8
Baltimore County, MD



Beginning for the same at a point on the east side of York Road, State Route 45, said point distant North 16°31' West 690 feet more or less from the point of intersection of the centerlines of York Road and Industry Lane, thence leaving said east side of York Road and running thence the five following courses viz:

1. North 70° 54' 56" East 408.17 feet to a point, thence
2. North 19° 05' 04" West 31.65 feet to a point, thence
3. North 70° 54' 56" East 150.00 feet to a point, thence
4. South 19° 05' 04" East 290.40 feet to a point, thence
5. South 70° 54' 56" West 559.49 feet to a point on the east side of York Road, thence binding on said east side of York Road
6. North 83° 47' 30" West 258.76 feet to the place of beginning

Containing 3.4285 acres of land, more or less.

This description is intended for zoning purposes only and is not for use in conveyance of land



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **60007**

Date: **9/8/10**

PAID RECEIPT

BUSINESS REVIEW TIME 10M
 9/8/2010 9/8/2010 11:36:10 2
 REC 15555 WALKER DAN MD
 RECEIPT # 54488 9/8/2010 WLF
 5 528 2010-09-08 VERIFICATION
 01 R. 050007
 Recpt Tot 4325.00
 4325.00 13 4.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					325.00

Total: **325.00**

Rec From: **Gildee & Schmidt LLC**

For: **BKL York # LLC** **2011-0093**
10139 York Rd

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

**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: # 2011-0093-A

10139 York Road

E/side of York Road, 690 ft +/- n/west of the centerline of Industry Lane

8th Election District — 3rd Councilmanic District

Legal Owner(s): BKL York, II, LLC

Variance: to permit 2 freestanding enterprise signs in lieu of 1 per franchise agreement; a freestanding enterprise sign with a maximum height of 25.59 ft. in lieu of 25 ft., a freestanding enterprise sign with a maximum face area permitted of 72 sq. ft. in lieu of the 50 sq. ft., freestanding enterprise signage with a maximum aggregate face area permitted of 122 sq. ft. in lieu of 50 sq. ft. to permit 4 wall-mounted enterprise signs per premises in lieu of the maximum of 3; 4 wall-mounted enterprise signs per facade in lieu of the maximum of 2; A wall-mounted enterprise sign with a maximum face area of 80 sq. ft. in lieu of the maximum area permitted of 64 sq. ft. to permit a freestanding directional sign with a maximum face area of 7 sq. ft. in lieu of 3 sq. ft., a wall-mounted directional sign with a maximum height of 10 ft. in lieu of 6 ft., a wall-mounted directional sign with a maximum height of 13 ft. in lieu of 6 ft., a wall-mounted directional sign with a maximum face area of 16 sq. ft. in lieu of 3 sq. ft. For such other and further relief as may be deemed necessary by the Zoning Commissioner for Baltimore County.

Hearing: Monday, November 8, 2010 at 10:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

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.
10/26/2010 October 21 258366

CERTIFICATE OF PUBLICATION

10/21, 2010

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 10/21, 2010.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2011-0093-A

RE: Case No.: _____

Petitioner/Developer: _____

BKL York, III, LLC

Nov. 8 2010

Date of Hearing/Closing: _____

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

Attn: KtistinMatthews;

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously
10139 York Road

October 23, 2010

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

Robert Black October 26 2010
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # 2011-0093-A

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

Room 104, JEFFERSON BUILDING
PLACE: 105 WEST CHESAPEAKE AVE. 21204

DATE AND TIME: Monday, November 8, 2010 at 10:00 A.M.

REQUEST: CONTINUED... DIRECTIONAL SIGN WITH A MAXIMUM HEIGHT
OF 13 FT. IN LIEU OF 6 FT.. A WALL-MOUNTED DIRECTIONAL SIGN WITH A
MAXIMUM FACE AREA OF 16 SQ. FT. IN LIEU OF 3 SQ. FT. FOR SUCH OTHER
AND FURTHER RELIEF AS MAY BE DEEMED NECESSARY BY THE ZONING
COMMISSIONER OF BALTIMORE COUNTY.

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 NOTICE

CASE # 2011-0093-A

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

Room 104, JEFFERSON BUILDING
PLACE: 105 WEST CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME Monday, November 8, 2010 at 10:00 A.M.

REQUEST: VARIANCE TO PERMIT 2 FREESTANDING ENTERPRISE
SIGNS IN LIEU OF 1 PER FRANCHISE AGREEMENT, A FREE-
STANDING ENTERPRISE SIGN WITH A MAXIMUM HEIGHT OF 25.59 FT. IN LIEU OF
25 FT. A FREESTANDING ENTERPRISE SIGN WITH A MAXIMUM FACE AREA PERMITTED
OF 122 SQ. FT. IN LIEU OF 50 SQ. FT. FREESTANDING ENTERPRISE SIGNAGE WITH
A MAXIMUM AGGREGATE FACE AREA PERMITTED OF 122 SQ. FT. IN LIEU OF 50 SQ.
FT. TO PERMIT 4 WALL-MOUNTED ENTERPRISE SIGNS PER PREMISES IN LIEU OF
THE MAXIMUM OF 3.4 WALL-MOUNTED ENTERPRISE SIGNS PER PREMISES IN LIEU OF
MAXIMUM FACE AREA OF 80 SQ. FT. IN LIEU OF THE MAXIMUM AREA PERMITTED
OF 64 SQ. FT. TO PERMIT 8 FREESTANDING DIRECTIONAL SIGN WITH A MAXIMUM FACE
AREA OF 7 SQ. FT. IN LIEU OF 3 SQ. FT. A WALL-MOUNTED DIRECTIONAL SIGN
WITH A MAXIMUM HEIGHT OF 10 FT. IN LIEU OF 6 FT. A WALL-MOUNTED

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887 3391

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

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 21, 2010 Issue - Jeffersonian

Please forward billing to:

Jason Vettori
Gildea & Schmidt
600 Washington Ave., Ste. 200
Towson, MD 21204

410-821-0070

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: 2011-0093-A

10139 York Road

E/side of York Road, 690 ft +/- n/west of the centerline of Industry Lane

8th Election District – 3rd Councilmanic District

Legal Owners: BKL York, II, LLC

Variance to permit 2 freestanding enterprise signs in lieu of 1 per franchise agreement; a freestanding enterprise sign with a maximum height of 25.59 ft in lieu of 25 ft., a freestanding enterprise sign with a maximum face area permitted of 72 sq ft in lieu of 50 sq ft., freestanding enterprise signage with a maximum aggregate face area permitted of 122 sq ft in lieu of 50 sq ft., to permit 4 wall-mounted enterprise signs per premises in lieu of the maximum of 3; 4 wall-mounted enterprise signs per façade in lieu of the maximum of 2; A wall-mounted enterprise sign with a maximum face area of 80 sq. ft in lieu of the maximum area permitted of 64 sq ft to permit a freestanding directional sign with a maximum face area of 7 sq ft in lieu of 3 sq ft., a wall-mounted directional sign with a maximum height of 10 ft. in lieu of 6 ft., a wall-mounted directional sign with a maximum height of 13 ft in lieu of 6 ft., a wall-mounted directional sign with a maximum face area of 16 sq. ft in lieu of 3 sq ft. For such other and further relief as may be deemed necessary by the Zoning Commissioner for Baltimore County.

Hearing: Monday, November 8, 2010 at 10:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

WILLIAM J. WISEMAN III
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

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
October 13, 2010

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: 2011-0093-A

10139 York Road

E/side of York Road, 690 ft +/- n/west of the centerline of Industry Lane

8th Election District – 3rd Councilmanic District

Legal Owners: BKL York, II, LLC

Variance to permit 2 freestanding enterprise signs in lieu of 1 per franchise agreement; a freestanding enterprise sign with a maximum height of 25.59 ft in lieu of 25 ft., a freestanding enterprise sign with a maximum face area permitted of 72 sq ft in lieu of 50 sq ft., freestanding enterprise signage with a maximum aggregate face area permitted of 122 sq ft in lieu of 50 sq ft., to permit 4 wall-mounted enterprise signs per premises in lieu of the maximum of 3; 4 wall-mounted enterprise signs per façade in lieu of the maximum of 2; A wall-mounted enterprise sign with a maximum face area of 80 sq. ft in lieu of the maximum area permitted of 64 sq ft to permit a freestanding directional sign with a maximum face area of 7 sq ft in lieu of 3 sq ft., a wall-mounted directional sign with a maximum height of 10 ft. in lieu of 6 ft., a wall-mounted directional sign with a maximum height of 13 ft in lieu of 6 ft., a wall-mounted directional sign with a maximum face area of 16 sq. ft in lieu of 3 sq ft. For such other and further relief as may be deemed necessary by the Zoning Commissioner for Baltimore County.

Hearing: Monday, November 8, 2010 at 10:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:kl

C: Jason Vettori, 600 Washington Ave., Ste. 200, Towson 21204

BKL York II, LLC, Bruce Mortimer, 115 W. 25th Street, Baltimore 21218

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, OCTOBER 23, 2010.**

(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.**

Zoning Review | County Office Building

111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048

www.baltimorecountymd.gov

**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 that is the subject of an upcoming zoning hearing. For those petitions that 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: 2011-0093-A

Petitioner: BKL York II, LLC

Address or Location: ~~10139 York Road~~ 10139 YORK ROAD

Please Forward Advertising Bill to:

Name: JASON T. VETTORI

Address: GILDEA & SCHMIDT, LLC

600 WASHINGTON AVE., STE. 200

TOWSON, MD 21204

Telephone: (410) 821-0070



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

November 5, 2010

Jason Vettori
Gildea & Schmidt
600 Washington Ave.
Towson, MD 21204

Dear: Jason Vettori

RE: Case Number 2011-0093-A , 10139 York Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 8, 2010. This letter is not an approval, but only a **NOTIFICATION**.

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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
BKL York, LLC; 115 W.25th St.; Baltimore, MD 21218

TB
11-8-10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: October 28, 2010

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

SUBJECT: 10139 York Road

INFORMATION:

Item Number: 11-093

Petitioner: BKL York II, LLC (Bruce Mortimer)

Zoning: BM-AS, BM

Requested Action: Varance

RECEIVED

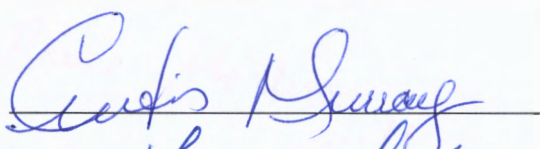
NOV 01 2010

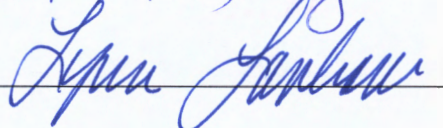
ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request for a variance, provided that the proposed changeable copy sign will not violate the current regulations. All of the signs requested in this variance are typical of a Honda Car Dealership and there is no opposition from the surrounding communities

For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Prepared by: 

Division Chief: 
AFK/LL: CM

TB 11/8 10 AM

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

OCT 26 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: October 25, 2010
SUBJECT: Zoning Item # 11-093-A
Address 10139 York Road
(BKL York II, LLC Property)

Zoning Advisory Committee Meeting of September 27, 2010

X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

Reviewer: JWL Date: 10/25/10

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

October 4, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: September 27, 2010

Item Number: 2011-0093-A

The Baltimore County Fire Department has no comments.

