



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

June 20, 2018

Peter M. Zimmerman, Esquire
Carole S. Demilio, Esquire
Office of People's Counsel
The Jefferson Building, Suite 204
105 W. Chesapeake Avenue
Towson, Maryland 21204

Katie Lee Douglas, Esquire
303 Pennsylvania Avenue
Towson, Maryland 21204

RE: In the Matter of: *Cedar Grove Church Cemetery, Inc.*
Case No.: 18-103-SPH

Dear Counsel:

Enclosed please find a copy of the Ruling on Motion to Dismiss issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT.** Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

A handwritten signature in cursive script that reads "Sunny Cannington Hays".

Krysundra "Sunny" Cannington
Administrator

KLC/taz
Enclosure
Duplicate Original Cover Letter

c: Robert E. Ryan/Cedar Grove Church Cemetery, Inc.
Teresa Moore/Valleys Planning Council
Lawrence M. Stahl, Managing Administrative Law Judge
Andrea Van Arsdale, Director/Department of Planning
Arnold Jablon, Deputy Administrative Officer, and Director/PAI
Nancy C. West, Assistant County Attorney/Office of Law
Michael E. Field, County Attorney/Office of Law

Douglas Zinn
Mark Letersky
Mike Pierce
George Harmon
Kelley Taylor
Carol S. Daisy

IN THE MATTER OF:
CEDAR GROVE CHURCH CEMETERY, INC.
LEGAL OWNER AND PETITIONER FOR
SPECIAL HEARING ON THE PROPERTY
LOCATED AT 2015 MOUNT CARMEL ROAD

15TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* Case No.: 18-103-SPH

* * * * *

RULING ON MOTION TO DISMISS

This case comes before the Board of Appeals of Baltimore County on an appeal of Administrative Law Judge ("ALJ") John Beverungen's December 4, 2017 decision denying a Petition for a Special Hearing to permit a "changeable copy" sign for Cedar Grove Church Cemetery, Inc., at the property located at 2015 Mt. Carmel Road in the Parkton community of northern Baltimore County.

On January 22, 2018, George Harman, Zoning Committee Chair of the Reisterstown-Owings Mills-Glyndon Coordinating Council, filed a Motion to Dismiss the appeal. Protestant, Mark Letersky, *pro se*, filed a memorandum in Support of the Motion to Dismiss the Appeal. People's Counsel for Baltimore County also supported the dismissal request. Petitioner opposed the dismissal request.

The Board heard arguments on February 15, 2018. Katie Lee Douglas, Esquire and Robert Ryan, head Trustee, appeared on behalf of Petitioner. Carole Demilio, Esquire appeared on behalf of People's Counsel. Mr. Harman did not appear. The Board publicly deliberated the Motion to Dismiss immediately following arguments.

FACTS

The property is located outside of the urban/rural demarcation line ("URDL") on land zoned R.C.2. In March of 2017, a vehicle left the roadway and destroyed the original standing sign of Cedar Grove Church Cemetery, Inc. The church replaced the sign with a "changeable copy" sign. A zoning violation citation was issued and that case was stayed to allow Petitioner to seek special hearing relief.

On October 10, 2017, a Petition for Special Hearing pursuant to §500.7 of the Baltimore County Zoning Regulations (BCZR) was filed requesting approval of a "changeable copy" sign for a church located outside of the URDL. On December 4, 2017, the ALJ denied the Petition finding there were no standards or guidelines by which to consider the requested relief. Petitioner filed a timely appeal.

DISCUSSION

Arguments were presented by People's Counsel, Protestants, and Petitioner. Mr. Ryan expressed that the church's members are older and no longer able to maintain the sign on a regular basis so the changeable copy sign was most helpful to their congregation.

BCZR §Section 450.B.1 provides as follows:

B. Changeable copy signs. In addition to the limitations of Section 450.4, changeable copy signs are subject to the following:

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 located within a state-designated transit-oriented development in the C.T. District of Owings Mills. [Bill Nos. 16-2015; 49-2016]
- 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. (emphasis added)

Where the statutory language is plain and free from ambiguity, and expresses a definite and simple meaning, courts normally do not look beyond the words of the statute to determine legislative intent. *Marriott Employees Fed. Credit Union v. Motor Vehicle Admin*, 346 Md. 437, 445, 697 A.2d 455, 458 (1997); *Kaczorowski v. Mayor and City Council of Baltimore*, 309 Md. 505, 515, 525 A.2d 628, 633 (1987); *Hunt v. Montgomery County*, 248 Md. 403, 414, 237 A.2d 35, 41 (1968).

Protestants and People's Counsel contend that the Motion to Dismiss should be granted because the statute clearly prohibits electronic changeable copy signs outside of the URDL.

Petitioner contends the Motion to Dismiss should be denied because the congregation members are no longer able to change the sign manually due to age/incapacity.

CONCLUSION

After a thorough review of the arguments and law in this matter, this Board grants the Motion to Dismiss the Petition for a Special Hearing seeking a "changeable copy" sign for Cedar Grove Church Cemetery, Inc. It is patently clear that the sign at issue is located on property outside of the URDL and prohibited per §450.7.B.1.d of the Baltimore County Zoning Regulations.

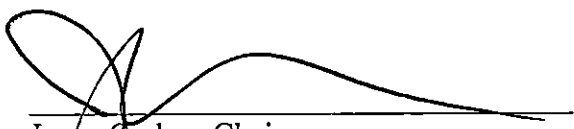
ORDER

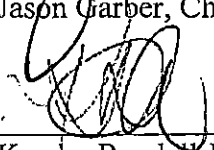
IT IS THEREFORE, this 20th day of June, 2018 by the Board of Appeals for Baltimore County,

ORDERED, that the Motion to Dismiss Petition for Special Hearing filed by George Harmon and adopted by People's Counsel for Baltimore County, be and is hereby GRANTED.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**



Jason Garber, Chairman

Kendra Randall Jolivet

Board member James H. West participated in the hearing and public deliberation in this matter. His term expired on April 30, 2018.

BOARD OF APPEALS OF BALTIMORE COUNTY
MINUTES OF DELIBERATION

IN THE MATTER OF: Cedar Grove Church Cemetery, Inc.

18-103-SPH

DATE: February 15, 2018

BOARD/PANEL: Jason S. Garber, Chairman
Kendra Randall Jolivet
James H. West

RECORDED BY: Tammy A. Zahner, Legal Secretary

PURPOSE: To deliberate the following:

1. Motion to Dismiss filed by Protestants, and People's Counsel

PANEL MEMBERS DISCUSSED THE FOLLOWING:

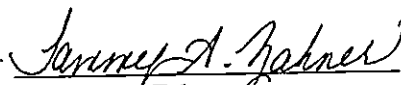
STANDING

- The Board convened for argument on the Motions to Dismiss, and following the hearing convened for Public Deliberation.
- The Board noted that it is rare to dismiss a case prior to a hearing on the merits. The Board looked to Petitioner to identify facts or other authority which would permit the Board to define electronic changeable copy sign in a different manner. Although the Board understood the reasons why Petitioner wanted an electronic copy sign, the case must be decided by the facts and law.
- The Board must apply the law as passed by the Baltimore County Council. The law states that an electronic, changeable copy sign is prohibited outside of the URDL.
- The Board noted that Petitioner did not apply for a variance and the posting of the property did not identify a variance.
- There was only one outcome for this case – the Board could only conclude that Petitioner's sign is prohibited.

CONCLUSION: After thorough review of the facts in the record and law governing this matter, the Board unanimously agreed to GRANT the Motion to Dismiss.

NOTE: These minutes, which will become part of the case file, are intended to indicate for the record that a public deliberation took place on the above date regarding this matter. The Board's final decision and the facts and findings thereto will be set out in the written Opinion and Order to be issued by the Board.

Respectfully Submitted,


Tammy A. Zahner



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

January 23, 2018

AMENDED NOTICE OF ASSIGNMENT **ARGUMENT ONLY ON MOTION TO DISMISS**

IN THE MATTER OF: Cedar Grove Church Cemetery, Inc.
2015 Mt. Carmel Road
18-103-SPH 15th Election District; 3rd Councilmanic District

Re: Petition for Special Hearing pursuant to § 500.7 of the BCZR to permit a "changeable copy" sign for a church located outside of the urban/rural demarcation line (URDL) in lieu of the prohibition requirements of Section 450.7.B.1.d of the BCZR.

12/4/17 Opinion and Order of the Administrative Law Judge wherein the Petition for Special Hearing was DENIED.

ASSIGNED FOR: **FEBRUARY 15, 2018 AT 10:00 A.M.**

LOCATION: Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

NOTICE:

- This appeal is an evidentiary hearing. Parties should consider the advisability of retaining an attorney.
- Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.
- No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).
- If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.
- Parties must file one (1) original and three (3) copies of all Motions, Memoranda, and exhibits (including video and PowerPoint) with the Board unless otherwise requested.
- Projection equipment for digital exhibits is available by request. A minimum of forty-eight (48) hours-notice is required. Supply is limited and not guaranteed.

For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra "Sunny" Cannington
Administrator

Amended Notice of Assignment
Argument Only on Motion to Dismiss
In the matter of: Cedar Grove Church
Case number: 18-103-SPH
January 23, 2018
Page 2

c:	Counsel for Petitioner	:	Katie Lee Douglas, Esquire
	Petitioner	:	Robert E. Ryan/Cedar Grove Church Cemetery, Inc.
	Protestants	:	Douglas Zinn, Mark Letersky, Mike Pierce, George Harmon, Kelley Taylor, Carol Daisy, Teresa Moore/Valleys Planning Council

Andrea Van Arsdale, Director/Department of Planning
Arnold Jablon, Director/PAI
Lawrence M. Stahl, Managing Administrative Law Judge
Michael Field, County Attorney, Office of Law
Nancy West, Assistant County Attorney
Office of People's Counsel

STATE OF MARYLAND
BEFORE THE BOARD OF APPEALS
OF BALTIMORE COUNTY



IN RE: MOTION TO DISMISS	/	<u>SUPPORT</u> FOR THE MOTION TO
	/	DISMISS THE APPEAL FILED BY
[PETITION FOR SPECIAL HEARING:	/	A SEPARATE PROTESTANT
2015 MT. CARMEL ROAD]	/	
	/	
CEDAR GROVE UNITED METHODIST	/	CASE NO.: 2018-0103-SPH
CHURCH,	/	
	/	
<i>Petitioners</i>	/	Date / Time: February 15, 2018
	/	10:00 a.m.
	/	

SUPPORT FOR THE MOTION TO DISMISS THE APPEAL
FILED BY A SEPARATE PROTESTANT

Protestant / Citizen MARK LETERSKY residing at 3211 Mt. Carmel Road, Upperco, Maryland, 21155, hereby offers this SUPPORT FOR THE MOTION TO DISMISS THE APPEAL FILED BY A SEPARATE PROTESTANT in an ongoing and further opposition to the Petitioner's request to permit a "changeable copy" sign in our community (Section 450.7.B.1.d of the BCZR).

FACTS

This matter was given the full attention of the Office of Administrative Hearings for Baltimore County and the Administrative Law Judge properly and justly denied the Petition for a Special Hearing by an Opinion and Order dated December 4, 2017.

The Petitioner sought an Appeal by correspondence to the Board of Appeals of Baltimore County. A separate Protestant filed for a Motion to Dismiss.

ARGUMENT IN SUPPORT OF PROTESTANT'S MOTION TO DISMISS

The Petitioner sought an Appeal by correspondence to the Board of Appeals of Baltimore County. There was no evidentiary support of the same proffered. The Appeals Courts do not usually consider new witnesses or new evidence. Appeals in civil cases are usually based on arguments that there were errors in the trial's procedure or errors in the judge's interpretation of the law. The petitioner had every opportunity to present their case, as well as cross-examine the many in opposition to their illegal sign. They failed to convince the Administrative Law Judge that their position merited approval.

Baltimore County Zoning Regulation, ARTICLE 4, Special Regulations, SECTION 450, Signs [Bill No. 89-1997] § 450.6(C) notes in part:

"C. Erection and maintenance.

1. All signs shall be erected in accordance with the applicable provisions of the Baltimore County Building Code."

There was no permit or application by the Petitioner for their illegal signage. They are the arbiter of their own waste by noncompliance of long established regulations. Had they chosen to proceed legally, they would have discovered immediately upon denial of their permit application NOT to proceed any further. They brought this unfortunate waste upon themselves and now try to contradict established lawful restrictions to justify their expenditures.

Furthermore, they exercised an Appeal of a proper lawful decision in this matter for a "second bite of the apple," not to present new argument or a misapplication of the law, but simply to defy judicial economy principles and try to "have another go at it."

Judicial economy is a long since developed principle wherein the limited resources of the legal system or any given Court should be conserved by the refusal to wastefully decide repetitive claims raised in a case.

Petitioner is not exercising a pure right to an Appeal based on any substantial factors, they simply did not like the outcome of December 4, 2017. No new facts, witnesses or evidence can refute the fact that a changeable copy sign is not permitted in this area. They have been properly fined for no permit and illegal use, and the sign should not be simply modified, it should be removed. Petitioner proposed the illegal changeable copy sign be modified to display otherwise, yet this forum would have to retain ongoing jurisdiction to monitor compliance. There are no regulations for this Court to be burdened with continuing jurisdiction to monitor future use if the sign were modified. This would also not avail citizens a forum to cite any possible violations after the fact.

Petitioner should not be allowed any special exception or variance based on the facts of this matter and as set forth previously at the Hearing and carefully considered by the Administrative Law Judge.

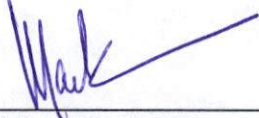
The Petitioner's sign does in fact violate several provisions of §450 as it is an illegal sign subject to abatement, was not legally erected, has illegal moving and changeable parts, improper illumination, and it is an electronic changeable copy sign outside of the URDL.

CONCLUSION

This Citizen / Protestant hereby respectfully requests this court, as a matter of public safety, ORDER the other Protestant's Motion to Dismiss this matter once and for all and this nonconforming and illegal sign be removed in accordance with the abatement provisions in

Section 450.8(D) as the sign is an electronic changeable copy sign directly violating Bill No.
106-2008.

Respectfully submitted,

By: 

Mark Letersky
Protestant / Citizen
3211 Mount Carmel Road
Upperco, MD 21155
443-310-4328

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of February, 2018, the requisite number of
copies of this:

Were sent via first class mail to:

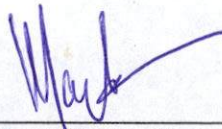
Board of Appeals of Baltimore County
Jefferson Building
Second Floor, Suite 203
105 West Chesapeake Avenue
Towson, Maryland 21204

Attention: Krysundra "Sunny" Cannington, Administrator
(1) Original and (3) copies

Counsel for Petitioner:

Kate Lee Douglas, Esquire
100 West Road
Suite 300
Towson, Maryland 21286

By: _____



Mark Letersky
Protestant / Citizen
3211 Mount Carmel Road
Upperco, Maryland 21155
443-310-4328

Tammy Zahner

From: Tammy Zahner
Sent: Tuesday, February 13, 2018 12:05 PM
To: 'Jason Garber'; 'kendrajolivet@gmail.com'; 'Jay West'
Subject: Cedar Grove Church Cemetery
Attachments: Motion to Dismiss - Letersky.pdf

Good Afternoon,

The above referenced case is scheduled for Thursday at 10:00 a.m. for argument on the Motion to Dismiss filed by Mr. Harmon and adopted by People's Counsel.

In today's mail we received another Motion to Dismiss filed by Mr. Letersky, which is attached for your review.

If you have any questions, please let us know.

Tammy A. Zahner, Legal Secretary
Board of Appeals of Baltimore County
Second Floor, Suite 203
105 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3180
(410) 887-3182 (Fax)

Confidentiality Statement

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February 2, 2018

Jason S. Garber, Chair - via email
Board of Appeals of Baltimore County
Jefferson Building, Suite 203
105 West Chesapeake Avenue
Towson, Maryland 21204

RE: Appeal of ALJ Decision - Case 18-103-SPH - Motion to Dismiss

Dear Judge Garber:

The hearing on the Motion to Dismiss the referenced case set for February 15, 2018 conflicts with a medical procedure that has been scheduled for a couple of months and I will not be able to attend the hearing. I have discussed the case with Ms. Carole Demilio of the Office of People's Counsel and our mutual interests and concerns can be adequately presented by the legal arguments that she was preparing to present on February 15th. Therefore, I would ask that the hearing schedule be retained and that Ms. Demilio be allowed to present the legal argument for the dismissal of the requested appeal in my absence.

