

00-2018-0237-81



\$100

BALTIMORE COUNTY
DEPARTMENT OF PERMITS, APPROVALS & INSPECTIONS
111 WEST CHESAPEAKE AVENUE
TOWSON, MD 21204
410-887-3391

B _____
A 785706

The applicant is authorized to affirm that there are no current violations at this site pursuant to Section 112.7 BCC
Initials GB

SIGN USE PERMIT

Permit Fees are Non-Refundable; Make Check Payable to "Baltimore County, Maryland"

PROPERTY ADDRESS 8700 Liberty Road ZIP CODE 21133
BUSINESS NAME Sontrust ZONING BMCCC
OWNER'S NAME Falling Waters Hospital PHONE NO. _____ HISTORIC DISTRICT ☐ Yes ☒ No
MAILING ADDRESS 60 West Street, Ste 204 Annapolis Md 21401
APPLICANT/OWNER'S AGENT Gary Bent PHONE NO. 410-507-0053
SIGN COMPANY NAME United Sign Company PHONE NO. 410-590-1200
TYPE OF SIGN: ☐ Window Sign TAX ACCOUNT NO. 250 / 000 / 8767

☐ Temporary- Including Real Estate/Construction/Event Temporary Signs in the Last Year: ☐ Yes ☒ No

☒ Permanent ☐ Changeable Copy ☒ Wall ☐ Face Change Only ☒ Non-Illuminated
☐ Freestanding ☐ Pylon ☐ Monument ☐ Illuminated (separate electrical permit required)

2x Size: 5.36 feet x 1.54 feet = 8.25 square feet Height: _____ feet (freestanding signs)

Property Line/Street Right-of-Way Setbacks: front _____, sides _____ and _____, and rear _____.

NOTE: A construction plan, drawn to scale and clearly showing that all requirements have been met, must be attached; a site plan also must be attached for freestanding signs.

Table of Sign Regulations: 450.4. Attachment 1, 1.- An Electronic Changeable Copy Sign may only have a maximum Frequency of one instantaneous message change per 15 second cycle.

450.6.B.3 Changeable copy signs must operate at a constant intensity and not give the appearance of movement by flashing, blinking, strobing, scrolling, oscillating, or alternating lights.

PROHIBITIONS: including roof signs (Sections 450.5.B.7 and 450.6.A, Baltimore County Zoning Regulations):

1. Signs cannot impair motorist's clear view of traffic or government signs. All signs are subject to Section 102.5, BCZR.
2. Signs cannot imitate or resemble government signs, except for private traffic control and notice signs.
3. Signs cannot be placed in or project into or above street right of way or governmental property.
4. Sign or framework cannot obstruct window or opening for light and air or access to building, fire hydrant, or stand pipe.
5. Vehicle cannot be parked for the purpose of displaying an attached sign.
6. Except for flags exempted, flags, pennants, ribbons, streamers, tethered balloons, laser projections, and similar objects are prohibited.
7. Portable signs are prohibited, except for A-frame and sandwich board signs issued a use permit in B.M. - C.T. zones.
8. There can be no display or simulation of moving parts or message, except for an outdoor advertising sign with tri-vision, a changeable copy sign, or a thermometer, barometer, weather vane, barber pole, or clock.
9. No sign may emit sound

Work Description (including number of signs, special conditions, materials, locations and size):

(2) Vinyl Applied Signs to Drive-up Attn

Order - 2019-0054-A

CORNER LOT ☐

OWNER/AGENT CERTIFICATION

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the above are true and further agree to locate the proposed sign such that it will not violate Baltimore County laws and regulations.

Signature _____

Date 11-5-18

Print/Type Name Gary Bent

☐ Require Planning Signature _____

Date 11/8/18

Copies: White-Office; Yellow- Applicant (keep this Copy for your permanent records)

REV 10/14

Authority under Section 500.4, BCZR PAI Approval (SIGN ONLY)

Signature _____

Initials JCM

Date 11/7/18



DONALD I. MOHLER III
County Executive

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

October 5, 2018

David H. Karceski, Esq.
Venable, LLP
210 W. Pennsylvania Avenue, Suite 500
Towson, Maryland 21204

RE: Petitions for Special Hearing and Variance
Case No. 2019-0054-A
Property: 8700 Liberty Road

Dear Mr. Karceski:

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,

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

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB: sln
Enclosure

c: PAI, Code Enforcement

IN RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
(8700 Liberty Road)		
2 nd Election District	*	OF ADMINISTRATIVE
4 th Council District		
Liberty Plaza Holdings, LLC	*	HEARINGS FOR
<i>Legal Owners</i>		
SunTrust Bank	*	BALTIMORE COUNTY
<i>Lessee</i>		
	*	CASE NO. 2019-0054-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Liberty Plaza Holdings, LLC, the legal owners of the subject property and SunTrust Bank, lessee (“Petitioners”). Petitioners are requesting variance relief from Section 450 of the Baltimore County Zoning Regulations (“BCZR”) to allow two (2) wall-mounted enterprise signs on a single tenant structure with sign areas/faces of 12.5 sq. ft. each in lieu of the permitted 6 sq. ft. each. A site plan was marked as Petitioners’ Exhibit 1.