Lt. Jimmie D. Mezick
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: October 5, 2010

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For October 12, 2010
Item Nos. 2011- 085, 089, 090, 092,
093, 094, 096, 097, 098, 100, 101
And 104

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-10122010 -NO COMMENTS.doc



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

Beverley K. Swalm-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Oct. 1, 2011

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

RE: Baltimore County
Item No. 2011-0093A
MD 45 (York RD)
10139 York Road
BKL York II, LLC
Variance -

Dear Ms. Matthews:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 9/28/2010. A field inspection and internal review reveals that an entrance onto MD 45 is consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for 10139 York Rd, Case Number 2011-0093-A.

Should you have any questions regarding this matter feel free to contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may email him at (mbailey@sha.state.md.us). Thank you for your attention.

Very truly yours,

for Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

Cc: Mr. David Malkowski, District Engineer, SHA
Mr. Michael Pasquariello, Utility Engineer, SHA

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0800 • www.sha.maryland.gov

RE: PETITION FOR VARIANCE * BEFORE THE
10139 York Road; E/S of York Road, 690' *
NW of c/line of Industry Lane * ZONING COMMISSIONER
8th Election & 3rd Councilmanic Districts *
Legal Owner(s): BKL York II, LLC * FOR
Petitioner(s) * BALTIMORE COUNTY
* 2011-093-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

OCT 06 2010

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of October, 2010, a copy of the foregoing Entry of Appearance was mailed to Jason T. Vettori Esquire, Gildea & Schmidt LLC, 600 Washington Avenue, Suite 200, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TB 1-15-10

October 20, 2010

RECEIVED

William J. Wiseman, III
Zoning Commissioner
Jefferson Building, Room 105
105 W. Chesapeake Avenue
Towson MD 21203

OCT 25 2010

ZONING COMMISSIONER

Re: Anderson Honda Variance Request

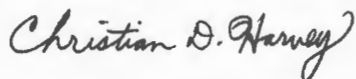
Dear Mr. Wiseman,

The Monterey Improvement Association (MIA) represents eighty-nine homes on Daventry Drive, Hillary Way, and Charington Road. This community is located directly to the east of the Anderson of Hunt Valley (Anderson) automotive dealerships.

The MIA has been in regular contact with Bruce Mortimer, with Anderson, and his representatives since his involvement with the General Motors (GM) dealership. He has held community meetings and freely provided information regarding all of his development plans. The same holds true of the current development plan whereby he moved the GM dealership to the Hummer/Saab location, and his redevelopment of the GM property to the Honda dealership currently being built.

It was no surprise that the MIA was contacted recently to meet with Bruce Mortimer, James Matis of Matis Warfield Inc, and Eric Rockel of the Greater Timonium Community Council to discuss the signage to be erected at the Honda dealership and the variance that would be requested. The proposed signage was reviewed by myself and Mr. Rockel. There was no opposition raised at that meeting to the proposals. In particular the erection of a changeable copy sign was discussed. Mr. Rockel inquired that the signage would not exceed message change limits that would violate the current regulations. Mr. Mortimer indicated that he would not seek to have messages change more than four times per day. Based on that assurance, Mr. Rockel and myself did not foresee any issues with the signage proposed and the variance request to be presented. The MIA therefore supports the request.

Sincerely,



Christian D. Harvey
Secretary
Monterey Improvement Association
10105 Daventry Drive
Cockeysville MD 21030

Cc:

Timothy M. Kotroco, Director of the Department of Permits and Development Management
111 W. Chesapeake Avenue, Room 105
Towson, Maryland 21204

Arnold F. "Pat" Keller, Director of the Office of Planning
Jefferson Building
105 W. Chesapeake Avenue, Room 103
Towson, MD 21204

Curtis J. Murray, Office of Planning
Jefferson Building
105 W. Chesapeake Avenue, Room 103
Towson, MD 21204

Jessie Bialek, Office of Planning
Jefferson Building
105 W. Chesapeake Avenue, Room 103
Towson, MD 21204

Rick Cobert, Department of Economic Development
400 Washington Avenue, Mezzanine
Towson, MD 21204

Eric Rockel
The Greater Timonium Community Council, Inc.
9B Ridgely Road, Box 276
Timonium, MD 21093

Bruce Mortimer
Anderson Automotive Group
115 West 25th Street
Baltimore, MD 21218

James E. Matis
Matis Warfield, Inc.
10540 York Road, Suite M
Hunt Valley, MD 21030

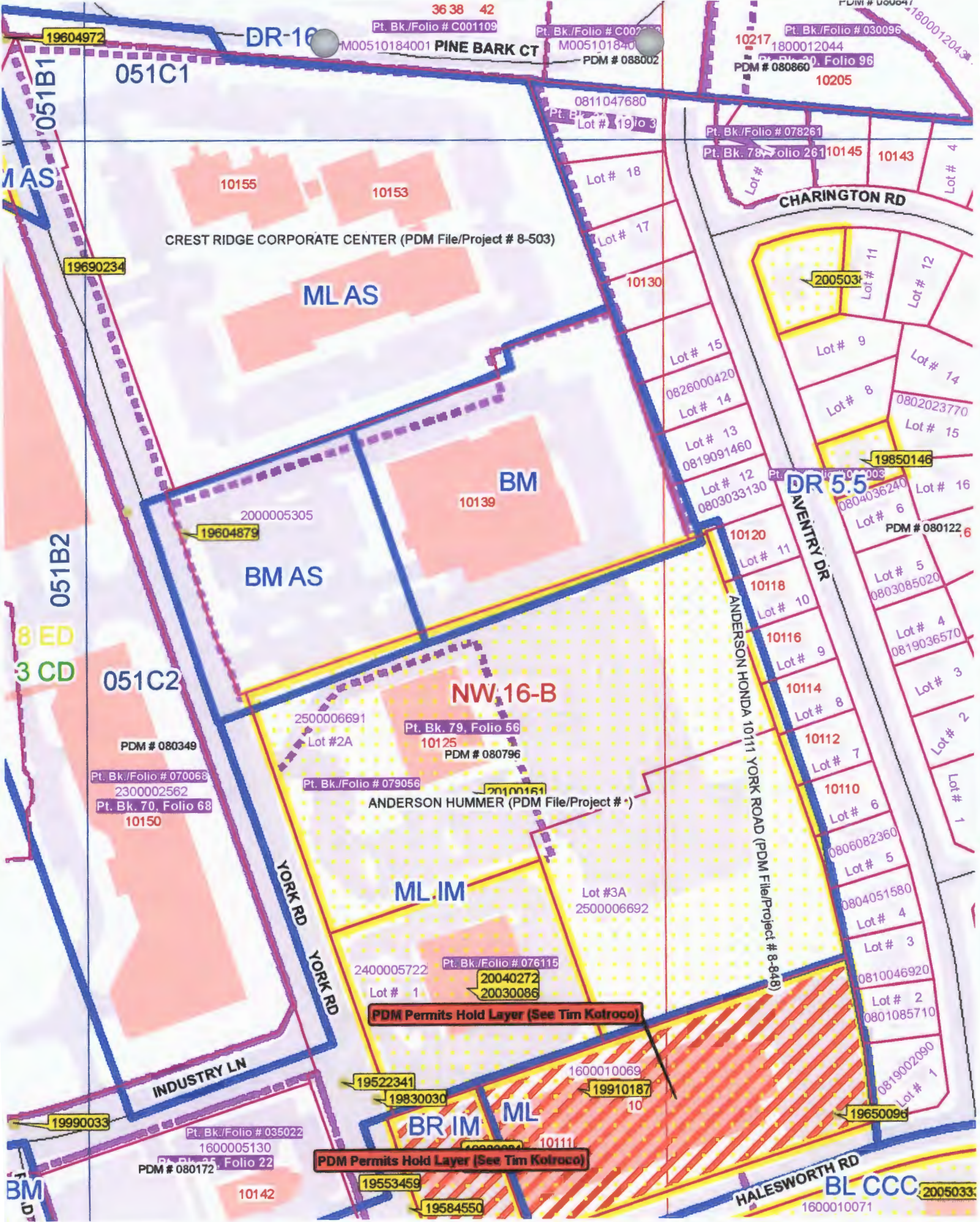
David K. Gildea & Jason T. Vettori
Gildea & Schmidt, LLC
600 Washington Avenue, Suite 200
Towson, MD 21204
Phone: (410) 821-0070
Facsimile: (410) 821-0071
<http://gildeallc.com>

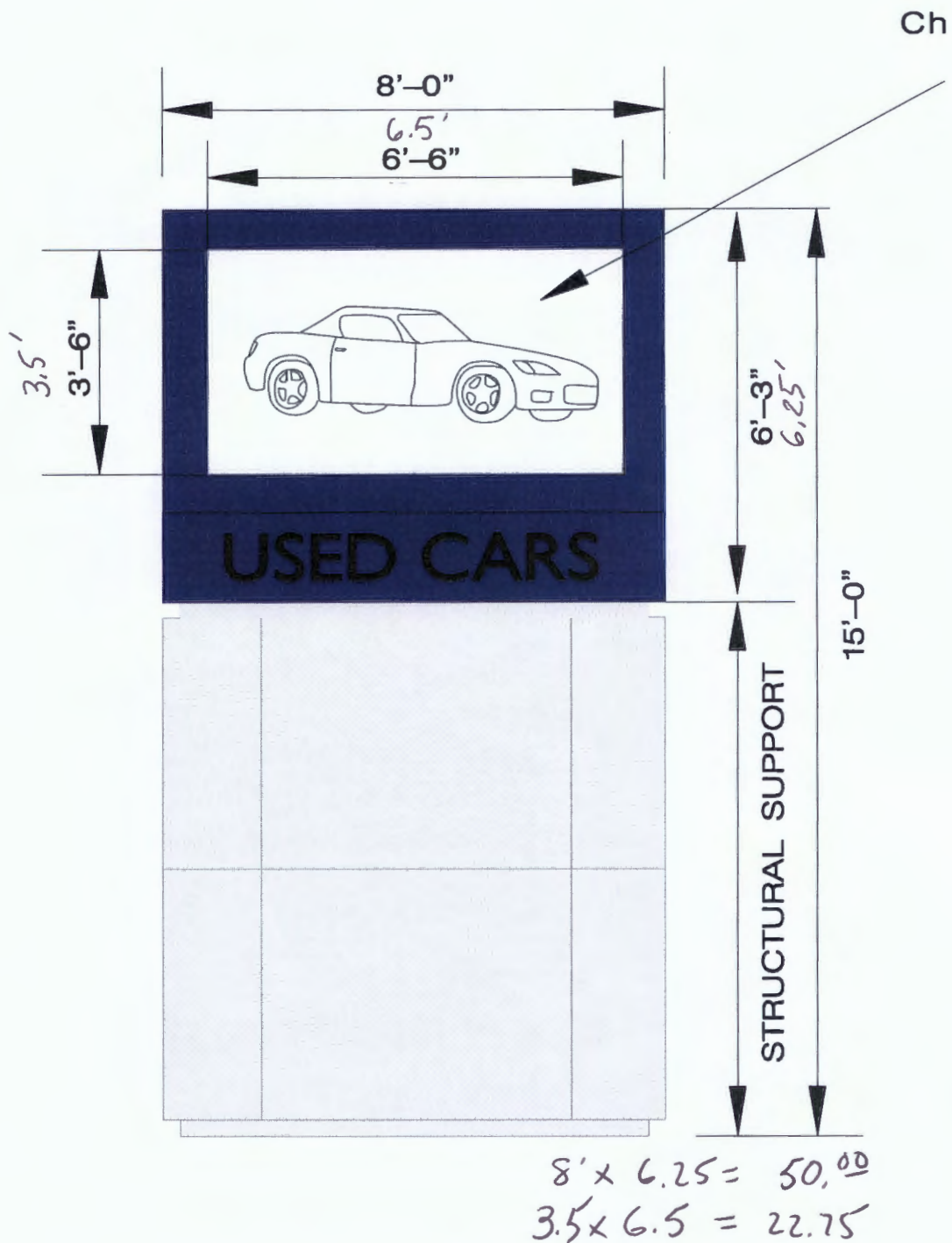
CASE NAME Anderson Honda
CASE NUMBER 2011-093-A
DATE Nov. 8th, 2011