Sincerely,

George Harman,
Zoning Committee Chair, Reisterstown-Owings Mills-Glyndon Coordinating Council
5429 Weywood Drive
Reisterstown, MD 21136
harmangeorge@hotmail.com

cc: Carole DeMilio, Office of People's Counsel
appealsboard@baltimorecountymd.gov

Krysundra Cannington

From: George Harman <harmangeorge@hotmail.com>
Sent: Friday, February 02, 2018 10:22 AM
To: Appeals Board; Teresa Moore
Cc: Peoples Counsel
Subject: Appeal of ALJ Decision - Case 18-103-SPH - Motion to Dismiss
Attachments: 2018 02 02 Cedar Grove medical excuse.docx

Judge Garber:

The attached letter outlines my need to be excused from the February 15, 2018 hearing concerning the referenced case. The Office of People's Counsel's Carole Demilio is prepared to jointly present the legal argument for the Motion to Dismiss on my behalf.

George Harman
410-429-6035
410-818-9022 cell



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

410-887-2188
Fax: 410-823-4236



PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

January 24, 2018

HAND DELIVERED

Jason S. Garber, Chairman
Board of Appeals of Baltimore County
105 West Chesapeake Avenue, Suite 203
Towson, Maryland 21204

Re: Cedar Grove Church
2015 Mount Carmel Road
Case No.: 2018-103-A

Dear Chairman Garber,

We entered our appearance in this matter on October 17, 2017 and intend to participate in the appeal before the Board of Appeals.

We received Mr. Harmon's letter of January 22nd and his request to enter a Motion to Dismiss the Petition. We agree and adopt his letter and Motion. We understand the hearing scheduled for February 15, 2018 will be argument only on the Motion. Our office will attend and present argument at the Board's pleasure.

Thank you in advance.

Sincerely,

A handwritten signature in blue ink, reading "Carole S. Demilio".

Carole S. Demilio
Deputy People's Counsel
for Baltimore County

cc: George Harmon
Katie Lee Douglas

Krysundra Cannington

From: George Harman <harmangeorge@hotmail.com>
Sent: Tuesday, January 23, 2018 12:18 PM
To: Appeals Board
Cc: Lawrence Stahl; Peoples Counsel; John E. Beverungen
Subject: Motion to Dismiss - appeal request Case18-103-SPH
Attachments: 2018 01 23 Cedar Grove changeable copy.docx

Dear Judge Garber and Administrator Cannington:

This email was incorrectly addressed yesterday, and is being resent today. I have received an email from the incorrect addressee that forwarded the request to your office. It is hoped that this email will be accepted in lieu of a posted letter. The request in the attached file proposes a Motion to Dismiss of the referenced case, which our organization and others believe to be appropriate in consideration of the plain language of the governing regulations well-founded decision of the ALJ.

Please advise if a formal posted letter is required.

George Harman, Chair, Zoning Committee, Reisterstown-Owings Mills-Glyndon Coordinating Council
410-429-6035
410-818-9022 cell
email: harmangeorge@hotmail.com



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

January 23, 2018

George Harman
Zoning Committee Chair
Reisterstown-Owings Mills-Glyndon coordinating Council
5429 Weywood Drive
Reisterstown, Maryland 21136

Re: In the matter of: Cedar Grove Church
Case No: 18-103-SPH

Dear Mr. Harman:

Please be advised we are in receipt of your Motion to Dismiss, which was forwarded to us by email on January 22, 2018. By copy of this letter, we are forwarding a copy of your Motion to Petitioner's attorney, Ms. Douglas.

Enclosed please find an Amended Assignment Notice changing the hearing on February 15, 2018 to argument only on the Motion to Dismiss.

Please also note, this matter is pending before the Board of Appeals, therefore, we kindly request all future documents to be filed with our office.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink that reads "Sunny Cannington".

Krysundra "Sunny" Cannington
Administrator

Enclosure

cc: Katie Lee Douglas, Esquire
People's Counsel for Baltimore County

January 22, 2018

The Honorable Lawrence M. Stahl
Board of Appeals of Baltimore County
Jefferson Building, Suite 203
105 West Chesapeake Avenue
Towson, Maryland 21204

RE: Appeal of ALJ Decision - Case 18-103-SPH - Motion to Dismiss

Dear Judge Stahl:

The denial rendered in by the Administrative Law Judge (ALJ) in the above referenced case that would permit an electronic changeable copy sign contrary to that allowed by the Baltimore County Zoning Regulations (BCZR) has been appealed to the Board of Appeals with a hearing date set for February 15, 2018. There does not appear to be any legal basis for a reversal of the decision and it would be judicially expedient to consider dismissing the requested appeal. Baltimore County Zoning Regulations relevant to this case prohibit "changeable copy" signs under the circumstances being proposed by the applicant in the referenced case. Our organization believes that the decision of the ALJ was firmly founded in law and that any further litigation is unnecessary and would be unproductive.

Please accept this letter as a formal request to enter a Motion to Dismiss.

George Harman
Zoning Committee Chair, Reisterstown-Owings Mills-Glyndon Coordinating Council
5429 Weywood Drive
Reisterstown, MD 21136
harmangeorge@hotmail.com

cc: Lawrence M. Stahl, Managing Administrative Law Judge
John Beverungen, Administrative Law Judge
Carole DeMilio, Office of People's Counsel

Krysundra Cannington

From: Debra Wiley
Sent: Monday, January 22, 2018 1:08 PM
To: Krysundra Cannington
Subject: FW: Case 18-103-SPH - Motion to Dismiss Cedar Grove Moveable Message sign
Attachments: 2018 01 22 Cedar Grove changeable copy.docx

Sunny,

Per our telephone conversation.

From: Lawrence Stahl
Sent: Monday, January 22, 2018 12:54 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: FW: Case 18-103-SPH - Motion to Dismiss Cedar Grove Moveable Message sign

I wonder if the BOA even knows about this?

Maybe you should forward it to them, with a cc to Harman

From: George Harman [<mailto:harmangeorge@hotmail.com>]
Sent: Monday, January 22, 2018 11:42 AM
To: Lawrence Stahl <lstahl@baltimorecountymd.gov>; John E. Beverungen <jbeverungen@baltimorecountymd.gov>; Peoples Counsel <peoplescounsel@baltimorecountymd.gov>
Subject: Case 18-103-SPH - Motion to Dismiss Cedar Grove Moveable Message sign

Mr. Stahl et. al.:
Please consider the attached Motion to Dismiss.

George Harman, Zoning Committee Chair, Reisterstown - Owings Mill- Glyndon Coordinating Council
410-429-6035
410-818-9022 cell



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

December 15, 2018

NOTICE OF ASSIGNMENT

IN THE MATTER OF: Cedar Grove Church Cemetery, Inc.
2015 Mt. Carmel Road
18-103-SPH 15th Election District; 3rd Councilmanic District

Re: Petition for Special Hearing pursuant to § 500.7 of the BCZR to permit a "changeable copy" sign for a church located outside of the urban/rural demarcation line (URDL) in lieu of the prohibition requirements of Section 450.7.B.1.d of the BCZR.

12/4/17 Opinion and Order of the Administrative Law Judge wherein the Petition for Special Hearing was DENIED.

ASSIGNED FOR: **FEBRUARY 15, 2018 AT 10:00 A.M.**

LOCATION: Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

NOTICE:

- This appeal is an evidentiary hearing. Parties should consider the advisability of retaining an attorney.
- Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.
- No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).
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- Projection equipment for digital exhibits is available by request. A minimum of forty-eight (48) hours-notice is required. Supply is limited and not guaranteed.

For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra "Sunny" Cannington, Administrator

c: Counsel for Petitioner
Petitioner

: Katie Lee Douglas, Esquire
: Robert E. Ryan/Cedar Grove Church Cemetery, Inc.

Protestants

: Douglas Zinn, Mark Letersky, Mike Pierce,
George Harmon, Kelley Taylor, Carol Daisy,
Teresa Moore/Valleys Planning Council

Office of People's Counsel
Arnold Jablon, Director/PAI
Nancy West, Assistant County Attorney

Lawrence M. Stahl, Managing Administrative Law Judge
Andrea Van Arsdale, Director/Department of Planning
Michael Field, County Attorney, Office of Law

D/SAUTHX12/16/17BALTMD212FRST15TCL

Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

Return service requested



Hasler

FIRST-CLASS MAIL
AUTO

12/16/2017

US POSTAGE \$000.37³



ZIP 21204
011D12603654

Robert E. Ryan
Cedar Grove Church Cemetery, Inc.
2015 Mt. Carmel Road
Parkton, MD

UTF

12/12/17
Rmained to
Home
address

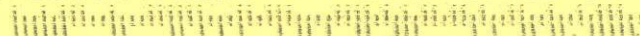
NIXIE 212 FE 1260 0012/25/17

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

UTF

BC: 21204471153 *1427-00465-18-38

212044711
KLH-SSB 2112





100-100





KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

December 11, 2017

Katie Lee Douglas, Esq.
303 Pennsylvania Avenue
Towson, Maryland 21204

RE: **APPEAL TO BOARD OF APPEALS**
Petition for Special Hearing
Case No. 2018-0103-SPH
Property: 2015 Mt. Carmel Road



Dear Ms. Douglas:

Please be advised that an appeal of the above-referenced case was filed in this Office on December 8, 2017. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB".

JOHN E. BEVERUNGEN
Managing Administrative Law Judge
for Baltimore County

JEB/dlw

c: Robert E. Ryan, 4 William Court, Sparks, MD 21152
Douglas Zinn, 2400 Mt. Carmel Road, Parkton, MD 21120
Mark Letersky, 3211 Mt. Carmel Road, Upperco, MD 21155
Mike Pierce, 7448 Bradshaw Road, Kingsville, MD 21087
T. Moore, VPC, P.O. Box 5402, Towson, MD 21285
George Harmon, 5429 Weywood Dr., Reisterstown, MD 21136
Kelley Taylor, 2115 Mt. Carmel Road, Parkton, MD 21120
Carol S. Daisy, 1406 Mt. Carmel Road, Parkton, MD 21120
✓ Baltimore County Board of Appeals
People's Counsel

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

No 143360

Date: 12-8-17

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	000			6150			265.00
001	806	000			6150			50.00
								315.00

Total: ~~265.00~~

Rec From: Robert E. Ryan

For: DAH - Appeal + CD of Case No. 2018-0103
SPH

Hearing 11-30-17

2015 Mt. Carmel Rd.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 12/11/2017 12/08/2017 14:41:42 1
 REG W501 WALKIN LJR
 >>RECEIPT # 765613 12/08/2017 GFLN
 Dept 5 528 ZONING VERIFICATION
 CR NO. 143360

Recpt Tot \$315.00
 \$315.00 CR \$1.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

12/8/2017

FROM: ROBERT E RYAN

REFER: CASE # 2018-0103, SPH

RECEIVED

DEC 08 2017

OFFICE OF
ADMINISTRATIVE HEARINGS

SUBJECT: APPEAL ABOVE REFER CASE

ADM. LAW JUDGE JOHN E BEVERUNGEN RULED ON
THIS CASE 12/4/2017 SITED BALTD. CO. CODE 32-3-301
HE SITED THE FACT THAT IT IS UNAMBIGUOUSLY THAT
CHANGEABLE COPY SIGNS ARE NOT PERMITTED - OUTSIDE
THE U RDL B.C.Z. R. 450.7, B.I.D.

IT IS ON THIS POINT I WOULD LIKE TO ADDRESS
THIS APPEAL

Robert E. Ryan
4 William Ct
Sparks, Md 21152
PHONE # 410-456-1836
TRUSTEE CEDAR GROVE U.M.C.



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

December 4, 2017

Katie Douglas, Esq.
303 Pennsylvania Avenue
Towson, Maryland 21204

RE: Petitions for Special Hearing
Case No. 2018-0103-SPH
Property: 2015 Mt. Carmel Road

Dear Mrs. Douglas:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

c: Mike Pierce, 7448 Bradshaw Road, Kingsville, MD 21087
Douglas Zinn, 2400 Mt. Carmel Road, Parkton, MD 21120
Mark Letersky, 3211 Mt. Carmel Road, Upperco, MD 21155

T. Moore, VPC P.O. Box 5402, Towson, MD 21285
George Harmon, 5429 Weywood Dr., Reisterstown, MD 21136
Kelley Taylor, 2115 Mt. Carmel Road, Parkton, MD 21120
Carol S. Daisy, 1406 Mt. Carmel Road, Parkton, MD 21120

IN RE: **PETITION FOR SPECIAL HEARING** *
(**2015 Mt. Carmel Road**)
15th Election District *
3rd Council District *
Cedar Grove Church Cemetery, Inc. *
Legal Owner *
Petitioner *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2018-0103-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 Cedar Grove Church Cemetery, Inc., legal owner ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a "changeable copy" sign for a church located outside of the urban/rural demarcation line (URDL) in lieu of the prohibition requirements of Section 450.7.B.1.d of the B.C.Z.R.

Robert Ryan appeared in support of the petition. Katie Lee Douglas, Esq. represented Petitioner. Several neighbors opposed the request. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP). That agency "strongly" opposed the request. A site plan was marked and admitted as Petitioner's Exhibit 1.

According to the site plan the subject property is approximately 1 acre in size and zoned RC-2. The site is improved with a small church and cemetery, and is located along Mt. Carmel Road (Md. Rt. 137) in northern Baltimore County. In March of this year a vehicle left the roadway and destroyed the church's sign. The church replaced the sign with one that has a "changeable

ORDER RECEIVED FOR FILING

Date 12/4/17
By Sen

copy” component, which is not permitted in the rural portion of the County. A zoning violation citation was issued and that case was stayed to allow Petitioner to seek special hearing relief.

While I am sympathetic to the plight of the Church, I am not able to grant the petition. The Regulations expressly prohibit changeable copy signs outside of the URDL, and nothing in B.C.Z.R. §500.7 provides the Administrative Law Judge (ALJ) with the authority to ignore that mandate. There are simply no standards or guidelines by which to consider such a request, and I cannot decide such matters based on what appears equitable.

The Baltimore County Code (BCC) states that in a zoning case the ALJ is authorized to: (1) grant variances from area and height regulations; (2) interpret the zoning regulations; and (3) grant special exceptions. BCC §32-3-301. This case does not involve a request for variance or special exception. As such the ALJ in this case is only authorized to interpret the zoning regulations, and the prohibition at issue is explicitly and unambiguously stated; i.e., “changeable copy signs are not permitted...outside the urban rural demarcation line.” B.C.Z.R. §450.7.B.1.d.

Several citizens noted that schools in the area have changeable copy signs. While a good case can be made that schools, as members of the community, should be subject to the same rules as their neighbors, the law is otherwise. *Board of Child Care v. Harker*, 316 Md. 683 (1989) (state is exempt from Baltimore County zoning regulations).

THEREFORE, IT IS ORDERED this 4th day of **December, 2017** by this Administrative Law Judge, that the Petition for Special Hearing to permit a “changeable copy” sign for a church located outside of the urban/rural demarcation line (URDL) in lieu of the prohibition requirements of Section 450.7.B.1.d of the B.C.Z.R., be and is hereby DENIED.

ORDER RECEIVED FOR FILING

Date 12/4/17
By Sen

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:slh

ORDER RECEIVED FOR FILING

Date 12/4/17
By slh



PETITION FOR ZONING HEARING

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 2015 MTCARMEZ RD PARKTON which is presently zoned RC-2
Deed References: 0021/0069 10 Digit Tax Account # 2200013294
Property Owner(s) Printed Name(s) CLAYAR GROVE CHURCH CONGREGATION, INC

(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:

1. ☒ **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

TO PERMIT A "CHANGEABLE COPY" SIGN FOR A CHURCH LOCATED OUTSIDE OF THE URBAN/RURAL DEMARCATION LINE (UDRL) IN LIEU OF THE PROHIBITION REQUIREMENT

2. ☐ **a Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for (CONT'D) OF SECTION 450.7.B.1.d OF THE BC Z.R.

3. ☐ **a Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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:

Name- Type or Print

Signature

Mailing Address

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER

2008-0103SPH

Filing Date

10/10/17

Do Not Schedule Dates:

Reviewer

W

MARTIN

MARTIN
&
PHILLIPS

PHILLIPS

&

DESIGN ASSOCIATES, INC.

