

BALTIMORE COUNTY

DEPARTMENT OF PERMITS, APPROVALS & INSPECTIONS 111 WEST CHESAPEAKE AVENUE

B

The applicant is authorized

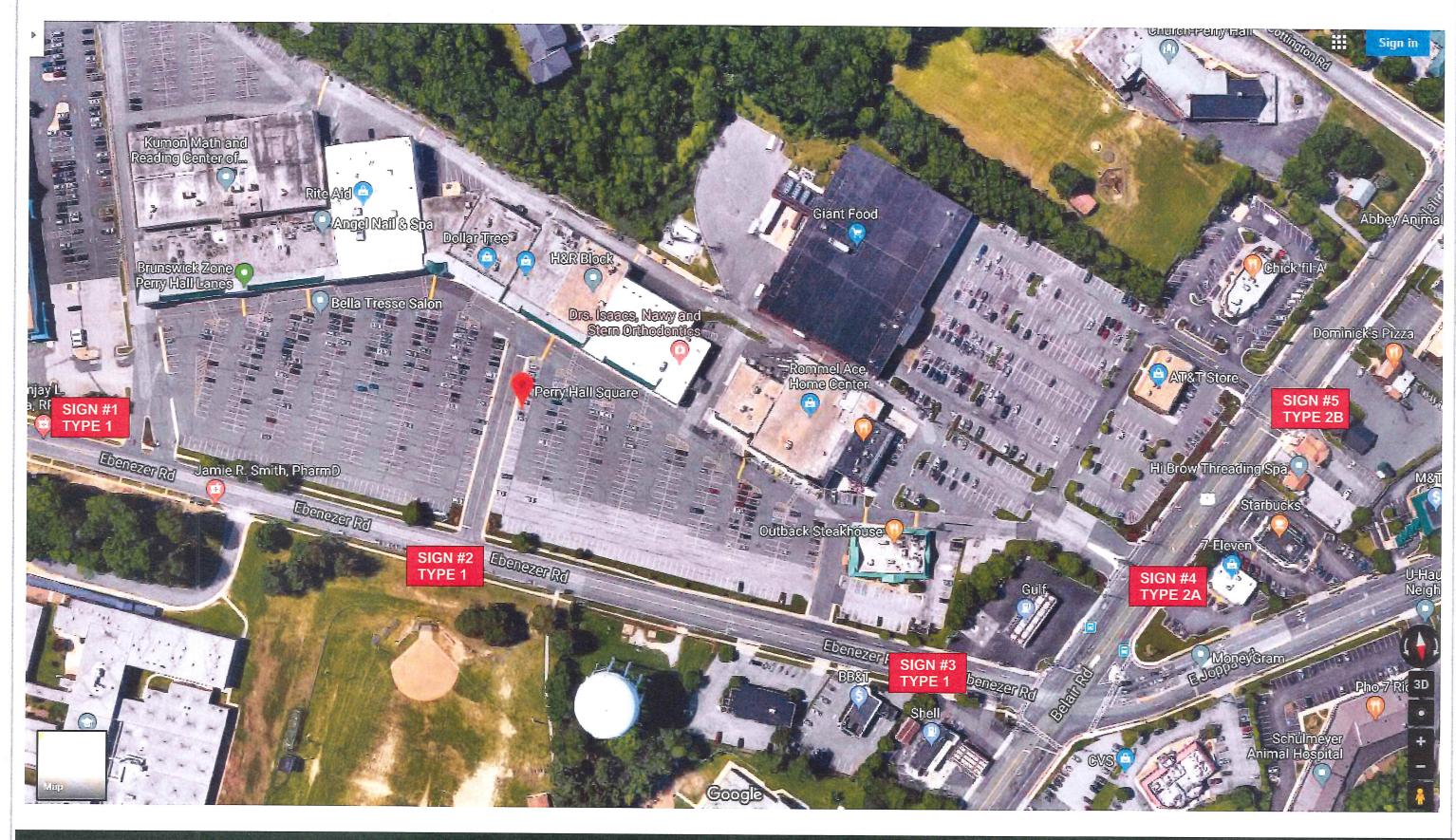
TOWSON, MD 21204 410-887-3391

****	410-887-3391 SIGN USE PERMIT		to affirm that there are no current violations at this site pursuant to Section
Permit Fees are Non-Refundable; Make Check Payable to		and"	112.7 BCC Initials CAR
PROPERTY ADDRESS 4215 Ebenezer Rd.	Belly was MD	ZIP CODE 7.1	7.36
PROPERTY ADDRESS 1213 L. Device Co.	1/11/ 1/6	ZONING BL	UC
BUSINESS NAME W ARC PH Square Owner OWNER'S NAME Zack Bosse (Rep.)	PHONE NO (703) 760 - 1	75 CO HISTORIC	DISTRICT Yes No
MAILING ADDRESS 8150 Leesburg Pike &	10 1100 1/2004 11A	22182	
APPLICANT/OWNER'S AGENT Zoul Bosse (K	real period, or	PHONE NO.	(203) 760-4500
SIGN COMPANY NAME Farmer 5.9ms	(V.)	PHONE NO.	1215-1827-6500
	TAX ACCOUNT	NO. 22/C	00/29/69
THE OF SIGIV.		ary Sions in the Las	t Year: Yes No
Temporary- Including Real Estate/Construction/Event			
Permanent Changeable Copy Wall	race change omy	nermit required)	
Freestanding Pylon Monument III	uminated (separate electrical	(2. 88 feet (free	standing signs)
Size: 3.15 feet x 8 feet = 30 square feet Property Line/Street Right-of-Way Setbacks: front 1.2	Height.	and rear 340	1'
Property Line/Street Right-of-Way Setbacks: front	, sides 102.2 and 110.1	a been met must be	attached: a site plan also
NOTE: A construction plan, drawn to scale and clearly show	ving that all requirements hav	e been met, must be	attached, a site p
must be attached for freestanding signs.	11 0 0:	~ may only have a	maximum Frequency of one
Table of Sign Regulations: 450.4. Attachment 1, 1 An E instantaneous message change per 15 second cycle.	lectronic Changeable Copy Si	gii may omy nave a	maximum 110quoso, 52
450 6 P 2 Changeable convigions must oper	ate at a constant intensity ar	nd not give the app	earance of movement by
flashing, blinking, strobing, scrolling, oscill	ating, or alternating lights.	ounty Zoning Reg	ulations):
2. Signs cannot imitate or resemble government sign	street right of way or govern	nental property.	
