

M E M O R A N D U M

DATE: April 12, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0125-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on April 10, 2017. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(1000 Reisterstown Road)		
3 rd Election District	*	OFFICE OF
2 nd Council District		
	*	ADMINISTRATIVE HEARINGS
Pikesville Communities Corporation		
	*	FOR BALTIMORE COUNTY
Petitioner	*	Case No. 2017-0125-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Pikesville Communities Corporation, legal owner. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) and seeks a determination that (among other things) a mural painted on the side of a commercial building constitutes a “sign” under the B.C.Z.R.

Mike Pierce appeared in support of the petition, and Petitioner was represented by Michael McCann, Esq. Alan Zuckerberg, Esq., appeared in proper person. Several members of the community attended the hearing and were incredulous the mural could be regulated as a sign under the B.C.Z.R. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. No substantive Zoning Advisory Committee (ZAC) comments were received.

This is an unusual case, in that the Petition was filed not by the property owner but by a community association. Courts have held such filings are permissible under B.C.Z.R. §500.7. *Marzullo v Kahl*, 366 Md. 158 (2001). In addition, County zoning officials have determined the mural is not a “sign” under the B.C.Z.R., which is what caused Petitioner to file this case.

Petitioner presented testimony from one witness, Mike Pierce. Mr. Pierce described his familiarity with the B.C.Z.R. and the regulation of signage in particular. He opined the mural was

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Date 3/10/17
By Sen

a “sign” as that term is defined in B.C.Z.R. §450. He also testified the mural qualified as a “memorial” sign under the signage table in B.C.Z.R. §450.4. A memorial sign is “a noncommercial sign displaying information of a commemorative, interpretive or historical nature.” Mr. Pierce noted the prototypical memorial sign (which under the Regulations can be no larger than 15 square feet) would be one that read “on this site on December 16, 1773 the Boston Tea Party took place.” I agree with Mr. Pierce’s description of a memorial sign, but as discussed below I do not believe the painting or mural in this case qualifies as such.

As noted at the outset, several members of the community testified the mural is a work of public art and should not be regulated as a sign. The mural was commissioned by the Pikesville Rotary Club, which hired artist Ed Williams to paint the mural on the side of the building in question, with the owner’s approval. The citizens noted (and this point is undisputed) the scene depicted on the mural does not relate in any way to the business (“Mr. Chan Restaurant”) operated in the building to which the mural is affixed. According to the community, the mural is a tableau depicting scenes reminiscent of Pikesville’s culture and community. The mural contains no words or symbols, but depicts the Pike’s Theatre, a well-known Pikesville institution that no longer operates as a theatre. In addition, the mural depicts kiosks from the Pikesville farmers market, a large pond at a nearby cemetery and other street scenes. Petitioner’s Ex. 2.

It would strain credulity to contend the sign is an advertisement or is commercial in nature. While this point may be irrelevant as concerns the analysis under the B.C.Z.R. (since the definition of “sign” in B.C.Z.R. §450.3 encompasses displays that are “commercial or noncommercial”) it is a pivotal factor in first amendment jurisprudence, in that works of art would receive robust protection as core speech, while “commercial speech” (e.g., liquor advertisements) would receive less first amendment protection. *Metromedia, Inc. v. San Diego*, 453 U.S. 490, 513 (1981).

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Based on the testimony and photographs, no one viewing this mural would think it was a sign, at least as that term is commonly used. But that also is beside the point, since the B.C.Z.R. definition of sign is what controls in this case. The Regulations define "sign" as follows:

Any structure or other object, or part thereof, which displays any word, illustration, decoration or other symbolic representation which:

A. Is used or intended to inform, advertise or otherwise attract attention or convey a message regarding an activity, condition or commercial or noncommercial organization, person, place or thing.

B. Has a "face" that is "visible" from a "highway" as each of these terms is defined in this section.

B.C.Z.R. §450.3.

This is an exceedingly broad definition, and it would appear to apply to the mural in this case. The wall/painting is an "object...which displays [an] illustration...which is used or intended to...otherwise attract attention or convey a message regarding...a place [i.e., Pikesville]." Indeed, Petitioner's counsel conceded that most, if not all, works of art are conceived to "convey a message," and if they happen to be visible from a roadway they could be regulated as a "sign" under the B.C.Z.R. I do not believe the Regulations should be interpreted in such a fashion. *See, e.g. Metheny v. State*, 359 Md. 576, 610 (2000) (courts avoid statutory interpretation leading to "absurd" result). In addition, an interpretation of Section 450.3 that would apply to works of art would in my opinion pose serious First Amendment concerns. *Schochet v. State*, 320 Md. 714, 729 (1990) ("statute should be interpreted to avoid a serious constitutional issue").

Courts in other states have reached a similar conclusion. In *Tipp City v. Dakin*, 929 N.E.2d 484 (Ohio 2010), the court ruled a municipal sign ordinance could not be enforced against a mural painted on the side of a building. The sign depicted a "mad scientist" holding a beaker, and while it was arguably related to the business conducted in that building (a store selling fuels for race cars) the court held it was nonetheless entitled to first amendment protection as commercial speech. In *City of Indio v. Arroyo*, 143 Cal. App. 3rd 151 (1983), the court considered a Mexican heritage

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3/10/17

By

Sen

mural painted on the side of a convenience store. The court held the "purpose of [the city's] sign ordinance is not served by its application to noncommercial wall murals." I believe the same can be said regarding the application of the B.C.Z.R. to the "Pikesville heritage" mural in this case.

Part of the problem is Baltimore County does not regulate public art or murals, as do many other municipalities. In addition, Baltimore County does not exempt works of art from its signage regulations, as do many other municipalities. Petitioner contends even an artist's depiction on a wall of a whale or pastoral scene would be considered a sign since it conveys a message to the viewer. While the literal text of the B.C.Z.R. may support such a contention, I believe that would raise serious first amendment concerns which are animated in this case. As such, I concur with the Office of Zoning Review and do not believe the mural can be regulated as a "sign" under the B.C.Z.R.

THEREFORE, IT IS ORDERED this 10th day of **March, 2017** by this Administrative Law Judge, that the Petition for Special Hearing pursuant to B.C.Z.R. § 500.7 seeking a determination that: (1) The mural presently painted on the building wall along Sherwood Avenue on the subject property is a "sign" as that term is defined in the B.C.Z.R. Section 450; (2) The mural constitutes one or more classes of sign among those defined in Section 450; (3) This sign is subject to the size limits and permit requirements specified in Section 450; (4) The owner of the building was and is first required to obtain a permit before allowing the sign to be placed; (5) The said sign should be ordered to be removed; (6) The County should be ordered to reimburse Pikesville Communities Corporation ("PCC") for the \$500.00 filing fee, sign posting costs and other costs incurred for this because: (a) Baltimore County via its Department of Permits, Approvals and Inspections refused to construe the sign as a code violation and refused to issue a code violation to the owner; and (b) As a result of this refusal, the Petitioner, PCC was obligated to initiate this Special Hearing to force

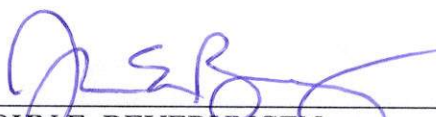
ORDER RECEIVED FOR FILING

Date 3/10/17

By Sen

the County to take action it should have taken on its own; and (c) The \$500.00 filing fee is unreasonable and tends to inhibit Petitioners from seeking recourse via the administrative process whenever Baltimore County fails to enforce its laws, codes and regulations; and (d) The Petitioner, PCC, must also incur sign posting fees and costs and reasonable attorney's fees which should be reimbursed by Baltimore County because of its failure to enforce its laws, codes and regulations, be and is hereby DENIED.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln

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Date 3/10/17

By sen



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 1000 Reisterstown Rd which is presently zoned BL
 Deed References: 35105:322 10 Digit Tax Account # 0 3 2 3 0 3 5 1 0 0
 Property Owner(s) Printed Name(s) Jeffrey Goodman Company, LLC

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

The undersigned, being a Maryland corporation and registered with Baltimore County as a Community Association which includes the subject property within its bounds, and Alan Zukerberg, a resident of the area, hereby petition for:

1. **X** a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should ~~approve~~ find that:
 1. the mural presently painted on the building wall along Sherwood Ave on the subject property is a "sign" as that term is defined in the BCZR Section 450;
 2. the mural constitutes one or more classes of sign among those defined in Section 450;
 3. this sign is subject to the size limits and permit requirements specified in Section 450;
 4. the owner of the building was and is first required to obtain a permit before allowing the sign to be placed;
 5. the said sign should be ordered to be removed;
 6. the County should be ordered to reimburse Pikesville Communities Corporation ("PCC") for the \$500.00 filing fee, sign posting costs and other costs incurred for this because:
 - a. Baltimore County via its Department of Permits, Approvals and Inspections refused to construe the sign as a code violation, and refused to issue a code violation to the owner; and
 - b. As a result of this refusal, Petitioner, PCC was obligated to initiate this Special Hearing to force the County to take action it should have taken on its own; and
 - c. The \$500.00 filing fee is unreasonable and tends to inhibit Petitioners from seeking recourse via the administrative process whenever Baltimore County fails to enforce its laws, codes and regulations; and
 - d. The Petitioner, PCC, must also incur sign posting fees and costs, and reasonable attorney's fees which should be reimbursed by Baltimore County because of its failure to enforce its laws, codes and regulations;
 7. AND, for such other and further relief as the nature of Petitioner's cause requires.

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee: Legal owner

Jeffrey Goodman Company, LLC

Name- Type or Print

n/a

Signature

Second Chance Farm
14811 Seneca Rd, Darnestown, MD

Mailing Address

City

State

20874

unknown

unknown

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

None

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Pikesville Communities Corporation

Alan Zukerberg, President / Alan Zukerberg, Esq

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

7919 Long Meadow Rd, Pikesville

Mailing Address

City

State

21208

410-484-5047

apzuk@msn.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Michael Pierce, Executive Director, PCC

Name - Type or Print

Signature

7448 Bradshaw Rd, Kingsville, MD

Mailing Address

City

State

21087

410-817-4795

MPIERCE1@AOL.COM

Zip Code

Telephone #

Email Address

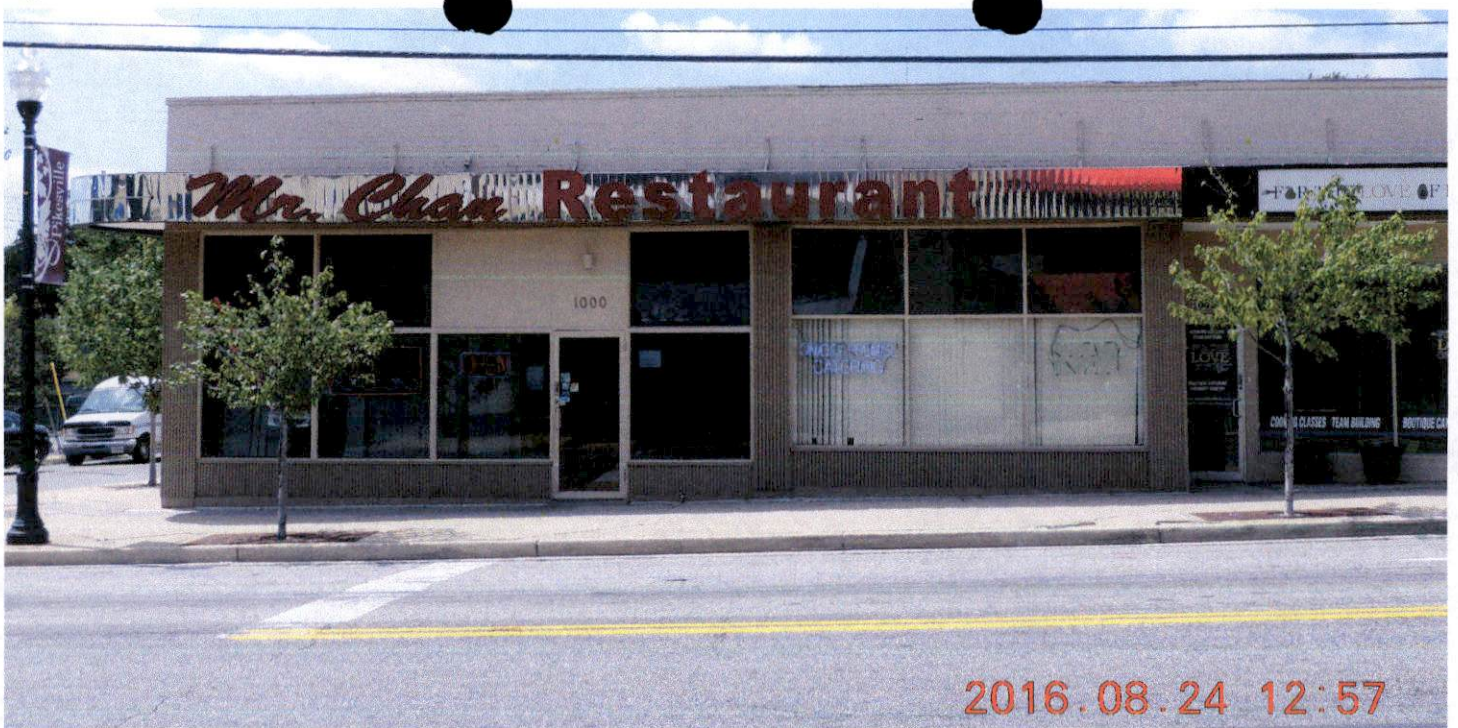
CASE NUMBER 2017-0125-SPH

Filing Date 10/31/16

Do Not Schedule Dates: Dec 15 - Jan 3

Reviewer [Signature]



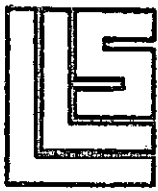


Reisterstown Rd side - Sign 1



Sherwood Ave side - Sign 2

Item #0125



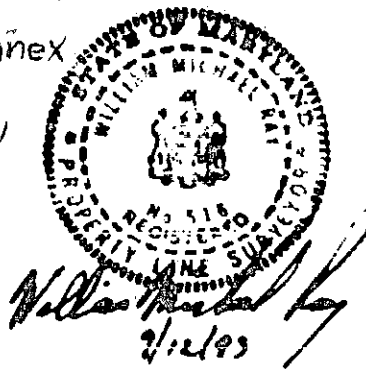
Land Surveyors 94-137-A

P.O. Box 5410 ■ Towson, Maryland 21286 ■ (410) 435-8300

ZONING DESCRIPTION

BEGINNING at a point on the Southwest side of Reisterstown Road which is 66 feet wide at the intersection with the Northwest side of Sherwood Avenue which is 50 feet wide. Thence the following courses and distances, viz: Northwesterly, binding on the Southwest side of Reisterstown Road 79 feet and 1 inch, thence Southwesterly 116 feet 6 1/4 inches, thence Southeasterly 79 feet to intersect the Northwest side of Sherwood Avenue, thence binding on said Northwest side of Sherwood Avenue, Northeasterly 120 feet to the place of beginning. As recorded among the Land Records of Baltimore County in Liber E.H.R. Jr. 5431 folio 923.

Being lots # 377 and part of lot # 378
of the subdivision Ralston Annex
as recorded in plat book #1,
folio # 275, containing
9342 square feet.
Located in the 3rd
Election District and
2nd Councilmanic District



Item #0125 ~~ITEM 151~~



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 4753214

Sold To:

Pikesville Community Corporation - CU00573876
7448 Bradshaw Rd
Kingsville, MD 21087-1651

Bill To:

Pikesville Community Corporation - CU00573876
7448 Bradshaw Rd
Kingsville, MD 21087-1651

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Feb 07, 2017

The Baltimore Sun Media Group

By *S. Wilkinson*

Legal Advertising

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: # 2017-0125-SPH

1000 Reisterstown Road
NW of Sherwood Road
3rd Election District - 2nd Councilmanic District
Legal Owner(s) Jeffrey Goodman Company, LLC
Petitioners: Pikesville Communities Corporation, Alan Zukerberg, Pres.

SPECIAL HEARING: to determine whether or not the Administrative Law Judge should find that: 1. The mural presently painted on the building wall along Sherwood Avenue on the subject property is a "sign" as that term is defined in the BCZR section 450. 2. The mural constitutes one or more classes of sign among those defined in section 450. 3. This sign is subject to the size limits and permit requirements specified in Section 450. 4. The owner of the building was and is first required to obtain a permit before allowing the sign to be placed; 5. The said sign should be ordered to be removed; 6. The County should be ordered to reimburse Pikesville Communities Corporation ("PCC") for the \$500.00 filing fee, sign posting costs and other costs incurred for this because: a. Baltimore County via its Department of Permits, Approvals and Inspections refused to construe the sign as a code violation and refused to issue a code violation to the owner; and b. As a result of this refusal, the Petitioner, PCC was obligated to initiate this Special Hearing to force the County to take action it should have taken on its own; and c. The \$500.00 filing fee is unreasonable and tends to inhibit Petitioners from seeking recourse via the administrative process whenever Baltimore County fails to enforce its laws, codes and regulations; and d. The Petitioner, PCC, must also incur sign posting fees and costs and reasonable attorney's fees which should be reimbursed by Baltimore County because of its failure to enforce its laws, codes and regulations; 7. And for such other and further relief as the nature of Petitioner's cause requires.

Hearing: Monday, February 27, 2017 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please contact the Administrative Hearings Office at (410) 887-3868.

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

JT 2/6/06 Feb. 7

4753214



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 4677638

Sold To:

Pikesville Community Corporation - CU00573876
7448 Bradshaw Rd
Kingsville, MD 21087-1651

Bill To:

Pikesville Community Corporation - CU00573876
7448 Bradshaw Rd
Kingsville, MD 21087-1651

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Dec 29, 2016

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: # 2017-0125-SPH

1000 Reisterstown Road
SW/s Reisterstown Road, NW of Sherwood Road
3rd Election District - 2nd Councilmanic District
Legal Owner(s) Jeffrey Goodman Company, LLC
Petitioners: Pikesville Communities Corporation, Alan Zukerberg, Pres.

Special Hearing: to determine whether or not the Administrative Law Judge should find that: 1. The mural presently painted on the building wall along Sherwood Avenue on the subject property is a "sign" as that term is defined in the BCZR section 450; 2. The mural constitutes one or more classes of sign among those defined in section 450; 3. This sign is subject to the size limits and permit requirements specified in Section 450; 4. The owner of the building was and is first required to obtain a permit before allowing the sign to be placed; 5. The said sign should be ordered to be removed; 6. The County should be ordered to reimburse Pikesville Communities Corporation ("PCC") for the \$500.00 filing fee, sign posting costs and other costs incurred for this because: a. Baltimore County via its Department of Permits, Approvals and Inspections refused to construe the sign as a code violation and refused to issue a code violation to the owner; and b. As a result of this refusal, the Petitioner, PCC was obligated to initiate this Special Hearing to force the County to take action it should have taken on its own; and c. The \$500.00 filing fee is unreasonable and tends to inhibit Petitioners from seeking recourse via the administrative process whenever Baltimore County fails to enforce its laws, codes and regulations; and d. The Petitioner, PCC, must also incur sign posting fees and costs and reasonable attorney's fees which should be reimbursed by Baltimore County because of its failure to enforce its laws, codes and regulations; 7. And for such other and further relief as the nature of Petitioner's cause requires.

Hearing: Thursday, January 19, 2017 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

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

12/208 December 29

46776

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 4617913

Sold To:

Pikesville Community Corporation - CU00573876
7448 Bradshaw Rd
Kingsville, MD 21087-1651

Bill To:

Pikesville Community Corporation - CU00573876
7448 Bradshaw Rd
Kingsville, MD 21087-1651

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Dec 01, 2016

The Baltimore Sun Media Group

By S. Wilkins

Legal Advertising

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: # 2017-0125-SPH

1000 Reisterstown Road
SW/s Reisterstown Road, NW of Sherwood Road
3rd Election District - 2nd Councilmanic District
Legal Owner(s) Jeffrey Goodman Company, LLC
Petitioners: Pikesville Communities Corporation, Alan Zuckerberg, Pres.