LAND PLANNING, CIVIL ENGINEERING, LANDSCAPE ARCHITECTURE, DEVELOPMENT CONSULTING, ZONING
222 BOSLEY AVENUE, SUITE B1, TOWSON, MARYLAND 21204

ZONING DESCRIPTION

September 20, 2017

Cedar Grove Church Cemetery, Inc.
P.O. Box 333
Monkton, Maryland 21111
Election District 07
Councilmanic District 3

Beginning for the description of Parcel 0069 on tax map 0021 in Baltimore County, at the centerline intersections of Mt. Carmel Road being 24' wide and Cedar Grove Road, 40' wide thence S 45° 41' 13" W 53.88' feet more or less to a point of beginning at the northeastern most corner of the subject address,

Thence the following courses:

- 1) S30° 23' 43" W, 84.94', more or less, thence
- 2) S28° 01' 32" W, 33.89' more or less, thence to a curve having chord bearing of
- 3) S87° 53' 34" E, 46.91', and a Radius of 35' more or less, thence
- 4) N67° 48' 49" W, 99.60', more or less, thence
- 5) N67° 39' 49" W, 80.25', more or less, thence
- 6) N65° 58' 50" W, 60.25' more or less, thence to a curve having chord bearing of
- 7) N14° 15' 37" E, 19.71' and a Radius of 10' more or less, thence to a curve along Mt. Carmel Road having a chord bearing of
- 8) N85° 53' 09" E, 309.62' and a Radius of 1033.50' more or less, thence to a curve having a chord bearing of
- 9) S36° 10' 01" E, 18.35' and a Radius of 10.00', more or less, thence back to the Point of Beginning.

Containing 23,416.43 Square Feet or .5376 Acres of area more or less.

The above bearings are based on the Maryland State Coordinate System (NAD83/91).

NOTE: THE ABOVE DESCRIPTION IS FOR ZONING PURPOSES ONLY AND IS NOT TO BE USED FOR CONTRACTS, CONVEYANCES OR AGREEMENTS.

TELEPHONE: 410.321.8444, TOLL FREE: 866.395.8595
FAX: 410.321.1175



2018-0103-3PH

CERTIFICATE OF POSTING

Date: 11/10/2017

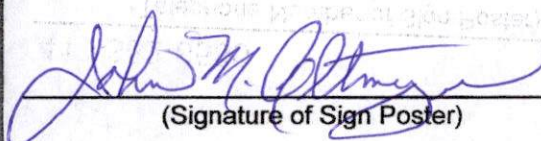
RE: Project Name: Public Hearing
Case Number /PAI Number: 2018-0103-SPH
Petitioner/Developer: Robert Ryan
Date of Hearing/Closing: 11/30/2017

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 2015 Mt. Carmel Rd.
Parkton, MD. 21120

The sign(s) were posted on 11/10/2017

(Month, Day, Year)




(Signature of Sign Poster)

John M. Altmeyer
(Printed Name of Sign Poster)

21722 Orwig Rd.
(Street Address of Sign Poster)

Freeland, MD. 21053
(City, State, Zip Code of Sign Poster)

410-382-6580
(Telephone Number of Sign Poster)

KEVIN KAMENETZ
County Executive

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

October 16, 2017

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: 2018-0103-SPH

2015 Mt. Carmel Road

N/s of Cedar Grove Road at the western corner of Mt. Carmel Road

5th Election District – 3rd Councilmanic District

Legal Owners: Robert Ryan

Special Hearing to permit a "changeable copy" sign for a church located outside of the urban/rural demarcation line (URDL) in lieu of the prohibition requirements of Section 450.7.B.1.d of the BCZR.

Hearing: Thursday, November 30, 2017 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is located below the hearing information.

Arnold Jablon
Director

AJ:kl

C: Katie Lee Douglas, 303 W. Pennsylvania Avenue, Towson 21204
Robert Ryan, 2015 Mt. Carmel Road, Parkton MD 21120

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 10, 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 410-887-3391.**



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 5281443

Sold To:

Katie Lee Douglas - CU00626631
303 W Pennsylvania Ave
Towson, MD 21204-4412

Bill To:

Katie Lee Douglas - CU00626631
303 W Pennsylvania Ave
Towson, MD 21204-4412

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

Nov 09, 2017

NOTICE OF ZONING HEARING

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Case: # 2018-0103-SPH
2015 Mt Carmel Road
N/s of Cedar Grove Road at the western corner of Mt. Carmel Road
5th Election District - 3rd Councilmanic District
Legal Owner(s) Robert Ryan

Special Hearing to permit a "changeable copy" sign for a church located outside of the urban/rural demarcation line (URDL) in lieu of the prohibition requirements of Section 450.7.B.1.d of the BCZR.

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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.

11/048 - November 9 5281443

The Baltimore Sun Media Group

By

S. Wilkinson

Legal Advertising



KEVIN KAMENETZ
County Executive

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

October 16, 2017

NOTICE OF ZONING HEARING

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Legal Owners: Robert Ryan

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Arnold Jablon
Director

AJ:kl

C: Katie Lee Douglas, 303 W. Pennsylvania Avenue, Towson 21204
Robert Ryan, 2015 Mt. Carmel Road, Parkton MD 21120

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

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
2015 Mount Carmel Road; N/S Cedar Grove *
Road, at Western corner of Mt. Carmel Road * OF ADMINISTRATIVE
5th Election & 3rd Councilmanic Districts *
Legal Owner(s): Robert Ryan * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2018-103-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.

RECEIVED

OCT 17 2017

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of October, 2017, a copy of the foregoing Entry of Appearance was mailed to Katie Lee Douglas, Esquire, 303 West Pennsylvania Avenue, Towson, Maryland 21204, Attorney 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*

November 22, 2017

Robert Ryan
2015 Mt. Carmel Road
Parkton MD 21120

RE: Case Number: 2018-0103 SPH, Address: 2015 Mt. Carmel Road

Dear Mr. Ryan:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 19, 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
Katie Lee Douglas, Esquire, 303 W Pennsylvania Avenue, Towson MD 21204

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM**

DATE: 11/21/2017

RECEIVED

NOV 28 2017

OFFICE OF
ADMINISTRATIVE HEARINGS

TO: ZONING ADVISORY COMMITTEE COMMENTS

Arnold Jablon
Deputy Administrative Officer and
Director of permits, Approvals and Inspections

Andrea Van Arsdale
Director, Department of Planning

FROM:

Case Number: 18-103
2015 Mount Carmel Road

SUBJECT:

RC 2
Special Hearing
Robert Ryan

INFORMATION:

Property Address:

Petitioner:

Zoning:

Peop
Off
K.
C.
A

Requested Action:

The Department of Planning has reviewed the petition for a special hearing to permit a changeable copy

sign for a church located outside of the Urban Demarcation Line (URDL) in lieu of the prohibition

requirement of section 450.7.B.1.d of the BCR.

A site visit was conducted on October 26, 2017. Mt. Carmel Rd. is part of the "Horses and Hounds" State

Scenic Route, so designated to "offer a taste of Maryland's scenic beauty, history and culture". By its

any direction along Mount Carmel Rd. The church is situated within an area of 17,000 acres of preserved

unique location, the Cedar Grove United Methodist Church is a focal point as a traveler approaches from

agricultural land and is surrounded by the Piney Run Rural Legacy Area.

The Department strongly opposes granting the petitioned zoning relief.

The Comprehensive Manual of Development Policies (CMP), authorized through Section 504.2

any direction along Mount Carmel Rd. The church is situated within an area of 17,000 acres of preserved

agricultural land and is surrounded by the Piney Run Rural Legacy Area.

The Department strongly opposes granting the petitioned zoning relief.

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The Comprehensive Manual of Development Policies (CMP), authorized through Section 504.2

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The Department strongly opposes granting the petitioned zoning relief.

The Comprehensive Manual of Development Policies (CMP), authorized through Section 504.2

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agricultural land and is surrounded by the Piney Run Rural Legacy Area.

The Department strongly opposes granting the petitioned zoning relief.

s:\planning\dev rev\zac\zaacs 2018\18-103.docx

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: October 23, 2017

FROM: *MD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 26, 2017
Item No. 2018-0103-SPH, 0104-A, 0106-A and 0107-SPHA

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

*

*

*

*

*

VKD: efc
cc: file

Date: 10/16/17

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

Dear Ms. Lewis:

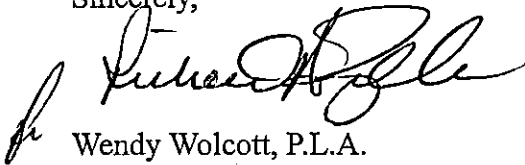
We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 10/16/17. A field inspection and internal review reveals that an entrance onto MD137 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for

Special Hearing, Case Number 2018-0103-SHA.

Special Hearing
Robert Ryon
2015 Mt. Carmel Road
MD137

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, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

CASE NAME 2018-0103-SPH
CASE NUMBER Mt. Carmel Rd.
DATE 11-30-17

[illegible]

CASE NAME 2018-103
CASE NUMBER
DATE Nov 30 2017

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
------	---------	------------------	----------

[illegible]



Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 07 Account Number - 2200013294			
Owner Information					
Owner Name:	CEDAR GROVE CHURCH CEMETERY INC		Use:	EXEMPT COMMERCIAL NO	
Mailing Address:	P O BOX 333 MONKTON MD 21111-0333		Deed Reference:	/29618/ 00120	
Location & Structure Information					
Premises Address:	2015 MT CARMEL RD 0-0000		Legal Description:	1 AC 2015 MT CARMEL RD SS ES COR CEDAR GROVE RD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0021	0021	0069		0000	2017
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
				01	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of 01/01/2017	As of 07/01/2017	As of 07/01/2018	
Land:	40,000	40,000			
Improvements	34,300	34,300			
Total:	74,300	74,300	74,300	74,300	
Preferential Land:	0			0	
Transfer Information					
Seller: TRUSTEES CEDAR GROVE		Date: 06/24/2010		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /29618/ 00120		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2017	07/01/2018		
County:	700	74,300.00	74,300.00		
State:	700	74,300.00	74,300.00		
Municipal:	700	0.00 0.00	0.00 0.00		
Tax Exempt:	Special Tax Recapture:				
Exempt Class:	NONE				
Homestead Application Information					

John E. Beverungen

From: David Rickett <craigslist.renshaw@gmail.com>
Sent: Thursday, November 30, 2017 5:46 PM
To: John E. Beverungen; Lawrence Stahl
Subject: Cedar Grove Church Sign

Judge Stahl and Judge Beverungen,

I am contacting the Office of Administrative Hearings to express my support for the Cedar Grove Church case 2018-0103-SPH and request that they be allowed to use the electronic changeable copy sign.

This case came to my attention because of an article in the local Country Chronicle. This is another case that is featured in this paper that has gotten under my skin like many other cases that seem to be extremely prevalent in this part of Maryland. I live about 10 minutes from this church, so I am in the area. It is my opinion that people should be allowed to do what they want on their property. If you don't like something that is on someone else's property, you should buy the property and take it down. It bothers me that our laws have come to the place where one neighbor can attack another based on preference.

I do not go to the church, or even necessarily agree with the church, but if they want to pay to put a sign on their property, I don't think it is our place as neighbors to tell them they can't.

Derek Renshaw
825 Shawan Rd

Debra Wiley

LS 11/30
11 Am

From: Lawrence Stahl
Sent: Thursday, November 30, 2017 9:00 AM
To: Debra Wiley
Subject: FW: Cedar Grove Church Sign - Support



For the file

From: Gustavo Rodriguez [mailto:g.rod1981@gmail.com]
Sent: Wednesday, November 29, 2017 10:02 PM
To: John E. Beverungen <jbeverungen@baltimorecountymd.gov>; Lawrence Stahl <lstahl@baltimorecountymd.gov>
Subject: Cedar Grove Church Sign - Support

Judge Stahl and Judge Beverungen,
I am contacting the Office of Administrative Hearings to express my support for the Cedar Grove Church case 2018-0103-SPH and request that they be allowed to use the electronic changeable copy sign.

I live off of Mt. Carmel Road and pass this church on a regular basis. The church's new sign does not detract from the rural area. If this sign is considered unfit to be in a rural area, the same could be said for LED Christmas lights or giant Star Wars inflatable Christmas lawn ornaments. I am not suggesting any regulations on Christmas lights, I am just using that to illustrate the point. The sign is perfectly appropriate in the area as well as its function for the church. Many churches and other institutions use these signs currently including those outside the URDL.

What is especially concerning is allowing a local school or other institutions to use this type of sign and not allow the church. The sign regulations should follow a consistent standard and should be applied consistently across the local area. If there are inconsistencies, then the regulation should be reconsidered and become less restrictive.

I understand from reading the local Country Chronicle that there are local community groups that express concerns with allowing the sign. While the community groups have a right to make their concerns known, this should only apply if they have purview in the area. This case is certainly outside the purview of Sparks-Glencoe and Falls Road Community groups.

Thank you for your time and consideration.

Gus Rodriguez
3134 Traceys Store Road
Parkton, MD 21120

Sherry Nuffer

From: June Wisnom
Sent: Wednesday, November 29, 2017 2:52 PM
To: Sherry Nuffer
Subject: FW: Hearing on Nov 30th for 2015 Mt Carmel Road



From: Pat Bailey [mailto:pbailey@saintjamesacademy.org]
Sent: Wednesday, November 29, 2017 2:38 PM
To: June Wisnom <jwisnom@baltimorecountymd.gov>
Subject: Hearing on Nov 30th for 2015 Mt Carmel Road

Dear Ladies and Gentlemen:

I am writing to express my shock and disappointment in the controversy over the signage at the Cedar Grove Methodist Church. Granted, I am basing my feelings on an article I read in the local paper but I was astounded to learn that so many conservation and community groups were banded together to protest this new sign. I love the natural beauty of our Northern Baltimore County but I truly do not think this sign will cause us to become a Las Vegas-style avenue of neon. I have seen the new sign at the church and it is not at all offensive. And what about the electronic signs at the schools? Just how does that work in keeping the North County rural?

Please stop beating up on the little guy.

--

Pat Bailey
Secretary
St James Academy
3100 Monkton Rd.
Monkton, MD 21111
410-771-4816

**** CONFIDENTIALITY NOTICE 032807 ****

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STATE OF MARYLAND
BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY

IN RE:	/	
	/	
PETITION FOR SPECIAL HEARING	/	<u>OPPOSITION</u> TO THE REQUEST TO
(2015 MT. CARMEL ROAD)	/	PERMIT A "CHANGEABLE COPY"
	/	SIGN FOR A CHURCH LOCATED
CEDAR GROVE UNITED METHODIST	/	OUTSIDE OF THE URBAN / RURAL
CHURCH,	/	DEMARCATON LINE (URDL) IN LIEU
	/	OF THE PROHIBITION
<i>Petitioners</i>	/	REQUIREMENTS OF SECTION
	/	450.7.B.1.d OF THE BCZR
	/	
	/	CASE NO.: 2018-0103-SPH
	/	

OPPOSITION TO THE REQUEST TO PERMIT A "CHANGEABLE COPY" SIGN FOR
A CHURCH LOCATED OUTSIDE OF THE URBAN / RURAL DEMARCATON LINE
(URDL) IN LIEU OF THE PROHIBITION REQUIREMENTS OF SECTION 450.7.B.1.d
OF THE BALTIMORE COUNTY ZONING REGULATIONS

Citizen MARK LETERSKY residing at 3211 Mt. Carmel Road, Upperco, Maryland,
21155, hereby offers this OPPOSTION to the Petitioners request to permit a "changeable copy"
sign in our community (Section 450.7.B.1.d of the BCZR) as follows:

Exiting the I-83 and approximately four miles into the countryside on Mt. Carmel Road you will encounter farm land on one or both sides almost your entire drive. At this point, you would come upon a traditional church with a notable red roof. Most simply refer to it as, "The Red Roof Church."

Not too long ago, I believe it was a driver of a pick-up truck at night lost control and struck the long standing modest roadside sign for the church. Apparently without application or permit, a replacement changeable copy sign appeared illuminating an extended area with strobe flashing fluorescent colors and lights mesmerizing and distracting drivers in both directions.

The amount of signage in Baltimore County is already excessive. Excessive signage unduly distracts drivers and pedestrians, thereby creating traffic and safety hazards, and impairing the utility of the roadways. Mt. Carmel Road has become a concourse of excessive speed, commuters traversing the back roads and truckers evading the I-83 scales. Baltimore County Police regularly position themselves on Cedar Grove Road beside the church in an attempt to regulate the speed of drivers on Mt. Carmel Road. Increasing fatalities on Mt. Carmel Road occur despite the posted speed limit not to exceed 40 m.p.h. The new changeable copy sign for the Cedar Grove Church obnoxiously dominates the surrounding area and presents a new distracting driving hazard for traffic on Mt. Carmel Road. Again, their original sign was replaced due to an accident damaging it and likely prevented structural damage to the church itself.