[illegible]

CASE NAME _____
CASE NUMBER 2011-0093-A
DATE 11-8-10

[illegible]





Freestanding Sign B York Road-North Entrance

50 SF Per Face
Double Faced
Internally Illuminated

Not to Scale

2011-0093-A

Case No.: 2011-0093-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	site plan	
No. 2	colored site plan w/ signage details	
No. 3	signage details	
No. 4	Previous PUD Order	
No. 5	Letter of Support Monterey Imp. Assoc.	
No. 6	sign renderings	
No. 7	Bill No. 89-97	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

IN RE: DEVELOPMENT PLAN HEARING	*	BEFORE THE
& PETITION FOR SPECIAL HEARING		
NE corner of York Road and	*	HEARING OFFICER
Halesworth Road		
8 th Election District	*	FOR
3 rd Councilmanic District		
(10111, 10125 and 10131 York Road	*	BALTIMORE COUNTY
and 10 Halesworth Road)		
	*	
Anderson Automotive, Inc. and		
Anderson Motors, LLC by	*	HOH Case No. 08-796 (formerly
Bruce Mortimer		VIII-796 and VIII-848) and
<i>Applicant/Developer</i>	*	Zoning Case No. 2010-0161-SPH

* * * * *

**REVISED HEARING OFFICER'S COMBINED ZONING RELIEF
AND DEVELOPMENT PLAN OPINION & ORDER**

I. Introduction

This matter comes before this Deputy Zoning Commissioner/Hearing Officer for Baltimore County for a public hearing on a development proposal submitted in accordance with the development review and approval process contained in Article 32, Title 4, of the Baltimore County Code ("B.C.C.") and a related zoning Petition for Special Hearing. Anderson Automotive, Inc. and Anderson Motors, LLC, the developer of the subject property (hereinafter "the Developer"), submitted for approval a redlined Amended Development Plan prepared by Matis Warfield, Inc., known as the "ANDERSON GM - PDM #08-796 1ST MATERIAL AMENDMENT -AND- PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING / 1ST MATERIAL AMENDMENT TO THE DEVELOPMENT PLAN TO COMBINE PDM NOS. VIII-796 AND VIII-848" (hereinafter referred to as the "redlined Anderson GM PUD Development Plan" or the "Amended Development Plan") for property located at the northeast corner of York Road and Halesworth Road in the Cockeysville / Hunt Valley area of Baltimore

PETITIONER' S

EXHIBIT NO.

4

PETITIONER'S

EXHIBIT NO. 5

October 20, 2010

William J. Wiseman, III
Zoning Commissioner
Jefferson Building, Room 105
105 W. Chesapeake Avenue
Towson MD 21203

Re: Anderson Honda Variance Request

Dear Mr. Wiseman,

The Monterey Improvement Association (MIA) represents eighty-nine homes on Daventry Drive, Hillary Way, and Charington Road. This community is located directly to the east of the Anderson of Hunt Valley (Anderson) automotive dealerships.

The MIA has been in regular contact with Bruce Mortimer, with Anderson, and his representatives since his involvement with the General Motors (GM) dealership. He has held community meetings and freely provided information regarding all of his development plans. The same holds true of the current development plan whereby he moved the GM dealership to the Hummer/Saab location, and his redevelopment of the GM property to the Honda dealership currently being built.

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Sincerely,

Christian D. Harvey

Christian D. Harvey
Secretary
Monterey Improvement Association
10105 Daventry Drive
Cockeysville MD 21030

Cc:

Timothy M. Kotroco, Director of the Department of Permits and Development Management
111 W. Chesapeake Avenue, Room 105
Towson, Maryland 21204

Arnold F. "Pat" Keller, Director of the Office of Planning
Jefferson Building
105 W. Chesapeake Avenue, Room 103
Towson, MD 21204

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 1997, Legislative Day No. 15

Bill No. 89-97

All Councilmembers

By the County Council, August 4, 1997

A BILL
ENTITLED

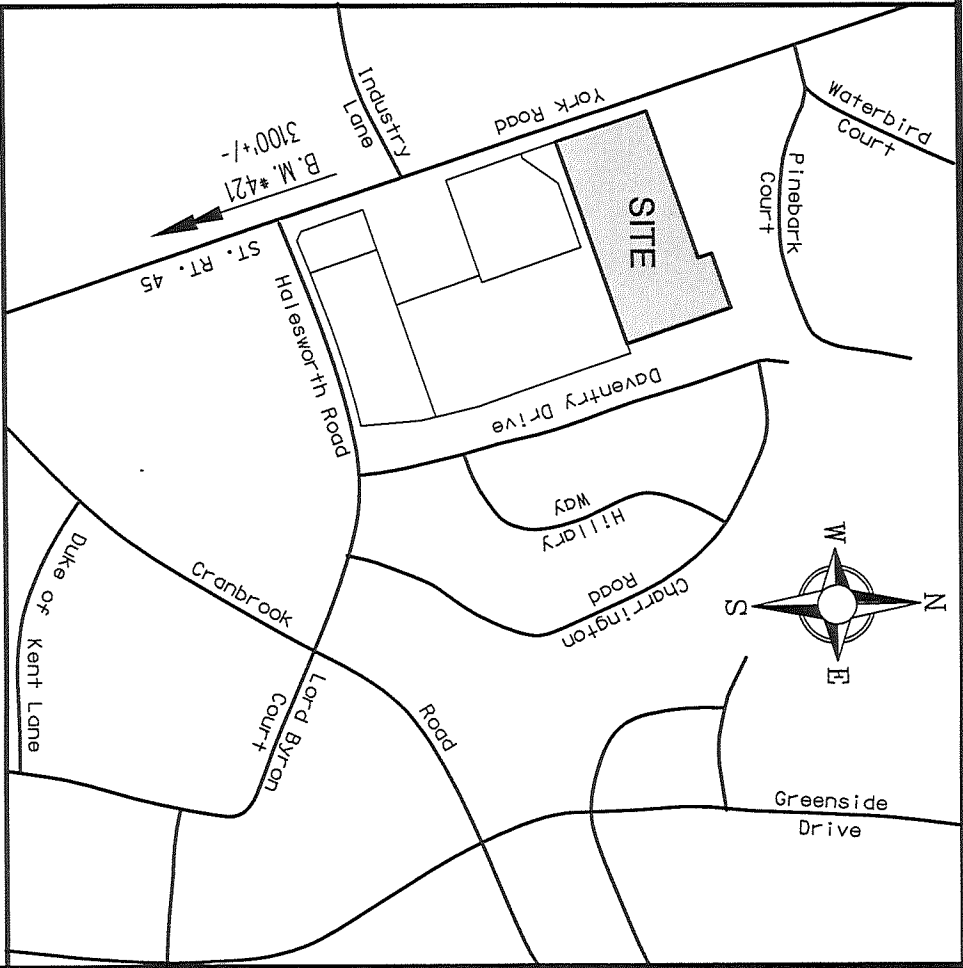
AN ACT concerning

Signs

FOR the purpose of updating and amending the Baltimore County Zoning Regulations

concerning permanent and temporary on-premises signs and permanent off-premises signs; defining certain terms; identifying classes and structural types of signs; establishing use, area, height, number, illumination and other limitations; establishing general prohibitions and exceptions; establishing special requirements for particular classes of signs; establishing County policies concerning compliance with sign regulations; permitting certain exemptions; requiring the submission of signage information as part of the development review and approval process; and generally relating to the regulation of signs.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining INDICATES AMENDMENTS TO BILL.



Site Data

NET AREA OF PROPERTY: 3.4265 ACRES+/- ON 146,347 SF
EXISTING ZONING: BM § 60.4.5 & ML-AS
PROPOSED USE: 38,250 SF AUTOMOTIVE DEALERSHIP (includes addition under construction)
PROPOSED USE: 38,250 SF AUTOMOTIVE DEALERSHIP (includes addition under construction)
PROPERTY OWNER: BKL YORK II, LLC c/o ANDERSON OF HUNT VALLEY
10139 YORK ROAD
COCKEYSVILLE, MARYLAND 21030
DEED REFERENCE: 19345-001
TAX ACCOUNT NUMBER: 26-0000-5355
ORIGINAL LIMITED EXEMPTION APPROVAL FOR (B) DRC 05517V
141 REFERENCE TO APPROVED (B) DRC 07278H
241 REFERENCE TO APPROVED (B) DRC 07278H
141 REFERENCE TO APPROVED (B) DRC 07278H
COUNCILMANIC DISTRICT: 3
AMENITY OPEN SPACE: NONE REQUIRED
STORMWATER MANAGEMENT: QUANTITATIVE AND QUALITATIVE MANAGEMENT PROVIDED ON-SITE IN UNDERGROUND SYSTEM, SEE APPROVED PLAN NO. 243-181-248 PER BALTIMORE COUNTY DEPRAL. THE PROPOSED ADDITION SHOWN HEREON IS CONSISTENT WITH THE PROPOSED LAND USE/SCAPE DESIGN SUBMITTED ON THE APPROVED STORMWATER MANAGEMENT PLANS
FLOOD PLAIN: THIS SITE DOES NOT LIE WITHIN THE 100 YEAR FLOODPLAIN
ANY FLOODING USED TO ILLUSTRATE THE PROPOSED PARKING AREA SHALL BE REJECTED AS TO REFLECT LIGHT AWAY FROM FOREST CONSERVATION. A WAIVER WAS APPROVED BY THE DIRECTOR OF PERMITS LETTER DATED SEPTEMBER 15, 2009 ON THE BASIS THAT THE WORK CONTAINED WAS ENTIRELY ON EXISTING INTERVIEWS SURFACES AND THERE WERE NO ENVIRONMENTAL RESOURCE IMPACTS PROPOSED. THIS SITE DOES NOT LIE WITHIN AN AREA DEEMED DEFICIENT AS DEPICTED ON THE BALTIMORE COUNTY BASIC SERVICES MAPS.