Special Hearing to determine whether or not the Administrative Law Judge should find that: 1. The mural presently painted on the building wall along Sherwood Avenue on the subject property is a "sign" as that term is defined in the BCZR section 450; 2. The mural constitutes one or more classes of sign among those defined in section 450; 3. This sign is subject to the size limits and permit requirements specified in Section 450; 4. The owner of the building was and is first required to obtain a permit before allowing the sign to be placed; 5. The said sign should be ordered to be removed; 6. The County should be ordered to reimburse Pikesville Communities Corporation ("PCC") for the \$500.00 filing fee, sign posting costs and other costs incurred for this because: a. Baltimore County via its Department of Permits, Approvals and Inspections refused to construe the sign as a code violation and refused to issue a code violation to the owner; and b. As a result of this refusal, the Petitioner, PCC was obligated to initiate this Special Hearing to force the County to take action it should have taken on its own; and c. The \$500.00 filing fee is unreasonable and tends to inhibit Petitioners from seeking recourse via the administrative process whenever Baltimore County fails to enforce its laws, codes and regulations; and d. The Petitioner, PCC, must also incur sign posting fees and costs and reasonable attorney's fees which should be reimbursed by Baltimore County because of its failure to enforce its laws, codes and regulations; 7. And for such other and further relief as the nature of Petitioner's cause requires.

Hearing: Thursday, December 22, 2016 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

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

12/010 December 1

4617913

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 5/3/2016

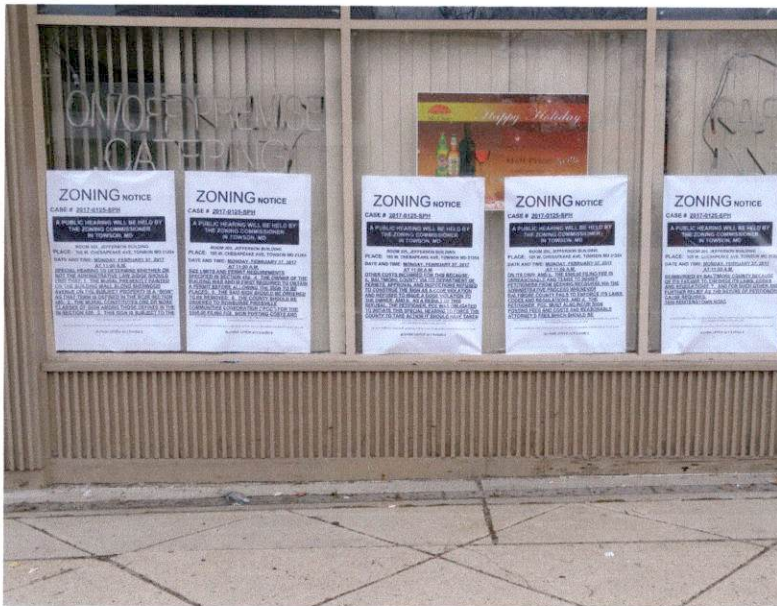
Case Number: 2017-0125-SPH

Petitioner / Developer: MICHAEL PIERCE ~ ALAN ZUKERBER, ESQ. ~ JEFFREY GOODMAN

Date of Hearing : FEBRUARY 27, 2017

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
1000 REISTERSTOWN ROAD (ON-SITE)

The sign(s) were posted on: FEBRUARY 5, 2017



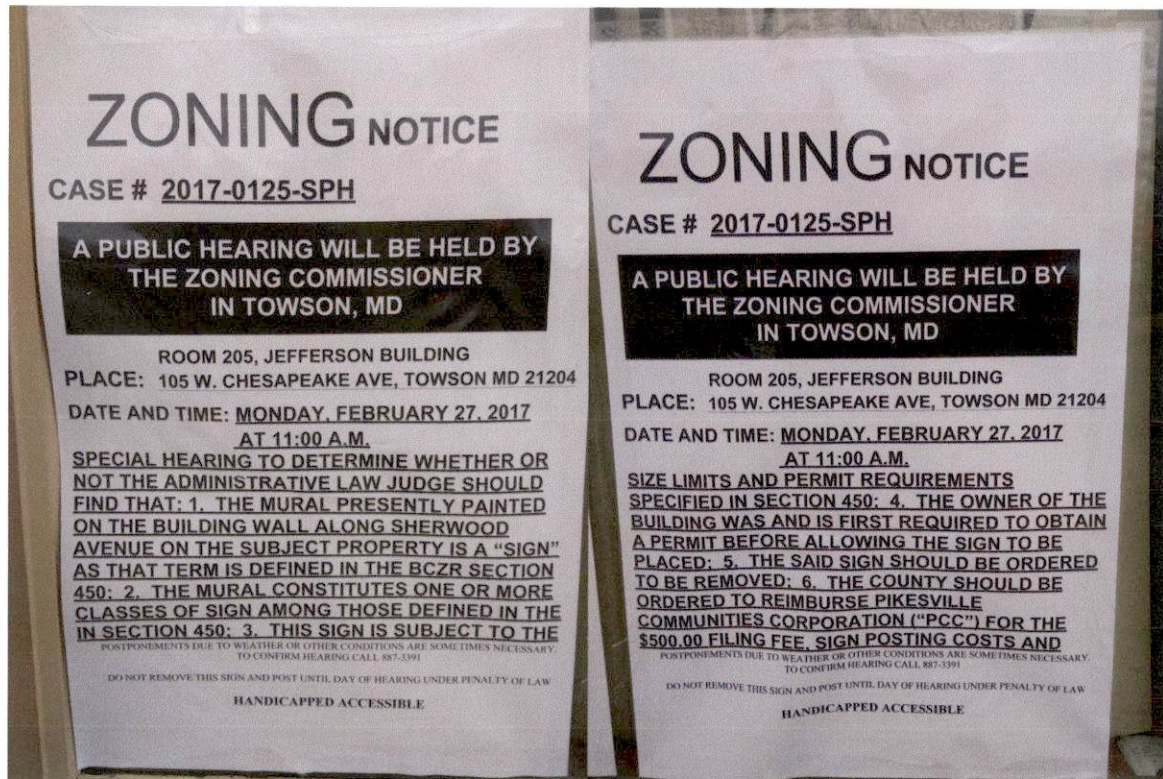
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

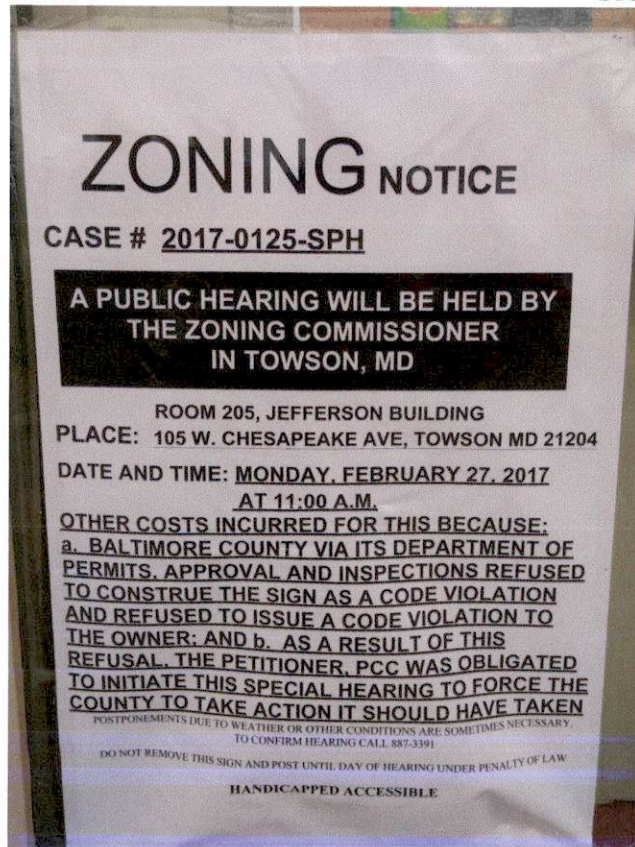
Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 – 666 – 5366
(Telephone Number of Sign Poster)



SIGN #1

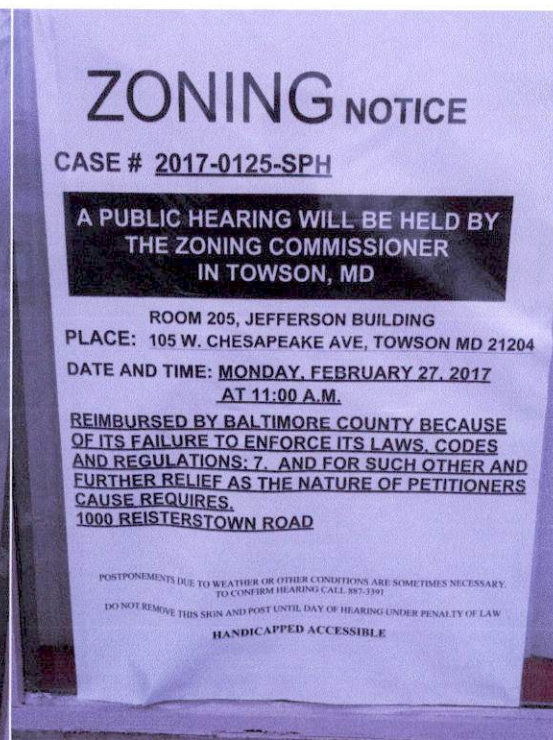
SIGN #2



SIGN #3



SIGN #4



SIGN #5

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 7, 2017 Issue - Jeffersonian

Please forward billing to:

Michael Pierce
Pikesville Community Corporation
7448 Bradshaw Road
Kingsville, MD 21087

410-817-4795

NOTICE OF ZONING HEARING

The Administrative Law Judge 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:

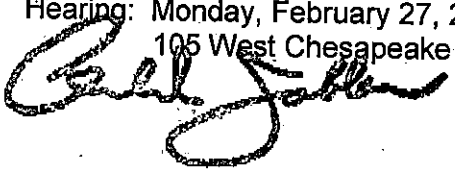
CASE NUMBER: 2017-0125-SPH

1000 Reisterstown Road
SW/s Reisterstown Road, NW of Sherwood Road
3rd Election District – 2nd Councilmanic District
Legal Owners: Jeffrey Goodman Company, LLC
Petitioners: Pikesville Communities Corporation, Alan Zukerberg, Pres.

Special Hearing to determine whether or not the Administrative Law Judge should find that:

1. The mural presently painted on the building wall along Sherwood Avenue on the subject property is a "sign" as that term is defined in the BCZR section 450; 2. The mural constitutes one or more classes of sign among those defined in section 450; 3. This sign is subject to the size limits and permit requirements specified in Section 450; 4. The owner of the building was and is first required to obtain a permit before allowing the sign to be placed; 5. The said sign should be ordered to be removed; 6. The County should be ordered to reimburse Pikesville Communities Corporation ("PCC") for the \$500.00 filing fee, sign posting costs and other costs incurred for this because: a. Baltimore County via its Department of Permits, Approvals and Inspections refused to construe the sign as a code violation and refused to issue a code violation to the owner; and b. As a result of this refusal, the Petitioner, PCC was obligated to initiate this Special Hearing to force the County to take action it should have taken on its own; and c. The \$500.00 filing fee is unreasonable and tends to inhibit Petitioners from seeking recourse via the administrative process whenever Baltimore County fails to enforce its laws, codes and regulations; and d. The Petitioner, PCC, must also incur sign posting fees and costs and reasonable attorney's fees which should be reimbursed by Baltimore County because of its failure to enforce its laws, codes and regulations; 7. And for such other and further relief as the nature of Petitioner's cause requires.

Hearing: Monday, February 27, 2017 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
January 24, 2017
County Executive

NEW NOTICE OF ZONING HEARING

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections*

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SW/s Reisterstown Road, NW of Sherwood Road

3rd Election District – 2nd Councilmanic District

Legal Owners: Jeffrey Goodman Company, LLC

Petitioners: Pikesville Communities Corporation, Alan Zukerberg, Pres.

Special Hearing to determine whether or not the Administrative Law Judge should find that:

1. The mural presently painted on the building wall along Sherwood Avenue on the subject property is a "sign" as that term is defined in the BCZR section 450; 2. The mural constitutes one or more classes of sign among those defined in section 450; 3. This sign is subject to the size limits and permit requirements specified in Section 450; 4. The owner of the building was and is first required to obtain a permit before allowing the sign to be placed; 5. The said sign should be ordered to be removed; 6. The County should be ordered to reimburse Pikesville Communities Corporation ("PCC") for the \$500.00 filing fee, sign posting costs and other costs incurred for this because: a. Baltimore County via its Department of Permits, Approvals and Inspections refused to construe the sign as a code violation and refused to issue a code violation to the owner; and b. As a result of this refusal, the Petitioner, PCC was obligated to initiate this Special Hearing to force the County to take action it should have taken on its own; and c. The \$500.00 filing fee is unreasonable and tends to inhibit Petitioners from seeking recourse via the administrative process whenever Baltimore County fails to enforce its laws, codes and regulations; and d. The Petitioner, PCC, must also incur sign posting fees and costs and reasonable attorney's fees which should be reimbursed by Baltimore County because of its failure to enforce its laws, codes and regulations; 7. And for such other and further relief as the nature of Petitioner's cause requires.

Hearing: Monday, February 27, 2017 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Jeffrey Goodman, 14811 Seneca Road, Darnestown 20874
Alan Zukerberg, 7919 Long Meadow Road, Pikesville 21208
Michael Pierce, 7448 Bradshaw Road, Kingsville 21087

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 7, 2017.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3868.

TO: PATUXENT PUBLISHING COMPANY
Thursday, December 29, 2016 Issue - Jeffersonian

Please forward billing to:

Michael Pierce
Pikesville Community Corporation
7448 Bradshaw Road
Kingsville, MD 21087

410-817-4795

NOTICE OF ZONING HEARING

The Administrative Law Judge 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:

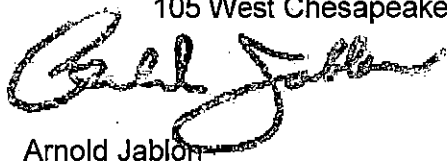
CASE NUMBER: 2017-0125-SPH

1000 Reisterstown Road
SW/s Reisterstown Road, NW of Sherwood Road
3rd Election District – 2nd Councilmanic District
Legal Owners: Jeffrey Goodman Company, LLC
Petitioners: Pikesville Communities Corporation, Alan Zukerberg, Pres.

Special Hearing to determine whether or not the Administrative Law Judge should find that:

1. The mural presently painted on the building wall along Sherwood Avenue on the subject property is a "sign" as that term is defined in the BCZR section 450; 2. The mural constitutes one or more classes of sign among those defined in section 450; 3. This sign is subject to the size limits and permit requirements specified in Section 450; 4. The owner of the building was and is first required to obtain a permit before allowing the sign to be placed; 5. The said sign should be ordered to be removed; 6. The County should be ordered to reimburse Pikesville Communities Corporation ("PCC") for the \$500.00 filing fee, sign posting costs and other costs incurred for this because: a. Baltimore County via its Department of Permits, Approvals and Inspections refused to construe the sign as a code violation and refused to issue a code violation to the owner; and b. As a result of this refusal, the Petitioner, PCC was obligated to initiate this Special Hearing to force the County to take action it should have taken on its own; and c. The \$500.00 filing fee is unreasonable and tends to inhibit Petitioners from seeking recourse via the administrative process whenever Baltimore County fails to enforce its laws, codes and regulations; and d. The Petitioner, PCC, must also incur sign posting fees and costs and reasonable attorney's fees which should be reimbursed by Baltimore County because of its failure to enforce its laws, codes and regulations; 7. And for such other and further relief as the nature of Petitioner's cause requires.

Hearing: Thursday, January 19, 2017 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
December 6, 2016

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

NEW NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2017-0125-SPH

1000 Reisterstown Road
SW/s. Reisterstown Road, NW of Sherwood Road
3rd Election District – 2nd Councilmanic District
Legal Owners: Jeffrey Goodman Company, LLC
Petitioners: Pikesville Communities Corporation, Alan Zukerberg, Pres.

Special Hearing to determine whether or not the Administrative Law Judge should find that:

1. The mural presently painted on the building wall along Sherwood Avenue on the subject property is a "sign" as that term is defined in the BCZR section 450; 2. The mural constitutes one or more classes of sign among those defined in section 450; 3. This sign is subject to the size limits and permit requirements specified in Section 450; 4. The owner of the building was and is first required to obtain a permit before allowing the sign to be placed; 5. The said sign should be ordered to be removed; 6. The County should be ordered to reimburse Pikesville Communities Corporation ("PCC") for the \$500.00 filing fee, sign posting costs and other costs incurred for this because: a. Baltimore County via its Department of Permits, Approvals and Inspections refused to construe the sign as a code violation and refused to issue a code violation to the owner; and b. As a result of this refusal, the Petitioner, PCC was obligated to initiate this Special Hearing to force the County to take action it should have taken on its own; and c. The \$500.00 filing fee is unreasonable and tends to inhibit Petitioners from seeking recourse via the administrative process whenever Baltimore County fails to enforce its laws, codes and regulations; and d. The Petitioner, PCC, must also incur sign posting fees and costs and reasonable attorney's fees which should be reimbursed by Baltimore County because of its failure to enforce its laws, codes and regulations; 7. And for such other and further relief as the nature of Petitioner's cause requires.

Hearing: Thursday, January 19, 2017 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Jeffrey Goodman, 14811 Seneca Road, Darnestown 20874
Alan Zukerberg, 7919 Long Meadow Road, Pikesville 21208
Michael Pierce, 7448 Bradshaw Road, Kingsville 21087

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, FRIDAY, DECEMBER 30, 2016.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

TO: PATUXENT PUBLISHING COMPANY
Thursday, December 1, 2016 Issue - Jeffersonian

Please forward billing to:

Michael Pierce
Pikesville Community Corporation
7448 Bradshaw Road
Kingsville, MD 21087

410-817-4795

NOTICE OF ZONING HEARING

The Administrative Law Judge 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:

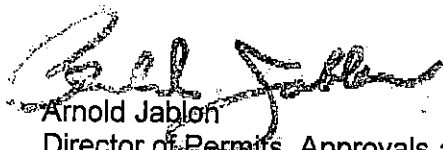
CASE NUMBER: 2017-0125-SPH

1000 Reisterstown Road
SW/s Reisterstown Road, NW of Sherwood Road
3rd Election District – 2nd Councilmanic District
Legal Owners: Jeffrey Goodman Company, LLC
Petitioners: Pikesville Communities Corporation, Alan Zukerberg, Pres.

Special Hearing to determine whether or not the Administrative Law Judge should find that:

1. The mural presently painted on the building wall along Sherwood Avenue on the subject property is a "sign" as that term is defined in the BCZR section 450; 2. The mural constitutes one or more classes of sign among those defined in section 450; 3. This sign is subject to the size limits and permit requirements specified in Section 450; 4. The owner of the building was and is first required to obtain a permit before allowing the sign to be placed; 5. The said sign should be ordered to be removed; 6. The County should be ordered to reimburse Pikesville Communities Corporation ("PCC") for the \$500.00 filing fee, sign posting costs and other costs incurred for this because: a. Baltimore County via its Department of Permits, Approvals and Inspections refused to construe the sign as a code violation and refused to issue a code violation to the owner; and b. As a result of this refusal, the Petitioner, PCC was obligated to initiate this Special Hearing to force the County to take action it should have taken on its own; and c. The \$500.00 filing fee is unreasonable and tends to inhibit Petitioners from seeking recourse via the administrative process whenever Baltimore County fails to enforce its laws, codes and regulations; and d. The Petitioner, PCC, must also incur sign posting fees and costs and reasonable attorney's fees which should be reimbursed by Baltimore County because of its failure to enforce its laws, codes and regulations; 7. And for such other and further relief as the nature of Petitioner's cause requires.