 Signs cannot infittate of rescribe government signs Signs cannot be placed in or project into or above Sign or framework cannot obstruct window or ope 	ning for light and air of acces	s to building, fire hy	drant, or stand pipe.
6. Except for flags exempted, flags, pennants, ribbon	s, streamers, temered bandon		
prohibited. 7. Portable signs are prohibited, except for A-frame and a signs are prohibited.	and sandwich board signs issu	ed a use permit in F	3.M. – C.T. zones.
o There can be no display or simulation of moving t	parts or message, except for all	I outdoor advertising	6 01611 11211 I
changeable copy sign, or a thermometer, baromete No sign may emit sound	er, weather vane, barber pole,	ZONING C	AJE#2018-35
	conditions, materials, locat	ions and size):	6.4.
Work Description (including number of signs, special 1 sign of this type. Materials include steel strained LED; lights, and star uner and	where, oclaminum sign co	brust, cluminum	Capanal trim,
internal LEDs lights, and stare veneer and	orc-cast stime at base.	lacated close of	CORNER LOT
4715 Ebeneter Rd. Sign cabinet to be	d Ax & m. loven her	Le of I origin	
OWNER	AGENT CERTIFICATION	N	10.4
I colemply affirm under the penalties of perjury and up	oon personal knowledge that	the contents of the	e above are true and further

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the above are true and further

I solemnly affirm under the penalties of pagree to locate the proposed sign such that	at it will not violate Ba	ltimore County law	s and regulations.	
Signature Require Planning Signature Copies: White-Office; Yellow- Applicanthis Copy for your permanent record REV 10/14	Date Date M. W. Market (keep ds)	Zoekano Print/Type	4 P. Besse	IGN ONLY) Y 32 19 Date

SIGN LOCATIONS



PERRY HALL SQUARE

LOCATION:
Nottingham, MD

SCALE: as noted PG: 1 of 10 FILE: Perry_Hall_Square_sign-program_4-17-19 PRAWN BY ebf









- White caps Sw006 Extra White 257-C1
- Stone El Dorado see page #2 spec
 "Perry Hall Square" lettering Burgundy to match awning sample