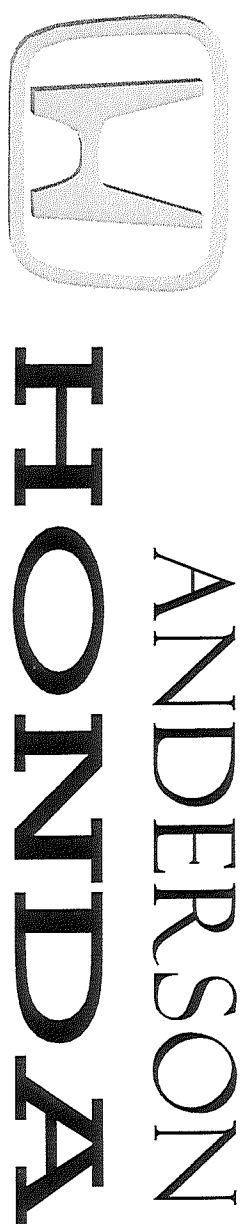
Parking Tabulation

PARKING REQUIRED	
PROPOSED AUTOMOBILE SALES OFFICES, ACCESSORY, MERCHANDISE AND ARTS SALES	= 52.3 SPACES
10,500 SF AT 5 SPACES/1000 SF	
PROPOSED GENERAL OFFICES/ACCOUNTING, PARTS STORAGE, SERVICE BAY AREA, SERVICE	
27,750 SF AT 15 SPACES/1000 SF	= 81.7 SPACES
TOTAL PARKING REQUIRED	= 134 SPACES
PARKING PROVIDED	
STABLE IN VEHICLE RESERVATION DRIVE (A EXTERNAL, I INTERNAL)	= 27 SPACES
SURFACE LOT PARKING PROVIDED (CUSTOMER & EMPLOYEE)	= 103 SPACES
DISSEMINATION AND INVENTORY SPACES (D)	= 162 SPACES
OVERALL TOTAL PARKING PROVIDED	= 292 SPACES
TOTAL INCLUDES 5 SPACES FOR THE PHYSICALLY HANDICAPPED	
HANDICAPPED SPACES @ 2" x 18" TOTAL TWO (2) SIDE BY SIDE	
STANDARD PARKING SPACES @ 12' x 24' x 18" PARALLEL SPACES @ 27' x 27'	
ALL PARKING SHALL BE PERMANENTLY STRIPED ON A DURABLE AND DUST FREE SURFACE	

Summary of Relief

1. § 450.4 Attachment 1.5(g) of the BCZR to permit:
 - A. A total of two (2) freestanding enterprise signs in lieu of the maximum permitted one (1) freestanding enterprise sign per franchise agreement filed by the dealership (Signs A & B). § 450.4 ATTACHMENT 1.5(g)(V)
 - B. A freestanding enterprise sign with a maximum height of 25.59 feet in lieu of the maximum permitted height of 25 feet (Sign A).
 - C. A freestanding enterprise sign with a maximum area, in square feet, permitted within the face of a sign of 72 square feet in lieu of the maximum area permitted of 50 square feet per face (Sign A). §§ 450.4 Attachment 1.5(g)(V) and (IX)
 - D. Freestanding enterprise signage with a maximum aggregate area in square feet, permitted within the face area of the signage of 122 square feet in lieu of the maximum area permitted of 50 square feet (Signs A and B).
2. § 450.4 Attachment 1.5(g) of the BCZR to permit:
 - A. Four (4) wall-mounted enterprise signs per premises in lieu of the maximum of three (3) wall-mounted enterprise signs permitted per premises (Signs D, E, F and G). § 450.4 Attachment 1.5(g)(V)
 - B. Four (4) wall-mounted enterprise signs per facade in lieu of the maximum of two (2) wall-mounted enterprise signs permitted per facade (Signs D, E, F and G). § 450.4 Attachment 1.5(g)(V)
 - C. A wall-mounted enterprise sign with a maximum area, twice the length of the wall to which the sign is affixed (2x22), permitted within the face of a sign of 80 square feet in lieu of the maximum area permitted of 64 square feet per sign (Sign D).
3. § 450.4 Attachment 1.3 of the BCZR to permit:
 - A. A freestanding directional sign with a maximum area, in square feet, permitted within the face of a sign of 7 square feet in lieu of the maximum area permitted of 3 square feet per face (Sign C). § 450.4 Attachment 1.3(V)
 - B. A wall-mounted directional sign with a maximum height of 10 feet in lieu of the maximum permitted height of 6 feet in nonresidential zones (Sign H). § 450.4 Attachment 1.3(V)
 - C. A wall-mounted directional sign with a maximum height of 13 feet in lieu of the maximum permitted height of 6 feet in nonresidential zones (Sign J). § 450.4 Attachment 1.3(V)
 - D. A wall-mounted directional sign with a maximum area, in square feet, permitted within the face of a sign of 16 square feet in lieu of the maximum area permitted of 3 square feet per face (Sign J). § 450.4 Attachment 1.3(V)

Plan to Accompany Zoning Petition

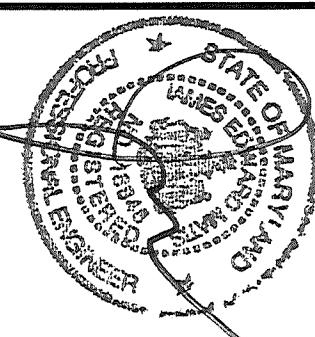


No. 10139 York Road
Baltimore County, Maryland
Councilmanic District 3
Sheet 1 of 2

DATE	FOR/THINK	ISSUE
8-2-20	FOR/THINK	

PETITIONER'S SIGNATURE
EXHIBIT NO. 1

MATIS WARFIELD
Consulting Engineers
1050 York Road Suite M Hunt Valley, Maryland 21039
410.883.7004 PHONE 410.883.7383 FAX
www.matiswarfield.com

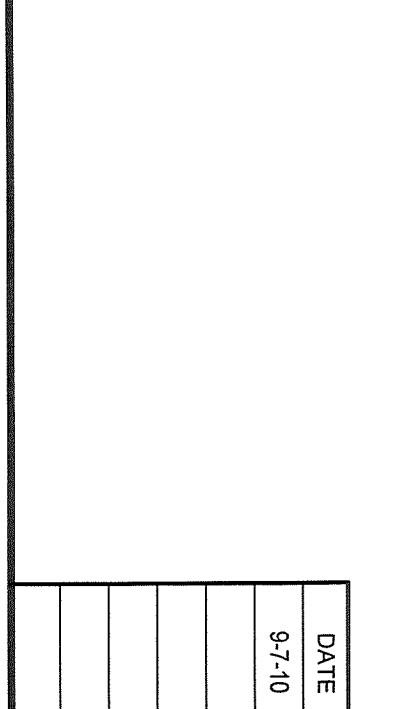


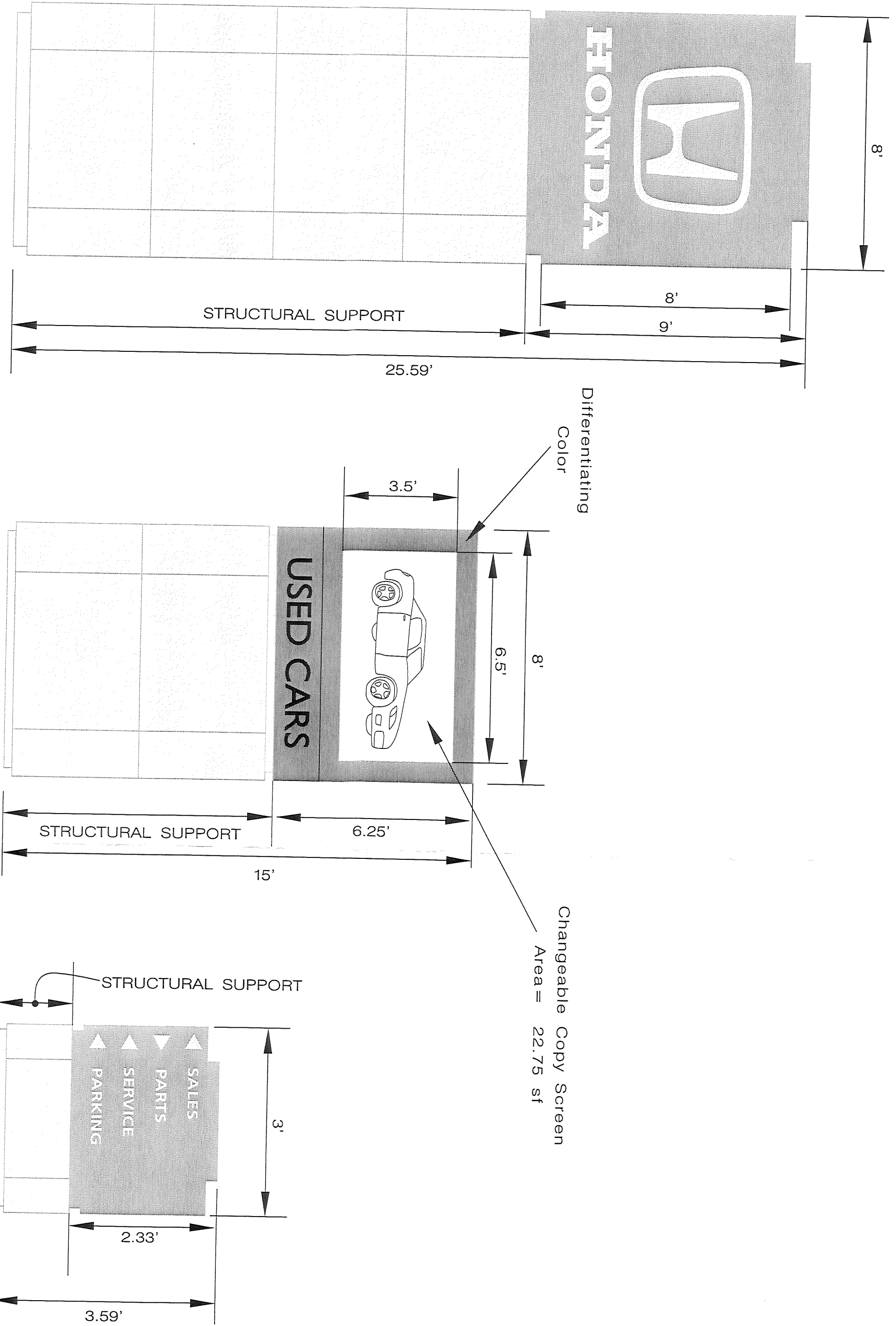
PROFESSIONAL CERTIFICATION
DOCUMENTS WERE PREPARED
BY MATIS WARFIELD, LICENSED
UNDER THE JAWBOC OF THE
STATE OF MARYLAND
EXPIRATION DATE: 09-19-2010

LEGAL OWNER
BKL YORK II, LLC
c/o Anderson of Hunt Valley
10139 York Road
Cockeysville, MD 21030
410-403-1300

Plan
20' 0 20' 40'
Scale: 1" = 20'-0"