Hearing: Thursday, December 22, 2016 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
November 21, 2016

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2017-0125-SPH

1000 Reisterstown Road
SW/s Reisterstown Road, NW of Sherwood Road
3rd Election District – 2nd Councilmanic District
Legal Owners: Jeffrey Goodman Company, LLC
Petitioners: Pikesville Communities Corporation, Alan Zukerberg, Pres.

Special Hearing to determine whether or not the Administrative Law Judge should find that:

1. The mural presently painted on the building wall along Sherwood Avenue on the subject property is a "sign" as that term is defined in the BCZR section 450; 2. The mural constitutes one or more classes of sign among those defined in section 450; 3. This sign is subject to the size limits and permit requirements specified in Section 450; 4. The owner of the building was and is first required to obtain a permit before allowing the sign to be placed; 5. The said sign should be ordered to be removed; 6. The County should be ordered to reimburse Pikesville Communities Corporation ("PCC") for the \$500.00 filing fee, sign posting costs and other costs incurred for this because: a. Baltimore County via its Department of Permits, Approvals and Inspections refused to construe the sign as a code violation and refused to issue a code violation to the owner; and b. As a result of this refusal, the Petitioner, PCC was obligated to initiate this Special Hearing to force the County to take action it should have taken on its own; and c. The \$500.00 filing fee is unreasonable and tends to inhibit Petitioners from seeking recourse via the administrative process whenever Baltimore County fails to enforce its laws, codes and regulations; and d. The Petitioner, PCC, must also incur sign posting fees and costs and reasonable attorney's fees which should be reimbursed by Baltimore County because of its failure to enforce its laws, codes and regulations; 7. And for such other and further relief as the nature of Petitioner's cause requires.

Hearing: Thursday, December 22, 2016 at 10:00 a.m. in Room 205, Jefferson Building,
1950 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Jeffrey Goodman, 14811 Seneca Road, Darnestown 20874
Alan Zukerberg, 7919 Long Meadow Road, Pikesville 21208
Michael Pierce, 7448 Bradshaw Road, Kingsville 21087

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, DECEMBER 2, 2016.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(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

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

NO 145733

Date: 10/31/16

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$500.00

Total: \$500.00

Rec From: Pikesville Communities Corp.

For: zoning hearing - case # 2017-025-SPH

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
10/31/2016 10/31/2016 10:17:01 3
REG #803 WALKIN CASH
>>RECEIPT # 702790 10/31/2016 OFLH
Dept 5 526 ZONING VERIFICATION
CR NO. 145733
Recpt Tot \$500.00
\$500.00 CK \$.00 CA
Baltimore County, Maryland

**CASHIER'S
VALIDATION**

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2017-0125-SPH
Property Address: 1000 Reisterstown Rd
Property Description: southwest side of Reisterstown Rd, northwest of Sherwood Rd (ie: west side of intersection)
Legal Owners (Petitioners): Jeffrey Goodman Company
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Michael Pierce
Company/Firm (if applicable): Pikesville Community Corporation
Address: 7448 Bradshaw Rd
Kingsville MD 21087
Telephone Number: 410 817-4795

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
1000 Reisterstown Road; SW/S Reisterstown		
Road, NW of Sherwood Road	*	OF ADMINISTRATIVE
3 rd Election & 2 nd Councilmanic Districts		
Legal Owner(s): Pikesville Communities	*	HEARINGS FOR
Corporation, Alan Zukerberg, President, Esquire,		
Jeffrey Goodman Company, LLC	*	BALTIMORE COUNTY
Petitioner(s)		
	*	2017-125-SPH

* * * * *

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
NOV 14 2016

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of November, 2016, a copy of the foregoing Entry of Appearance was mailed to Michael Pierce, Executive Director, 7448 Bradshaw Road, Kingsville, Maryland 21087, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections*

February 22, 2017

Pikesville Communities Corporation
Alan Zuckerberg, President
7919 Long Meadow Road
Pikesville MD 21208

RE: Case Number: 2017-0125 SPH, Address: 1000 Reisterstown Road

Dear Mr. Zuckerberg:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 31, 2017. 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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Jeffrey Goodman Company LLC, Second Chance Farm, 14811 Seneca Road,
Darnestown MD 20874
Michael Pierce, Executive Director, PCC, 7448 Bradshaw Road, Kingsville MD 21087

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 11/9/16

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 11/9/16. A field inspection and internal review reveals that an entrance onto MD140 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Special Hearing, Case Number 2017-0125-SPH.

*Special Hearing
Pikesville Communities Corporation
Alan Zukerberg, President
1000 Reisterstown Road
MD 140*

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 2332 or by email at (rzeller@sha.state.md.us).

Sincerely,

Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

14# 2/27

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: 12/14/2016

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED
DEC 19 2016

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-125

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Property Address: 1000 Reisterstown Road
Petitioner: Pikesville Communities Corporation, Alan Zuckerberg, Esquire
Zoning: BL
Requested Action: Special Hearing

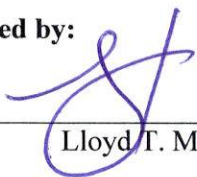
The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should make a finding on items as listed on said petition.

A site visit was conducted on November 14, 2016.

The Department will support the decision and order of the Administrative Law Judge subsequent to his consideration of the evidence presented at the hearing.

For further information concerning the matters stated herein, please contact Bill Skibinski at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Bill Skibinski
Michael Pierce, Executive Director, PCC
Office of the Administrative Hearings
People's Counsel for Baltimore County

PP 2/27

RECEIVED

BALTIMORE COUNTY, MARYLAND

NOV 14 2016

Inter-Office Correspondence

OFFICE OF ADMINISTRATIVE HEARINGS



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: November 14, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0125-SPH
Address 1000 Reisterstown Road
(Pikesville Communities Corp., LLC
Property)

Zoning Advisory Committee Meeting of **November 14, 2016**

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford

Date: 11-14-2016

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: November 23, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For November 14, 2016
Item No. 2017-0121, 0123, 0124, 0125, 0127 and 0128

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

DAK:CEN

cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC11142016.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: 12/14/2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-125

INFORMATION:

Property Address: 1000 Reisterstown Road
Petitioner: Pikesville Communities Corporation, Alan Zuckerberg, Esquire
Zoning: BL
Requested Action: Special Hearing

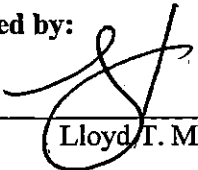
The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should make a finding on items as listed on said petition.

A site visit was conducted on November 14, 2016.

The Department will support the decision and order of the Administrative Law Judge subsequent to his consideration of the evidence presented at the hearing.

For further information concerning the matters stated herein, please contact Bill Skibinski at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Bill Skibinski
Michael Pierce, Executive Director, PCC
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: November 14, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0125-SPH
Address 1000 Reisterstown Road
(Pikesville Communities Corp., LLC
Property)

Zoning Advisory Committee Meeting of November 14, 2016

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford

Date: 11-14-2016

DATE Feb. 27, 2017

[illegible]

DATE _____

CASE NAME 105 Jussahama
CASE NUMBER _____
DATE February 27, 2017

CITIZEN'S SIGN - IN SHEET

NAME _____

ADDRESS

CITY, STATE, ZIP

E - MAIL

Washington Dish BASS	7. St. Paul St. Suite 601 1107 Susquehanna Ave 3302 CARRISON FARMS	Baltimore MD 21202 Middle River MD 21220 gwashington@adelberg.com	
Jeff Goodman Rhena Beiter PAWEL BASS	14411 Seneca Rd 2729 Bambly Rd 3302 CARRISON FARMS RD	Parnassus MD 20874 O.M. MD 21117 PIKESVILLE MD 21208	J Boardman ast.com Bombardier@aol.com dabaz2@verizon.net
Sonia Neumeier HAN ZAKREBERG Janet Ruth Goldstein Jessica Normington	601 Academy Ave 7119 Long Meadow Ct 7 Slade Ave. #121 Pikesville Pikesville Chamber	Owings Mills, MD Pikesville 21208 PIKESVILLE, MD 21208	sneumeier@verizon.net apauke@msd.com ruthgoldstein@comcast.net info@pikesvillechamber.org
Noel Levy Andrew Liso Nancy Rose Malone Sondra Hess	11 WILSON ACT. 21208 25 Spruwood Ave 6000 Pimlico Rd 3207 Keyser Road	Pikesville MD 21208 Pikesville MD 21208 Baltimore MD 21209 Baltimore, MD 21208	MegaNapster@verizon.net alliro@hotmail.com nrmalone3@yahoo.com shess9@verizon.net
Tausi Suedi Darrell Holloman	P.O. Box 32154 1808 Fairbank Rd	Baltimore, MD 21282 Balt. 21209	— —

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Real Property Data Search Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 03 Account Number - 0323035100			
Owner Information					
Owner Name:	JEFFREY GOODMAN COMPANY LLC		Use:	COMMERCIAL	
Mailing Address:	SECOND CHANCE FARM 14811 SENECA RD DARNESTOWN MD 20874-3427		Principal Residence:	NO	
			Deed Reference:	/35105/ 00322	
Location & Structure Information					
Premises Address:		1000 REISTERSTOWN RD 0-0000		Legal Description:	LT 377,378 NW COR SHERWOOD RD RALSTON
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0078	0008	0592		0000	377 2016 0001/0275
Special Tax Areas:			Town: Ad Valorem: Tax Class:		
			NONE		
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area	Property Land Area	County Use
1950	7190			9,342 SF	06
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
		RESTAURANT			
Value Information					
	Base Value		Value As of 01/01/2016	Phase-in Assessments As of 07/01/2016 As of 07/01/2017	
Land:	233,500		233,500		
Improvements	476,800		517,500		
Total:	710,300		751,000	723,867	737,433
Preferential Land:	0				0
Transfer Information					
Seller: GOODMAN JEFFREY S		Date: 06/26/2014		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /35105/ 00322		Deed2:	
Seller: GOODMAN PAUL		Date: 06/26/2014		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /35105/ 00317		Deed2:	
Seller: WHITTIER REALTY CORP		Date: 03/15/1974		Price: \$62,500	
Type: ARMS LENGTH IMPROVED		Deed1: /05431/ 00923		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class			07/01/2016	07/01/2017
County:	000			0.00	
State:	000			0.00	
Municipal:	000			0.00 0.00	0.00 0.00
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

Baltimore County[New Search \(http://sdat.dat.maryland.gov/RealProperty\)](http://sdat.dat.maryland.gov/RealProperty)District: **03** Account Number: **0323035100**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).

Daniel Bass, 3302 Garrison Farms Road, Pikesville, MD 21208
Sonia Neumeien, 601 Academy Avenue, Owings Mills, MD 21117
Ruth Goldstein, 7 Slade Avenue, Pikesville, MD 21208
Noel Levy, 11 Windsong Ct., Pikesville, MD 21208
Andrew Liro, 25 Sherwood Avenue, Pikesville, MD 21208
Nancy Malone, 6000 Pimlico Road, Baltimore, MD 21208
Sondra Hess, 3207 Keyser Road, Baltimore, MD 21208
Tausi Suedi, P.O. Box 32154, Baltimore, MD 21282
Darrell Hollomon, 1808 Fairbank Road, Baltimore, MD 21209

ORDER RECEIVED FOR FILING

Date

3/10/17

By

sen

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/Conditions/Comments/No Comment</u>
11/23/16	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	NO COMMENT
11/14/16	DEPS (if not received, date e-mail sent _____)	NO COMMENT
	FIRE DEPARTMENT	
12/14/16	PLANNING (if not received, date e-mail sent _____)	NOT OPPOSED
11/9/16	STATE HIGHWAY ADMINISTRATION	NO OBJ
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 2/7/17	
SIGN POSTING	Date: 2/5/17	by O'Keefe
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

100 200

1000 1000

1000 1000

1000 1000

1000 1000

1000 1000

1000 1000

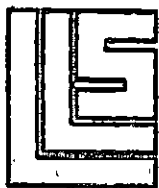
1000 1000

1000 1000

1000 1000

1000 1000

1000 1000



Land Surveyors

94-137-A

P.O. Box 5410

Towson, Maryland

21285

(410) 435-8309

ZONING DESCRIPTION

BEGINNING at a point on the Southwest side of Reisterstown Road which is 66 feet wide at the intersection with the Northwest side of Sherwood Avenue which is 50 feet wide. Thence the following courses and distances, viz: Northwesterly, binding on the Southwest side of Reisterstown Road 79 feet and 1 inch, thence Southwesterly 116 feet 6 1/4 inches, thence Southeasterly 79 feet to intersect the Northwest side of Sherwood Avenue, thence binding on said Northwest side of Sherwood Avenue, Northeasterly 120 feet to the place of beginning. As recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. 5431 folio 923.

Being lots # 377 and part of lot # 378
of the subdivision Ralston Annex
as recorded in plat book #1,
folio # 275, containing
9342 square feet.

Located in the 3rd
Election District and
2nd Councilmanic District



2/12/93

Item #0125 ~~100-15~~



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 1000 Reisterstown Rd which is presently zoned BL
Deed References: 35105:322 10 Digit Tax Account # 0 3 2 3 0 3 5 1 0 0
Property Owner(s) Printed Name(s) Jeffrey Goodman Company, LLC

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

~~The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:~~

The undersigned, being a Maryland corporation and registered with Baltimore County as a Community Association which includes the subject property within its bounds, and Alan Zukerberg, a resident of the area, hereby petition for:

1. X a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should ~~approve~~ find that:
1. the mural presently painted on the building wall along Sherwood Ave on the subject property is a "sign" as that term is defined in the BCZR Section 450;
 2. the mural constitutes one or more classes of sign among those defined in Section 450;
 3. this sign is subject to the size limits and permit requirements specified in Section 450;
 4. the owner of the building was and is first required to obtain a permit before allowing the sign to be placed;
 5. the said sign should be ordered to be removed;
 6. the County should be ordered to reimburse Pikesville Communities Corporation ("PCC") for the \$500.00 filing fee, sign posting costs and other costs incurred for this because:
 - a. Baltimore County via its Department of Permits, Approvals and Inspections refused to construe the sign as a code violation, and refused to issue a code violation to the owner; and
 - b. As a result of this refusal, Petitioner, PCC was obligated to initiate this Special Hearing to force the County to take action it should have taken on its own; and
 - c. The \$500.00 filing fee is unreasonable and tends to inhibit Petitioners from seeking recourse via the administrative process whenever Baltimore County fails to enforce its laws, codes and regulations; and
 - d. The Petitioner, PCC, must also incur sign posting fees and costs, and reasonable attorney's fees which should be reimbursed by Baltimore County because of its failure to enforce its laws, codes and regulations;
 7. AND, for such other and further relief as the nature of Petitioner's cause requires.

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee: Legal owner

Jeffrey Goodman Company, LLC

Name- Type or Print

n/a

Signature

Second Chance Farm

14811 Seneca Rd, Darnestown, MD

Mailing Address

City

State

20874

unknown

unknown

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

None

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):
Pikesville Communities Corporation

Alan Zukerberg, President, Alan Zukerberg, Esq

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

7919 Long Meadow Rd, Pikesville

Mailing Address

City

State

21208

410-484-5047

apzuk@msn.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Michael Pierce, Executive Director, PCC

Name - Type or Print

Signature

7448 Bradshaw Rd, Kingsville, MD

Mailing Address

City

State

21087

410-817-4795

MPIERCE1@AOL.COM

Zip Code

Telephone #

Email Address

CASE NUMBER 2017-0125-SPH Filing Date 10/31/16

Do Not Schedule Dates: Dec 15 - Jan 3

Reviewer BP



Reisterstown Rd side - Sign 1



Sherwood Ave side - Sign 2

Item #0125

2/27

11 Am

Case No.: 2017-0125-SPH 1000 Reisterstown Rd.

Exhibit Sheet

SEN

3-10-17

Petitioner/Developer

19W
4-12-17

RESPONDENT
→ Protestants →

No. 1	Letter 7-8-2016 P.C.C. to Jablon	2/27/17 letter from Ruth Goldstein
No. 2	zoning petition w/ 2 attached photos	
No. 3	Letter 5-17-2016 PCC to property owner	
No. 4	Invoices	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Pikesville Communities Corporation

7919 Long Meadow Road
Pikesville, Maryland 21208
410 484-5047
apzuk@msn.com / www.PikesvilleCC.org

July 8, 2016

Arnold Jablon, Esq. (via e-mail and certified mail)
Director, Baltimore County
Department of Permits, Approvals and Inspections
111 W. Chesapeake Ave.
Towson, MD 21204

PETITIONER'S

EXHIBIT NO. /

Re: Case CC1604144, 1000 Reisterstown Rd

Dear Mr. Jablon:

Officers

Alan P. Zukerberg, Esq.
President

Howard Cohen,
Vice-President

Howard Moffett,
Treasurer

Revanne Aronoff,
Secretary

Directors

Revanne Aronoff

Howard Cohen

Evan Feldman

Richard Kreiss

Charlie Levine

Joanna Levy

Howard Moffett

Barry Norwitz, Esq

Jason Roth

Mark M. Sapp

Barbara Sandler

Ellyn Soypher

David Young

Alan P. Zukerberg, Esq.

Exec. Director

Mike Pierce

On behalf of the Pikesville Communities Corporation, a coalition of 13 homeowner associations, I request that your department take action regarding a complaint which our Executive Director, Mike Pierce, filed on May 16, 2016 for a new sign that was painted on the side of the Mr. Chan's Chinese Restaurant located on the building at 1000 Reisterstown Road within the limits of the Pikesville Commercial Revitalization District.

We believe that this sign requires a permit and must comply with the size limits specified in the BCRZ, which was confirmed in a conversation with personnel in the Zoning Review office before the complaint was filed. While we are also under the understanding that the inspector discussed this issue with the Zoning office, he still declared that there was "no violation" after an inspection on May 17.

Unfortunately, in many such cases when the inspector declares "no violation", there is no reasonable justification given, and requests to the inspector *via* phone or e-mail for an explanation often go unanswered. This leaves many citizens with the feeling that their complaints are not being dealt with in a proper way.

We are aghast at your position, as you once told Mr. Pierce that, if a citizen "does not like it that you will not enforce the Code, that they can file for a Special Hearing". No citizen or community association should have to go through this expense to force *your* department to enforce the law, as happened recently in the case of the **Villa Nova Community Association (Case CC1502598)**. In that case, as I am sure you are aware, the Administrative Law Judge declared the obvious - that the sign was illegal - after your department issued an invalid permit and the inspector cleared the case. It is my understanding that the Community Association spent thousands of dollars because *your*

ANNEN WOODS MAINTENANCE CORP • AVALON EAST COMMUNITY ASSC, INC.
COLONIAL VILLAGE NEIGHBORHOOD IMPROVEMENT ASSC, INC. • CRADDOCK ESTATES
DUMBARTON IMPROVEMENT ASSC • 11 SLADE CONDOMINIUM • FIELDS OF STEVENSON HOA, INC.
GREENE TREE HOMEOWNERS' ASSC, INC. • GREY ROCK MAINTENANCE CORP. • LONG MEADOW ASSC, INC.
SLADE VILLAGE • STEVENSON POST • VALLEY GATE HOMEOWNERS' ASSOCIATION., INC.
VILLAGES AT WOODHOLME

July 8, 2016

Page 2

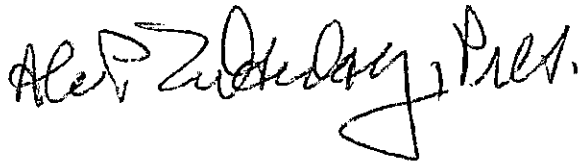
department did not perform its job correctly.