Baltimore County's appearance is marred by excessive signage inside of the URDL, property values and public investments are jeopardized, scenic routes are diminished, and revitalization and conservation efforts are impeded by excessive signage and incompatible signage. To that end, our Zoning Regulations are intended to be the least restricting means to achieve the elimination and restriction of signs which constitute an actual or potential distraction

or other hazard to the safe operation of motor vehicles or the safe passage of pedestrians. Worse yet are the strobe effects of the changeable copy signs which project high-intensity short-duration light pulses into oncoming traffic. The illumination of this sign operates at a constant high intensity and has the appearance of movement or of being illuminated by flashing, blinking, strobing, oscillating or alternating lights. In addition to the limitations of Section 450.4, electronic changeable copy signs are not permitted outside the urban rural demarcation line for this very reason.

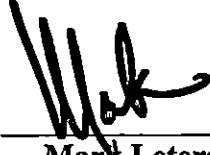
In considering requests for special exceptions and variances, the provisions of this section of the BCZR must and shall be strictly construed. No special exception or variance may be granted if it will result in the authorization of a sign class which is not otherwise permitted for a particular zone or use by Section 450.4. Without being disrespectful to the church, there is no far reaching social value in messages relayed by a sign in this manner. The church posts only 37 members in their congregation, and they host only one annual community event which is a flea market once a year in August.

CONCLUSION

This citizen hereby respectfully requests this court, as a matter of public safety, ORDER this nonconforming and illegal sign be removed in accordance with the abatement provisions in Section 450.8.D. Notwithstanding the provisions of Section 104.1 concerning nonconforming uses, this sign must be respectfully requested removed as it violates Section 450.6.A.8 by having illegal moving or changeable parts and violates Section 450.6.B by having improper illumination, but specifically, the sign must be respectfully requested removed as the sign is an electronic changeable copy sign directly violating Bill No. 106-2008.

Respectfully submitted,

MARK LETERSKY

By: 

Mark Letersky
3211 Mount Carmel Road
Upperco, MD 21155
443-310-4328

ATTACHMENT I: Photograph of the current sign in proximity to Mt. Carmel Road across from the cornfields and adjacent to the Christmas tree farm



ATTACHMENT II: Photograph of the sign in relation to the line of sight for traffic



ATTACHMENT III: Photograph of the recently replaced sign, as well as the repaired trellis fencing surrounding the church's oil tank, also damaged in the accident involving the original sign



Sherry Nuffer

From: June Wisnom
Sent: Thursday, November 30, 2017 9:44 AM
To: Sherry Nuffer
Subject: FW: Case# 2018-0103-SPH



From: Ryan Fair [mailto:rkfair02@gmail.com]
Sent: Wednesday, November 29, 2017 8:13 PM
To: June Wisnom <jwisnom@baltimorecountymd.gov>
Subject: Fwd: Case# 2018-0103-SPH

To whom it concerns,

I deeply regret that I am unable to attend the public heard regarding case# 2018-0103-SPH; a changeable copy sign, in front of Cedargrove United Methodist Church (UMC) on Mt Carmel road (Rt 137) schedule for November 30th, 2017.

I am firmly convinced that the sign Cedargrove UMC erected and is currently seeking a variance for unequivocally detracts from the bucolic countryside that we, the residents along Mt Carmel Rd, have long enjoyed. With its garish display in day and worse at night, the sign is completely out of place and seems better suited to strip mall environs. Actually, that sign wouldn't be allowed in the clustered commercial buildings in nearby Hereford!

I politely request that the deciding authority affirm the existing zoning law and deny the variance.

Please reach out to me to clarify my comments or for feedback on my letter to the County.

In good faith,
Ryan Fair

16776 Gorsuch Mill Road
Upperco, MD 21155

443-858-6515

These signs are not permitted in the rural part of the county. This sign was installed without the proper permits.

I understand this will be reviewed at a special hearing before you on November 30. We urge you to deny the request for this sign.

Thank you for your attention to this important matter.

Kathleen Pieper
President
North County Community Group
4310 Beckleysville Road
Hampstead, MD 21074

Sent from my iPhone



Sherry Nuffer

From: John E. Beverungen
Sent: Monday, November 06, 2017 11:07 AM
To: Sherry Nuffer; Debra Wiley
Subject: FW: Case # 2018-0103-SPH

For the file

From: Kathie [mailto:knotgarden57@comcast.net]
Sent: Friday, November 03, 2017 2:44 PM
To: John E. Beverungen <jbeverungen@baltimorecountymd.gov>
Subject: Case # 2018-0103-SPH

Dear ALJ Beverungen:

The North County Community Group joins with other northern Baltimore County community groups in opposition to permit a changeable copy sign for the Cedar Grove United Methodist Church.

11-30-17

Sherry Nuffer

From: John E. Beverungen
Sent: Friday, November 03, 2017 12:21 PM
To: Debra Wiley; Sherry Nuffer
Subject: FW: Case # 2018-0103-SPH

Can you keep this for the file please

From: Harold H. Burns, Jr. Esq. [mailto:burnsesq@earthlink.net]
Sent: Friday, November 03, 2017 12:08 PM
To: John E. Beverungen <jbeverungen@baltimorecountymd.gov>
Cc: Board FRCA <frcaboard@yahoo.com>
Subject: Case # 2018-0103-SPH

Sir:

With regard to the above-referenced request for a special hearing filed by the Cedar Grove United Methodist Church, the Falls Road Community Association is in accord with the opposition stated by other County community associations and agrees that the permission requested should be denied.

Big, brightly lit, changeable copy signs are not permitted in the rural areas of our county because they are inappropriate and dangerous.

Such signs are terribly distracting to drivers and impossible to ignore in such dark areas.

They add an enormous amount of ambient light in an area with little to begin, and that light - both direct and ambient - makes it difficult to see the night sky, not to mention the wildlife wandering our country roads.

Finally, these bright signs are hazardous. One glance at them - which is practically impossible to avoid - will obliterate a driver's night vision, which vision is already radically reduced among members of our aging population. Passing drivers, who are thus blinded by the light, must negotiate the dark and winding roads that characterize the rural County.

Moreover, the sign at issue was installed without the proper permits.

Accordingly, the FRCA urges you to deny the requested relief when this matter comes before you at the special hearing on November 30th,

Thank you for your attention to this matter.

Regards,

Harold H. Burns, Jr., President
Falls Road Community Association

5 Candlestick Drive

[REDACTED]therville, Maryland 21093

0-321-0044

John E. Beverungen

From: Lynne Jones <dryad101@hotmail.com>
Sent: Wednesday, November 01, 2017 2:44 PM
To: John E. Beverungen
Subject: Changeable Message Sign — Cedar Grove United Methodist Church

Case #2018-0103-SPH

Dear Judge Beverungen:

I understand that there is a special hearing scheduled for November 30, 2017, regarding the above referenced matter. The Sparks Glencoe Community Planning Council joins the Valleys Planning Council in opposition to this sign. This type of sign is not permitted in this area; it was installed without a permit; and I understand that the County has issued a citation.

Thank you for your consideration in this matter.

Sincerely,

Lynne Jones
President, Sparks Glencoe Community Planning Council

"You have not lived today until you have done something for someone who can never repay you." - John Bunyan

John E. Beverungen

From: Teresa Moore <teresa@thevpc.org>
Sent: Wednesday, November 01, 2017 9:24 AM
To: John E. Beverungen
Subject: Case # 2018-0103-SPH

Dear ALJ Beverungen:

The Valleys Planning Council would like to go on record as OPPOSED to the special hearing to permit a changeable copy sign for the Cedar Grove United Methodist Church.

These signs are not permitted in the rural part of the county and the sign was installed without the proper permits. I understand this will be reviewed at a special hearing before you on November 30. We urge you to deny the request for this sign.

Thank you for your attention to this important matter.

Teresa Moore
Executive Director
Valleys Planning Council
410-337-6877

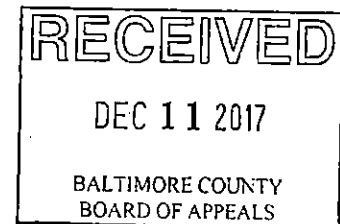


KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

December 11, 2017

Katie Lee Douglas, Esq.
303 Pennsylvania Avenue
Towson, Maryland 21204



RE: **APPEAL TO BOARD OF APPEALS**
Petition for Special Hearing
Case No. 2018-0103-SPH
Property: 2015 Mt. Carmel Road

Dear Ms. Douglas:

Please be advised that an appeal of the above-referenced case was filed in this Office on December 8, 2017. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", followed by a stylized flourish.

JOHN E. BEVERUNGEN
Managing Administrative Law Judge
for Baltimore County

JEB/dlw

c: Robert E. Ryan, 4 William Court, Sparks, MD 21152
Douglas Zinn, 2400 Mt. Carmel Road, Parkton, MD 21120
Mark Letersky, 3211 Mt. Carmel Road, Upperco, MD 21155
Mike Pierce, 7448 Bradshaw Road, Kingsville, MD 21087
T. Moore, VPC, P.O. Box 5402, Towson, MD 21285
George Harmon, 5429 Weywood Dr., Reisterstown, MD 21136
Kelley Taylor, 2115 Mt. Carmel Road, Parkton, MD 21120
Carol S. Daisy, 1406 Mt. Carmel Road, Parkton, MD 21120
Baltimore County Board of Appeals
People's Counsel



Date: 11/21/2017
Subject: ZAC #18-103
Page 2

For further information concerning

Prepared by:

Joseph Wiley
Katie Lee Douglas
Office of the Administrative Hearings
People's Counsel for Baltimore County

T. Moxley

S/LTM/ka

Regarding the matters stated herein, please contact Joseph Wiley at 410-887-3480.

Division Chief:

Kathy Schlabach
Kathy Schlabach



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

DATE: 11/21/2017

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

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-103

INFORMATION:
Property Address: 2015 Mount Carmel Road
Petitioner: Robert Ryan
Zoning: RC 2
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for a special hearing to permit a changeable copy sign for a church located outside the Urban Demarcation Line (URDL) in lieu of the prohibition requirement of section 450.7.B.1.d of the BCZR.

A site visit was conducted on October 26, 2017. Mt. Carmel Rd. is part of the "Horses and Hounds" State Scenic Route, so designated to preserve a taste of Maryland's scenic beauty, history and culture". By its unique location, the Cedar Glen Rd. The church is situated within an area of 17,000 acres of preserved agricultural land and is surrounded by the Piney Run Rural Legacy Area.

The Department strongly supports granting the petitioned zoning relief.

The Comprehensive Management and Development Policies (CMDP), authorized through Section 504.2 of the Baltimore County Zoning Ordinance, sets guidelines for development along scenic roads. CMDP, Division VI, Section 605 states: "Design and locate utilities, drainage structures, bridges, lighting, signage, features and street furniture to harmonize with the surroundings and to create the least visual impact on the scenic resources."

The focus of the scenic route of this portion of Mt. Carmel Rd. should be on the church and the surrounding rural landscape. Any changeable copy sign will redirect that focus from the church and farmland to the changeable copy signs outside of the URDL. This prohibition emanates from the surrounding rural landscape and also the state scenic designation. BCZR § 450.7.B.1.d explicitly prohibits changeable copy signs outside of the URDL. This prohibition emanates from the careful consideration of Bill 106-2008 by the Baltimore County Planning Board and the Baltimore County Council sought to preserve the rural characteristic of northern Baltimore County. Allowing a changeable copy sign at this location would set a precedent that is contrary to the goals of those bodies and we



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 2015 MT. CARMEL ROAD which is presently zoned RC-2
Deed References: 0021 / 0069 10 Digit Tax Account # 2200013294
Property Owner(s) Printed Name(s) CEBAR GROVE CHURCH CEMETERY INC

(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:

1. ☒ **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve TO PERMIT A 'CHANGEABLE COPY' SIGN FOR A CHURCH LOCATED OUTSIDE OF THE URBAN/RURAL DEMARCATION LINE (UDRL) IN VIOLATION OF THE PROHIBITION REQUIREMENTS OF SECTION 450.7.B.1.a & B.C.2.R.
2. ☐ **a Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☐ **a Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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:

Name- Type or Print _____
Signature _____
Date 12/4/17
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Name- Type or Print KATHLEEN DOUGLAS, ESQ
Signature _____
Mailing Address 303 W PENNSYLVANIA AVE TOWSON City _____ State MD
Zip Code 21204 Telephone # 443.309.5883 Email Address KATHESQ@COMCAST.NET

Legal Owners (Petitioners):

Name #1 - Type or Print ROBERT RYAN Name #2 - Type or Print _____
Signature #1 Robert Ryan Signature #2 _____
Mailing Address 2015 MT CARMEL RD MD City _____ State _____
Zip Code 21220 Telephone # 410.456.1836 Email Address _____

Representative to be contacted:

Name- Type or Print KATHLEEN DOUGLAS
Signature _____
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2008-0103-SPH Filing Date 10/10/17 Do Not Schedule Dates: _____ Reviewer W



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 2015 MT CARMEL ROAD which is presently zoned RC-2
Deed References: _____ 10 Digit Tax Account # 22 0001 3774
Property Owner(s) Printed Name(s) CEDAR GROVE CHURCH CEMETERY, INC

(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:

1. ☒ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve TO PERMIT A "CHANGEABLE COPY" SIGN FOR A CHURCH LOCATED OUTSIDE OF THE URBAN/RURAL DEMARCATION LINE (UDRL) IN LIEU OF THE PROHIBITION REQUIREMENTS OF SECTION 450.7.B.12. OF THE
2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for B.C.Z.R.
3. ☐ a **Variance** from Section(s) _____

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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:

Name- Type or Print

Signature

Mailing Address

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER

2008-0103-SPH

Filing Date

10/10/17

Do Not Schedule Dates:

Reviewer

ZLH

MARTIN

MARTIN
&
PHILLIPS

&

PHILLIPS

DESIGN ASSOCIATES, INC.

LAND PLANNING, CIVIL ENGINEERING, LANDSCAPE ARCHITECTURE, DEVELOPMENT CONSULTING, ZONING
222 BOSLEY AVENUE, SUITE B1, TOWSON, MARYLAND 21204

ZONING DESCRIPTION

September 20, 2017

Cedar Grove Church Cemetery, Inc.
P.O. Box 333
Monkton, Maryland 21111
Election District 07
Councilmanic District 3

Beginning for the description of Parcel 0069 on tax map 0021 in Baltimore County, at the centerline intersections of Mt. Carmel Road being 24' wide and Cedar Grove Road, 40' wide thence S 45° 41' 13" W 53.88' feet more or less to a point of beginning at the northeastern most corner of the subject address,

Thence the following courses:

- 1) S30° 23' 43" W, 84.94', more or less, thence
- 2) S28° 01' 32" W, 33.89' more or less, thence to a curve having chord bearing of
- 3) S87° 53' 34" E, 46.91', and a Radius of 35' more or less, thence
- 4) N67° 48' 49" W, 99.60', more or less, thence
- 5) N67° 39' 49" W, 80.25', more or less, thence
- 6) N65° 58' 50" W, 60.25' more or less, thence to a curve having chord bearing of
- 7) N14° 15' 37" E, 19.71' and a Radius of 10' more or less, thence to a curve along Mt. Carmel Road having a chord bearing of
- 8) N85° 53' 09" E, 309.62' and a Radius of 1033.50' more or less, thence to a curve having a chord bearing of
- 9) S36° 10' 01" E, 18.35' and a Radius of 10.00', more or less, thence back to the Point of Beginning.

Containing 23,416.43 Square Feet or .5376 Acres of area more or less.

The above bearings are based on the Maryland State Coordinate System (NAD83/91).

NOTE: THE ABOVE DESCRIPTION IS FOR ZONING PURPOSES ONLY AND IS NOT TO BE USED FOR CONTRACTS, CONVEYANCES OR AGREEMENTS.

TELEPHONE: 410.321.8444, TOLL FREE: 866.395.8595
FAX: 410.321.1175



2018-0103-SPH

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

NO. 157274

Date: 10/10/17

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

Total: 500.00

Rec From:

For: 2015 Mt Camp 1 RD

2018-0103-SPH

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 10/13/2017 10/12/2017 15:47:25 2
 REG #502 WALKIN JEE
 >>RECEIPT # 031735 10/12/2017 GFLN
 Dept 5 528 ZONING VERIFICATION
 CR NO. 157274
 Recpt Tot \$500.00
 \$500.00 CR \$0.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment10/23DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)no commentsDEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

OPPOSED11/28PLANNING
(if not received, date e-mail sent _____)10/16

STATE HIGHWAY ADMINISTRATION

no objection

TRAFFIC ENGINEERING

11/1Valley's Planning CouncilOPPOSED

COMMUNITY ASSOCIATION

11/1Sparks BlendoOPPOSED

ADJACENT PROPERTY OWNERS

11/3Cedar Grove Church -- North County Comm. Group - OPPOSED

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

11/9/17

SIGN POSTING

Date:

11/10/17

by

Altmeppen

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____



KEVIN KAMENETZ
County Executive

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

October 16, 2017

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: 2018-0103-SPH

2015 Mt. Carmel Road

N/s of Cedar Grove Road at the western corner of Mt. Carmel Road

5th Election District – 3rd Councilmanic District

Legal Owners: Robert Ryan

Special Hearing to permit a "changeable copy" sign for a church located outside of the urban/rural demarcation line (URDL) in lieu of the prohibition requirements of Section 450.7.B.1.d of the BCZR.