REVISION SIGN
DATE: 8-2-20
SHEET 3 OF 2



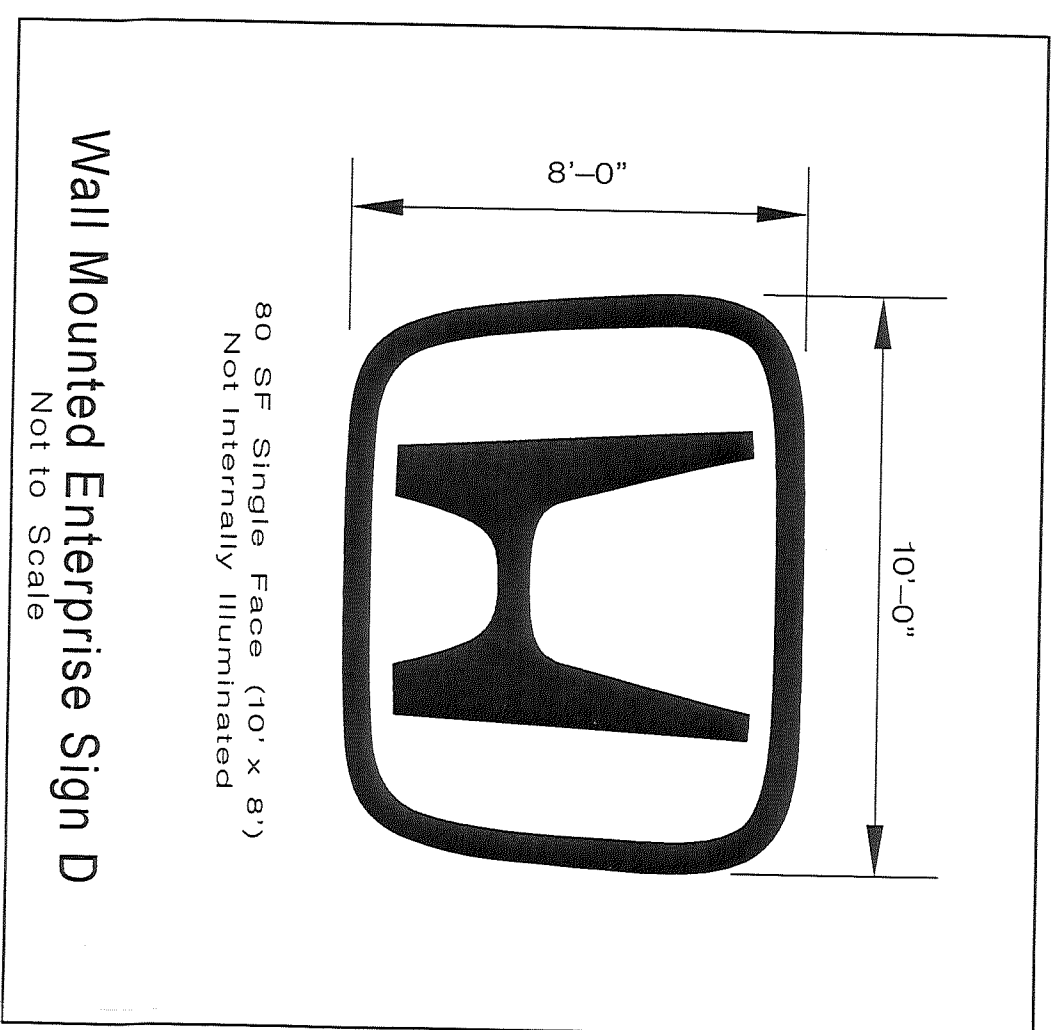


Freestanding Enterprise Sign A
York Road-South Entrance
Not to Scale

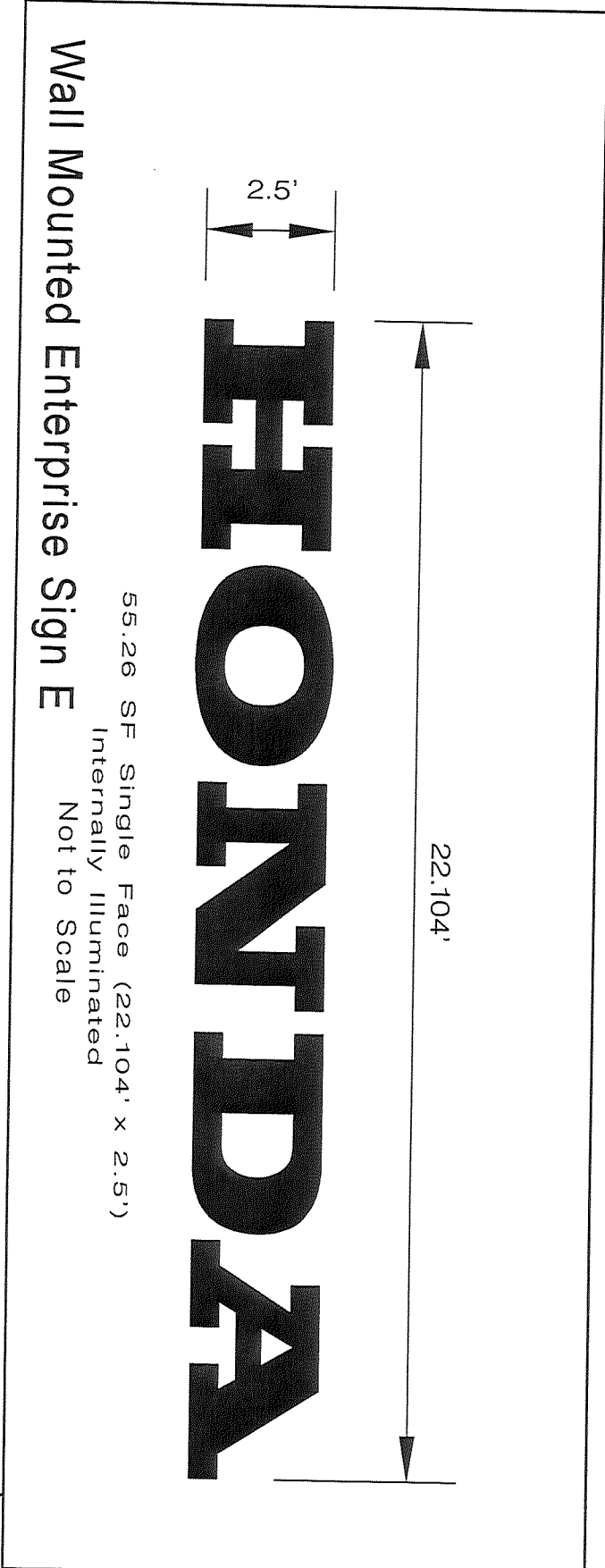
Freestanding Sign B
York Road-North Entrance
Not to Scale

Freestanding Directional Sign C
Near Southwest Corner of Proposed
Building at end of Grass Island
Not to Scale

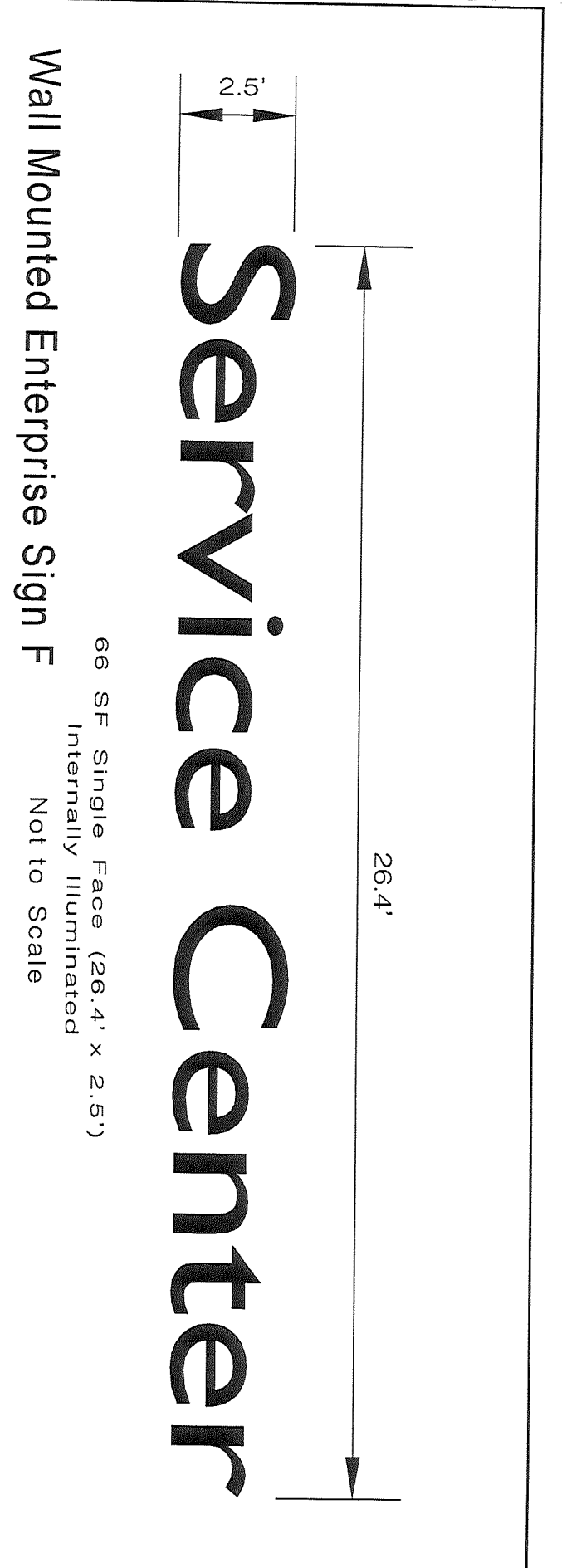
Freestanding Signage Details



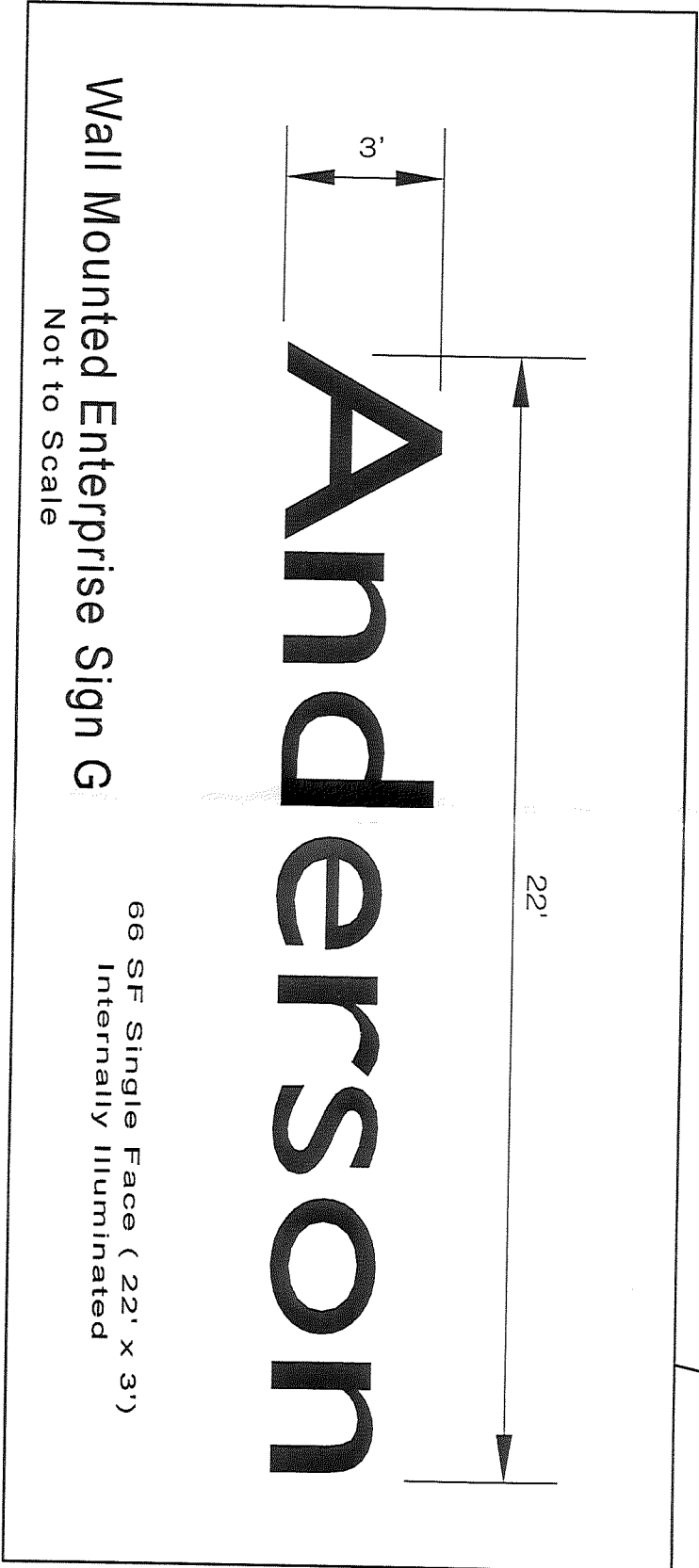
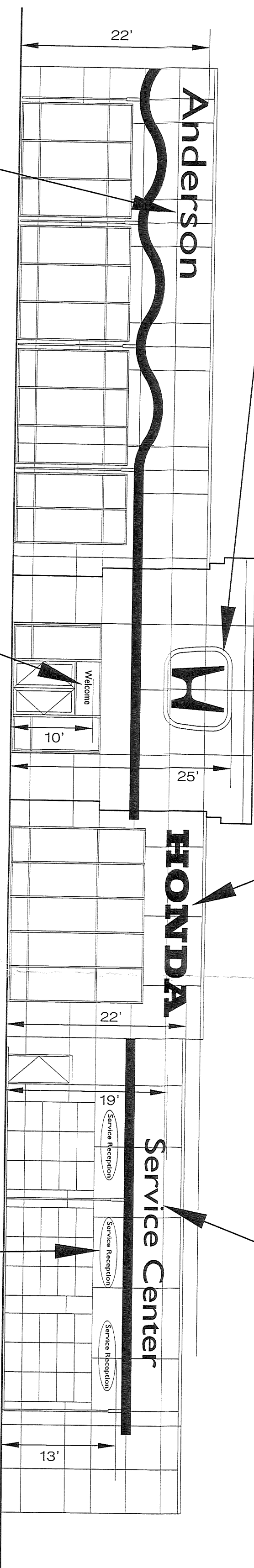
Wall Mounted Enterprise Sign D
Not to Scale