In the instant case, the mural painted on the wall is clearly a "sign", as that term is defined in §450 of the zoning regulations. We believe it is an "Enterprise" sign and that same should not be allowed, that a permit should not be issued, and it vastly exceeds the allowed size.

We request that you take immediate action to remedy what appears to us as a blatant violation and have *your* department properly perform one of its main functions without shifting the burden as you reputedly do, to the communities.

Very truly yours,

Pikesville Communities Corporation

Handwritten signature of Alan P. Zukerberg, President.

By: _____
Alan P. Zukerberg, President

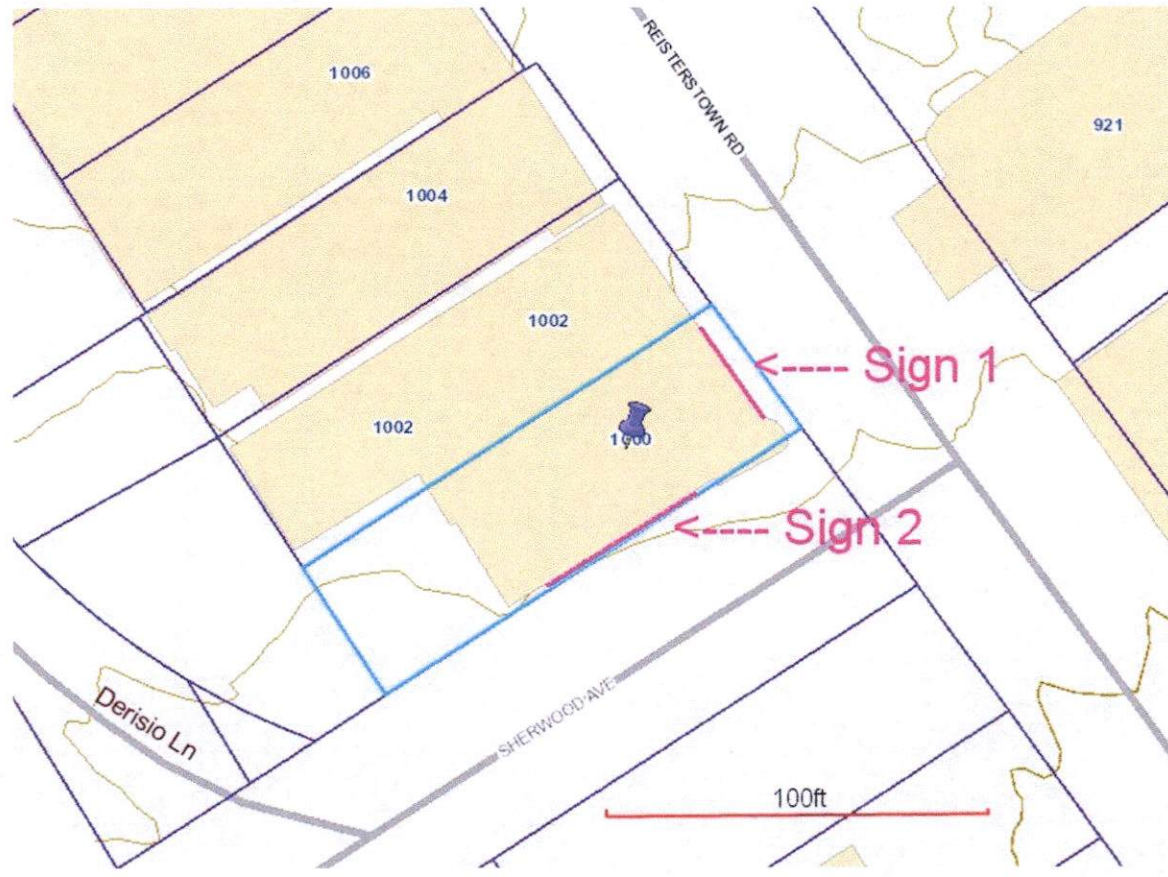
cc:

ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING X (MARK TYPE REQUESTED WITH X)
 ADDRESS 1000 Reisterstown Rd OWNER(S) NAME(S) Jeffrey Goodman Company, LLC
 SUBDIVISION NAME Ralston Annex LOT # 377 BLOCK # n/a SECTION # n/a
 PLAT BOOK # 1 FOLIO # 276 10 DIGIT TAX # 0323035100 DEED REF. # 35105 / 0322

PETITIONER'S

2

EXHIBIT NO.



PLAN DRAWN BY Michael Pierce DATE 10/31/2016 SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

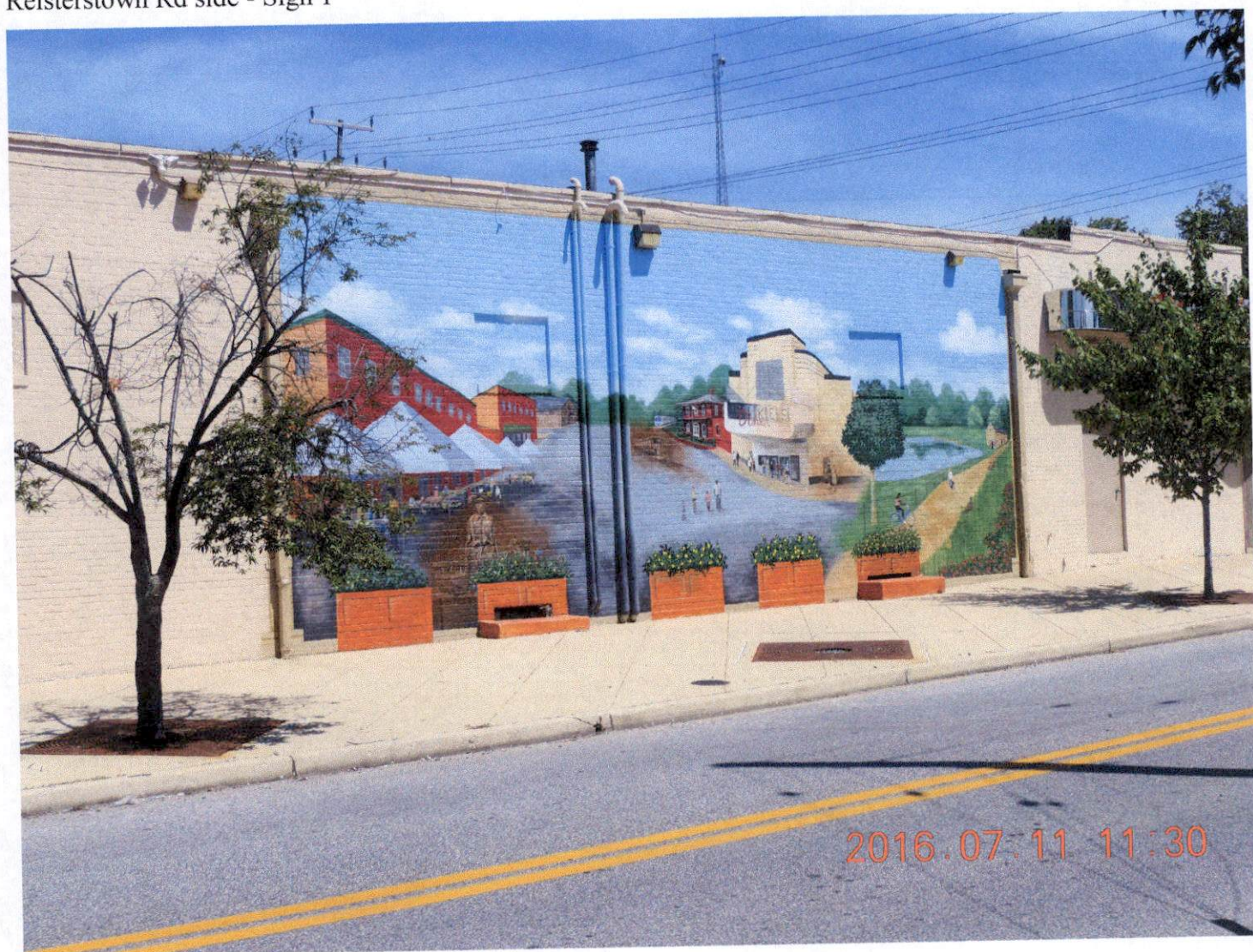
ZONING MAP# 078B1
 SITE ZONED BL
 ELECTION DISTRICT 3
 COUNCIL DISTRICT 2
 LOT AREA ACREAGE _____
 OR SQUARE FEET 9,342
 HISTORIC ? No
 IN CBCA ? No
 IN FLOOD PLAIN ? No
 UTILITIES ? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE _____
 SEWER IS:
 PUBLIC X PRIVATE _____
 PRIOR HEARING ? Yes
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW
1988-0229-A, parking,
4 spaces in lieu of 42, granted
1994-0137-A, restaurant, parking,
0 spaces in lieu of 22, granted

VIOLATION CASE INFO:

CC1604144 - ruled as no Violation



Reisterstown Rd side - Sign 1



Sherwood Ave side - Sign 2

Pikesville Communities Corporation

7919 Long Meadow Road
Pikesville, Maryland 21208
410 484-5047

apzuk@msn.com / www.PikesvilleCC.org

May 17, 2016

Jeffrey Goodman Company LLC
Second Chance Farm
14811 Seneca Rd
Darnestown, MD 20874-3427

Re: Mural on wall of 1000 Reisterstown Rd, 21208

Dear Sir/Madam:

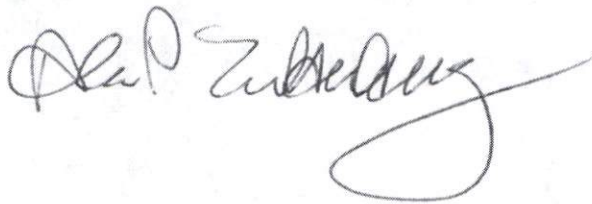
Our organization represents 13 homeowner associations in the Pikesville area. While the Rotary Club was to include our representatives in a committee to deal with the mural, and we have never consented to same, we found out this morning that the side wall of the above noted building is in the process of having a mural applied thereon.

Your name and address are in the Maryland State Department of Assessments and Taxation records as being the owner of the property. We want you to know that we are in the process of filing for a code violation and asking the County to impose a fine as a result of this signage. We suggest that you may want to seek legal counsel in this regard.

Please feel free to contact me to discuss this further if you so desire.

Very truly yours,

Pikesville Communities Corporation



By: _____
Alan P. Zukerberg, President

Officers
Alan P. Zukerberg, Esq.
President

Howard Cohen,
Vice-President

Howard Moffett,
Treasurer

Revanne Aronoff,
Secretary

Directors
Revanne Aronoff
Howard Cohen
Evan Feldman
Richard Kreiss
Charlie Levine
Joanna Levy
Howard Moffett
Barry Norwitz, Esq
Jason Roth
Mark M. Sapp
Barbara Sindler
Ellyn Soypher
David Young
Alan P. Zukerberg, Esq.

Exec. Director
Mike Pierce
□

PETITIONER'S

EXHIBIT NO. 3

ANNEN WOODS MAINTENANCE CORP • AVALON EAST COMMUNITY ASSC, INC.
COLONIAL VILLAGE NEIGHBORHOOD IMPROVEMENT ASSC, INC. • CRADDOCK ESTATES
DUMBARTON IMPROVEMENT ASSC • 11 SLADE CONDOMINIUM • FIELDS OF STEVENSON HOA, INC.
GREENE TREE HOMEOWNERS' ASSC, INC. • GREY ROCK MAINTENANCE CORP. • LONG MEADOW ASSC, INC.
SLADE VILLAGE • STEVENSON POST • VALLEY GATE HOMEOWNERS' ASSOCIATION., INC.
VILLAGES AT WOODHOLME

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

No 145733

Date: 10/31/16

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					\$500.00

Total: \$500.00

Rec From: J. Goodman Co Pikesville Communities Corp.

For: zoning hearing - case #2017-0125-SPH

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
10/31/2016 10/31/2016 10:17:01 3
REG WS03 WALKIN CAH
>>RECEIPT # 702790 10/31/2016 OFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 145733
Recpt Tot \$500.00
\$500.00 CK \$.00 CA
Baltimore County, Maryland

PETITIONER'S

EXHIBIT NO.

4

**CASHIER'S
VALIDATION**

INVOICE

Date: 2/6/2017

Invoice # 6368

Linda O'Keefe
523 Penny Lane
Hunt Valley, Maryland 21030
Phone: (410) 666 - 5366
Cell: (443) 604 - 6431
Fax: (410) 666 - 0929
LuckyLinda1954@yahoo.com

To

Pikesville Communities Corporation
c/o Michael Pierce, Executive Director
7448 Bradshaw Road
Kingsville, MD 21087
Phone# 410-817-4795

<i>Job</i>	<i>Payment Terms</i>
Case # 2017-0125-SPH	Due on receipt

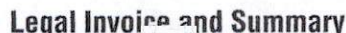
<i>Qty</i>	<i>Description</i>	<i>Unit Price</i>	<i>Line Total</i>
Five	Posting of Zoning Signs Case # 2017-0125-SPH 1000 Reisterstown Road HEARING: February 27, 2017	\$ 150.00	\$ 750.00

Total \$ 750.00

L

Make all checks payable to Linda O'Keefe

Thank you for your business!



Billed Account	CU00573876
Client Account #	
Invoice #	003091297
Client Name	

Billing Period	12/26/16 – 01/01/17
Due Date	01/31/17

4.1.365 1 MB 0.416 10657D11.p01 278932 1-1 2.6



PIKESVILLE COMMUNITY CORPORATION
MICHAEL PIERCE
7448 BRADSHAW RD
KINGSVILLE MD 21087-1651

TOTAL AMOUNT DUE	160.37
-------------------------	---------------

00057387600057387607003091297 00016037 00016037 4

To ensure proper credit, please detach and return with remittance.

Detail

[illegible]

Billed Period
12/26/16-01/01/17

Billed Account #
CU00573876

Billed Account Name
PIKESVILLE COMMUNITY
CORPORATION

Client Account #

Client Account Name

THE BALTIMORE SUN MEDIA GROUP

To Whom it May Concern:

I am testifying in favor of the mural that occupies the exterior wall on the corner of Sherwood Avenue and Reisterstown Road. A mural is public art, which is distinctly different from commercial signage. The regulation of outdoor art murals as signage is a recent phenomenon, and in Baltimore County, while we regulate signs, we do not regulate mural art.

The city of Orlando has written a Note that attempts to "fit outdoor mural regulation into the broader scheme of constitutional law generally, and billboard and signage law specifically."

According to the Note, "A mural could be defined as "a hand-produced work of visual art which is tiled or painted by hand directly upon, or affixed directly to an exterior wall of a building." Clearly, the mural in question fits that definition. more importantly, the subject matter does not in any way refer to the business within, and is dedicated solely to themes relating to Pikesville's landmarks and historic nature.

From the Note: Since its origination more than 30,000 years ago, mural art throughout history has been employed as a means of conveying artistic expression. Mural art is a unique form of communication that is distinct from (and serves purposes different than) billboards, the prototype of commercial signage. Municipalities have used outdoor art murals, but not billboards, as a means of revitalizing urban communities. Murals offer strong aesthetic pleasure ... and they contribute to the cultural identity of a neighborhood.

In its conclusion it states, "Fortunately, many, if not most, municipalities appreciate the value of outdoor murals." Philadelphia, known as "the City of Murals," and Baltimore City, which has had a mural program since 1975, would agree. And in Pikesville we certainly feel that way. I attended 2 community meetings and heard overwhelming support from those who attended. I assisted with the painting of the mural and know many other community members did as well. This mural is an artistic work and an asset to our community.

Submitted by Ruth Goldstein
7 Slade Avenue, Pikesville, MD
2/27/17

RESPONDENT
PROTESTANT'S

EXHIBIT NO. 1

SPECIAL REGULATIONS

4 Attachment 1

TABLE OF SIGN REGULATIONS

Baltimore County

PERMANENT SIGNS

[Bill Nos. 97-1998; 117-2003; 139-2006; 3-2007; 53-2007; 60-2008; 106-2008; 71-2009; 72-2009; 59-2010; 65-2011; 74-2011; 47-2012; 25-2013; 71-2013; 21-2014; 44-2014; 16-2015; 25-2015; 36-2015]

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
1. CHANGEABLE COPY , meaning an on-premises sign displaying a message which may be changed periodically, manually, by electric or electronic controls, or by any other means. Changeable copy signs include:	(a) Wall-mounted; freestanding	Accessory to institutional structure or community building	Use	25 square feet	One	6 feet	Yes	
	(b) Wall-mounted; freestanding; canopy	Accessory to a theater, stadium or similar public entertainment use	Use	150 square feet	One; two if on canopy	25 feet	Yes	
	(c) Wall-mounted; freestanding; canopy; enterprise window sign	Accessory to a planned shopping center or to any separate commercial establishment in a Business Zone	Use	See Section 450.7.B	One	25 feet	Yes	See Section 450.6.A.8

BALTIMORE COUNTY ZONING REGULATIONS

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
CHANGEABLE COPY (cont'd) Animated message board -- A sign that uses any change in physical position by any movement or rotation or which gives the visual impression of such movement or rotation. This includes the foreground and background of the sign. This does not include electronically generated images. A tri-vision message board is considered an animated message board.								
Electronic changeable copy (ECC), also known as "electronic message boards" -- A sign with a fixed or changing display, or a message composed of a series of lights, light-emitting or light-reflecting elements that may be changed through electronic means. This includes a video display sign.								See Section 450.7.B

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
CHANGEABLE COPY (cont'd) (1) An electronic changeable copy sign may only have a maximum frequency of one instantaneous message change per 15-second cycle and may not display video, flashing, blinking, animation, strobing or scrolling. Only commercial messages ancillary to the commercial activity on site are allowed.	(d) Wall-mounted	Accessory to a state-operated use or facility located within a commercial development with a minimum of 150,000 square feet of office and/or retail gross floor area in the C.T. District of Towson	Use	300 square feet	3	Not applicable	Yes	See Section 450.7.B.2; structured parking shall be provided; signage may be installed on or attached to any building wall or attached or detached structured parking facilities. Signage shall be installed at a height no greater than 55 feet.
(2) Paragraph (1) does not apply to: (A) A sign that is accessory to a state-operated use or facility that has a minimum of 1,000 square feet and is located in that part of the C.T. District of Towson between West Joppa Road and Dulaney Valley Road north of the York Road circle and south of Bosley Avenue and	(e) Wall-mounted	Sign installed within a state-designated transit-oriented development in the C.T. District of Owings Mills	Use	1,000 square feet	2	Not applicable	Yes	See Section 450.7.B.2; structured parking must be provided; signage may be installed on or attached to any building wall or attached or detached structured parking facilities; for a total of 12 minutes of

BALTIMORE COUNTY ZONING REGULATIONS

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
CHANGEABLE COPY (cont'd) Fairmount Avenue; or (B) A sign located within a state-designated transit-oriented development in the C.T. District of Owings Mills; however, a sign under Paragraph (B) may not display video, flashing, blinking, animation, strobing or scrolling.								each hour the sign is in operation, messages must be devoted to public service announcements.
Manual changeable copy -- A sign designed so that characters, letters, or illustrations on the sign can be changed or rearranged without altering the background of the sign. These signs require the physical changing or rearranging of characters, letters, or illustrations.								