S-1	WAINSCOT SILL	CAST STONE DESIGNS INC.	
S-2	MANUFACTURED CAST STONE	ELDORADO	MANZANITA CLIFFSTONE DRYSTACK

SW 7649 (239 C5)

SW 006 (257 C1)

"Burgundy" to match awning material (see photo)

LOCATION:

Nottingham, MD

SCALE: as noted FILE: Perry_Hall_Square_sign-program_4-17-19 PG: 2 of 10

erikh@formansign.com

forman signs
447 Drummond Rd, Philadelphia, PA 19154

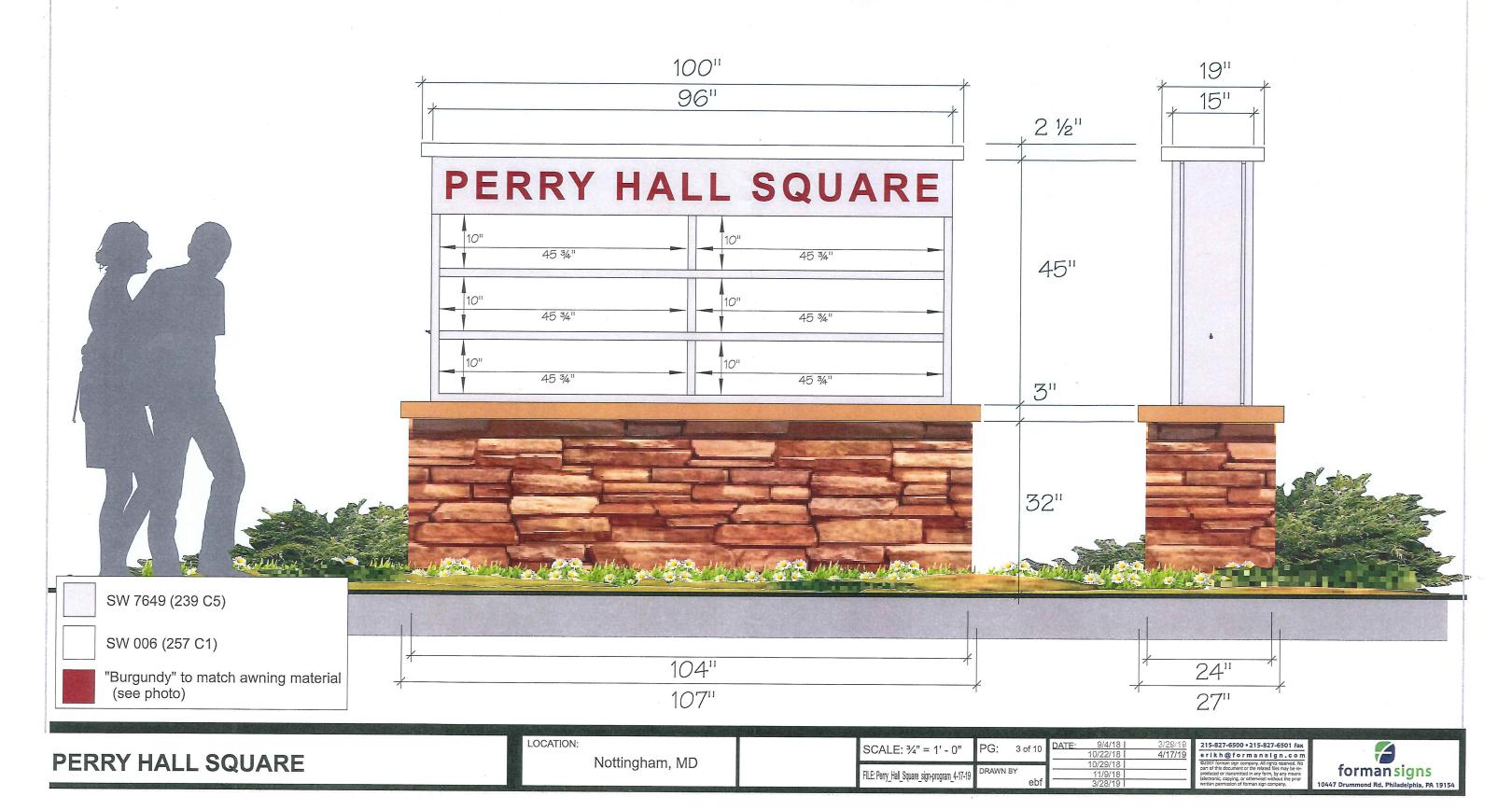
1 1/2" RETAINERS & DIVIDER BARS

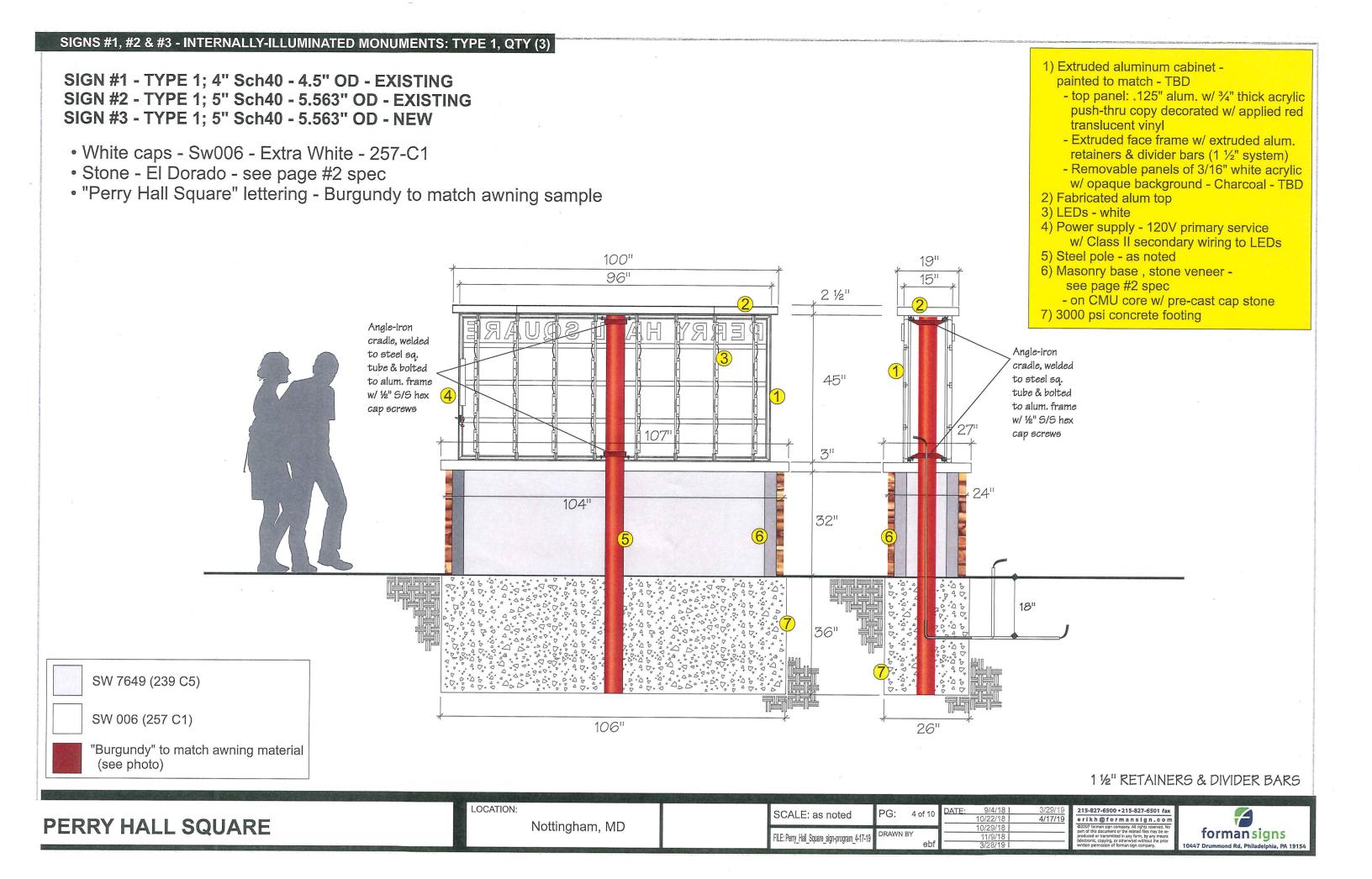
SIGN #1 - TYPE 1; 4" Sch40 - 4.5" OD - EXISTING