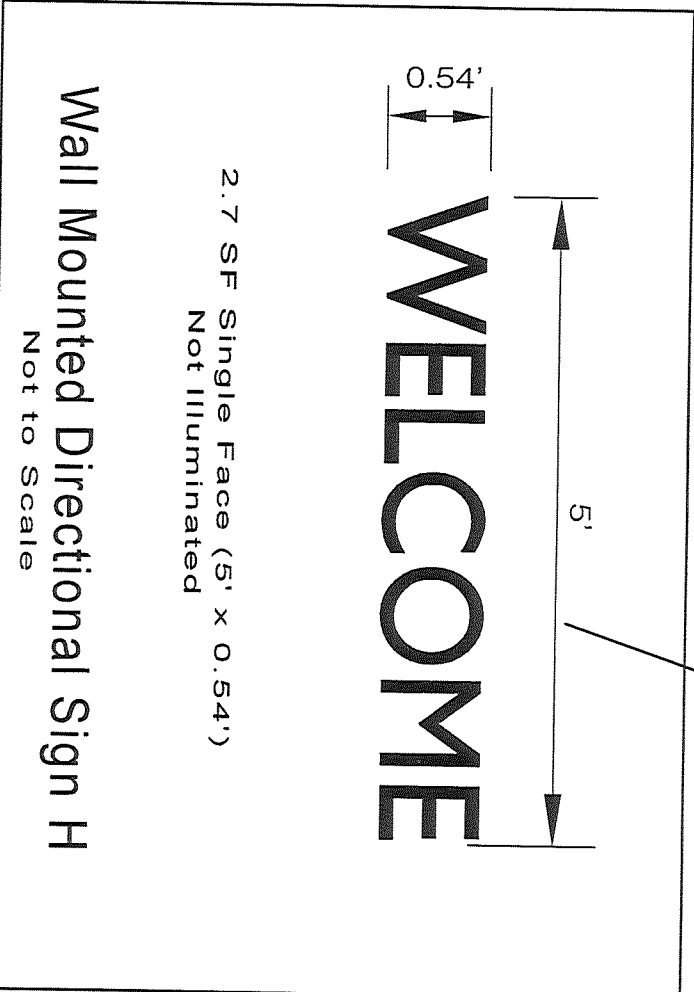
Wall Mounted Enterprise Sign E
Not to Scale



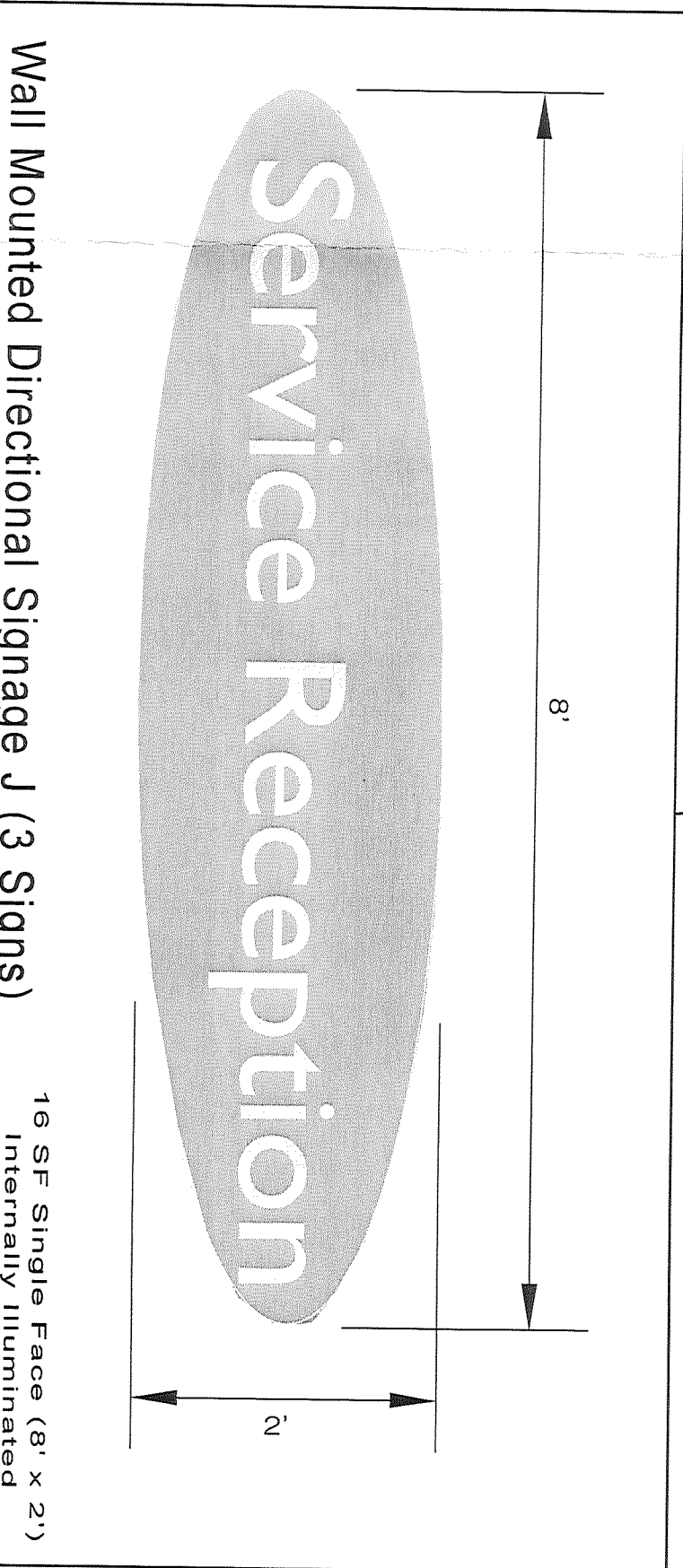
Wall Mounted Enterprise Sign F
Not to Scale



Wall Mounted Enterprise Sign G
Not to Scale



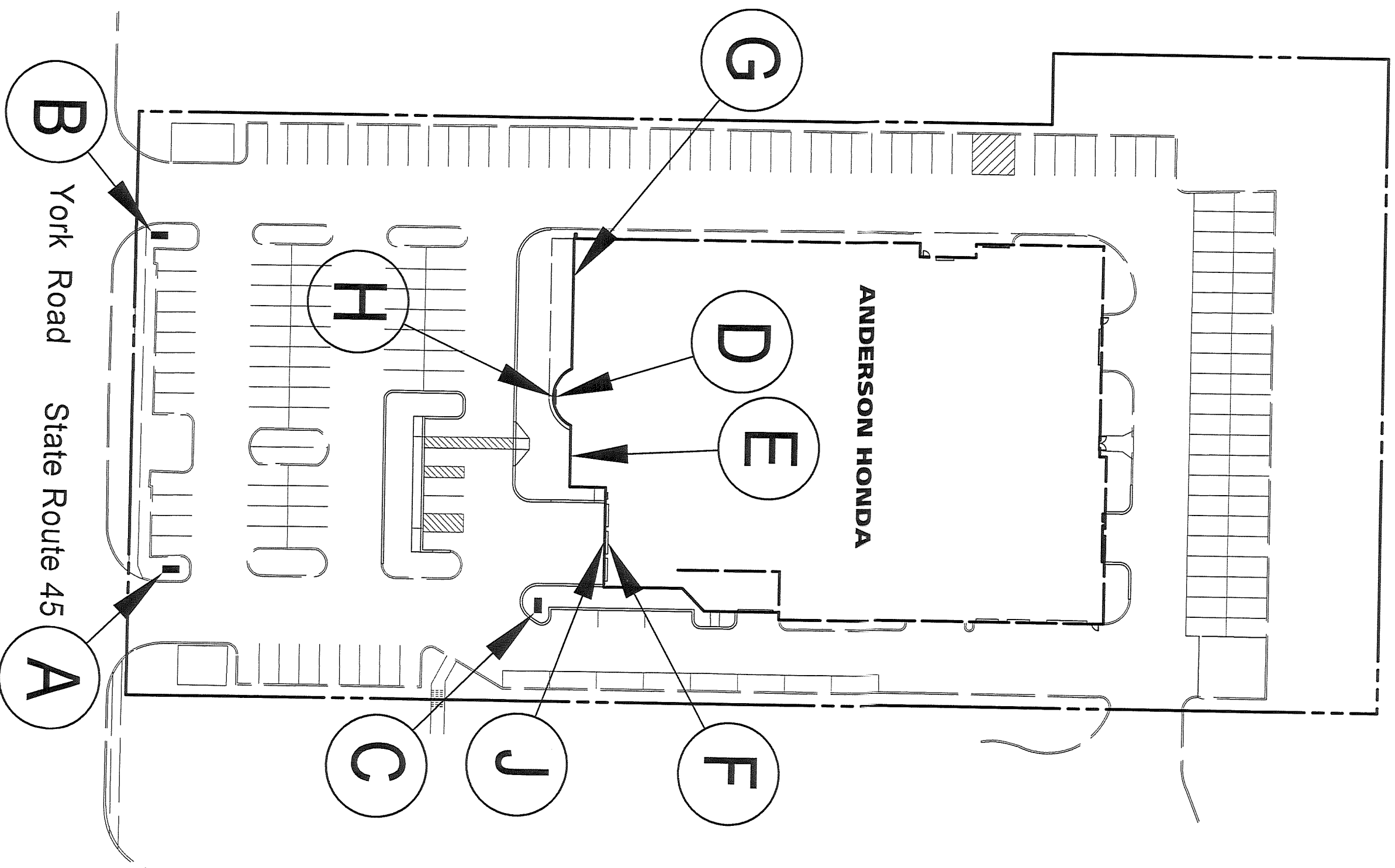
Wall Mounted Directional Sign H
Not to Scale