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
Enterprise window sign -- Any enterprise sign mounted on the interior of an enclosed structure that is visible from the exterior.	Interior wall-mounted; interior window-mounted	B.L., B.M., B.R., C.B., B.L.R., M.L., M.L.R., M.H., M.R., excluding multi-tenant office, retail or industrial building	Use	3 square feet	3 when mounted on the interior of any front facade window or door		Yes	See Sections 450.6.A.4 and 450.7.B Interior application only. Not permitted to be mounted on any window or door that is not a front facade

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
2. COMMUNITY , meaning a sign displaying the identity of a subdivision or residential community	Wall-mounted; Freestanding	All zones	Use	25 square feet	Not applicable	6 feet	Yes	Maximum two signs per highway intersection
3. DIRECTIONAL , meaning a sign intended principally for traffic control or to provide directions to an entity, activity or area elsewhere on the same premises	(a) Wall-mounted; freestanding	Accessory, in all zones	Use	8 square feet	Not regulated	6 feet in nonresidential zones; 4 feet in residential zones	Yes	See Section 450.6.A.1 and A.2. May include company name or logo if not more than 30% of the total sign area
	(b) Freestanding	Accessory to multifamily buildings for leasing purposes only	Use	8 square feet	Maximum 4 freestanding monument signs for each apartment community	6 feet	No	See Section 450.6.A.1 and A.2. May include pertinent information regarding availability of multifamily buildings for rental, if the apartment community contains a minimum of 550 apartment units under

BALTIMORE COUNTY ZONING REGULATIONS

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
								common control or ownership within a one-mile radius of the sign location/s; must be high-quality building material and integrated with landscaping approved by County Landscape Architect
4. DIRECTORY , meaning an accessory sign displaying the identity and location of the nonresidential occupants of a building or development	Wall-mounted; freestanding	All zones; See Section 450.7.A	Use	Not regulated, except 25 square feet in S-E Zone	Not regulated	6 feet	Yes	See Section 450.7.A

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
5. ENTERPRISE, meaning an accessory sign which displays the identity and which may otherwise advertise the products or services associated with the individual organization	(a) Wall-mounted; projecting; canopy	B.L., B.M., B.R., C.B., B.L.R., M.L., M.L.R., M.H., M.R., excluding multi-tenant office, retail or industrial building	Use	Twice the length of the wall to which the signs are affixed	One in C.B. and M.R., otherwise three, no more than two on each facade	Not applicable	Yes, when the use to which sign is accessory is open, but not in C.B. or M.R.	No single sign larger than 50 square feet in C.B. and M.R.; 150 square feet otherwise. Canopy signs may extend 3 feet above the face of the canopy. A canopy sign may extend more than 3 feet with a finding by the Director of Planning that all components of the sign are compatible with the architectural elements of the building.
	(b) Freestanding	B.L.R., B.M., B.L., B.R., M.L.R., M.R., M.L., M.H., excluding	Use	75 square feet 100 square feet if premises has more	One per frontage	25 feet	Yes	See 450.3.5.g

BALTIMORE COUNTY ZONING REGULATIONS

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
ENTERPRISE, (cont'd)		Multi-tenant office, retail or industrial building		than 300 feet of frontage				
	(c) Awning	B.L., B.M., B.R., C.B., B.L.R.	Use	See Section 450.5.B.1	See Section 450.5.B.1	Not applicable	No	
	(d) Wall-mounted; canopy	On multi-tenant office, retail or industrial building, accessory to separate commercial entity with exterior customer entrance	Use	Two times the length of the wall containing the exterior entrance and defining the space occupied by the separate commercial entity	Entity with separate exterior customer entrance may erect one canopy and one wall-mounted sign	Not applicable	Yes, but in C.B. only when use to which sign is accessory is open	In C.B., area shall not exceed 100 square feet. Canopy signs may extend 2 1/2 feet above the face of the canopy. A canopy sign may extend more than 2 1/2 feet with a finding by the Director of Planning that all components of the sign are compatible with the architectural elements of the building.

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
ENTERPRISE, (cont'd)	(e) Service station canopy	Fuel service station	Use	25 square feet per canopy sign	Six	Not applicable	Yes	Permanent signage under the canopy on pumps or supports shall not be counted towards the canopy, freestanding or wall-mounted signage limits. Except for windows, commercial special events signs shall not be permitted on the premises.

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
ENTERPRISE, (cont'd)	(f) Freestanding wall-mounted; projecting	Order board, ancillary to drive-through lanes for pickup of food and beverages	Use	50 square feet per order board	Two	6 feet	Yes	Location according to approved development plan
	(g) Freestanding	Accessory to new or used vehicle dealership	Use	50 square feet Each sign may be increased to 75 square feet if combined on the same structure. Total sign area on any one structure not to exceed 300 square feet	One for each franchise agreement held by the dealership	25 feet	Yes	A new motor vehicle dealership may display one sign not to exceed 50 square feet.
	(h) Wall-mounted	OR-1, OR-2, O.T., B.M.B.	Use	12% of area of wall upon which sign is erected, maximum 100 square feet, except maximum 150 square feet in OR-2 or O.T.	One per building	Not	Yes	

BALTIMORE COUNTY ZONING REGULATIONS

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
ENTERPRISE, (cont'd)	(i) Wall-mounted	Accessory or auxiliary commercial use within building in OR-1, OR-2	Use	5 square feet per use; maximum 25 square feet per building entrance	One per accessory or auxiliary commercial use	Not applicable	Yes	
	(j) Wall-mounted	S-E; office or retail or service use in R.A.E. Zones	Use	2 square feet	One at each exterior entrance to a separate entity within the building	Not applicable	No	
	(k) Freestanding	R.C.C., OR-1, OR-2, O.T., S-E, B.M.M., B.M.B., B.M.Y.C.	Use	25 square feet; 30 square feet in S-E; 60 square feet in O.T. for an office park	One per frontage; 2 freestanding monument signs per vehicular entrance in O.T. for an office park	6 feet; 13 feet in S-E; 25 feet for waterfront sign in B.M.M., B.M.B., B.M.Y.C.; 9 feet in O.T. for an office park	Yes. No in R.C.C.	In S-E must be compatible with building. In R.C.C., integrate with landscaping and Director of Department of Planning approves location. In O.T., must be high-quality building material compatible with building

SPECIAL REGULATIONS

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
ENTERPRISE, (cont'd)	(l) Wall-mounted; freestanding	Farmer's roadside stand, farm market, commercial agriculture or farm produce stand	Use	25 square feet total for all signs	Not regulated	6 feet	Yes	Minimum 10 feet setback from right-of-way and 75 feet from highway intersection center lines
	(m) Wall-mounted; projecting	Elderly housing facility in D.R., commercial use in D.R., R.C., R-O-A, R.O., R.C.C., B.M.Y.C.	Use	8 square feet; 6 square feet in R-O-A, 1 square foot in D.R.	One		No, but Yes for tearoom or restaurant	In R-O, may also have 15 square feet freestanding sign 6 feet high if on principal arterial adjoining and facing non-residentially zoned property; in R-O-A may also have 12 square feet freestanding monument sign, maximum height of 6 feet, including a 2-foot-high monument,

BALTIMORE COUNTY ZONING REGULATIONS

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
ENTERPRISE, (cont'd)								maximum width of 4 feet, regardless of the adjacent zoning, if on a principal arterial
	(n) Wall-mounted	Strip-tease business, pawnshop	Use	2 square feet per linear feet of frontage, not more than 50 square feet	One	Not applicable	Yes	Zoning Commissioner's hearing required for use permit
	(o) Wall-mounted	Waterfront business off-premises directional	Use	6 square feet	Not applicable	6 feet, but up to 10 feet if multiple signs are on a single sign post	Yes	Must obtain written permission of premises property owner. Number per business determined by the Director of PDM. Use permit application may include more than one sign.

SPECIAL REGULATIONS

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
ENTERPRISE, (cont'd)	(p) Wall-mounted; canopy; projecting; roof	Plan of development with a minimum of 500,000 square feet of retail and/or office gross floor area in B.L., B.M., B.R., and M.L.-I.M; or a minimum of 300,000 square feet of retail and/or office gross floor area in the C.T. District of Towson	Use	12% of the face of the wall to which the sign is affixed	Not regulated	Not applicable	Yes	Structured parking must be provided; signage may be installed on or attached to any building wall or attached or detached structured parking facilities; signage installed on or attached to structured parking facilities may not advertise products or services associated with individual tenants; no changeable copy is permitted; in the C.T. District of Towson, roof signage may extend no more than 2 1/2 feet

BALTIMORE COUNTY ZONING REGULATIONS

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
ENTERPRISE, (cont'd)								above the roofline, and the Director of Planning shall confirm that the location for the signs will not adversely conflict with architectural elements of the building. Canopy signs may extend 2 1/2 feet above the face of the canopy. A canopy sign may extend more than 2 1/2 feet with a finding by the Director of Planning that all components of the sign are compatible with the architectural elements of the building.

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
ENTERPRISE, (cont'd)	(q) Wall-mounted; canopy; awning; roof	A commercial development with a minimum of 150,000 square feet of office and/or retail gross floor area in that part of the C.T. District of Towson between West Joppa Road and Dulaney Valley Road north of the York Road circle and south of Bosley Avenue and Fairmount Avenue	Use	10% of the face of the wall to which the sign is affixed	Not regulated	N/A	Yes	Structured parking shall be provided; signage may be installed on or attached to any building wall or attached or detached structured parking facilities; roof signage may extend no more than 6 feet above the roof line; and the Director of the Planning Department shall confirm that the location for the signs will not adversely conflict with architectural elements of the building.

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
ENTERPRISE, (cont'd)	(r) Wall-mounted; canopy	On multi- tenant building with a minimum of 50,000 square feet of gross floor area in M.R., M.L.R., M.L., M.H., O.T.	Use	Two times the length of the wall to which the signs are affixed	Not regulated	Not applicable	Yes	Multi-tenant building must be at least 2 stories in height; signage installed above the first story may not advertise products or services associated with individual tenants; no changeable copy is permitted. Canopy signs may extend 2 1/2 feet above the face of the canopy. A canopy sign may extend more than 2 1/2 feet with a finding by the Director of Planning that all components of the sign are compatible with the architectural elements of the building.

SPECIAL REGULATIONS

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
6. IDENTIFICATION, meaning a sign displaying the name or purpose of a place or structure	(a) Wall-mounted; freestanding; integral	Accessory to a multifamily building or institutional structure or community building	Use	25 square feet	One for each frontage	6 feet	Yes	
	(b) Wall-mounted	Accessory to a stadium located on the campus of a private college	Use	300 square feet	1	Not applicable	Yes	Sign shall be installed on a wall of the stadium; no changeable copy is permitted.
7. JOINT IDENTIFICATION, meaning an accessory sign displaying the identity of a multi-occupant nonresidential development such as a shopping center, office building or office park	(a) Wall-mounted; canopy	B.L., B.M., B.R., C.B., B.L.R.	Use	12% of area of wall upon which sign is erected	One per frontage; and 2 per frontage in that part of the C.T. District of Towson between West Joppa Road and Dulaney Valley Road north of the York Road circle and south of Bosley Avenue and Fairmount Avenue for a commercial development with a	Not applicable	Yes	Canopy signs may extend 4 feet above the face of the canopy but may not display names of tenants or occupants. A canopy sign may extend more than 4 feet with a finding by the Director of Planning that all components of the sign are compatible

BALTIMORE COUNTY ZONING REGULATIONS

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
JOINT IDENTIFICATION, (cont'd)					minimum of 150,000 square feet of office and/or retail gross floor area			with the architectural elements of the building.

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
JOINT IDENTIFICATION (cont'd)	(b) Freestanding	B.L., B.M., B.R., B.L.R.	Use	The greater of (a) 1 square foot per 4 linear feet of frontage, maximum 150 square feet; or (b) 1 square foot per linear foot of building facade parallel to the lot line with frontage, maximum 150 square feet; or (c) 100 square feet	One per frontage	25 feet	Yes	For shopping center, display the names of tenants or occupants if copy is at least 8 inches high, and no more than 5 lines are displayed.
	(c) Freestanding	C.B.	Use	1 square foot for each 8 feet of linear building or lot frontage, whichever is greater	One per frontage	12 feet	Only during hours of operation	Same as 450.4.7.b above

BALTIMORE COUNTY ZONING REGULATIONS

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
JOINT IDENTIFICATION (cont'd)	(d) Freestanding	Industrial or office park in OR-2, O.T., S-E, M.R., M.L.R., M.L., M.H.	Use	100 square feet in OR-2 or O.T.; 75 square feet in manufacturing zones	One per vehicular entrance; see Column IX	12 feet	Yes	In OR-2, one additional sign allowed per office park
	(e) Wall-mounted	OR-1, OR-2, O.T., S-E, M.R., M.L.R., M.L., M.H.	Use	12% of area of wall upon which sign is erected; maximum 150 square feet per frontage	One per principal building	Not applicable	Yes	
	(f) Freestanding	In a Density Residential Zone in the Pikesville Commercial Revitalization District, accessory to an existing multi-tenant nonresidential building on a single lot of record	Use	100 square feet	One per frontage	20 feet	Yes	Multi-tenant building must be located in a Business Zone; sign must be ground-mounted; sign may not advertise products or services associated with individual tenants; no changeable copy is permitted.

SPECIAL REGULATIONS

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
8. MEMORIAL , meaning a non-commercial sign displaying information of a commemorative, interpretative or historical nature	Wall-mounted; freestanding; integral	Accessory in all zones	None	15 square feet	Not regulated	10 feet	No	
9. NAMEPLATE , meaning a sign displaying the identity of the owner or occupant of a premises or a home occupation, professional office or name or purpose of a place or structure	Wall-mounted; projecting; integral	Accessory to single-residence uses or to home occupation, professional office or similar accessory use in a residential or R.C. Zone	None except use if illuminated	1 square foot	One, plus one per accessory use	Not regulated	No	
10. NOTICE , meaning a non-commercial sign authorized, but not mandated by law or other regulation, for displaying cautionary information regarding use or ownership or property	Wall-mounted; freestanding	Accessory in all zones	Use, if more than 2 square feet	8 square feet	Not regulated	Not regulated	May be illuminated only if otherwise required by law or regulation	

BALTIMORE COUNTY ZONING REGULATIONS

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
11. OUTDOOR ADVERTISING, meaning a non-accessory sign which is commercially maintained principally for calling attention to places, businesses, products services or activities which are located or offered on another premises	Wall-mounted; freestanding	B.L., B.M., B.R., M.L., M.H.	SE	300 square feet	One	25 feet	Yes	See Section 450.7.C

JB 2-27-17
11 am

Debra Wiley

From: Administrative Hearings
Sent: Friday, February 24, 2017 11:46 AM
To: Tony Rubino
Subject: RE: Zoning Hearing Case Number: 2017-0125-SPH

Mr. Rubino,

Your correspondence has been placed in the appropriate case file for the judge's review at Monday's hearing.

Thank you.

From: Tony Rubino [mailto:ARubino@aec-env.com]
Sent: Friday, February 24, 2017 11:16 AM
To: oah@baltimorecountymd.gov; Administrative Hearings <administrativehearings@baltimorecountymd.gov>; PAI Zoning <paizoning@baltimorecountymd.gov>
Subject: Zoning Hearing Case Number: 2017-0125-SPH

Good afternoon,

I am Tony Rubino, Past President of the Rotary Club of Pikesville-Owings Mills. I am writing to you to offer my opinion regarding Zoning Hearing Case Number: 2017-0125-SPH. It is my understanding that an appeal hearing for this case will occur at 11:00 a.m. on Monday, February 27, 2017. I have attached my letter of opinion and hope you will consider it prior to rendering a decision.

If you have any questions you can contact me via e-mail at arubino@aec-env.com or telephone at 443-542-1973. Thank you for your time.

Regards,

Tony Rubino, P.G.
Senior Project Manager | Environmental Due Diligence
Advantage Environmental Consultants, LLC
8610 Washington Boulevard | Suite 217 | Jessup, MD 20794
Office: 301-776-0500 | Cell: 443-542-1973
arubino@aec-env.com | www.aec-env.com
www.linkedin.com/in/anthonyrubino2

February 24, 2017

To whom it may concern,

I am writing to offer my opinion regarding the Pikesville Community Corporation's assertion that the Mural at Mr. Chan's Restaurant (1000 Reisterstown Road, Pikesville, Baltimore County, Maryland) is a sign and should be removed.

Mr. Alan Zukerberg, President of the Pikesville Communities Corporation (PCC) originally sent an e-mail to my wife (who has no affiliation with the mural project or The Rotary Club of Pikesville-Owings Mills) indicating that his group was opposed to the mural as it was originally presented. In this e-mail he indicated that he thought the mural may be considered a sign.

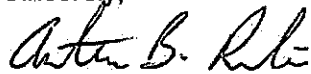
Following Mr. Zukerberg's initial opposition, he agreed to participate in development of the mural's content by assigning two members of the PCC (Ms. Revanne Aronoff and Ms. Joanna Levy) to a committee organized by myself and Dr. Albert Hess to develop the mural's content. This committee also included individuals from the Pikesville Chamber of Commerce, the Pikesville Greenspring Community Coalition (PGCC) and 1,000 Friends of Pikesville.

The purpose of the committee, as communicated to Ms. Aronoff and Ms. Levy, both verbally and in writing by way of the Mural Meeting Announcements, was to develop the content and theme of the mural. During the first public meeting to discuss the mural content, Ms. Aronoff became disruptive and was asked to leave the meeting due to her refusal to wait for her turn to speak.

It should be noted that neither of the PCC committee members indicated that they considered the mural to be a sign. In addition, neither of them voiced opposition to the size of the mural. Both members of the PCC failed to report for subsequent meetings including the final public meeting to approve the final design of the mural and discuss when the painting would proceed.

If the PCC thought the mural was illegal, why would they volunteer and go as far as they did to participate in the development of the mural content? Why not stop their participation with Mr. Zukerberg's initial opposition? It is my opinion that there is no valid basis for this appeal. I hope you will give this message serious consideration prior to rendering a decision regarding the mural.

Sincerely,



Anthony B. Rubino, P.G.

Resident of the Ralston Neighborhood of Pikesville
Past President – Rotary Club of Pikesville-Owings Mills

Kristen L Lewis

From: Administrative Hearings
Sent: Tuesday, December 20, 2016 1:52 PM
To: Kristen L Lewis
Subject: FW: Zoning Hearing Case Number: 2017-0125-SPH Request for Postponement or Dismissal

Importance: High

Hi Kristen,

Mr. Rubino has been advised that this case was postponed on Dec. 6th. He asked if I would send you his correspondence to include in the case file.

Thanks.

Deb

From: Tony Rubino [mailto:ARubino@aec-env.com]
Sent: Tuesday, December 20, 2016 1:43 PM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>; oah@baltimorecountymd.gov
Subject: Zoning Hearing Case Number: 2017-0125-SPH Request for Postponement or Dismissal
Importance: High

To whom it may concern,

I am Tony Rubino, Past President of the Rotary Club of Pikesville-Owings Mills. I am writing to you, as directed by the Baltimore County Office of Administrative Hearings, to request postponement or dismissal of the zoning hearing for Case Number 2017-0125-SPH. This request is being made due to the death of Mr. Albert Hess, on December 18, 2016. Mr. Hess was the originator of the community mural project which is being examined in this case. Mr. Hess was also preparing to represent the owner of the building where the mural is located (Mr. Jeffrey Goodman), the mural artist (Mr. Edward Williams), and the Rotary Club of Pikesville-Owings Mills at the hearing.

Furthermore, Note 1 on the Notice of Zoning Hearing has not been completed by the petitioners as of December 19, 2016. It is my opinion that the failure of the petitioners to fulfill their obligation is grounds for dismissal of this case.

If you have any questions you can contact me via e-mail at arubino@aec-env.com or telephone at 443-542-1973. Thank you for your time.