SIGN #2 - TYPE 1; 5" Sch40 - 5.563" OD - EXISTING

SIGN #3 - TYPE 1; 5" Sch40 - 5.563" OD - NEW

- White caps Sw006 Extra White 257-C1
- Stone El Dorado see page #2 spec
- "Perry Hall Square" lettering Burgundy to match awning sample







DONALD I. MOHLER III County Executive

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

August 8, 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. 2018-0351-SPHA Property: 4313 Ebenezer 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,

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:sln Enclosure IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE

AND VARIANCE

(4313 Ebenezer Road) * OFFICE OF

11th Election District

5th Council District * ADMINISTRATIVE HEARINGS

W ARC PH Square Owner VIII, LLC * FOR BALTIMORE COUNTY

Legal Owner

Petitioner * Case No. 2018-0351-SPHA

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of W ARC PH Square Owner VIII, LLC, legal owner ("Petitioner"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to allow a freestanding enterprise sign on a pad site (Sign No. 3).

A petition for variance seeks: (1) to allow three ground-mounted freestanding joint identification signs on Ebenezer Road, each with a height of 6 ft., and sign area/faces of 24 sq. ft. in lieu of the one freestanding joint identification sign permitted with a sign area/face of 150 sq. ft. and a height of 25 ft. (Sign Nos. 2, 4, 5); (2) to allow freestanding joint identification signs with sign copy for names of tenants/occupants a minimum of 3 inches in height in lieu of the required 8 inches (Sign Nos. 1, 2, 4, 5); (3) to allow tenants in a multi-tenant commercial building a wall-mounted enterprise sign/signs with a total sign area/face that exceeds two times the length of the wall containing the exterior entrance and defining the space occupied by the tenant (Sign Nos. B1, B2--200 sq. ft. in lieu of 71, C--65 sq. ft. in lieu of 33--, D1, D2--46 sq. ft. in lieu of 35--, H1-HE--115 sq. ft. in lieu of 48--, I--86 sq. ft. in lieu of 75--, M--62 sq. ft. in lieu of 29--, P--104 sq. ft. in lieu of 60--, Q1, Q2--252 sq. ft. in lieu of 199--, R--170 sq. ft. in

lieu of 69--, T--54 sq. ft. in lieu of 31--, U--94 sq. ft. in lieu of 52--, W--51 sq. ft. in lieu of 23--, Y--91 sq. ft. in lieu of 79--, and BB--54 sq. ft. in lieu of 46--); (4) to allow a maximum of 5 wall-mounted enterprise signs for a single tenant in a multi-tenant commercial building in lieu of one wall-mounted and one canopy sign permitted for each exterior entrance for the tenant (Sign Nos. B1-B2, D1-D2, H1-H4, L1-L2, O1-O5, Q1-Q2, Z1-Z3); (5) to allow a total of four wall-mounted enterprise signs for a single tenant commercial building with no more than two signs on a single façade in lieu of the three signs permitted with no more than two signs on a single façade (Sign Nos. OB1-OB4); and (6) to allow a freestanding sign 31 ft. from another freestanding sign in lieu of the required 100 ft. (Sign Nos. 2, 3). A site plan was marked and accepted into evidence as Petitioner's Exhibit 1.

Professional engineer Andrew Stine and Jeff Certosimo appeared in support of the requests. David H. Karceski, Esq. represented the Petitioner. 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.

SPECIAL HEARING

This case involves the Perry Hall Square Shopping Center. The special hearing request concerns an Outback Steakhouse, which is located on the periphery of the parking lot for the shopping center. The restaurant has its own parking and ingress/egress from Ebenezer Road. In light of these characteristics I believe it qualifies as a "pad site," which by long-standing County policy is entitled to its own enterprise sign. As such the petition for special hearing will be granted.

VARIANCE

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).

The property has an irregular shape and a significant (approximately 30') grade change across the site. As such it is unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because it would be unable to provide adequate signage for the large shopping center. 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 absence of County and/or community opposition. The DOP indicated in its ZAC comment that landscaping should be provided at the base of the signs. Petitioner submitted a plan showing proposed landscaping, and Jim Hermann (the County's landscape architect) noted thereon he was "ok with the conceptual landscape design." Pet. Ex. 5A & 5B.