Professional engineer Brian Conlon and Kristin Stone from SunTrust appeared in support of the petition. David H. Karceski, Esq. represented Petitioners. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (“ZAC”) comment was received from the Department of Planning (“DOP”). That agency did not oppose the request.

The site is approximately seven (7) acres in size and zoned BM-CCC. The subject property is a portion of a 25 acre parcel improved with a Wal-Mart Supercenter and several other commercial enterprises. This case involves an extremely small area of the site on which is constructed a SunTrust ATM kiosk.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Cromwell and similar cases emphasize that it is the physical attributes of the property itself which must be examined to determine if a variance is justified. The subject property has irregular dimensions and is therefore unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to have signage for the bank kiosk. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the lack of County and/or community opposition.

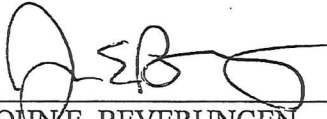
The DOP indicated in its ZAC comment that a dumpster on the property does not have an appropriate enclosure. As noted above this is a large site and it is unclear from the comment which commercial establishment owns/maintains the dumpster. SunTrust will not have a dumpster on its leased property; as such, I believe this is a matter that should be investigated by the Code Enforcement Bureau, and a copy of this Order will be sent to that agency.

THEREFORE, IT IS ORDERED, this 5th day of **October, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR Section 450 to allow two (2) wall-mounted enterprise signs on a single tenant structure with sign areas/faces of 12.5 sq. ft. each in lieu of the permitted 6 sq. ft. each, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:slh



Permits, Approvals & Inspections

111 W. Chesapeake Avenue
Towson, MD 21204

Report Generated On:
11/8/2018

Permit Processing Commerical Permit & Development Report

Page 1 of 1

Property Information

Tax Account Number: **2500008767**

Plat Ref: **079:211**

Election District: **2**

Owner Name(s): **FALLING WATER HOSPITALITY LLC**

PDM #: **02-0694**

Address: **%PARAGON CO PROP MGMT LLC 60 WEST ST STE 204
ANNAPOLIS, MD 21401**

Zoning District(s): **BM CCC
OR 2**

Premise Address: **8700 LIBERTY RD**

Elevation Range: **512ft - 536ft**

Affected Overlays	Instructions: Begin review process with Zoning Review, Room 111.	New Com Bldg.	Agency Acknowledgment
Contact Agency	Potential Overlay Issues	Interior Alts. Add / Ext. Alts. Piers/Pilings Grading/SW Tanks Ret. Walls/Bulk Razing Chg. of Occup. Tower Antenna Signs Elect. & Plumb	Initial & Date
Planning Jefferson Building Room 101 Phone: 410-887-3211	Commercial Revitalization Districts - Liberty Rd	X X	X <i>CP 11/8/18</i>
DEPS-Sed. Control Jefferson Building 4th Floor Phone: 410-887-3226	Note: All Razing Permits must be sent to Sediment Control for review.		
PAI-Public Services County Office Building Room 119 Phone: 410-887-3751	Note: All permits for Grading, New Buildings & Building Additions must be sent to Public Services.		
Zoning Review County Office Building Room 111 Phone: 410-887-3391	Zoning Cases: 1945-0439-X; R-1955-3653; 1962-5525-X; 1953-2813-SPH; R-1956-3791; R-1955-3470; R-1956-3790; 1966-0130-A; 1966-0075-X; 2012-0258-XA; 1973-0098-SPH; 1974-0289-A; 2012-0192-A; 2011-0249-A; 1989-0338-A; 2002-0568-SPH; 2019-0054-A	X X X X X X X X X	



AGI EoR T. NEWBERRY

Lead Drafter

Drawn By RAS

Project Mgr. C. PETTEE

General Sign Specifications

☐ Interior ☒ Exterior
☐ Single Faced ☒ Double Faced

☐ Non-Illuminated

■ Illuminated

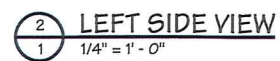
_____ Volts _____ Amps

Location RANDALLSTOWN, M

☐ MP#50266 'SUNTRUST METALLIC SILVER'

☐ MAP TO MATCH #2422 AMBER ACRYLIC
'ORANGE'

1.) DO NOT STUB OUT CONDUIT



Drawing Revisions		
Change	Date	Drawn By
		11
		12
		13
		14
		15
		16
		17
		18
		19
		20

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Code 22312

Sign Type
ATM-CN_3

Type
C

PG #: 1