Regards,

Tony Rubino, P.G.
~~Senior Project Manager | Environmental Due Diligence~~
~~Advantage Environmental Consultants, LLC~~
8610 Washington Boulevard | Suite 217 | Jessup, MD 20794
Office: 301-776-0500 | Cell: 443-542-1973
arubino@aec-env.com | www.aec-env.com
www.linkedin.com/in/anthonyrubino2

443-995-6308

* 128 Clarendon Avenue
Pikesville 21208

November 29, 2016

Arnold Jablon
ATTN: Zoning Review Office
111 Chesapeake Ave
Towson, MD 21024

Re: Zoning Hearing 2017-0125-SPH

Dear Mr. Jablon,

I am in receipt of a Notice of Zoning Hearing to be held on December 22. However, in filing the petition, we specifically requested that it not be held during the period December 15 through January 3 (copy attached).

Please cancel this scheduled hearing for November 22.

Since Mr. Zukerberg is now scheduled to provide testimony before the Court of Special Appeals sometime during the first or second weeks of January, please reschedule this hearing sometime during January 16-31, 2017.

Regards,



Michael Pierce
Executive Director
Pikesville Communities Corporation
7448 Bradshaw Rd
Kingsville, MD 21087
410-817-4795

cc: Jeffrey Goodman, 14811 Seneca Rd, Darnestown, MD 20874

December 13, 2016

Kristen L Lewis
PAI, Zoning Review
111 W Chesapeake Ave, Room 111
Towson,, MD 21204

Re: Zoning Case 2016-0125-SPH

Dear Ms. Lewis,

I am in receipt of the new notice of hearing for January 19. Unfortunately, the lawyer we have planned to use, Michael McCann, has an unmovable conflict for that day. Thus, it will be necessary for us to obtain a new date. I understand that any rescheduling will now be in February.

I will inform you of a list of alternative dates that are available.

Regards,



Michael Pierce
Executive Director, Pikesville Communities Corporation

cc: Alan Zukerberg, 7919 Long Meadow Rd, Pikesville, MD 21208
Jeffrey Goodman, 14811 Seneca Rd, Darnestown, MD 20874
Peter Max Zimmerman, People's Counsel, 105 W Chesapeake Ave, Rm 124, Towson, 21204
Michael McCann, 118 W Pennsylvania Ave, Towson 21204

December 27, 2016

Kristen L Lewis
PAI, Zoning Review
111 W Chesapeake Ave, Room 111
Towson, MD 21204

Re: Zoning Case 2017-0125-SPH

Dear Ms. Lewis,

In the subject case, we are desirous of scheduling the hearing during the period February 21-28 as there are multiple conflicts prior to that.

Regards,

A handwritten signature in cursive script that reads "Michael Pierce".

Michael Pierce
Executive Director, Pikesville Communities Corporation

cc: Alan Zuckerberg, 7919 Long Meadow Rd, Pikesville, MD 21208
Jeffrey Goodman, 14811 Seneca Rd, Darnestown, MD 20874
Peter Max Zimmerman, People's Counsel, 105 W Chesapeake Ave, Rm 124, Towson, 21204
Michael McCann, 118 W Pennsylvania Ave, Towson 21204

2017-0125-SPH

NOTE TO FILE

It is the opinion of this office that the wording in this Special Hearing request (written by Alan Zukerberg, Esq.) is too lengthy and falls into arguments best left to the actual hearing. Mr. Michael Pierce was advised to cut the wording but insisted it be submitted as is.



Plat

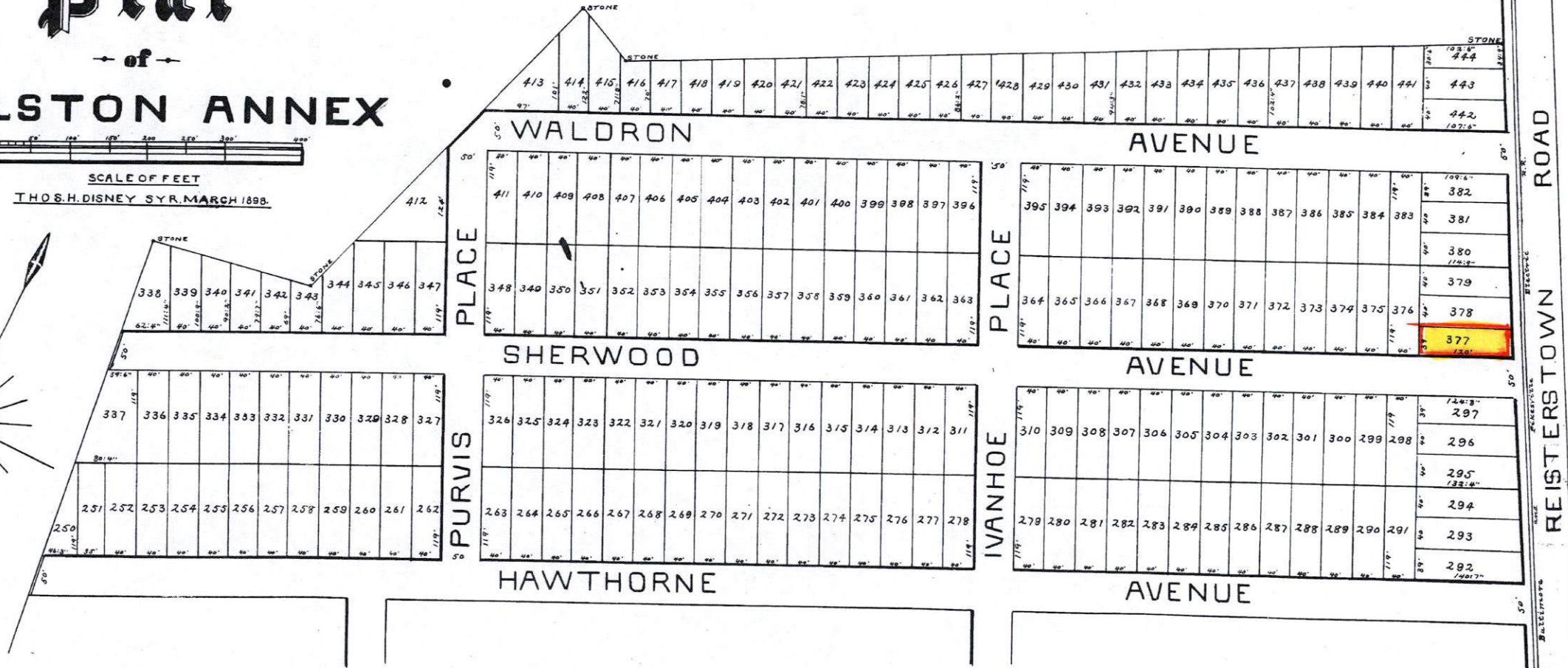
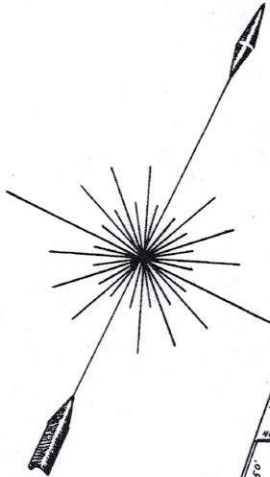
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RALSTON ANNEX



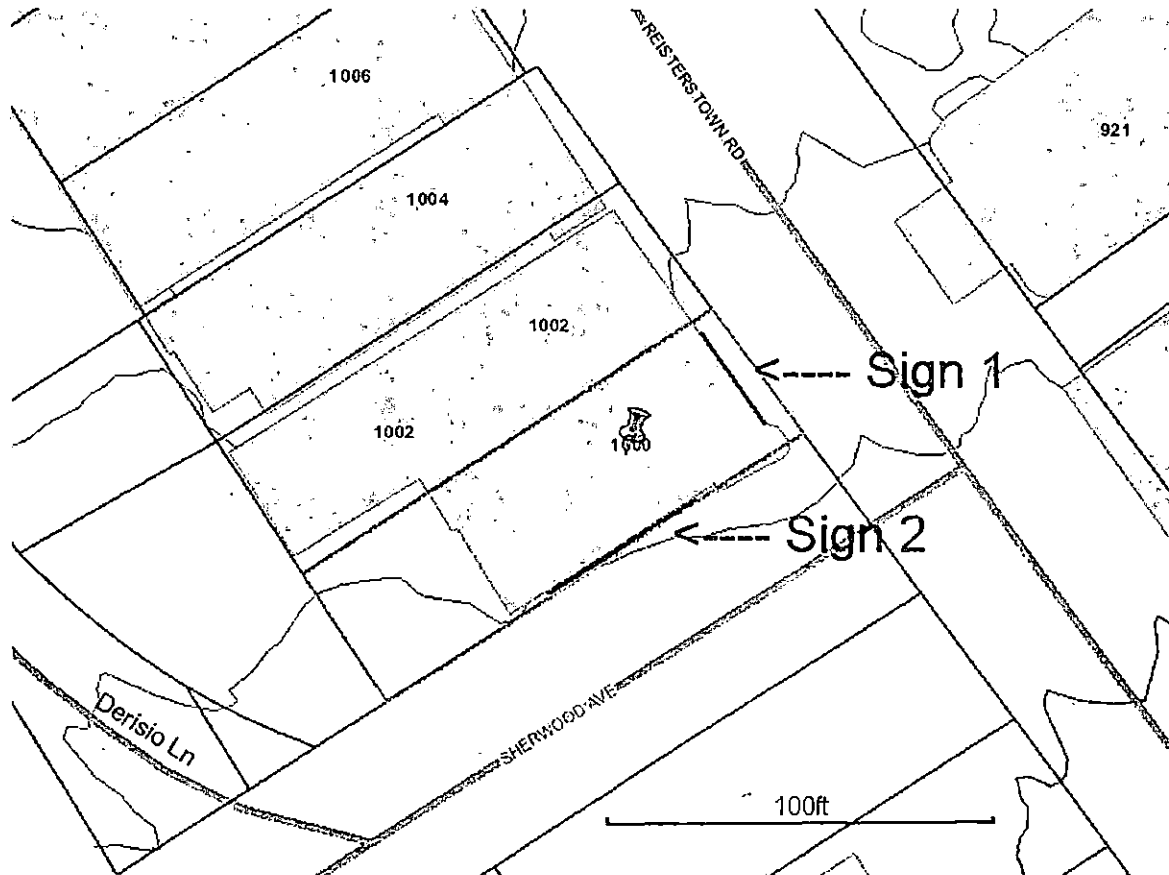
SCALE OF FEET

THOS. H. DISNEY SYR. MARCH 1898.



Item #0125

ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING X (MARK TYPE REQUESTED WITH X)
ADDRESS 1000 Reisterstown Rd OWNER(S) NAMES(S) Jeffrey Goodman Company, LLC
SUBDIVISION NAME Ralston Annex LOT # 377 BLOCK # n/a SECTION # n/a
PLAT BOOK # 1 FOLIO # 276 10 DIGIT TAX # 0323035100 DEED REF: # 35105 / 0322

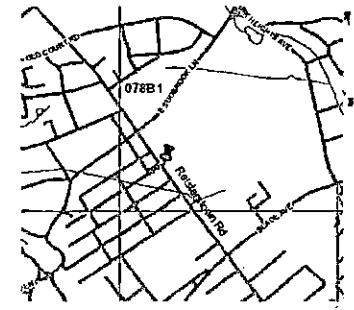


#2017-0125-SPH

RPD

PLAN DRAWN BY Michael Pierce DATE 10/31/2016 SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP



N



MAP IS NOT TO SCALE

ZONING MAP # 078B1

SITE ZONED BL

ELECTION DISTRICT 3

COUNCIL DISTRICT 2

LOT ARE ACREAGE _____

OR SQUARE FEET 9,342

HISTORIC? No

IN CBCA? No

IN FLOOD PLAIN? No

UTILITIES (MARK WITH X)

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? _____

IF SO, GIVE CASE NUMBER

AND ORDER RESULT BELOW

1988-0229-A, parking, 4 spaces

in lieu of 42, granted

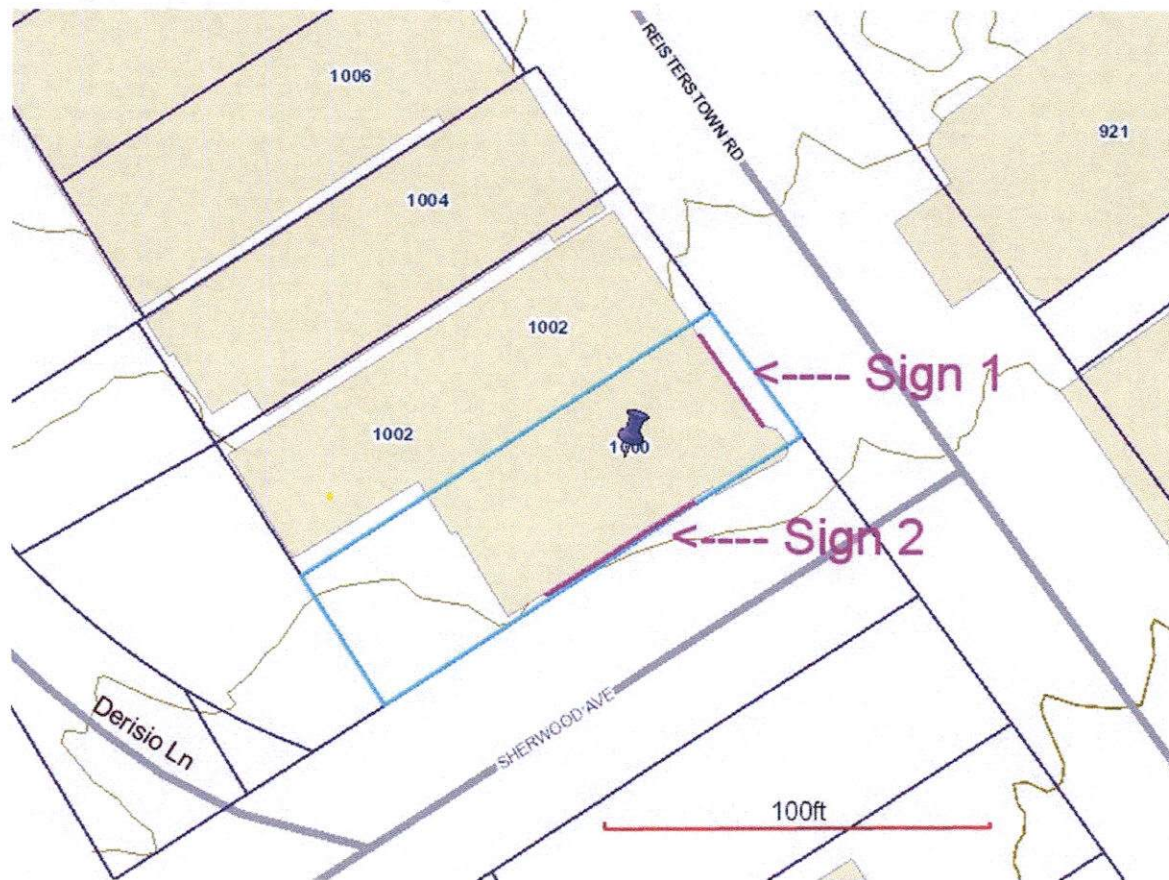
1994-0137-A, restaurant, parking

0 spaces in lieu of 22, granted

VIOLATION CASE INFO:

CC1604144 - ruled as no violation

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#2017-0125-SPH

R.D.D

PLAN DRAWN BY Michael Pierce DATE 10/31/2016 SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP



N
↑

MAP IS NOT TO SCALE

ZONING MAP # 078B1
SITE ZONED BL
ELECTION DISTRICT 3
COUNCIL DISTRICT 2
LOT ARE ACREAGE _____
OR SQUARE FEET 9,342
HISTORIC? No
IN CBCA? No
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WATER IS:
PUBLIC X PRIVATE _____
SEWER IS:
PUBLIC X PRIVATE _____
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IF SO, GIVE CASE NUMBER
AND ORDER RESULT BELOW
1988-0229-A, parking, 4 spaces
in lieu of 42, granted
1994-0137-A, restaurant, parking
0 spaces in lieu of 22, granted

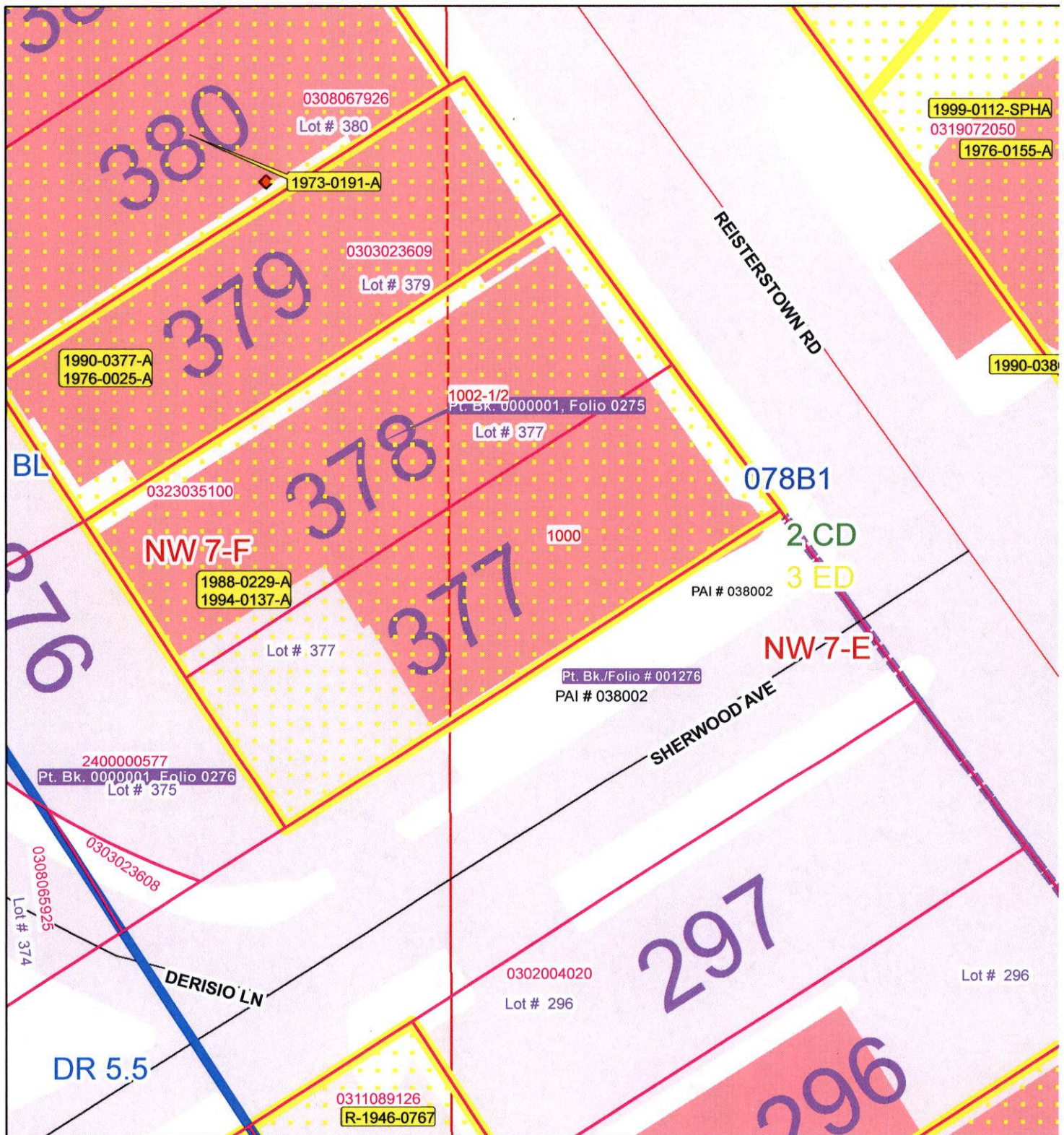
VIOLATION CASE INFO:

CC1604144 - ruled as no violation

1. The first part of the document is a list of names and addresses. The names are written in a cursive hand, and the addresses are written in a more formal, printed hand. The list is organized into two columns, with names on the left and addresses on the right. The names are: John Smith, James Brown, William Jones, and Thomas White. The addresses are: 123 Main Street, New York, NY; 456 Elm Street, New York, NY; 789 Oak Street, New York, NY; and 1010 Pine Street, New York, NY.