THEREFORE, IT IS ORDERED this <u>8th</u> day of August, 2018, by this Administrative Law Judge, that the Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to allow a freestanding enterprise sign on a pad site (Sign No. 3), be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance: (1) to allow three ground-mounted freestanding joint identification signs on Ebenezer Road, each with a height of 6 ft., and sign area/faces of 24 sq. ft. in lieu of the one freestanding joint identification sign permitted with

a sign area/face of 150 sq. ft. and a height of 25 ft. (Sign Nos. 2, 4, 5); (2) to allow freestanding joint identification signs with sign copy for names of tenants/occupants a minimum of 3 inches in height in lieu of the required 8 inches (Sign Nos. 1, 2, 4, 5); (3) to allow tenants in a multitenant commercial building a wall-mounted enterprise sign/signs with a total sign area/face that exceeds two times the length of the wall containing the exterior entrance and defining the space occupied by the tenant (Sign Nos. B1, B2--200 sq. ft. in lieu of 71, C--65 sq. ft. in lieu of 33--, D1, D2--46 sq. ft. in lieu of 35--, H1-HE--115 sq. ft. in lieu of 48--, I--86 sq. ft. in lieu of 75--, M--62 sq. ft. in lieu of 29--, P--104 sq. ft. in lieu of 60--, Q1, Q2--252 sq. ft. in lieu of 199--, R--170 sq. ft. in lieu of 69--, T--54 sq. ft. in lieu of 31--, U--94 sq. ft. in lieu of 52--, W--51 sq. ft. in lieu of 23--, Y--91 sq. ft. in lieu of 79--, and BB--54 sq. ft. in lieu of 46--); (4) to allow a maximum of 5 wall-mounted enterprise signs for a single tenant in a multi-tenant commercial building in lieu of one wall-mounted and one canopy sign permitted for each exterior entrance for the tenant (Sign Nos. B1-B2, D1-D2, H1-H4, L1-L2, O1-O5, Q1-Q2, Z1-Z3); (5) to allow a total of four wall-mounted enterprise signs for a single tenant commercial building with no more than two signs on a single façade in lieu of the three signs permitted with no more than two signs on a single façade (Sign Nos. OB1-OB4); and (6) to allow a freestanding sign 31 ft. from another freestanding sign in lieu of the required 100 ft. (Sign Nos. 2, 3), be and is hereby GRANTED.