Hearing: Thursday, November 30, 2017 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Katie Lee Douglas, 303 W. Pennsylvania Avenue, Towson 21204
Robert Ryan, 2015 Mt. Carmel Road, Parkton MD 21120

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 10, 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 410-887-3391.**

TO: PATUXENT PUBLISHING COMPANY
Thursday, November 9, 2017 Issue - Jeffersonian

Please forward billing to:
Katie Lee Douglas
303 W. Pennsylvania Avenue
Towson, MD 21204

443-309-5283

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:

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

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

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.

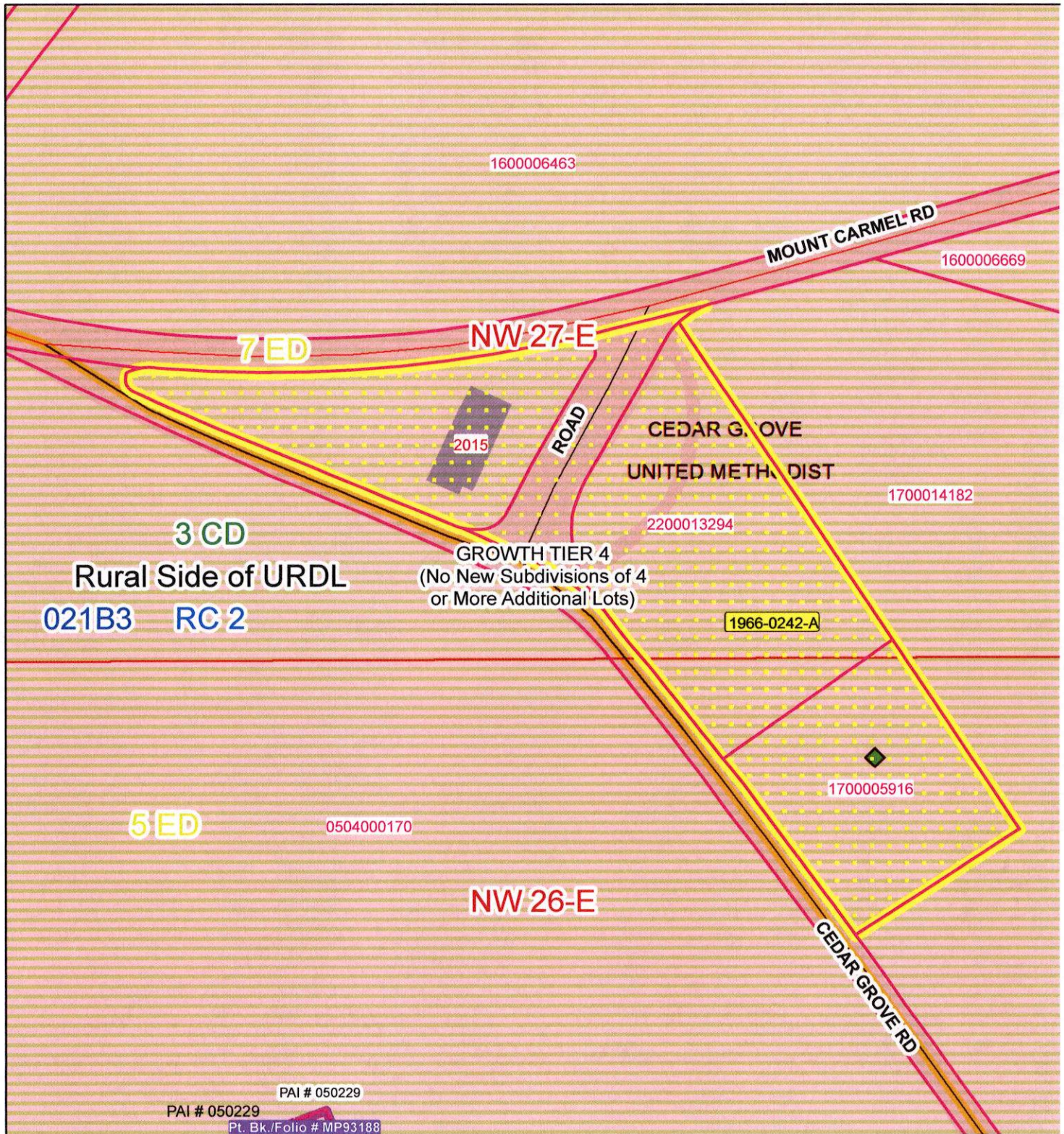
For Newspaper Advertising:

Case Number: 2018-0103-SPH
Property Address: 2015 Mt Carmel Road
Property Description: _____
Legal Owners (Petitioners): Cedar Grove Church Cemetery, Inc
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: KATE LEE DOUGLAS, ESQ
Company/Firm (if applicable): KATE LEE DOUGLAS
Address: 303 W PENNSYLVANIA AVE
TOWSON, MD 21204
Telephone Number: 443.309.5283

2015 Mount Carmel Road 20.3-0103-SPH



Publication Date: 10/10/2017



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



0 25 50 100 150 200 Feet

1 inch = 100 feet

Board of Appeals

Case No: 18-103-SPH Case Name: Cedar Grove Church Cemetery, Inc.

Exhibit List

Party: People's Counsel Date: 2/15/18

Exhibit No:	Description:
✓ 1	Map identifying Church on Mt. Carmel Rd.
✓ 2	Balt. County - My Neighborhood Map (noting church location)
✓ 3	Planning Office's Comments 11/21/17
✓ 4	Part III Comprehensive Manual of Development Policies (page 65)
✓ 5	Balto. Co., MD Office of Planning Memo 4/9/08
✓ 6	Balto. Co. Bill 106-08
✓ 7	Master Plan 2010: Map 1 URDL (page 3)
✓ 8	Map 26: Scenic Routes (page 100)
	VERIFIED BY <u>KC</u> DATE: <u>2/21/18</u>



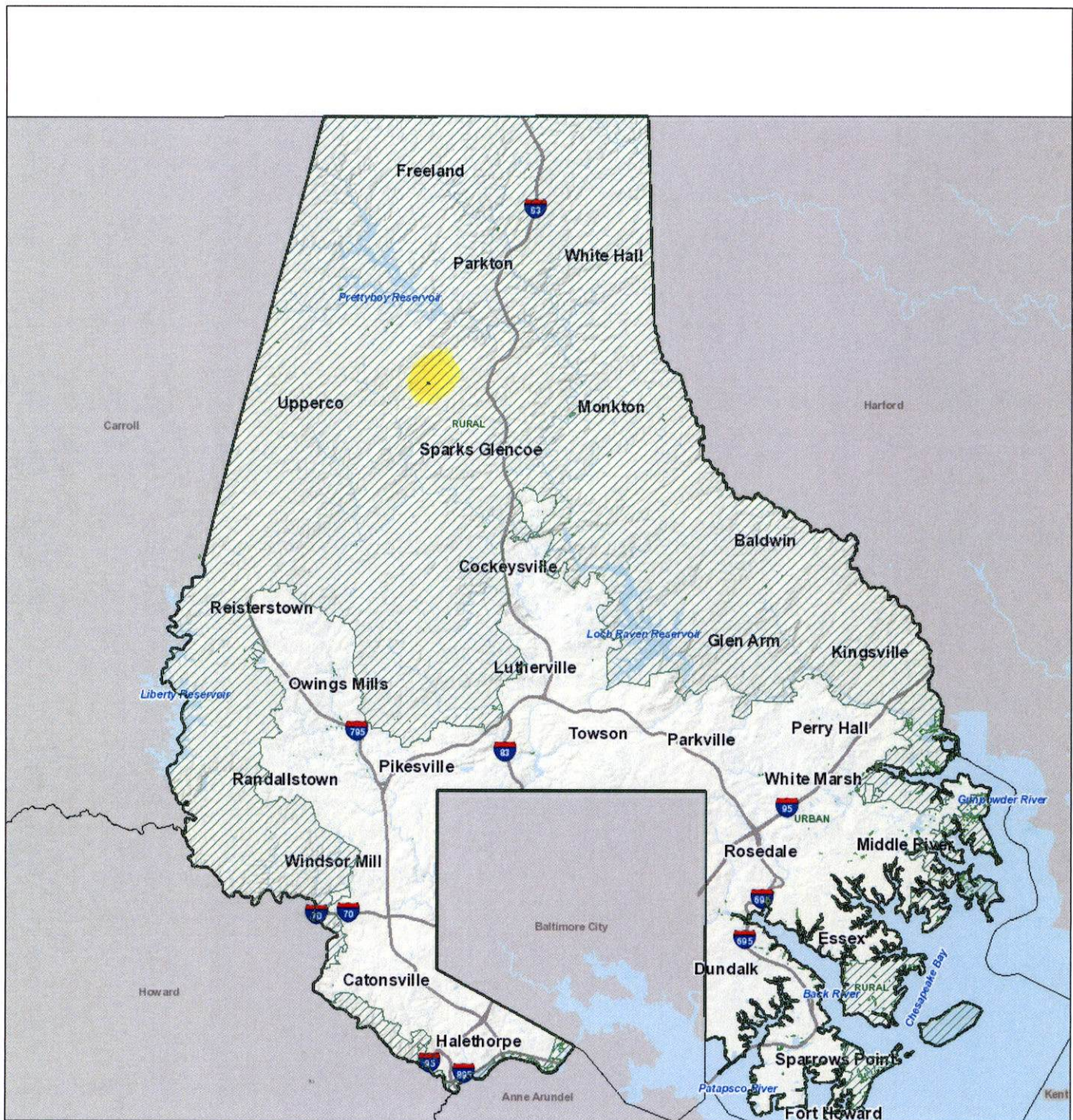
Prepared by Geographic Information Systems
Division of Planning and Information Technology
Date: November 22, 2017
Page: 1

1 inch = 100 feet

People's Counsel
CBA Exhibit
1



Baltimore County - My Neighborhood



February 15, 2018

1:288,895

Urban Rural Demarcation Line

-  Rural
-  Urban
-  County Boundary

0 3.25 6.5 13 mi
0 5 10 20 km

People's Counsel
CBA Exhibit

2

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 11/21/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-103

INFORMATION:

Property Address: 2015 Mount Carmel Road
Petitioner: Robert Ryan
Zoning: RC 2
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for a special hearing to permit a changeable copy sign for a church located outside of the Urban Demarcation Line (URDL) in lieu of the prohibition requirement of section 450.7.B.1.d of the BCZR.

A site visit was conducted on October 26, 2017. Mt. Carmel Rd. is part of the "Horses and Hounds" State Scenic Route, so designated to "offer a taste of Maryland's scenic beauty, history and culture". By its unique location, the Cedar Grove United Methodist Church is a focal point as a traveler approaches from any direction along Mount Carmel Rd. The church is situated within an area of 17,000 acres of preserved agricultural land and is surrounded by the Piney Run Rural Legacy Area.

The Department strongly opposes granting the petitioned zoning relief.

The Comprehensive Manual of Development Policies (CMDP), authorized through Section 504.2 of the Baltimore County Zoning Regulations, sets guidelines for development along scenic roads. CMDP, Division VI, Section A, Guideline #5 states: "Design and locate utilities, drainage structures, bridges, lighting, signage, fences, walls and street furniture to harmonize with the surroundings and to create the least visual impact."

The focus of the scenic nature of this portion of Mt. Carmel Rd. should be on the church and the surrounding rural landscape. Any changeable copy sign will redirect that focus from the church and farmland to the sign itself therefore diminishing the value of public monies spent securing the purchase of the surrounding agricultural easements and also the state scenic designation. BCZR § 450.7.B.1.d explicitly prohibits changeable copy signs outside of the URDL. This prohibition emanates from the careful consideration of Bill 106-2008 by the Baltimore County Planning Board and the Baltimore County Council who sought to preserve the rural characteristic of northern Baltimore County. Allowing a changeable copy sign at this location would set a precedent that is contrary to the goals of those bodies and well established rural land use policy.

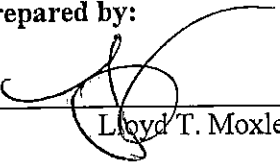
People's Counsel
CBA Exhibit

3

Date: 11/21/2017
Subject: ZAC #18-103
Page 2

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

Prepared by:



Lloyd T. Moxley

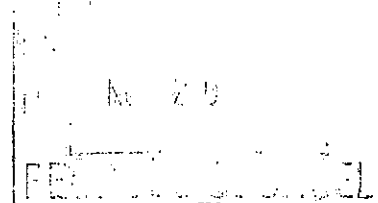
Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Joseph Wiley
Katie Lee Douglas
Office of the Administrative Hearings
People's Counsel for Baltimore County



• Baltimore County • Focus on Community •

PART III: COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES

Adopted by the Baltimore County Planning Board on April 16, 1992
and with Amendments to December 2002

People's Counsel
CBA Exhibit

4

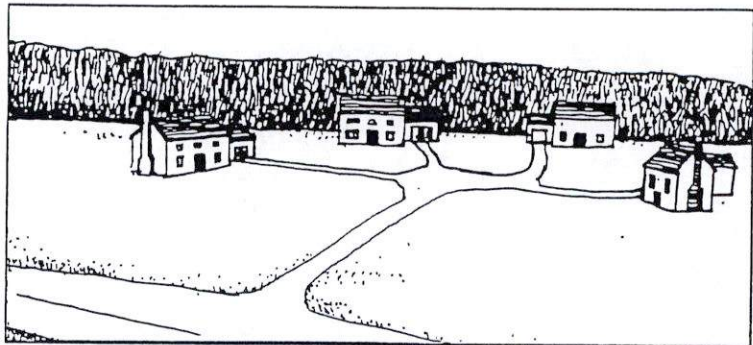
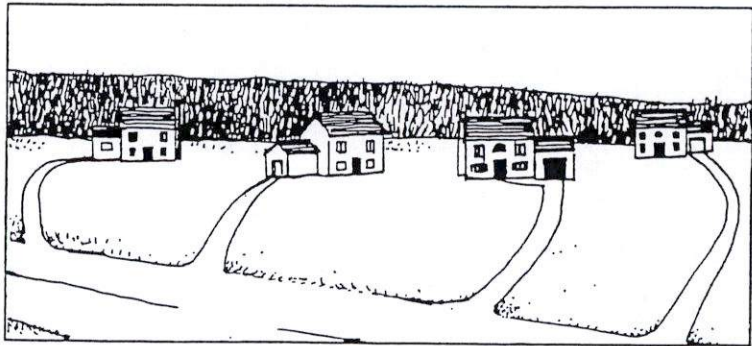
Development Guidelines

DEVELOPMENT GUIDELINES

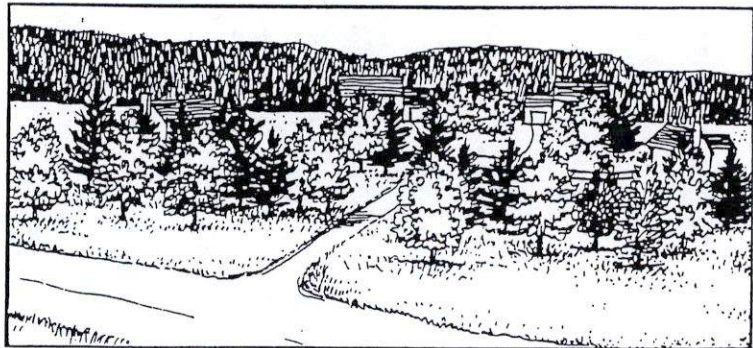
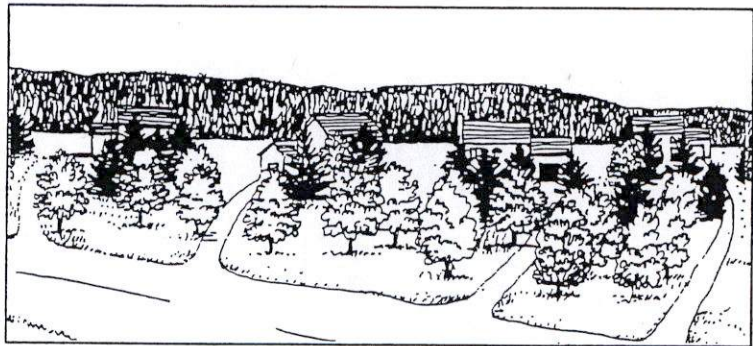
These guidelines pertain to the development of any area within or adjacent to a designated scenic route or significant view. They also pertain to views created by new development.