2. The second part of the document is a list of names and addresses. The names are written in a cursive hand, and the addresses are written in a more formal, printed hand. The list is organized into two columns, with names on the left and addresses on the right. The names are: John Smith, James Brown, William Jones, and Thomas White. The addresses are: 123 Main Street, New York, NY; 456 Elm Street, New York, NY; 789 Oak Street, New York, NY; and 1010 Pine Street, New York, NY.

1000 Reisterstown Road



Publication Date: 10/31/2016



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 5 10 20 30 40
Feet

1 inch = 30 feet

Item #0125

Debra Wiley

From: Tony Rubino <ARubino@aec-env.com>
Sent: Tuesday, February 28, 2017 8:03 AM
To: Administrative Hearings
Subject: RE: Zoning Hearing Case Number: 2017-0125-SPH

Thank you.

Tony Rubino, P.G.
Senior Project Manager | Environmental Due Diligence
Advantage Environmental Consultants, LLC
8610 Washington Boulevard | Suite 217 | Jessup, MD 20794
Office: 301-776-0500 | Cell: 443-542-1973
arubino@aec-env.com | www.aec-env.com
www.linkedin.com/in/anthonyrubino2

From: Administrative Hearings [<mailto:administrativehearings@baltimorecountymd.gov>]
Sent: Tuesday, February 28, 2017 7:48 AM
To: Tony Rubino
Subject: RE: Zoning Hearing Case Number: 2017-0125-SPH

Mr. Rubino,

The hearing was conducted yesterday at 11 AM and no written decision has been rendered as of this writing.

From: Tony Rubino [<mailto:ARubino@aec-env.com>]
Sent: Monday, February 27, 2017 3:18 PM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: RE: Zoning Hearing Case Number: 2017-0125-SPH

Can you please provide an update on the status of this case?

Regards,

Tony Rubino, P.G.
Senior Project Manager | Environmental Due Diligence
Advantage Environmental Consultants, LLC
8610 Washington Boulevard | Suite 217 | Jessup, MD 20794
Office: 301-776-0500 | Cell: 443-542-1973
arubino@aec-env.com | www.aec-env.com
www.linkedin.com/in/anthonyrubino2

From: Administrative Hearings [<mailto:administrativehearings@baltimorecountymd.gov>]
Sent: Friday, February 24, 2017 11:46 AM

Baltimore County Executive



Executive Citation

Edward Williams

In grateful recognition of your work on Catonsville's Music City Mural, as well as your commitment to the Catonsville community, best demonstrated by your art, which highlights Catonsville's proud history. On behalf of the people of Baltimore County, I appreciate your dedication and unselfish service to your community and your fellow citizens, and I wish you continued success in the future.



Given under my hand and the Great Seal of Baltimore County this seventh day of September in the year two thousand fourteen.

Kevin Kamenetz
Kevin Kamenetz
County Executive

February 24, 2017

To whom it may concern,

I am writing to offer my opinion regarding the Pikesville Community Corporation's assertion that the Mural at Mr. Chan's Restaurant (1000 Reisterstown Road, Pikesville, Baltimore County, Maryland) is a sign and should be removed.

Mr. Alan Zukerberg, President of the Pikesville Communities Corporation (PCC) originally sent an e-mail to my wife (who has no affiliation with the mural project or The Rotary Club of Pikesville-Owings Mills) indicating that his group was opposed to the mural as it was originally presented. In this e-mail he indicated that he thought the mural may be considered a sign.

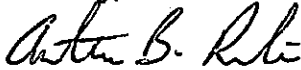
Following Mr. Zukerberg's initial opposition, he agreed to participate in development of the mural's content by assigning two members of the PCC (Ms. Revanne Aronoff and Ms. Joanna Levy) to a committee organized by myself and Dr. Albert Hess to develop the mural's content. This committee also included individuals from the Pikesville Chamber of Commerce, the Pikesville Greenspring Community Coalition (PGCC) and 1,000 Friends of Pikesville.

The purpose of the committee, as communicated to Ms. Aronoff and Ms. Levy, both verbally and in writing by way of the Mural Meeting Announcements, was to develop the content and theme of the mural. During the first public meeting to discuss the mural content, Ms. Aronoff became disruptive and was asked to leave the meeting due to her refusal to wait for her turn to speak.

It should be noted that neither of the PCC committee members indicated that they considered the mural to be a sign. In addition, neither of them voiced opposition to the size of the mural. Both members of the PCC failed to report for subsequent meetings including the final public meeting to approve the final design of the mural and discuss when the painting would proceed.

If the PCC thought the mural was illegal, why would they volunteer and go as far as they did to participate in the development of the mural content? Why not stop their participation with Mr. Zukerberg's initial opposition? It is my opinion that there is no valid basis for this appeal. I hope you will give this message serious consideration prior to rendering a decision regarding the mural.

Sincerely,



Anthony B. Rubino, P.G.

Resident of the Ralston Neighborhood of Pikesville

Past President – Rotary Club of Pikesville-Owings Mills

§ 450.3 **General sign definitions.**

Unless otherwise provided, the following words, as used in Section 450, are defined as follows:

PERMANENT SIGN

A sign other than a "temporary sign" or "portable sign" as each of these terms is defined or identified in this section or in the Baltimore County Building Code, Section 3102.2.

PORTABLE SIGN

A sign that is not securely anchored to the ground or to a building or structure, is intended to display a message and is comprised of or located on:

- A. A wheeled or movable designed framework.
- B. A motor vehicle, whether operative or not, as defined by the Annotated Code of Maryland, Transportation Article.
- C. A movable structure.
- D. Movable materials.

SIGN

Any structure or other object, or part thereof, which displays any word, illustration, decoration or other symbolic representation which:

- A. Is used or intended to inform, advertise or otherwise attract attention or convey a message regarding an activity, condition or commercial or noncommercial organization, person, place or thing.
- B. Has a "face" that is "visible" from a "highway" as each of these terms is defined in this section.

TEMPORARY SIGN

A sign constructed of cloth, fabric or other lightweight material, with or without a structural frame, that is intended to display a message for a limited period of time. A "portable sign" shall not be considered a "temporary sign" for the purpose of these regulations.

Baltimore County, MD
Monday, February 27, 2017

ARTICLE 4. Special Regulations

SECTION 450. Signs

§ 450.5. Structural types of signs.

- A. In general. The restrictions imposed by this section are intended to directly relate to the structural form in which a sign is erected or displayed. Type is determined by the general structural character of the sign. In addition to the general limitations imposed by the table in Section 450.4, the structural types defined below are subject to the specific limitations of this section.
- B. Structural type definitions and restrictions.
 - 1. Awning: A fixed or retractable nonfixture covering, which projects from above a window to provide shade or from above an entrance or walkway to provide shade and shelter. Awning signs are subject to the following:
 - a. An identification or enterprise sign consisting of one copy line of not more than nine inches high may be displayed either on each vertical face of an awning or on each valance.
 - b. One logotype, set of initials or similar identifying symbol, not exceeding eight square feet in area, may be displayed on not more than one nonvertical surface of each awning.
 - 2. Banner: A temporary sign displayed on cloth, canvas or a similar flexible material and designed to be mounted on an open framework, hung from posts or poles or wall mounted.
 - 3. Canopy: A fixed, roof-like structure, other than an awning, which projects from a wall of a building and extends along a majority of the wall's length or over an entrance to a building that may or may not provide shelter over an entrance or walkway. "Canopy" includes a marquee, but excludes a "service station canopy" for purposes of this section. Canopy signs are subject to the following: **[Bill No. 44-2014]**
 - a. Excluding the face of the canopy, the area of that part of the wall behind a canopy and that part of the wall from which the canopy projects is considered part of the total wall area for determining maximum area under Section 450.4.
 - b. A sign erected on the vertical face of a canopy may not extend below the face of the canopy, or beyond either end of the face of

the canopy, unless the continuation of the sign is wall-mounted. A sign attached to the face of or on top of the canopy may extend above the vertical face of the canopy as provided in Section 450.4. A canopy sign may not extend above the roofline of a building unless otherwise permitted by Section 450.

4. Freestanding sign: A sign that is maintained on a structural framework or supporting element, including a post or a pole, fixed in the ground, but is not attached to a building. Freestanding signs, except outdoor advertising and those that are temporary, are subject to the following:
 - a. Within a single premises, no freestanding sign may be erected within 100 feet of another freestanding sign having an area larger than eight square feet.
 - b. On the same side of a highway, no freestanding joint identification sign may be erected within 100 feet and no enterprise sign may be erected within 25 feet of a residential zone.
 - c. The maximum height of a freestanding sign may not exceed the height specified in Section 450.4.
 - d. The maximum area for any freestanding sign permitted in Section 450.4 may be increased relative to the setback from a right-of-way of the nearest highway on which a premises has frontage:
 - (1) Five percent if the setback is at least 10 feet.
 - (2) Ten percent if the setback is at least 20 feet.
 - (3) Fifteen percent if the setback is 50 feet or more from the right-of-way.
5. Integral sign: A sign comprising part of the face of a building by being carved or cast, as in stone, bronze or aluminum, or otherwise made or affixed as a permanent component of the building to display such information as building name, date of erection, commemorative citations or the like. An integral sign is not subject to the provisions of Section 450.8 pertaining to abandoned or nonconforming signs or abatement.
6. Projecting sign: A sign having its structural framework or supporting elements attached to a wall of a building with a face which is more than one foot from the wall at any point on the face or is not in a plane parallel to the wall. "Projecting sign" does not include wall-mounted, roof, canopy or awning signs. Projecting signs are subject to the following:
 - a. A projecting sign may not be higher than the lesser of:
 - (1) The height of the eaves, cornice or parapet at the top of the wall to which it is attached; or
 - (2) A height of 25 feet from the base of the wall below the sign, unless in the C.T. District of Towson, where the sign may extend to a height of 75 feet from the base of the wall below the sign.

[Bill No. 25-2013]

- b. Except for a sign permitted in the C.T. District of Towson under Section 450.4.5(p), a projecting sign may not extend horizontally more than four feet from the wall to which it is attached, except that a projecting sign may extend five feet and may have a maximum area up to 10% larger than would be permitted under Section 450.4 if the sign is:
[Bill No. 25-2013]
 - (1) Attached to a building on a corner lot at an angle that approximately bisects the angle of the corner; and
 - (2) The only projecting sign on the building.
- c. If a projecting sign extends over a sidewalk or walkway, no part of the sign may be closer than:
 - (1) One foot horizontally from the vertical plane of the nearest curb face; and
 - (2) Ten feet vertically from the nearest point on a sidewalk beneath the sign.
- d. Except for a sign permitted in the C.T. District of Towson under Section 450.4.5(p), no part of a projecting sign may be closer than 10 feet to a side or rear lot line.
[Bill No. 25-2013]
- e. Except for a sign permitted in the C.T. District of Towson under Section 450.4.5(p), a projecting sign's structural framework or supporting elements may not be visible.
[Bill No. 25-2013]
- 7. Roof sign: A sign erected upon the roof of a building. "Roof sign" includes a sign having its structural framework or supporting elements attached, in whole or in part, to a roof, but does not include a sign erected upon a mansard, as that term is defined in Section 450.3. Roof signs are prohibited, except as provided in Sections 450.4.5(p) and 450.4.5(q).
[Bill Nos. 65-2011; 21-2014]
- 8. Service station canopy: An open-sided structure, whether or not it is attached to a building or erected over fuel pumps or service islands at a fuel service station pursuant to Section 405 of these regulations. A "service station canopy" is not considered a canopy or a freestanding sign for purposes of this section. Service station canopy signs are subject to the following:
 - a. A sign may be erected upon a face of a service station canopy, provided that it does not project above, below or beyond either end of the face. Signs may be erected on or between, and attached to, structural columns which support the service station canopy.
 - b. Signs permitted on or under a service station canopy may not be erected elsewhere or combined with other signs permitted on the premises.
- 9. Wall-mounted sign: A sign painted on a wall of a building or structurally attached to a building wall in a plane parallel to the wall, including a sign

erected upon a mansard, as defined in Section 450.3. Wall-mounted signs are subject to the following:

- a. No part of a wall-mounted sign other than lighting fixtures may project more than 18 inches from the wall to which it is attached.
 - b. No part of a wall-mounted sign may extend above the eaves or parapet, whichever is higher, at the top of the wall to which it is attached, or be placed on the walls or screening enclosing elevator, air conditioning or similar utility mechanisms which project above the eaves or parapet.
 - c. No part of a sign erected on a mansard may extend more than four feet from its surface, project beyond the vertical plane of the fascia or eaves at the base of the mansard, or extend above the face or beyond either end of the face of the mansard.
10. Enterprise window sign: An enterprise sign mounted on the interior of an enclosed structure that is visible from the exterior of the structure. A sign applied or attached to the exterior of a window is considered to be a wall-mounted sign as covered by Section 450.5.B.9.
[Bill No. 106-2008]
 11. Time and temperature sign: A sign or portion thereof that displays time, temperature or date only. A time and temperature sign may not display flashing, blinking, animation, strobing or scrolling.
[Bill No. 106-2008]

§ 450.7. Special requirements for particular classes.

- A. Directory signs. In addition to the limitations of Section 450.4, directory signs are subject to the following:
 1. The lettering on a directory sign indicating the names and locations of occupants may not be larger than two inches high. Other lettering may not be larger than three inches high.
 2. In an OR-1, OR-2, O.T., M.R., M.L.R. or M.L. Zone, a directory sign is permitted if at least 75% of the tenants or functions have independent direct outside access to the building.
 3. There must be a minimum 25 feet of separation between directory signs located on a single premises.
- B. Changeable copy signs. In addition to the limitations of Section 450.4, changeable copy signs are subject to the following:
[Bill Nos. 106-2008; 65-2011; 74-2011; 3-2014]
 1. Changeable copy signs accessory to a planned shopping center or any separate commercial establishment in a Business Zone are subject to the following limitations:
 - a.

A freestanding changeable copy sign may be erected only as an integral part of an otherwise permitted enterprise or joint identification sign.

- b. Up to 50% of the erected sign area of a permitted enterprise or joint identification sign may be devoted to changeable copy. This paragraph does not apply to a sign that is accessory to a state-operated use or facility, that has a minimum of 1,000 square feet, in the C.T. District of Towson between West Joppa Road and Dulaney Valley Road north of the York Road circle and south of Bosley Avenue and Fairmount Avenue or a sign located within a state-designated transit-oriented development in the C.T. District of Owings Mills.
[Bill No. 16-2015]
 - c. Animated signs require special exception approval by the Baltimore County Zoning Commissioner.
 - d. Electronic changeable copy signs are not permitted in the C.R. District or outside the urban rural demarcation line or in historic districts.
 - 2. Electronic changeable copy signs are not permitted within 250 feet of national scenic byways as designated by the United States Department of Transportation.
- C. Outdoor advertising signs. In addition to the limitations of Section 450.4, outdoor advertising signs are subject to the following:
 - 1. An outdoor advertising sign may not be erected in the following locations:
 - a. Outside the urban-rural demarcation line.
 - b. In a place where it can be seen from a scenic route designated in the Master Plan, as determined by the Director of the Department of Planning.
[Bill No. 55-2011]
 - c. Less than 200 feet from a residential zone, measured along the adjoining road, or more than 50 feet from the right-of-way line of the highway along which the sign is erected, notwithstanding contrary provisions of these regulations regarding front yard setbacks.
 - d. Less than 1,000 feet from another outdoor advertising sign on the same side of a highway.
 - e. Less than 100 feet, measured along the adjoining road, from the right-of-way of any intersecting highway.
 - f. Less than 250 feet from the right-of-way of any controlled-access-type highway or less than 100 feet from the right-of-way of any other dual highway.
 - g.

Within a town center or revitalization area, except at sites designated as appropriate for outdoor advertising signs in an officially adopted plan for that area.

2. A new outdoor advertising sign may be erected, subject to the following limitations:
 - a. A new outdoor advertising sign may not be erected until after the removal of:
 - (1) One lawfully erected outdoor advertising sign; or
 - (2) Legally nonconforming on-premises signs equal in area to the new outdoor advertising sign.
 - b. Removal of eligible signs shall occur in designated priority areas, as determined by the Director of the Department of Planning. The Director shall submit a map to the County Council for approval which, based on the Master Plan, delineates priority areas of the county for sign removal. The Council may amend the proposed map at any time by resolution.
[Bill Nos. 33-2004; 55-2011]
 - c. If an applicant chooses to remove on-premises signs, only signs classified as enterprise or joint identification signs under Section 450 are eligible for removal.
 - d. At a special exception hearing, an applicant shall prove the existence of an irrevocable commitment to remove eligible signs within a designated priority area.
 - e. A use permit for the erection of the new outdoor advertising sign may not be issued unless an applicant proves that the required outdoor advertising or on-premises signs were removed.
3. Outdoor advertising signs erected within 500 feet of a state highway shall comply with the license and permit requirements of the Annotated Code of Maryland, Transportation Article, Title 8, Subtitle 7, Regulation of Outdoor Advertising.
4. The owner of a lawfully erected and maintained outdoor advertising sign which is removed or required to be removed by the county shall be compensated pursuant to the Annotated Code of Maryland, Article 25, § 122E.
5. On the date a property is posted for a special exception hearing, the applicant shall send a letter by certified mail to the owners of all residentially zoned property within 100 feet of the proposed outdoor advertising sign, including the date, subject, place, time and purpose of the special exception hearing.
6. Outdoor advertising signs with tri-vision may be erected, subject to the following limitations:
 - a. An outdoor advertising sign with tri-vision may not be erected until after the removal of:

- (1) Two lawfully erected outdoor advertising signs; or
 - (2) Legally nonconforming on-premises signs equal to twice the area of the tri-vision sign.
- b. Removal of signs must occur in designated priority areas, set forth in the annual map submitted by the Director of the Department of Planning and approved by the County Council.
[Bill No. 55-2011]
- c. There shall be a maximum of seven outdoor advertising signs with tri-vision within the county.
- d. An outdoor advertising sign with tri-vision shall be erected only where an existing, lawfully erected outdoor advertising sign is located as of July 1, 1997.
- e. An outdoor advertising sign with tri-vision may not be larger than the outdoor advertising sign it is replacing.
- f. An outdoor advertising sign with tri-vision may not rotate from one sign face to another less than every 10 seconds. The actual rotation process must be completed in a least four seconds.
- g. The Zoning Commissioner may deny an applicant's request for a special exception upon a finding that an outdoor advertising sign with tri-vision would create a traffic hazard.
7. Except for an outdoor advertising sign with tri-vision as regulated by Section 450.7.C.6, an outdoor advertising sign may not display animation, video, flashing, blinking, strobing or scrolling.
[Bill No. 106-2008]
- D. Construction and subdivision construction signs. In addition to the limitations under Section 450.4, construction and subdivisions signs are subject to the following:
 1. Two construction signs erected as a contiguous sign constitute one sign.
 2. The distance between any two contiguous signs structures may not be less than 1,000 feet.
 3. On the same side of the highway, no construction or subdivision construction sign may be erected within:
 - a. Fifteen feet from a lot line of a premises not contained in the construction site or subdivision for which the sign is erected; or
 - b. One hundred feet from a dwelling or other principal building on a premises not contained in the construction site or subdivision for which the sign is erected, except that, if the sign does not exceed 64 square feet in an area, it may be placed not less than 75 feet, and, if the sign does not exceed 32 square feet, it may be placed not less than 35 feet from such a dwelling.
 4. Construction and subdivision construction signs shall be removed seven days after completion of construction or after the sale of the last unit or lot in the subdivision, whichever is later.