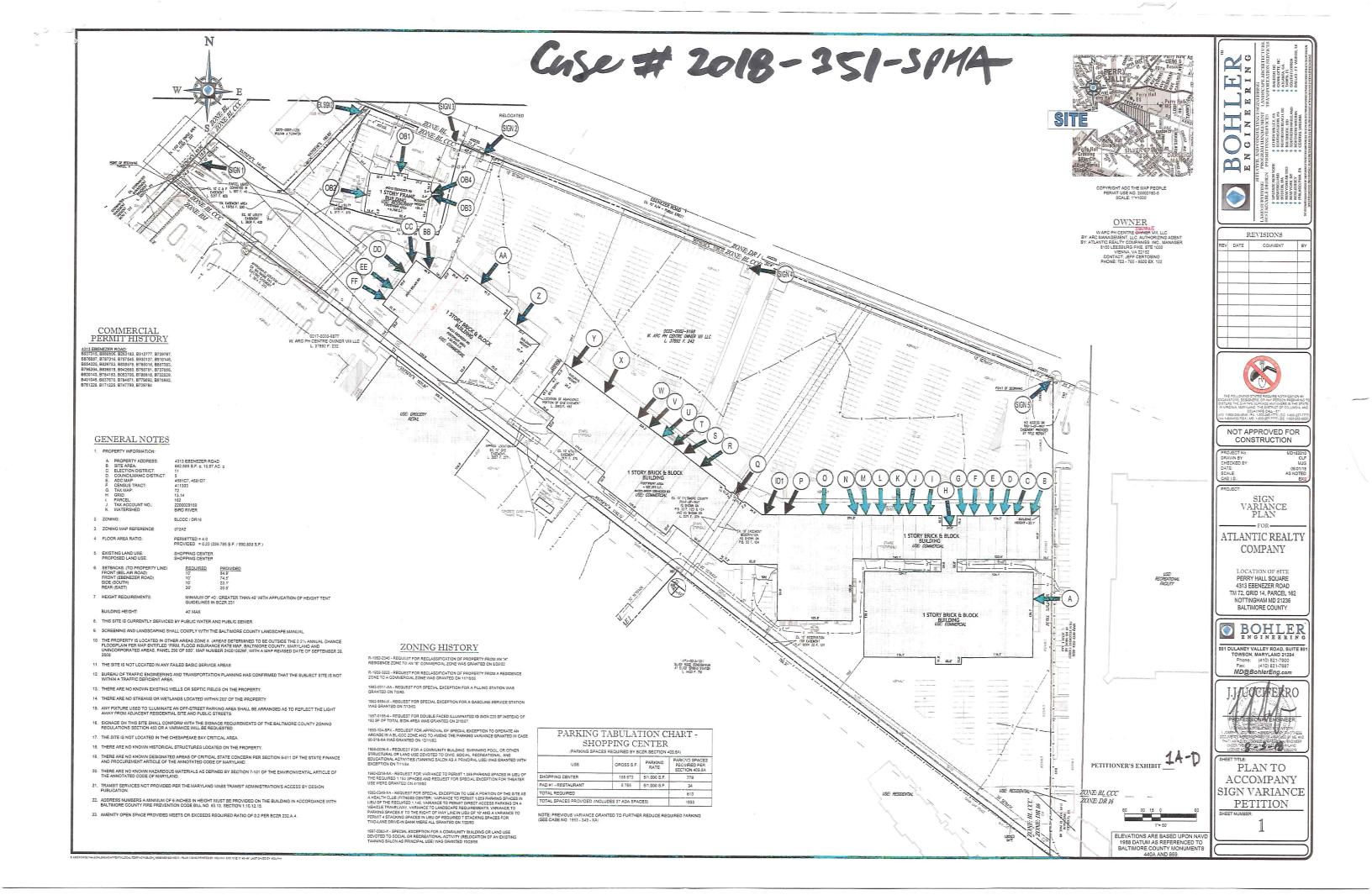
The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its 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, Petitioner 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.

Administrative Law Judge for Baltimore County

JEB:sln



















215.00 S.F.

Y 90.09 S.F.

(Z3) 42.27 S.F. TOTAL: 122.54 S.F.

Z2 6.04 S.F.

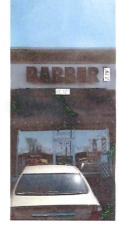
214.50 S.F.



















NOT APPROVED FOR CONSTRUCTION SIGN VARIANCE PLAN

ATLANTIC REALTY

COMPANY

LOCATION OF SITE PERRY HALL SQUARE 4313 EBENEZER ROAD TM 72, GRID 14, PARCEL 162 NOTTINGHAM MD 21236 BALTIMORE COUNTY

BOHLER ENGINEERING

REVISIONS EV DATE COMMENT

BB 53.14 S.F.

CC 64.20 S.F.

DD 64.20 S.F.

EE 16.67 S.F.

(FF) 24.31 S.F. TO BE REMOVED SIGN 1) 343.68 S.F.

TO BE REMOVED SIGN 2 55.12 S.F.

SIGN 3 37.95 S.F.

EXISTING EXISTING TO BE REMOVED SIGN 5) 14.08 S.F.

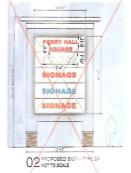














O 1 PROPOSED SIGN - TYPE 1



PROPOSED

PROPOSED SIGN - TYPE 1

SIGN 5 24.00 S.F. ELEVATIONS ARE BASED UPON NAVI 1988 DATUM AS REFERENCED TO BALTIMORE COUNTY MONUMENTS 400 AND E59.



PLAN TO ACCOMPANY SIGN VARIANCE PETITION

OB 1) 3.55 S.F.

OB 2) 82.56 S.F.

OB 3) 56.23 S.F.

OB 4) 14 99 S.F.

(ID1) 167.48 S.F.

SIGN 1) 150.00 S.F.

PROPOSED/ RELOCATED SIGN 2 24.00 S.F.

SIGN 4) 24.00 S.F.