For all scenic routes and significant views:

1. Minimize tree and vegetation removal. Clear selectively to open up obscured views or create filtered views of compatible development.
2. Minimize grading to preserve the quality of the existing landforms.
3. Minimize the number of access roads and driveways intersecting the scenic road. Where feasible, use shared driveways for individual lots.
4. Use the narrowest road pavement section possible while ensuring adequate public safety. Use shoulders and curbs appropriate to the character of the road. Maintain the existing vertical and horizontal road alignment when compatible with the design and approved by the Department of Public Works.
5. Design and locate utilities, drainage structures, bridges, lighting, signage, fences, walls and street furniture to harmonize with the surroundings and to create the least visual impact.
6. Design new structures to complement the site and surrounding community. This can be accomplished through the repetition of scale, proportion, mass,



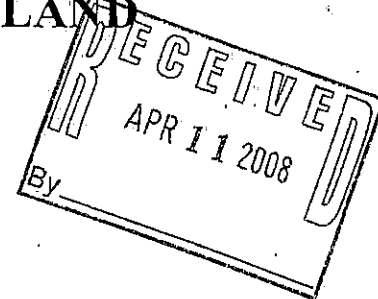
Units clustered with shared access have less visual impact



Screen plantings are more effective with limited driveway openings

6 SCENIC VIEWS

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING
Memorandum



TO: Hon. Kevin Kamenetz, Chair
Baltimore County Council

DATE: April 9, 2008

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

SUBJECT: Proposed Amendments to the Zoning Regulations
Regarding Changeable Copy Signs

As recommended by Baltimore County Office of Planning (OP) staff at its regular meeting on April 3, 2008, the Baltimore County Planning Board (Planning Board) voted to recommend certain amendments to Section 450 of the Baltimore County Zoning Regulations (BCZR). The proposed amendments to the BCZR are summarized in the attached memorandum from the Baltimore County Office of Planning Staff to the Planning Board dated February 19, 2008. The amendments in their complete form are found in the Staff Report of the Baltimore County Office of Planning, January 3, 2008 (revised March 13, 2008). Copies of both documents are attached for your review.

Included as part of the Motion as introduced by Vice Chairman Gregory prior to the vote of the Planning Board was the inclusion of governmentally owned and controlled signs as pertains to proposed Electronic Changeable Copy sign regulations. This would in effect result in the **removal of the exempt status** found in Section 450.2.C.11 of the BCZR for *"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 Device."* This component of the Motion did not have the unanimous support of the Planning Board. Further, the action is not included as a recommendation in the aforementioned Staff Report of the OP.

It is the position of the OP that the exemption status for said governmentally owned and controlled signs should remain. It is the recommendation of OP that the aforementioned Section 450.2.C.11 BCZR should be refined to include the following language: *"provided that the sign shall display a message that is to the benefit of the health, safety and general welfare of the community and is not of a commercial nature."*

Should you have any further questions or comments, please do not hesitate to contact me at 410-887-3211. Staff can be made available to discuss the Staff Report of the Baltimore County Office of Planning, January 3, 2008 (revised March 13, 2008).

Thank you in advance for your consideration.

AFK:ltm

Enclosures

c: Baltimore County Council
Thomas J. Peddicord, Jr., Legislative Counsel
Tim Kotrocco, Director, Permits and Development Management
Craig McGraw, Permits and Development Management
Leonard Wasilewski, Permits and Development Management
Mary Allen, County Auditor
Fred Homan, Administrative Officer
John Beverungen, County Attorney
Edward J. Gilliss, Chair, Planning Board

Amendments to the Zoning Regulations Regarding Changeable Copy Sign Regulations

A Staff Report of the Baltimore County Office of Planning
January 3, 2008 (Revised March 13, 2008)

PROJECT DESCRIPTION

This report responds to Section 450 of the Baltimore County Zoning Regulations (BCZR) concerning changeable copy signs. In 1997, the Baltimore County Council approved Bill 89-1997, which comprehensively revised the BCZR Sign Regulations. More nine years have elapsed since those comprehensive sign regulations were adopted. At this time, the BCZR now requires more specific regulation regarding changeable copy signs and window-mounted signage.

BACKGROUND

In its application, the Baltimore County Zoning Review Office has found that the regulations governing changeable copy signs are not adequate to ensure the general findings and policies found in Section 450 of the BCZR. Statutory language attempting to control the "appearance of movement" is subjective and difficult to enforce. Section 450.6.B.3 of the BCZR states: "Except for that portion of a changeable copy sign displaying time or temperature, all elements illuminating a sign shall operate at a constant intensity so that no sign has the appearance of movement or of being illuminated by flashing, blinking, strobing, oscillating or alternating lights." Given the subjectivity of these terms, the Department of Permits and Development Management established an administrative policy that changeable copy signs may not change a message more than once in any one-hour cycle.

Some have found this policy problematic as it requires Baltimore County Code Enforcement to monitor signs throughout the one-hour cycle to confirm compliance. As a product of the review of the sign provisions conducted in 2002 by Baltimore County Office of Planning (OP) staff, recommendation was made that the cycle be reduced to a 15-minute interval.

On July 18, 2002, the Baltimore County Planning Board (BCBP) conducted a public hearing soliciting community input regarding changeable copy signs. Two speakers expressed divergent opinions with respect to the allowable time interval, the frequency, between changes of copy displayed by electronic changeable copy signs. One individual, representing the sign industry, requested an interval shorter than the 15-minutes recommended by OP staff thereby increasing the frequency of the message change. Conversely, the opposing speaker requested a longer interval, which would

serve to lessen the frequency of the message change.. The BCPB ultimately voted to amend the staff report, supporting the request for a shorter three-second interval.

At that meeting, OP staff proffered a recommendation that regulations be more specific as to permitted sign colors.

Further exacerbating this issue is the "Findings of Fact and Conclusions of Law" dated October 20, 2006 in which the Code Enforcement Hearing Officer for Baltimore County states, "*The (County Council) Resolution (33-06) acknowledges the regulations don't sufficiently detail certain conditions such as the permitted frequency of the message change*".

BACKGROUND FOR CURRENT CHANGE

In May of 2006, Resolution 33-06 (Attachment) was introduced by the Baltimore County Council. This resolution asked the BCPB to review the BCZR on changeable copy signs.

Changeable Copy Signs

Section 450.4.I.1 of the BCZR defines changeable copy signs as "*an on-premises sign displaying a message, which may be changed periodically, manually, or by electric or electronic controls.*"

Changeable copy signs are permitted as an accessory use to shopping centers and other commercial uses in business zones; to theaters, stadiums and other entertainment uses; and to institutional uses and community buildings. Changeable copy signs that are subject to section 450.7.B may be erected only as an integral part of an otherwise permitted enterprise or joint identification sign. For commercial establishments, no more than 50% of the erected sign area may be devoted to changeable copy.

In their application, changeable copy signs are typically used to promote commercial sales, restaurant specials, religious activities, or entertainment events. The technology is now available to produce signs with messages and other moving images that can be constantly changed by means of electronic control. This technology holds the potential to convert changeable copy signs into vehicles for elaborate, rapidly changing messages and images even having the ability to mimic a television or movie display. The technology is attractive to business and has proliferated, quickly transforming the county's commercial areas and increasing visual clutter. Because institutions and community buildings are permitted to have changeable copy signs, the new technology has the potential to find it's way into residential neighborhoods.

DISCUSSION OF REGULATIONS

Signs in Windows

The BCZR is silent beyond temporary window signs. The prohibition found in Section 450.6.A.4 of the BCZR is insufficient in relegating changeable copy signs. Revised sign laws must address this deficiency.

Signs with Sounds

The BCZR is silent on signage having an audio component. New legislation must prohibit this technology from all parts of Baltimore County excepting audio signage utilized for the sole purpose of safety.

RECOMMENDATIONS

The Office of Planning recommends that the frequency interval for message change should be set at a maximum of not more than once per one-hour cycle. It is further recommended that movement and animation also be regulated.

In recommending an appropriate frequency of message change Planning staff considered multiple factors. First, that upon implementation of the law the commercial streetscape will be substantially altered. Secondly, it can be reasonably assumed that many commercial entities will avail themselves of changeable copy sign technology. The observed message change interval for these types of signs when unregulated is approximately 3-7 seconds. Planning staff warns that excessive changeable copy signs situated along the commercial corridors of Baltimore County would adversely impact the aesthetic appearance of these areas and produce a marred and visually chaotic landscape. The visual impact upon the motorist traveling these busy routes may result in confusion and disorientation. This effect would be more intense during the hours of darkness and periods of inclement weather.

Planning staff recognizes a message change frequency time cycle of 24 hours would not adequately serve business but would assert that a message change frequency of not more than once per one hour cycle would meet the needs of commerce. This interval would assure a level of stability and consistency. Finally, no changeable copy signs should be permitted outside the URDL as these types of signs are not in character with our rural community.

Recommended Regulatory Changes

As a product of their meeting held November 30, 2006, staff representing the Baltimore County Office of Planning and the Department of Permits and Development Management offers the following recommended revisions to Section 450 of the BCZR:

~~Strike-through~~ indicates material to be deleted. **Bold** indicates material to be added.

1. Change Section 450.2.C to:

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.**

3. A sign consisting solely of words, ~~or~~ symbols **or characters** not more than one inch in height.

4. A sign integral to accessory self-service machinery, including, but not limited to, gasoline pumps, automatic banking tellers, vending machines and newspaper boxes **and provided that the sign does not display flashing, blinking, strobing or scrolling as described in Section 450.3.**

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 **and provided that the sign does not display flashing, blinking, strobing or scrolling as described in Section 450.3.**

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 **and provided that the sign does not display flashing, blinking, strobing or scrolling as described in Section 450.3.**

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 **and provided that the sign does not display flashing, blinking, strobing or scrolling as described in Section 450.3.**

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. This type sign may have an audio component as a safety mechanism.

12. A temporary window sign, provided that the sign does not display flashing, blinking, strobing or scrolling as described in Section 450.3.

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]

2. Change Section 450.3 to:

Animation. 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.

Background. That part of a sign lying behind the foreground.

Blinking. To illuminate intermittently at a rate of change that is the less than the allowable frequency.

Character. A symbol, letter or numeral that communicates information.

Color. A specific combination of hue, saturation, and lightness or brightness; a color other than and as contrasted with black, white or gray.

Display Area. That part of the sign background actively involved with changeable copy.

Flag. A panel of fabric of distinctive design that is used as a symbol (as of a nation), as a signaling device, or as a decoration.

Flashing. The intermittent change whether directly or indirectly to an illuminated sign, which exhibits a change to the natural or artificial light and or color effects by any means whatsoever.

Foreground. That part of a sign that is nearest to the spectator and lying in front of the background.

Frequency. The rate of change within a given unit of time. Change refers to any variation.

Illumination. The use of artificial light emanating from a sign, or directed at a sign from one or more sources external to the sign face, which makes the sign visible or more readily legible during **daylight and non-daylight** hours.

Scrolling. Any movement of text, pictures, or graphics, **horizontally, vertically, or diagonally** across the display area.

Strobe. **High-intensity short duration light pulses.**

Video. The ability to change both foreground and/or background utilizing electronic means to change light, color, text, symbols and/or images.

3. Change section 450.4.1, of Table of Sign Regulations, Class 1, Changeable Copy Signs, as shown on Attachment 1.

4. Change 450.5.B to:

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.

11. Time and Temperature Sign. A sign or portion thereof that displays time, temperature and or date only. A Time and Temperature Sign may not display flashing, blinking, animation, strobing or scrolling as described in Section 450.3 of the definitions.

5. Change Section 450.6.A to:

8. Except for an outdoor advertising sign with tri-vision, a changeable copy sign, or a thermometer, barometer, weather vane, barber pole, or clock, no sign may display or simulate any moving part or automatically changing message. **Nor may it display flashing, blinking, animation, strobing or scrolling as described in Section 450.3 of the definitions.**

9. **No sign shall emit sound except those types exempted in Section 450.2.C.11.**

5a. Amend Section 450.6.B.3 to include the restrictive language:

The message display for changeable copy signs displaying time or temperature is restricted to date, time and temperature only.

6. Change Section 450.6.C.3 to:

For a lawfully erected sign, a building or use permit or a special exception is not required for changing the sign's face only, provided that this does not alter the sign's character to the extent that it is no longer permitted at its location **except when changing from a manual changeable copy to an electronic changeable copy sign.**

7. Change Section 450.7.B to:

3. **Animated signs will require special exception approval by the Baltimore County Zoning Commissioner.**
4. **Electronic Changeable Copy Signs are not permitted in the C.R. district and /or outside the Urban Rural Demarcation Line.**

8. Change Section 450.7.C to

7. **Except for an Outdoor Advertising Sign with Tri-Vision as regulated by Section 450.7.C.6, no outdoor advertising sign may display animation, video, flashing, blinking, strobing or scrolling as described in Section 450.3.**

9. Add section 450.8.D.4:

- d. **Is an Electronic Changeable Copy Sign.**
- e. **Is an Enterprise Window Sign.**

Attachment 1

I	II	III	IV	V	VI	VII	VIII	IX
Class	Structural Type	Zone or Use	Permit Required	Maximum Area Face	Maximum Number/ Premises	Height	Illumination	Additional Limitations
1. CHANGEABLE COPY, meaning an on premises sign displaying a message which may be changed periodically, manually, or by electric or electronic controls, <u>or by any other means.</u> <u>Changeable copy signs include:</u> - <u>ANIMATED MESSAGE BOARD.</u> <u>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</u>	(a) Wall-mounted; free standing	Accessory to institutional structure or community building	Use	25 square feet	One	6 feet	Yes	See Section 450.7.B <u>450.6.A.8</u>
	(b) Wall-mounted; free standing; canopy	Accessory to a theatre, stadium or similar public entertainment use	Use	150 square feet	One; two if on canopy	25 feet	Yes	
	(c) Wall-mounted, free standing, canopy, <u>enterprise window sign</u>	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	

1

[illegible]

<u>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.</u> TIME AND TEMPERATURE ONLY. A sign that actively displays only time and temperature as a means of public service. Time and temperature only signs are not subject to frequency limitations. These types of signs can be in combination with other institutional, commercial, and electronic changeable	<u>Interior wall mounted, interior window mounted</u>	<u>BL,BM,BR, CB,BLR,ML, MLR,MH,MR, Excluding multi-tenant office, retail or industrial building</u>	<u>USE</u>	<u>Three Square feet</u>	<u>3 When mounted on the interior of any front facade window or door</u>	<u>yes</u>	<u>450.6.A.4, 450.7.B interior application only. Not permitted to be mounted on any window or door that is not a front facade</u>
---	--	--	-------------------	---------------------------------	---	-------------------	--

Attachment 1

<u>copy signs, however, only time and temperature are exempt from the frequency limitations. All other symbols, characters, or numbers must abide by the frequency of one instantaneous message change per hour. See figure X.x.</u>								<u>window or door.</u>
<u>ENTERPRISE WINDOW SIGN</u> <u>Any enterprise sign mounted on the interior of an enclosed structure that is visible from the exterior.</u>								

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2008, Legislative Day No. 17

Bill No. 106-08

Mr. Kevin Kamenetz, Chairman

By the County Council, October 6, 2008

A BILL
ENTITLED

AN ACT concerning

Changeable Copy Signs

FOR the purpose of amending the County's sign regulations to further regulate changeable copy signs;
providing definitions; permitting changeable copy signs in certain locations and under certain
conditions and subject to certain restrictions; prohibiting certain signs; and generally relating to
the regulation of changeable copy signs.

BY repealing and re-enacting, with amendments

Sections 450.2C.2, 3, 4, 8, 9, 10, 11 and 12, 450.3, definition of Illumination, 450.4.1., 450.6.A.8,
450.6.B.3, and 450.6.C.3
Baltimore County Zoning Regulations, as amended

BY adding

Sections 450.3, definitions, 450.5.B.10 and 11, 450.6A.9, 450.7.B. 3 and 4, 450.7.C.7, and
~~450.8B.4.1. and 450.8.d.6.~~
Baltimore County Zoning Regulations, as amended

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
Strike-out indicates matter stricken from bill.
Underlining indicates amendments to bill.

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY,

MARYLAND, that Sections 450.2C.2, 3, 4, 8, 9, 10, 11 and 12, 450.3, definition of Illumination,
450.4.1., 450.6.A.8, 450.6.B.3, and 450.6.C.3 of the Baltimore County Zoning Regulations, as amended,
be and they are hereby repealed and re-enacted, with amendments, to read as follows:

Section 450
Signs

450.2 Organization and applicability.

C. Exemptions. The requirements of Section 450 do not apply to the following:

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..