- E. Other temporary signs. In addition to the limitations of Section 450.4, the following requirements apply:
1. Real estate signs.
[Bill No. 136-1997]
 - a. A real estate sign regarding the availability of a premises for purchase or rental may be displayed not more than seven days after the transfer of title or the leasing of the premises to which the sign pertains. The sign may state "sold" or "under contract" following signing of a contract for sale of the premises or may state "leased" following leasing of the premises.
 - b. A real estate sign regarding the availability of a premises at auction may be displayed not more than 21 days before an auction and shall be removed immediately following the conclusion of the auction.
 2. No special event or commercial special event sign may be displayed for more than 30 days before or five days after the event to which it pertains. No premises may display a special event or commercial special event sign for more than 60 days in any calendar year.
 3. A special event or political campaign sign may be erected as an off-premises sign on private property with the permission of the property owner.
- F. Political campaign signs.^[1]
[Bill Nos. 136-1997; 97-1998; 139-2006]
1. Political campaign signs, if required by state law to contain an authority line on behalf of a candidate or political issue, may be erected on private property no earlier than 45 days prior to any primary election.
 2. Political campaign signs must be removed within seven days after the closing of the polls following any primary election by any unsuccessful primary candidate and within seven days after the closing of the polls following any general election by all other candidates.
- [1] *Editor's Note: A federal district court declared § 450.7F unconstitutional as a prior restraint on free speech in violation of the First and Fourteenth Amendments and permanently enjoined the County from enforcing it. [Clarence Bell et al v. Baltimore County, CCB 07-0305. See also 550 F.Supp.2d 590 (2008).]*

*Baltimore County, MD
Monday, February 27, 2017*

ARTICLE 4. Special Regulations

SECTION 450. Signs

§ 450.2. Organization and applicability.

- A. Organization. The specific requirements for erecting and maintaining signs are set forth in Section 450.4. In the various zones or uses, a sign is permitted on the basis of its purpose, i.e., class, and form, i.e., structural type. All signs within the scope of Section 450 are subject to the general requirements in Section 450.6. Particular classes of signs are also subject to the special requirements in Section 450.7. Provisions relating to the administration of and compliance with these sign regulations are in Section 450.8.
- B. Scope.
1. Unless otherwise provided, authority for erecting or maintaining a permanent or temporary on-premises sign or a permanent off-premises sign derives exclusively from Section 450.
 2. The specific signage regulations for a district created pursuant to Section 259 are applicable to the extent that they impose more stringent requirements than Section 450.
 3. Signs for a planned unit development are subject to the provisions of Section 450, unless specific signage provisions are modified pursuant to Section 430.
 4. In the event of a conflict between Section 450 and Article 23 of the Baltimore County Code, the provisions of Article 23 shall control.
[Bill No. 137-2004]
 5. In the event of a conflict between Section 450 and the Annotated Code of Maryland, Transportation Article, Title 8, Subtitle 7, Regulation of Outdoor Advertising, the provisions of the Code shall govern signs visible from federal-aid primary highways.
 6. All signs must comply with applicable provisions of the Baltimore County Building Code, except that Section 450 shall control to the extent that it imposes more stringent requirements.
- C. Exemptions. The requirements of Section 450 do not apply to the following:
[Bill No. 97-1998^[1]]

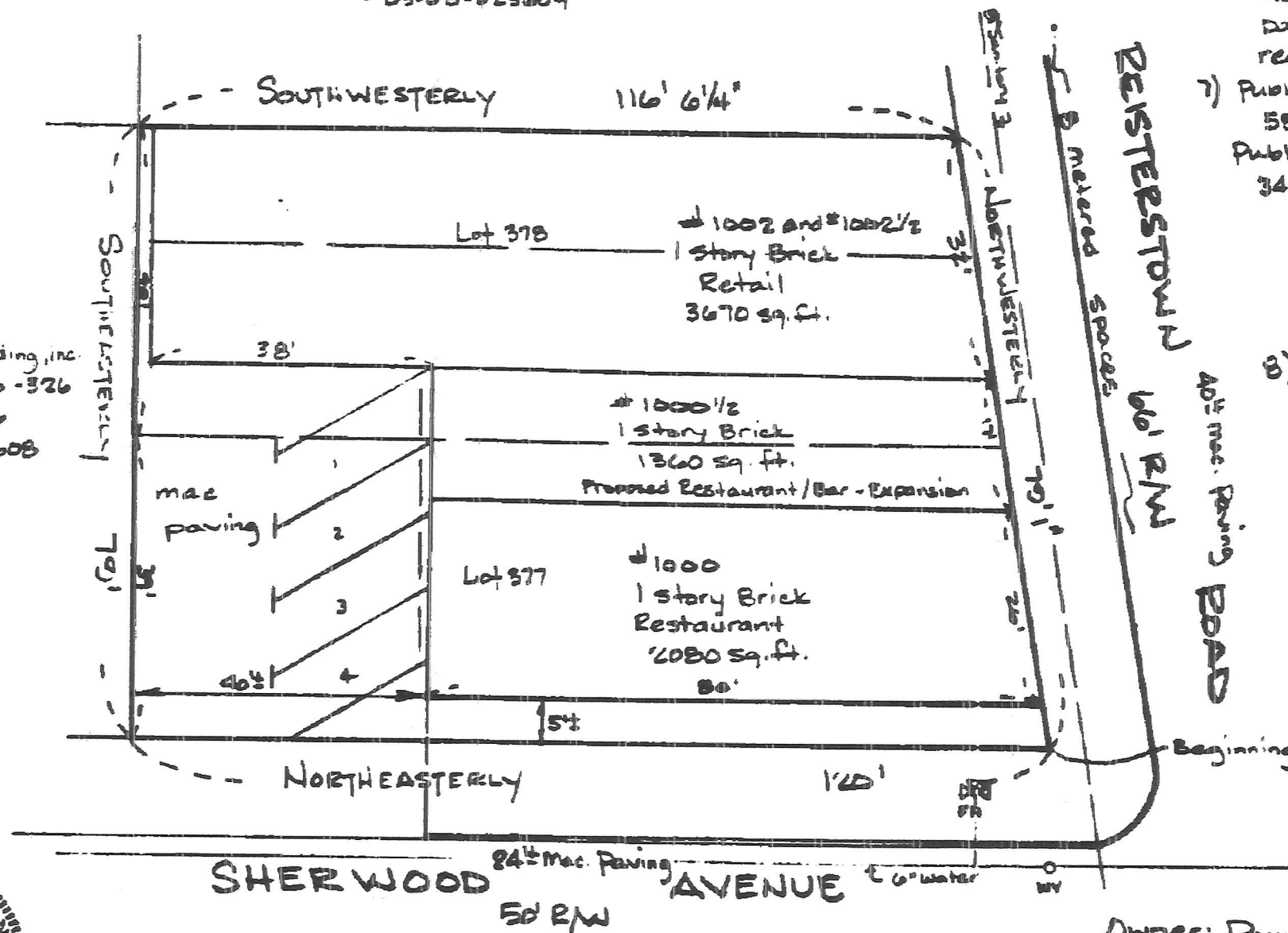
1. A "sign" not "visible" from any "highway" as each of these terms is defined in Section 450.3.
2. Merchandise displayed for customers and temporary signs incidental to the display of seasonal merchandise, provided that each sign has a maximum area of two square feet, six square feet for a garden center, a maximum height of 15 feet in OR-1, OR-2, O.T., S-E, B.L., B.M., B.R., M.R., M.L.R., M.L., M.H., C.B. and B.L.R. Zones and eight feet in any other zone, and is intended to provide information to customers on the premises provided it adheres to Section 450.6.A.
[Bill No. 106-2008]
3. A sign consisting solely of words, symbols or characters not more than one inch in height.
[Bill No. 106-2008]
4. A sign integral to accessory self-service machinery, including, but not limited to, gasoline pumps, automatic banking tellers, vending machines and newspaper boxes, if the sign does not display flashing, blinking, strobing or scrolling.
[Bill No. 106-2008]
5. A sign identifying the owner or manufacturer of another sign to which it is attached or indicating licensure of another sign to which it is affixed.
6. A flag of a nation, state or political subdivision.
7. A flag which displays the emblem, insignia or symbol of a commercial or noncommercial organization or displays an image or written message at a residential dwelling, provided that not more than one such flag per premises or dwelling exists.
8. Except in the case of an enterprise or joint identification sign, a sign displaying a "street address," as that term is defined in Section 450.3, provided that the sign's copy is no more than four inches high in a residential zone and no more than eight inches high in a nonresidential zone, if the sign does not display flashing, blinking, strobing or scrolling.
[Bill No. 106-2008]
9. An enterprise or joint identification sign consisting solely of a "street address," provided that the sign does not exceed the maximum area permitted for the sign's class in that zone, if the sign does not display flashing, blinking, strobing or scrolling.
[Bill No. 106-2008]
10. The part of an enterprise or joint identification sign comprising the "street address," provided that it does not exceed 30% of the sign's area, if the sign does not display flashing, blinking, strobing or scrolling.
[Bill No. 106-2008]
11. A sign erected by a federal or state government, regional or metropolitan district or county agency; a sign required by law, regulation or order to be displayed or posted; or a directional sign within a property, erected in accordance with the Manual on Uniform Traffic Control Devices.
- 12.

A temporary window sign, if the sign does not display flashing, blinking, strobing or scrolling.
[Bill No. 106-2008]

13. A seasonal display or decoration, for events such as national holidays, not advertising a product, service or activity.
 14. A permanent freestanding or wall-mounted sign of a volunteer fire company lawfully erected as of July 1, 1997, provided that no additional permanent freestanding or wall-mounted signs otherwise permitted by Section 450 may be erected on the volunteer fire company's premises.
 15. Bus shelters, Class B.
[Bill No. 32-04]
- [1] *Editor's Note: This bill further provided that: "construction signs for which a permit has been requested prior to September 18, 1998, and real estate, special event and commercial special event signs erected prior to September 18, 1998, shall be considered legal nonconforming signs in accordance with Section 450.8.C of the Baltimore County Zoning Regulations."*

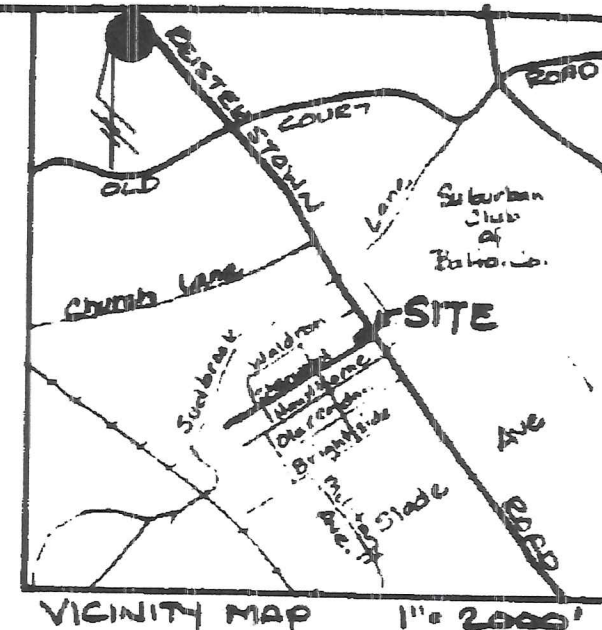
The Top Ten
Liber E.H.K. Jr. 6271-68
Lot 379
03-03-023609

Sherwood Building, Inc.
Liber S.M. 8356-326
Lot 376
03-03-023608



- 2) Gross Area 029 Ac.±
4) Floor Area Ratio 3440 / 10200 = 34%
5) Parking Calculations
#1002 1360 sq. ft. 22 spaces required
spaces provided
22 spaces needed
#1000 2080 sq. ft. see case No. 88-229 A

- 6) VARIANCE REQUESTED
409 A.G.A. 2 permit off street parking spaces in lieu of the required 22
7) Public Parking across Reisterstown Rd 58 spaces (A)
Public Parking across Sherwood Ave 34 spaces (B)



"A" 58
public spaces
off-street

8) Curves and distances shown hereon are taken from deed Liber E.H.K. Jr. 5431-928.

Notes

- 1) Prior Zoning Case No. 88-229 A Variance for to permit off-street parking spaces in lieu of required 42 GRANTED 12-10-87 subject to following: "The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition."
- 2) ZONE BL-CNS per 1992 Comprehensive Zoning Maps No. NW7E and NW7F
- 3) MAP TO GRID B PARCEL 592 Lots 377, 378 "RAUSTON ANNEX" Plot Book J.W.S. 1-276

PLAN TO ACCOMPANY PETITION FOR VARIANCE

PAUL GOODMAN
Liber E.H.K. Jr. 5431-923
Acct # 03-23-035100
2nd COUNCILMANIC DISTRICT
3RD ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

Scale: 1" = 20'

SEPTEMBER 10, 1993

PETITIONER'S
EXHIBIT NO. 5

94-137-A

"B"
34 Public
Spaces
off street



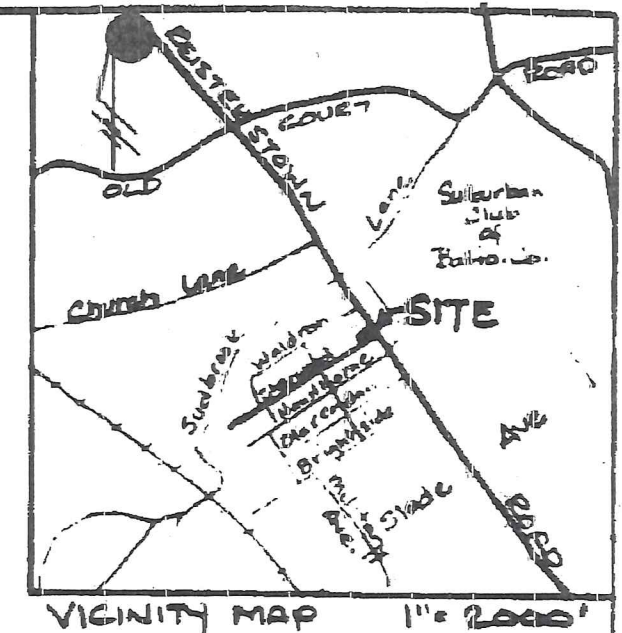
LLR - Land Surveyors
P.O. Box 6410
Towson, Maryland 21206
(410) 426-1380

#2017-0125-SPH

REV 10/12/93 ITEM #131

John 93-215

- 2) Gross Area 1229 Ac. 3
 4) Floor Area Ratio 340 / 10200 = 34%
 5) Parking Calculations
 #1002 1360 sq. ft. 22 spaces required
 0 spaces provided
 22 spaces needed
 #1000 2080 sq. ft. see case No. 86-229 A



- 6) VARIANCE REQUESTED
 409A.G.A.2 permit off street parking spaces in lieu of the required 22
 7) Public Parking across Reisterstown Rd 55 spaces (A)
 Public Parking across Sherwood Ave 34 spaces (B)

Notes

- A) 50 public spaces off-street
 B) Curves and distances shown hereon are taken from deed Liber E.H.K. Jr. 5431-923.

- 1) Prior Zoning Case No. 86-229 A Variance for to permit off street parking spaces in lieu of required 22 GRANTED 12-10-87 subject to following:
 "The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition."
 2) ZONE BL-CUS per 1992 Comprehensive Zoning Maps No. NW7E and NW7F
 3) MAP TO GRID B PARCEL 592 Lots 377, 378 "RAUSTON ANNEX" Plat Book J.W.S. 1-276

PLAN TO ACCOMPANY PETITION FOR VARIANCE

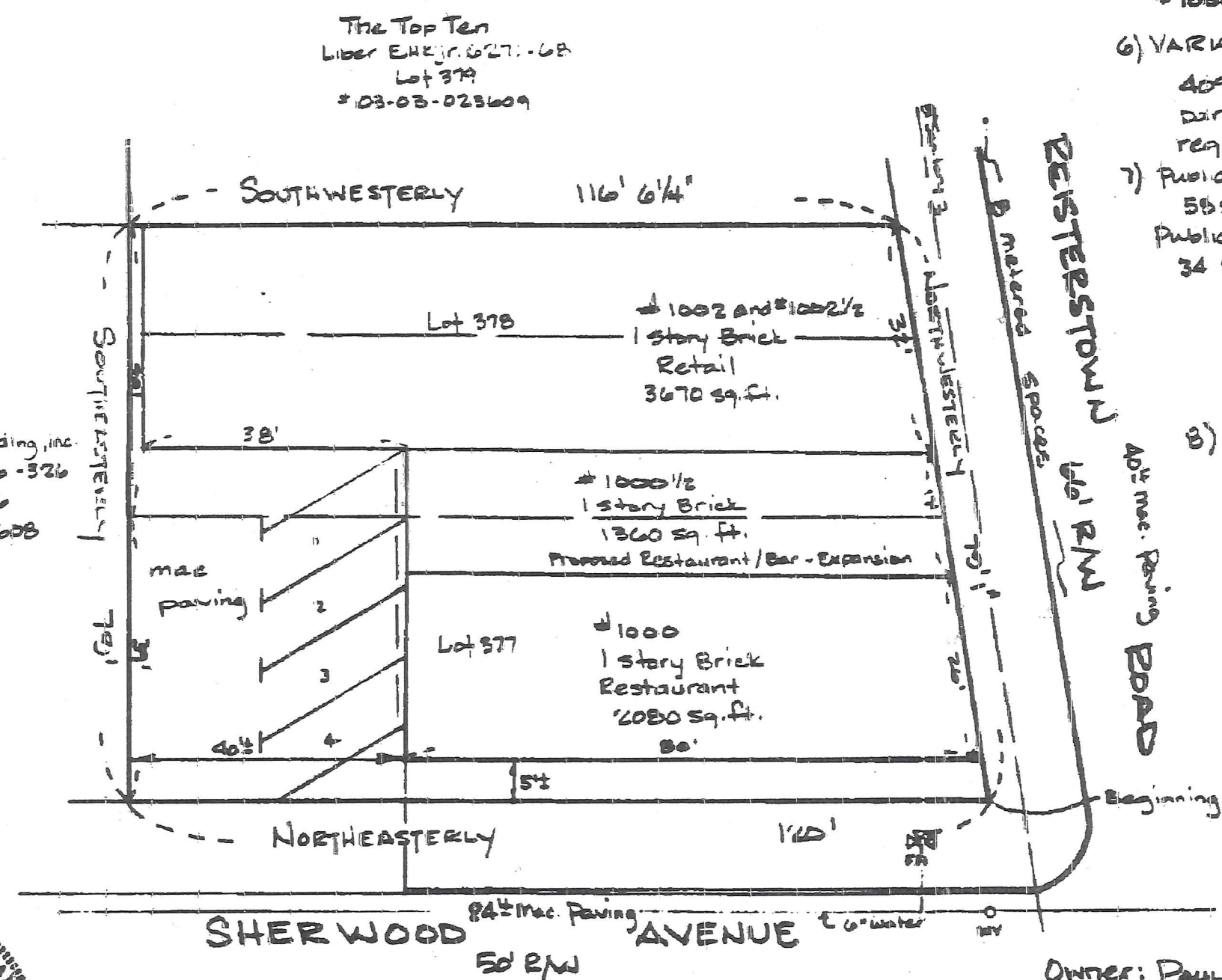
Owner: PAUL GOODMAN
 1000 REISTERSTOWN RD
 PLEASVILLE, MD 21208

PAUL GOODMAN
 LIBER E.H.K. Jr. 5431 - 923
 ACCT # 03-25-035100
 2nd COUNCILMANIC DISTRICT
 3RD ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND

Scale: 1" = 20' SEPTEMBER 10, 1993

John 93-215

PETITIONER'S EXHIBIT NO. 5



"B" 34 public spaces off street

94-137-A



#2017-0125-SPH

REV 10/12/93 ITEM #131