Wall Mounted Directional Signage J (3 Signs)
Not to Scale

Wall Mounted Signage Details

Not to Scale

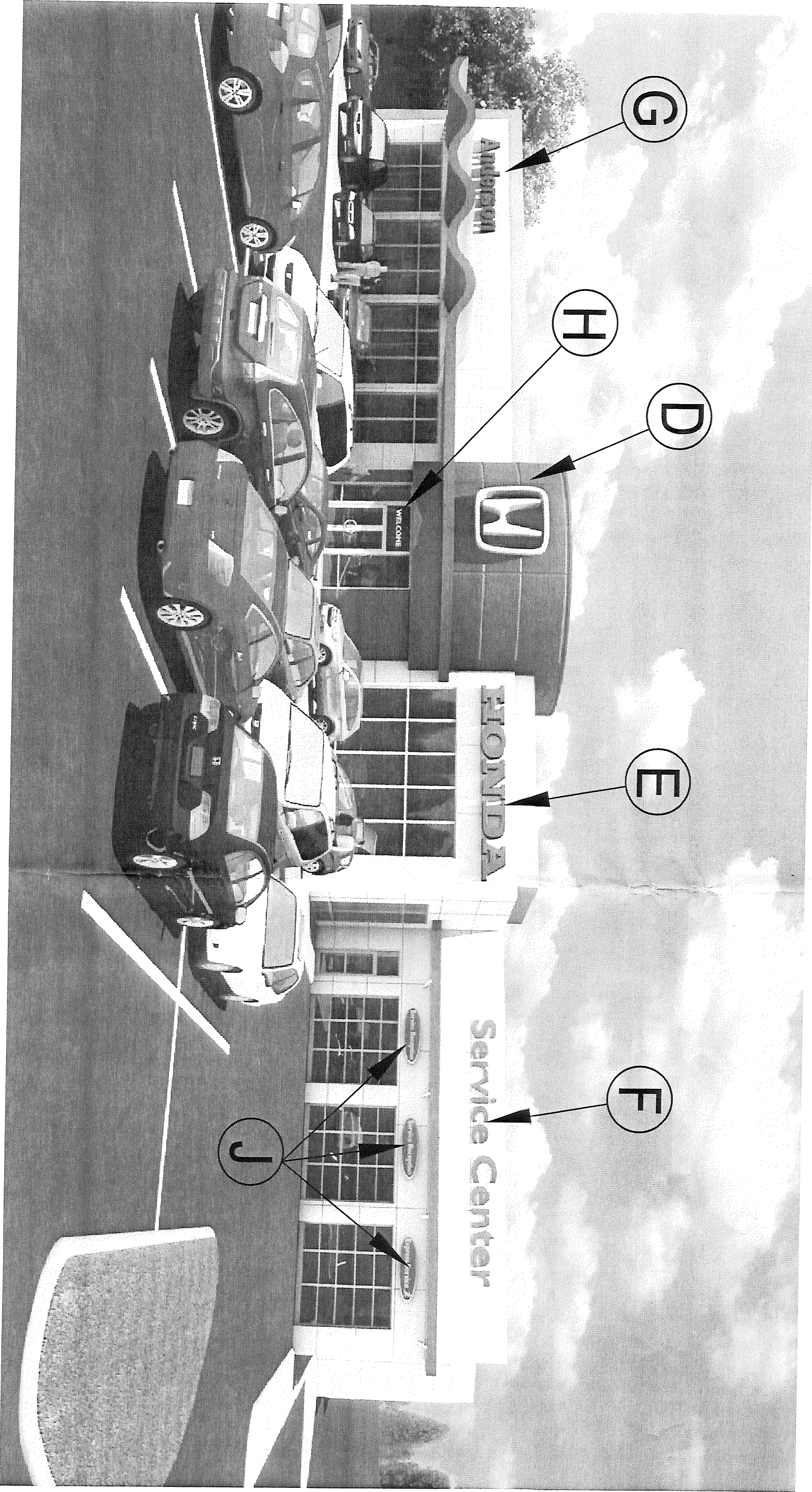


Signage Key Map

Scale: 1" = 50'

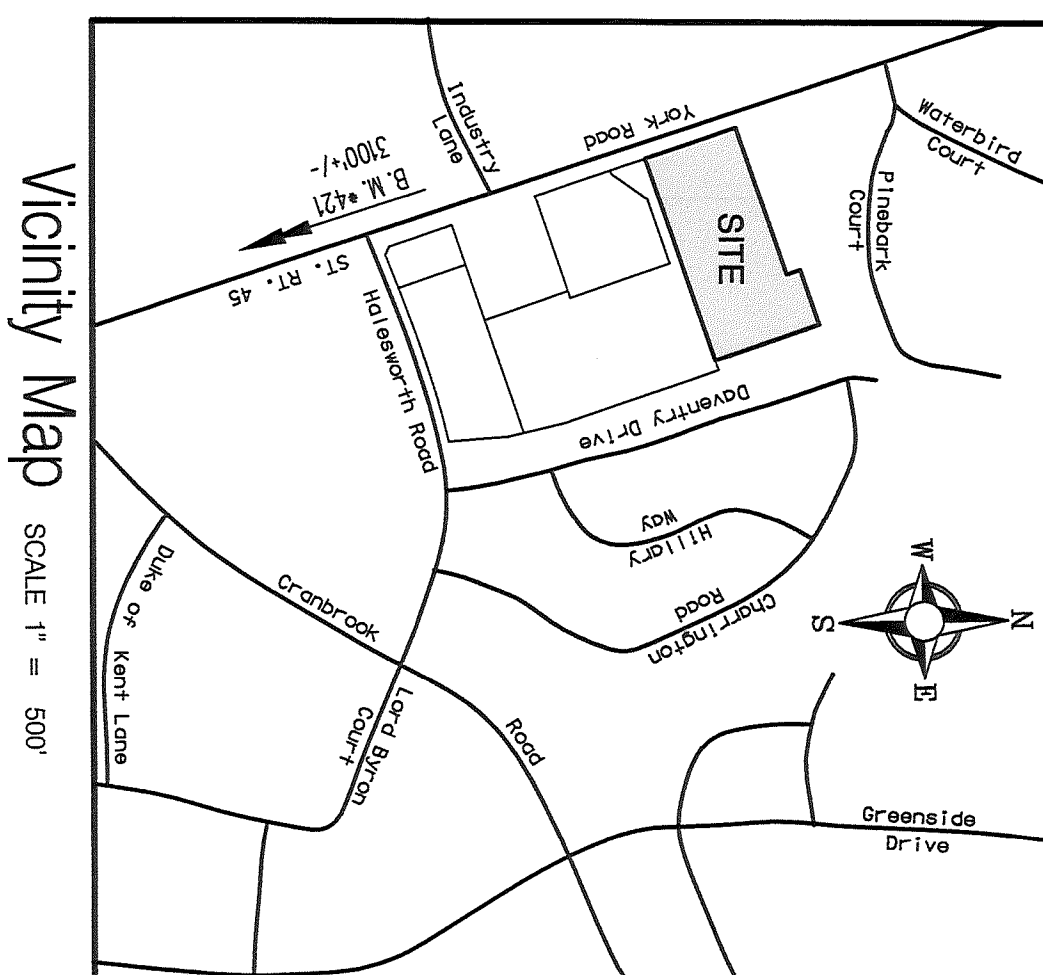
SIGN	CLASS	TYPE	MAX AREA PER FACE PERMITTED	MAX AREA PER FACE PROPOSED	MAX NUMBER PERMITTED PER PREMISES	NUMBER PROPOSED	HEIGHT PERMITTED	HEIGHT PROPOSED	NOTES
A	ENTERPRISE	FREESTANDING	50 SF	72 SF	1 PER FRANCHISE AGREEMENT HELD BY DEALERSHIP	25'	25.59'		
B	ENTERPRISE	FREESTANDING	50 SF	50 SF	1 PER FRANCHISE AGREEMENT HELD BY DEALERSHIP	25'	15'		INCORPORATES 22.75 SF INTEGRAL CHANGEABLE COPY
C	DIRECTIONAL	FREESTANDING	3 SF	7 SF	NOT REGULATED	6'	3.59'		
D	ENTERPRISE	WALL MOUNTED	2 x LENGTH OF WALL 32' x 2 = 64 sf	80 SF	NOT REGULATED	NA	25'		
E	ENTERPRISE	WALL MOUNTED	2 x LENGTH OF WALL 28' x 2 = 56 sf	55.26 SF	3 MAX - NO MORE THAN 2 PER FACADE	NA	22'		
F	ENTERPRISE	WALL MOUNTED	2 x LENGTH OF WALL 44' x 2 = 88 sf	66 SF	4 TOTAL PER FACADE	NA	19'		
G	ENTERPRISE	WALL MOUNTED	2 x LENGTH OF WALL 58' x 2 = 106 sf	66 SF		NA	22'		
H	DIRECTIONAL	WALL MOUNTED	3 SF	2.7 SF	NOT REGULATED	6'	10'		
J	DIRECTIONAL	WALL MOUNTED	3 SF	16 SF	NOT REGULATED	6'	13'		1 SIGN OVER EACH SERVICE DOOR

Signage Summary



Plan to Accompany Zoning Petition
Signage Details

DATE	FOR/REVISION	ISSUE
9-3-10	FOR/REVISION	



Site Data

NE AREA OF PROPERTY, 3.428 ACRES, OR 147.341 SF
EXISTING ZONING - BM & BM-MS, ML-MS
EXISTING USE - 38,250 SF AUTOMOTIVE DEALERSHIP (Includes addition under construction)
PROPOSED USE - 894E
PROPERTY OWNER - BM, YORK II, LLC dba ANDERSON OF HUNT VALLEY
10139 YORK ROAD
COCKEYSVILLE, MARYLAND 21030
DEED REFERENCE - 1974S-001
TAX ACCOUNT NUMBER - 20-000-5505
PLAT REFERENCE - N/A

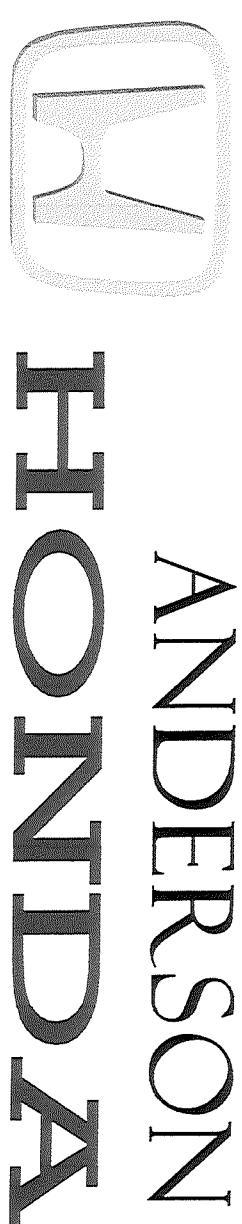
Parking Tabulation

PROPOSED SHOWROOM, SALES OFFICES, ACCESSORY, MERCHANDISE AND PARTS SALES	= 62.5 SPACES
10,000 SQ. FT. SHOWROOM ONLY	
PROPOSED GENERAL OFFICE/STOCK/ACCOUNTING, PARTS STORAGE, SERVICE BAY AREA, SERVICE RECEPTION DRIVEWAY, EQUIPMENT DELIVERY BAY, EQUIPMENT/MECHANICAL SPACE	= 17.1 SPACES
21,000 SQ. FT. SHOWROOM ONLY	
TOTAL PARKING REQUIRED	= 79.5 SPACES
PARKING PROVIDED	
STATUS IN SERVICE GARAGE	= 14 SPACES
STATUS IN VEHICLE RECEPTION DRIVE (E EXTERNAL, I INTERNAL)	= 8 SPACES
SURFACE LOT PARKING PROVIDED (CUSTOMER, EMPLOYEE) ⁽¹⁾	= 5 SPACES
TOTAL PARKING PROVIDED (CUSTOMER & EMPLOYEE)	= 105 SPACES
DECKED IN AND UNDECKED SPACES ⁽²⁾	
DECKED IN	= 14 SPACES
UNDECKED	= 91 SPACES
TOTAL PARKING PROVIDED	= 105 SPACES
OVERALL TOTAL PARKING PROVIDED	= 62 SPACES
TOTAL INCLUDES SPACES FOR THE PHYSICALLY HANDICAPPED	
HANDICAPPED SPACES ⁽³⁾ 21' x 18' TOTAL, TWO SIDE BY SIDE	
WALK ACCESSIBLE HANDICAPPED SPACES ⁽⁴⁾ 24' x 18' TOTAL, TWO SIDE BY SIDE	
STANDARD PARKING SPACES ⁽⁵⁾ 8.5' x 18.5' 18' PARALLEL SPACES ⁽⁶⁾ 5' x 7.5' x 7'	
ALL PARKING SHALL BE PERMANENTLY STRIPED OR A DIPPALE AND DUST FREE SURFACE.	