3. A sign consisting solely of words, [or] symbols OR CHARACTERS not more than one
inch in height.

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.

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.

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.

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..

12. A temporary window sign, IF THE SIGN DOES NOT DISPLAY FLASHING, BLINKING, STROBING OR SCROLLING.

450.3 General sign definitions. Unless otherwise provided, the following words, as used in Section 450, are defined as follows:

ILLUMINATION — The use of artificial light emanating from a sign, or directed at a sign from one or more sources external to the sign face, which makes the sign visible or more readily legible during DAYLIGHT AND non-daylight hours.

450.4

SPECIAL REGULATIONS

TABLE OF SIGN REGULATIONS
Baltimore County
PERMANENT SIGNS

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, [or] 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	
19 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.	(b) Wall-mounted; freestanding; canopy	Accessory to a stadium or similar public entertainment use	Use theatre.	150 square feet	One; two if on canopy	25 feet	Yes	
41 ELECTRONIC CHANGEABLE COPY (ECC). ALSO KNOWN AS ELECTRONIC MESSAGE BOARDS. A SIGN WITH A FIXED OR CHANGING DISPLAY, OR 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. AN ELECTRONIC CHANGEABLE COPY SIGN MAY ONLY HAVE A MAXIMUM	(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 450.6A.8

1 FREQUENCY OF ONE
2 INSTANTANEOUS MESSAGE
3 CHANGE PER HALF-HOUR IS SECOND
4 CYCLE-- AND MAY NOT

SPECIAL REGULATIONS
TABLE OF SIGN REGULATIONS
Baltimore County
PERMANENT SIGNS

Class	Structural Type	Zone or Use	Permit Required	Maximum Area/Face	Maximum No./Premises	Height	Illumination	Additional Limitations
13 DISPLAY VIDEO, FLASHING, 14 BLINKING, ANIMATION, 15 STROBING OR SCROLLING, 16 ONLY COMMERCIAL 17 MESSAGES ANCILLARY 18 TO THE COMMERCIAL 19 ACTIVITY ON HEIGHT SITE 20 ARE ALLOWED.								
21 MANUAL CHANGEABLE 22 COPY, A SIGN DESIGNED 23 SO THAT CHARACTERS, 24 LETTERS, OR 25 ILLUSTRATIONS ON THE 26 SIGN CAN BE CHANGED 27 OR REARRANGED 28 WITHOUT ALTERING 29 THE BACKGROUND OF 30 THE SIGN. THESE SIGNS 31 REQUIRE THE PHYSICAL 32 CHANGING OR 33 REARRANGING OF 34 CHARACTERS, LETTERS, 35 OR ILLUSTRATIONS.	INTERIOR WALL MOUNTED	BL, BM, BR, CB, BLR, ML	USE	3 SQUARE FEET	3 WHEN MOUNTED ON THE		YES	450.6.A.4, 450.7.B INTERIO R APPLIC- ATION ONLY. NOT PERM- ITTED TO BE MOUNTED ON ANY WINDOW OR DOOR THAT IS NOT A FRONT FACADE
40 THE INTERIOR 41 OF AN ENCLOSED 42 STRUCTURE THAT IS 43 VISIBLE FROM 44 THE EXTERIOR.	INTERIOR WINDOW MOUNTED	MLR, MHL, MR, EXCLUDING MULTI- TENANT OFFICE, RETAIL OR INDUS- TRIAL BLDG.			INTERIOR OF ANY FRONT FACADE WINDOW OR DOOR			

1 450.6 General sign requirements.

2 A. Prohibitions. Unless otherwise provided, the following prohibitions are applicable to all signs
3 within the scope of Section 450:

4 8. Except for an outdoor advertising sign with tri-vision, a changeable copy sign, or a
5 thermometer, barometer, weather vane, barber pole or clock, [no] A sign may NOT display or simulate
6 any moving part or automatically changing message, ~~AND~~ A CHANGEABLE COPY SIGN MAY
7 NOT DISPLAY VIDEO, FLASHING, BLINKING, ANIMATION, STROBING OR SCROLLING.

8 B. Illumination. Illuminated signs are subject to the following:

9 3. Except for that portion of a changeable copy sign displaying time or temperature, all
10 elements illuminating a sign shall operate at a constant intensity so that no sign has the appearance of
11 movement or of being illuminated by flashing, blinking, strobing, oscillating or alternating lights. THE
12 MESSAGE DISPLAY FOR CHANGEABLE COPY SIGNS DISPLAYING TIME OR
13 TEMPERATURE IS RESTRICTED TO DATE, TIME AND TEMPERATURE ONLY.

14 C. Erection and maintenance.

15 3. For a lawfully erected sign, a building or use permit or a special exception is not required
16 for changing the sign's face only, provided that this does not alter the sign's character to the extent that
17 it is no longer permitted at its location, EXCEPT WHEN CHANGING FROM A MANUAL
18 CHANGEABLE COPY TO AN ELECTRONIC CHANGEABLE COPY SIGN.

19 SECTION 2. AND BE IT FURTHER ENACTED, that Sections 450.3, definitions, 450.5.B.10
20 and 11, 450.6.A.2, 450.7.B. 3 and 4, 450.7.C.7, and 450.8D.4, and 450.8D.6, be and they are hereby

added to the Baltimore County Zoning Regulations, as amended, to read as follows:

450.3 General sign definitions. Unless otherwise provided, the following words, as used in Section 450, are defined as follows:

ANIMATION. 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.

BACKGROUND. THAT PART OF A SIGN LYING BEHIND THE FOREGROUND.

BLINKING. TO ILLUMINATE INTERMITTENTLY AT A RATE OF CHANGE THAT IS LESS THAN THE ALLOWABLE FREQUENCY.

CHARACTER. A SYMBOL, LETTER OR NUMERAL THAT COMMUNICATES INFORMATION.

COLOR. A SPECIFIC COMBINATION OF HUE, SATURATION, AND LIGHTNESS OR BRIGHTNESS; A COLOR OTHER THAN AS CONTRASTED WITH BLACK, WHITE OR GRAY. DISPLAY AREA. THAT PART OF THE SIGN BACKGROUND ACTIVELY INVOLVED WITH CHANGEABLE COPY.

FLAG. A PANEL OF FABRIC OF DISTINCTIVE DESIGN THAT IS USED AS A SYMBOL (AS OF A NATION), AS A ~~SIGNATURE~~ SIGNALING DEVICE, OR AS A DECORATION.

FLASHING. THE INTERMITTENT CHANGE WHETHER DIRECTLY OR INDIRECTLY TO AN ILLUMINATED SIGN, WHICH EXHIBITS A CHANGE TO THE NATURAL OR ARTIFICIAL LIGHT OR COLOR EFFECTS BY ~~AN~~ ANY MEANS WHATSOEVER.

FOREGROUND. THAT PART OF A SIGN THAT IS NEAREST TO THE SPECTATOR AND LYING IN FRONT OF THE BACKGROUND.

FREQUENCY. THE RATE OF CHANGE WITHIN A GIVEN UNIT OF TIME. CHANGE REFERS TO ANY VARIATION.

SCROLLING. ANY MOVEMENT OF TEXT, PICTURES, OR GRAPHICS, HORIZONTALLY, VERTICALLY, OR DIAGONALLY ACROSS THE DISPLAY AREA.

STROBE. HIGH-INTENSITY SHORT DURATION LIGHT PULSES.

VIDEO. THE ABILITY TO CHANGE BOTH FOREGROUND OR BACKGROUND UTILIZING ELECTRONIC MEANS TO CHANGE LIGHT, COLOR, TEXT, SYMBOLS OR IMAGES.

450.5 Structural types of signs.

B. Structural type definitions and restrictions.

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.

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.

450.6 General sign requirements.

A. Prohibitions. Unless otherwise provided, the following prohibitions are applicable to all signs within the scope of Section 450:

9. NO SIGN SHALL EMIT SOUND EXCEPT THOSE TYPES EXEMPTED IN SECTION 450.2.C.11.

450.7 Special requirements for particular classes.

B. Changeable copy signs. In addition to the limitations of Section 450.4, changeable copy signs

accessory to a planned shopping center or any separate commercial establishment in a business zone are subject to the following:

3. ANIMATED SIGNS REQUIRE SPECIAL EXCEPTION APPROVAL BY THE BALTIMORE COUNTY ZONING COMMISSIONER.

4. ELECTRONIC CHANGEABLE COPY SIGNS ARE NOT PERMITTED IN THE C.R. DISTRICT OR OUTSIDE THE URBAN RURAL DEMARCATION LINE OR IN HISTORIC DISTRICTS.

C. Outdoor advertising signs. In addition to the limitations of Section 450.4, outdoor advertising signs are subject to the following:

7. EXCEPT FOR AN OUTDOOR ADVERTISING SIGN WITH TRI-VISION AS REGULATED BY SECTION 450.7.C.6, NO AN OUTDOOR ADVERTISING SIGN MAY NOT DISPLAY ANIMATION, VIDEO, FLASHING, BLINKING, STROBING OR SCROLLING.

450.8 Administration and compliance.

D. Abatement.

~~4. Notwithstanding the provisions of Section 104.1 concerning nonconforming uses, a sign must be removed or brought into compliance with Section 450 by the 180th day after the effective date of Bill No. 89-1997 if the sign:~~

6. NOTWITHSTANDING THE PROVISIONS OF SECTION 104.1 CONCERNING NONCONFORMING USES, A SIGN MUST BE REMOVED OR BROUGHT INTO COMPLIANCE WITH SECTION 450 BY THE 180TH DAY AFTER THE EFFECTIVE DATE OF BILL NO. 106-08 IF THE SIGN:

D. IS AN ELECTRONIC CHANGEABLE COPY SIGN.

E. IS AN ENTERPRISE WINDOW SIGN.

SECTION 3. AND BE IT FURTHER ENACTED, that this Act shall take effect 45 days after its enactment.

Baltimore County, Maryland

MASTER PLAN 2020

ADOPTED BY BALTIMORE COUNTY COUNCIL

November 15, 2010

Baltimore County Executive

James T. Smith, Jr.