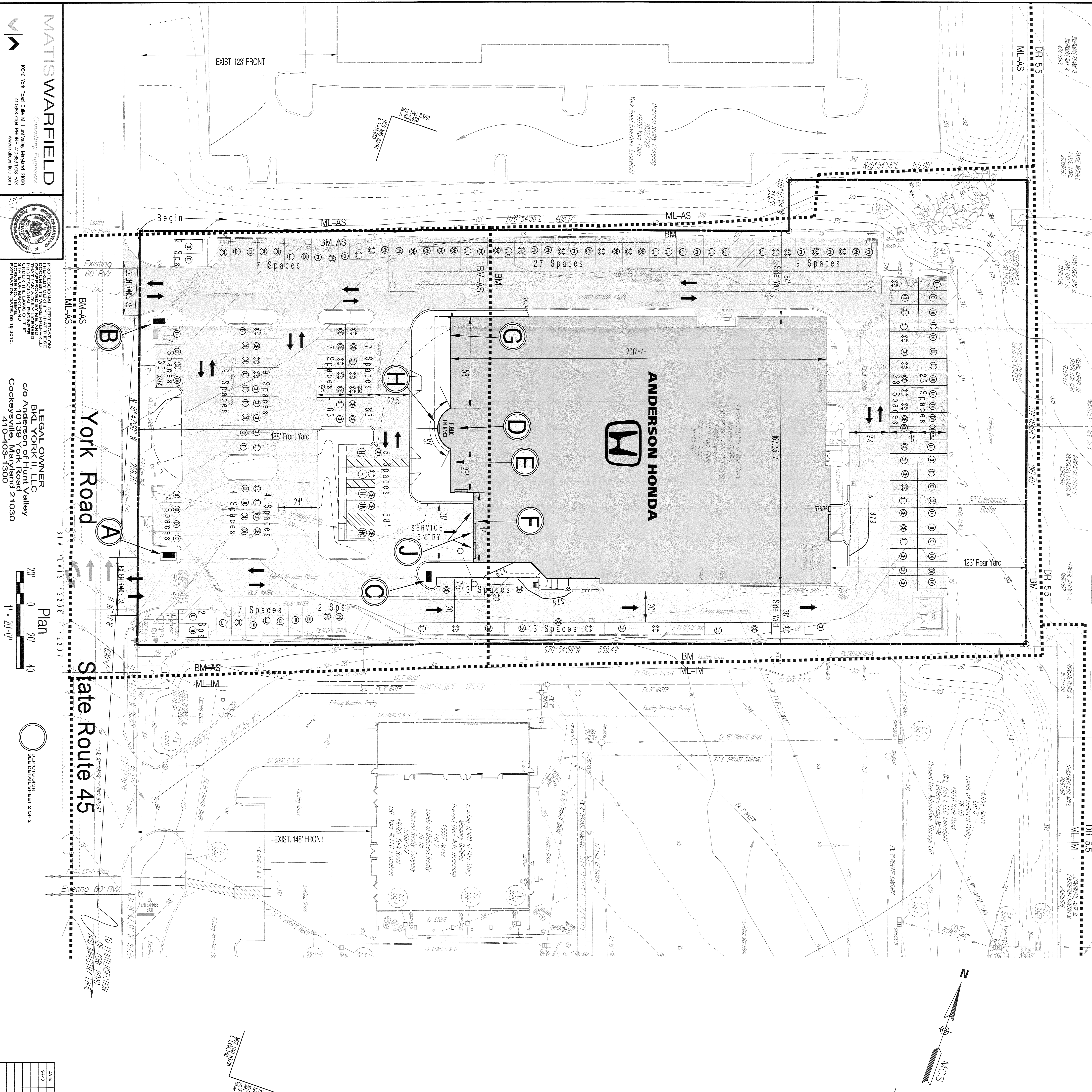
Summary of Relief

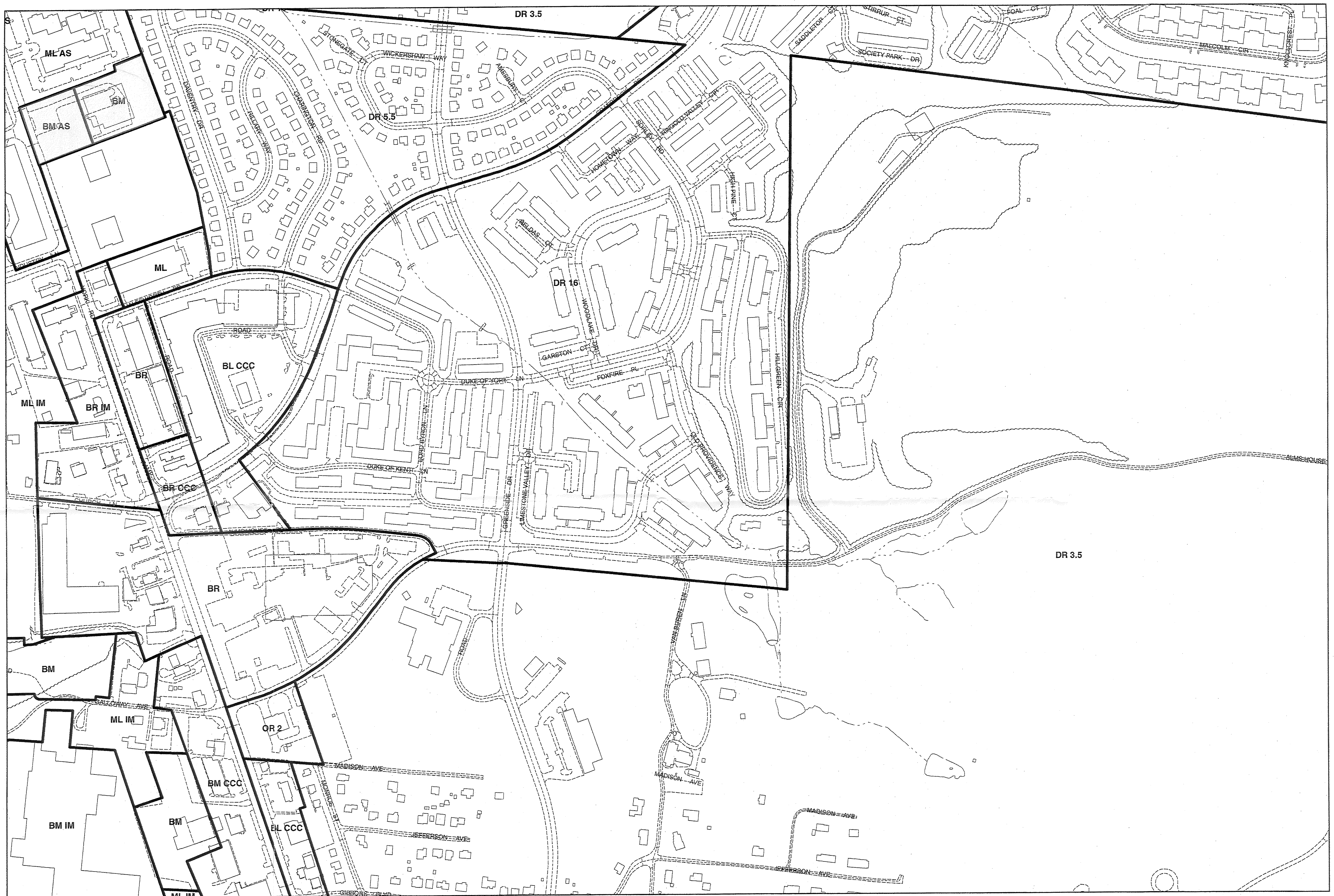
1. § 450.4 Attachment 1.5(a) of the BC2R to permit:
 - A. A total of two (2) freestanding enterprise signs in lieu of the maximum permitted one (1) freestanding enterprise sign per franchise agreement held by the dealership (Signs A, B, E and G) § 450.4 ATTACHMENT 1.5(a)(V)
 - B. A freestanding enterprise sign with a maximum height of 25.50 feet in lieu of the maximum permitted height of 25 feet (Sign A), § 450.4 Attachment 1.5(a)(VI)
 - C. A freestanding enterprise sign with a maximum area in square feet permitted within the face of a sign of 7 square feet in lieu of the maximum area permitted of 50 square feet per face (Sign C), § 450.4 Attachment 1.5(a)(V) and (X)
 - D. Freestanding enterprise signage with a maximum aggregate area, in square feet, permitted within the face area of the signage of 122 square feet in lieu of the maximum area permitted of 50 square feet (Signs A and B), § 450.4 Attachment 1.5(a)(V) and (X)
2. § 450.4 Attachment 1.5(a) of the BC2R to permit:
 - A. Four (4) wall-mounted enterprise signs per premises in lieu of the maximum of three (3) wall-mounted enterprise signs permitted per premises (Signs D, E, F and G), § 450.4 Attachment 1.5(a)(V)
 - B. Four (4) wall-mounted enterprise signs per facade in lieu of the maximum of two (2) wall-mounted enterprise signs per facade (Signs D, E, F and G), § 450.4 Attachment 1.5(a)(V)
 - C. A wall-mounted enterprise sign with a maximum area, twice the sign of the wall to which the sign is affixed (2x2), permitted within the face of a sign of 50 square feet in lieu of the maximum area permitted of 64 square feet per sign (Sign D) § 450.4 Attachment 1.5(a)(V)
3. § 450.4 Attachment 1.3 of the BC2R to permit:
 - A. A freestanding directional sign with a maximum area, in square feet, permitted within the face of a sign of 7 square feet in lieu of the maximum area permitted of 3 square feet per face (Sign C), § 450.4 Attachment 1.3(V)
 - B. A wall-mounted directional sign with a maximum height of 10 feet in lieu of the maximum permitted height of 6 feet in nonresidential zones (Sign H), § 450.4 Attachment 1.3(V)
 - C. A wall-mounted directional sign with a maximum height of 13 feet in lieu of the maximum permitted height of 6 feet in nonresidential zones (Sign J), § 450.4 Attachment 1.3(V)
 - D. A wall-mounted directional sign with a maximum area, in square feet, permitted within the face of a sign of 16 square feet in lieu of the maximum area permitted of 3 square feet per face (Sign J), § 450.4 Attachment 1.3(V)

Plan to Accompany Zoning Petition



No. 10139 York Road
Baltimore County, Maryland
Election District No. 8
Councilmanic District 3
Sheet 1 of 2





Plan Sheet: 051C2

Note:
The zoning depicted in this application incorporates the actions associated with 2008 Comprehensive Zoning Map Process, zoning changes associated with an adopted Community Plan and Baltimore County Board of Appeals actions through December 31, 2008.

2011-0093-A

Legend

- | | | | | | |
|--|-----------|--|---------|--|------------|
| | Buildings | | Streams | | Vegetation |
| | Zoning | | Roads | | Rail Lines |

Baltimore County Office of Planning and Zoning Official Zoning Map

051A1	051B1	051C1	052A1	052B1
051A2	051B2	051C2	052A2	052B2
051A3	051B3	051C3	052A3	052B3

Scale

1" = 200'

0 100 200 400 Feet



Data Sources:
Planimetric Data - Baltimore County
OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2008