Baltimore County Council

S.G. Samuel Moxley, District 1

Kevin Kamenetz, District 2

T. Bryan McIntire, District 3

Kenneth N. Oliver, District 4

Vincent J. Gardina, District 5

Joseph Bartenfelder, District 6

John Olszewski, Sr., District 7

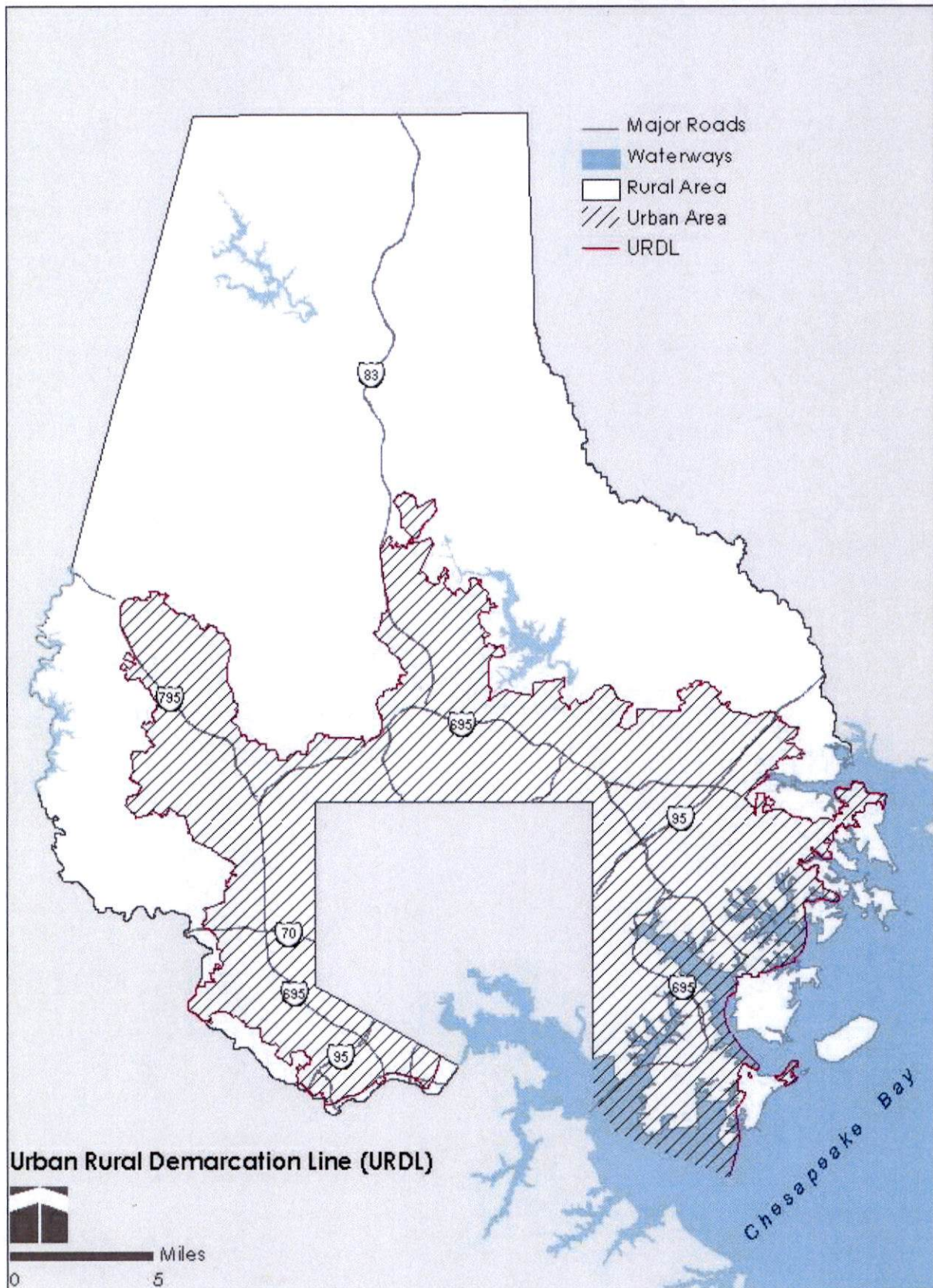
Thomas J. Peddicord, Jr., Legislative

Counsel/Secretary

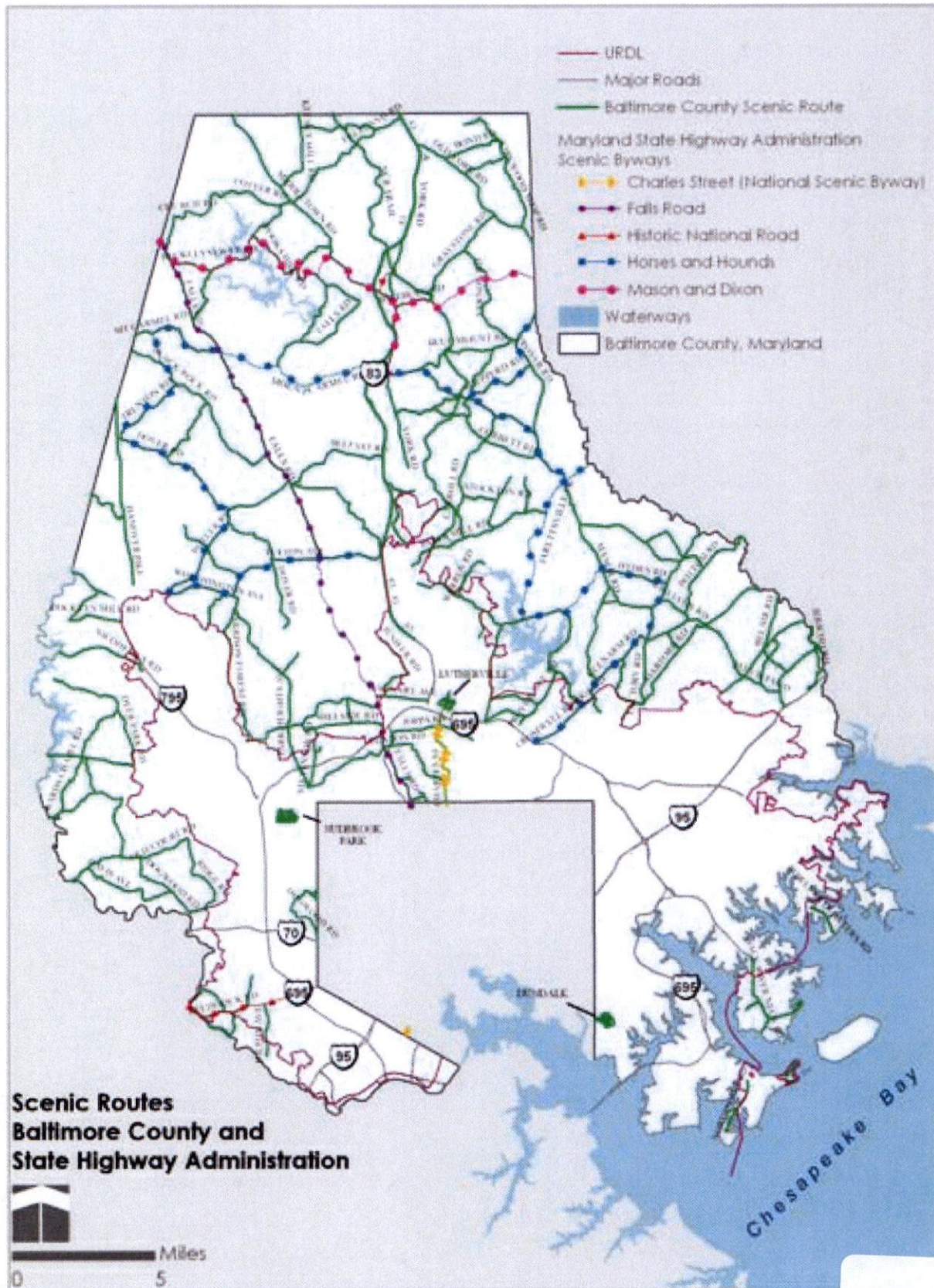
People's Counsel
CBA Exhibit

7

Map 1: Urban Rural Demarcation Line



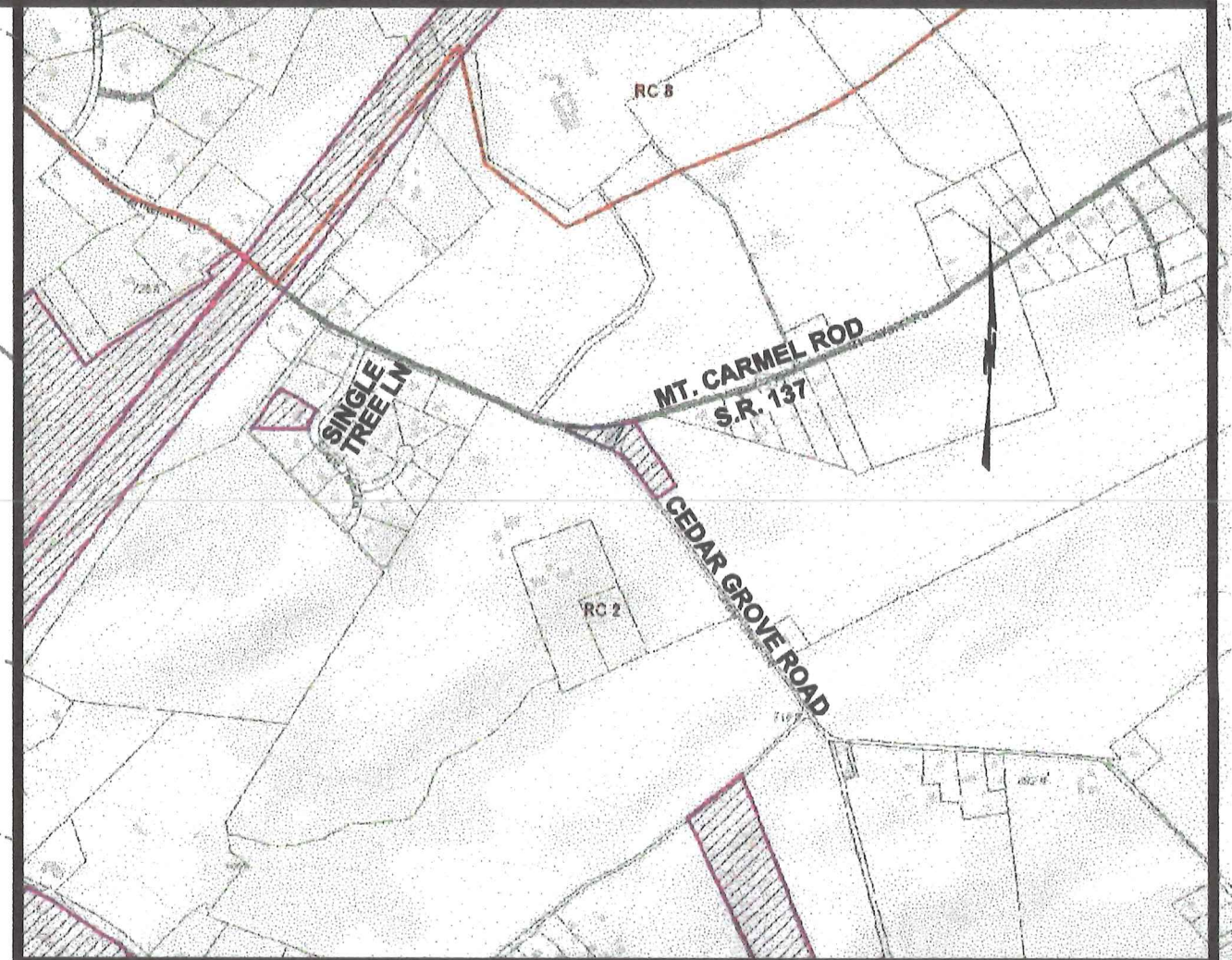
Map 26: Scenic Routes



TOTAL SIGN FACE AREA: 24 S.F.



N.T.S.



VICINTY MAP
SCALE 1" = 1000'

NANCY MAYS
MT. CARMEL ROAD
PARKTON, MD
MAILING ADDRESS: 1806 MT. CARMEL RD.
PARKTON, MD 21120
TAX ID #07-1600006459
DEED REF: 38921 / 00243

NANCY MAYS
MT. CARMEL ROAD
PARKTON, MD
MAILING ADDRESS: 1806 MT. CARMEL RD.
PARKTON, MD 21120
TAX ID #07-1600006460
DEED REF: 38921 / 00249

ELECTRONIC
CHANGEABLE
COPY PANEL
2' X 6' = 12 S.F.

NANCY MAYS
MT. CARMEL ROAD
PARKTON, MD
MAILING ADDRESS: 1806 MT. CARMEL RD.
PARKTON, MD 21120
TAX ID #07-1600006463
DEED REF: 38921 / 00259

JOSEPH W & MARY ANN ENSOR
CEDAR GROVE RD.
PARKTON, MD
MAILING ADDRESS: 15801 BUFFALO RUN RD.
SPARKS, MD 21152
TAX ID #07-1700014182
DEED REF: 25291 / 00656

CEDAR GROVE CHURCH
CEMETERY, INC.
2015 MT. CARMEL ROAD
P.O. BOX 333
MONKTON, MD 21111
TAX ID #07-2200013294
DEED RF: 29618 / 00120

STEFAN M NOCK & JULIE ANN CAVNOR
2105 MT. CARMEL RD.
PARKTON, MD 21120
TAX ID #05-0504000170
DEED REF: 36897 / 00449

GENERAL NOTES:

1. OWNER CEDAR GROVE CHURCH CEMETERY INC.
P.O. BOX 333, MONKTON, MD 21111
2. PREMISE ADDRESS: 2015 MT. CARMEL ROAD, PARKTON, MD 21120
3. TOTAL AREA FOR SITE:
GROSS - 1 AC +/-
NET - 1 AC +/-
4. EXISTING ZONING - RC-2
5. PRESENT USE: CHURCH / HOUSE OF WORSHIP
6. ELECTION DISTRICT: 7
7. COUNCILMANIC DISTRICT: 3
8. TAX MAP 0021 / PARECL 0069
9. DEED REFERENCE: LIBER 22618 / FOLIO 00120
10. WATERSHED - LOCH RAVEN RESERVOIR
11. SUBSEWERSHED: BUSH CABIN
12. UTILITIES: PRIVATE WELL & SEPTIC
13. THERE ARE NO 100 YEAR FLOOD PLAINS ON THE PROPERTY OR ADJACENT TO THE PROPERTY.
14. NO DESIGNATED HISTORIC BUILDINGS, WETLANDS, CBCA CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIALS ON THIS SITE
15. EX. CHURCH BLDG. 2,452 S.F. - 80 SEATS (NO PROPOSED CHANGE TO THE BLDG.)
EX. CHURCH BUILDING CONSTRUCTED CIRCA 1891.
16. PARKING REQ. - 1 SPACE / 4 SEATS
CHURCH SEATING CAPACITY - 80
17. PARKING PROVIDED - 20 SPACES
18. PREVIOUS ZONING CASE: 1986-0242-A - GRANTED SETBACK RELIEF:
TO PERMIT A REAR YARD SETBACK OF 14' IN LIEU OF THE REQ. 30'
PURSUANT TO SECTION 211.4 OF THE ZONING CODE IN EFFECT IN 1986.

ZONING RELIEF REQUEST:

A SPECIAL HEARING REQUEST:
TO PERMIT A "CHANGEABLE COPY" SIGN FOR A CHURCH
LOCATED OUTSIDE OF THE URBAN/RURAL
DEMARCATATION LINE (URDL) IN LIEU OF THE
PROHIBITION REQUIREMENTS OF SECTION 450.7.B.d OF
THE B.C.Z.R.

PLAT TO ACCOMPANY A SPECIAL HEARING

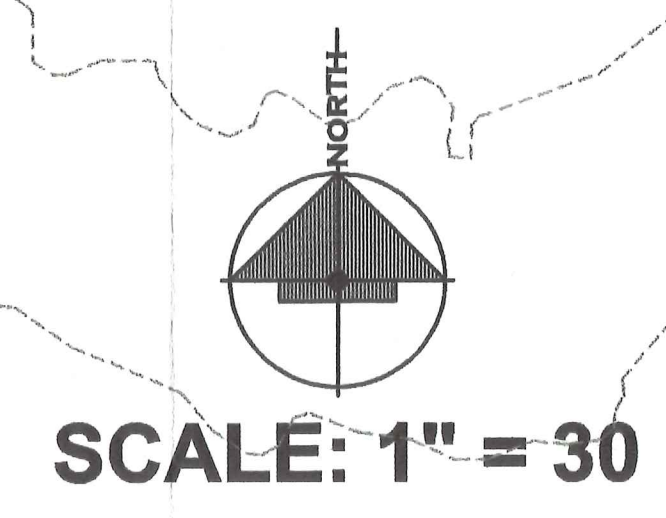
OWNER / PETITIONER

CEDAR GROVE UNITED METHODIST CHURCH
2015 MT. CARMEL ROAD
PARKTON, MARYLAND 21120

CEDAR GROVE UMC

ELECTION DISTRICT 7

COUNCILMANIC DISTRICT 3



MARTIN & PHILLIPS
DESIGN ASSOCIATES, INC.
LAND PLANNING, CIVIL ENGINEERING, LANDSCAPE ARCHITECTURE, DEVELOPMENT CONSULTING, ZONING
222 BOWLEY AVENUE, SUITE 21
TOWSON, MARYLAND 21204
TELEPHONE 301-444-4444 / FAX 301-444-1175

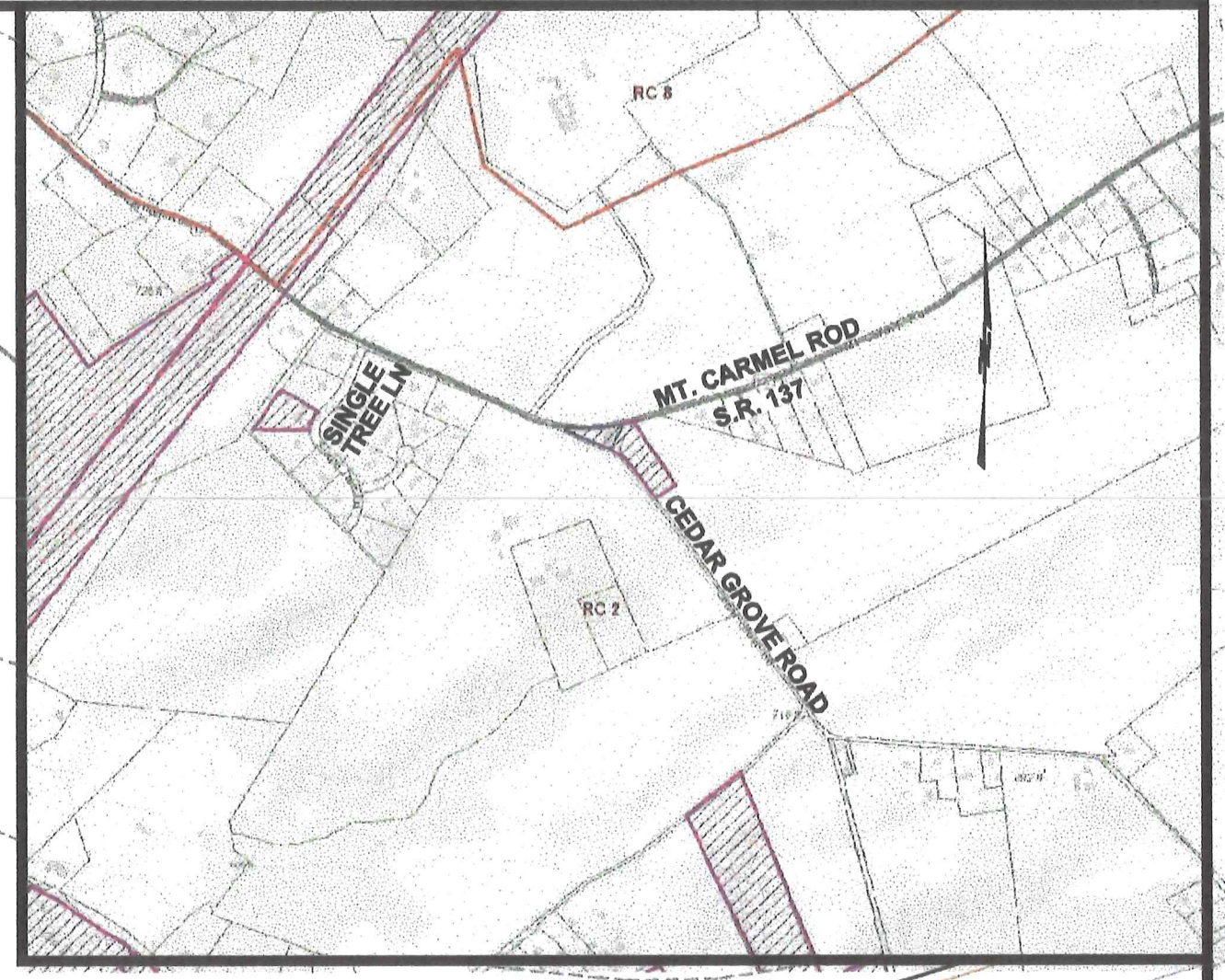


2018-0103-SPH
ZONING DIST. 001 9/22/2017 9:36:45 AM 10x15.00 SCALE 30' 00" = 1"

TOTAL SIGN FACE AREA: 24 S.F.



N.T.S.



VICINITY MAP
SCALE 1" = 1000'

NANCY MAYS
MT. CARMEL ROAD
PARKTON, MD
MAILING ADDRESS: 1806 MT. CARMEL RD.
PARKTON, MD 21120
TAX ID #07-160006459
DEED REF: 38921 / 00243

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MT. CARMEL ROAD
PARKTON, MD
MAILING ADDRESS: 1806 MT. CARMEL RD.
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TAX ID #07-160006460
DEED REF: 38921 / 00249

ELECTRONIC
CHANGEABLE
COPY PANEL
2' X 6' = 12 S.F.

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MT. CARMEL ROAD
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MAILING ADDRESS: 1806 MT. CARMEL RD.
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2105 MT. CARME RD.
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CEMETERY, INC.
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TAX ID #07-2200013294
DEED RF. 29618 / 00120

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GROSS - 1 AC +/-
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11. SUBSEWERSHED: BUSH CABIN
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PURSUANT TO SECTION 211.4 OF THE ZONING CODE IN EFFECT IN 1966.

ZONING RELIEF REQUEST:

A SPECIAL HEARING REQUEST:
TO PERMIT A "CHANGEABLE COPY" SIGN FOR A CHURCH
LOCATED OUTSIDE OF THE URBAN/RURAL
DEMARCATON LINE (URDL) IN LIEU OF THE
PROHIBITION REQUIREMENTS OF SECTION 450.7.B.d OF
THE B.C.Z.R.

PLAT TO ACCOMPANY A SPECIAL HEARING

OWNER / PETITIONER

CEDAR GROVE UNITED METHODIST CHURCH
2015 MT. CARMEL ROAD
PARKTON, MARYLAND 21120

CEDAR GROVE UMC

ELECTION DISTRICT 7

COUNCILMANIC DISTRICT 3



2016-0103-SPH

Petitioners No. 1