		4301-435	9 EBENE	ZER RO	AD				
D	Tenant		Existing Signag	ge	Store	Allowable			
		Width (FT.)	Height (FT.)	Area (SF.)	Front Width (LF.)	Signage Per Code (SF.)	Relief Needed?		
A	PERRY HALL LANES	-		-	138 1	276.20	-		
31	MEMBERS FIRST OF MARYLAND	29.00	5.53	160.37					
B2	FEDERAL CREDIT UNION	32.31	1.20	38.77	35.74	71.48	SIGN FACE AREA AND NUMBER OF SIGNS		
	TOTAL			199.14					
С	TOBACCO STOP	14.55	4.41	64.17	16.74	33.48	SIGN FACE AREA		
D1	ASIAN	7.55	2.78	20.99					
D2	FUSION	8.82	2.78	24.52	17.87	35.74	SIGN FACE AREA AND NUMBER OF SIGNS		
	TOTAL			45.51					
E	VACANT	-			26.00	52.00			
F	BJ'S PUB	434	3.66	16.75	20.85	41.70			
G	VACANT	-			15.00	30.00			
H1	PERRY	10.23	4.15	42.45					
H2	HALL	6.56	3.27	21.45	i				
H3	LANES	11.26	3.27	36.82	24.00	48.00 AND	SIGN FACE AREA AND NUMBER OF		
H4	ICON	4.20	4.20	13.85			SIGNS		
	TOTAL			114.57	1				
1	KUMON	15.56	5.50	85.58	37.73	75.46	SIGN FACE AREA		
J	BELLA TRESSE	11.57	1.30	15.04	19.85	39.70			
К	VACANT	-	-	-	16.00	32.00			
L1	YAMA	9.87	2.96	29.22					
L2	SUSHI	10.86	2.96	32.15	35.46	70.92	NUMBER OF SIGNS		
	TOTAL			61.36					
M	ANGEL NAIL & SPA	14.14	4.35	61.51	14.89	29.78	SIGN FACE AREA		
N	VACANT -				15.00	30.00			
01	RITE	14.53	4.84	70.33					
02	AID	12.11	4.84	58.61					
03	PHARMACY	18,15	2,12	38.50		243.2			
04	PHOTO	8.90	2.12	18.87	121.60		NUMBER OF SIGNS		
05	GNC LIVE WELL	9.59	3.52	34.11					
	TOTAL			220.41					
P	ACTIVE LIFE & SPORTS	22.21	4.68	103.94	30 00	60.00	SIGN FACE AREA		
Q1	PHYSICAL THEREPY DOLLAR	32.82	5.00	164.10					
Q2	TREE	17.67	5.00	88.35	99.50 199.0	99.50 199.00 SIG	199.00	199.00	SIGN FACE AREA AND NUMBER OF
	TOTAL	17.07	3.00	252.45			SIGNS		
R	HALLMARK GOLD CROWN	40.28	4.24	170.79	34.85	69.70	SIGN FACE AREA		
s	KARATE	16.00	3.20	51.20	29.25	58.50			
т	THE VILLAGE GEM	16.50	3.30	54.45	15.61	31.22	SIGN FACE AREA		
U	H&R BLOCK	22.30	4.25	94.78	26.20	52.40	SIGN FACE AREA		
ν	VACANT			-	30.00	60.00			
w	LEVIN EYECARE ASSOCIATES	17.00	3.00	51.00	11.94	23.88	SIGN FACE AREA		
x	VACANT		-	-	107.5	215.00	-		
Y	ORTHODONTICS	27.30	3.30	90.09	39.75	79.50	SIGN FACE AREA		
		4231, 891	1 EBENE	ZER RO	AD				
ID	Tenant	1	Existing Signa		Store	Allowable	T		
		Width (FT.)	Height (FT.)	Area (SF.)	Front Width (LF.)	Signage Per Code (SF.)	Variance Needed?		
Z1	GRAPE AND GRAIN, WINE	16.67	4,45	74.18					
Z 2	å	2.22	2.72	6.04			NUMBER OF		
Z3	SPIRITS	15.56	2.72	42.32	70.00	140.00	SIGNS		
	TOTAL			122.54					
AA.	ROMMEL'S ACE	35.75	6.00	214.50	121.10	242.00	<u> </u>		
BB	ACE	10.42	5.10	53.14	23.00	46.00	SIGN FACE AREA		
CC	ITALIAN SENSATION	21.91	2.93	64.20	49.90	99.80			
DD	ITALIAN SENSATION	21.91	2.93	64.20	50.00	100.00	-		
		-	0.790,0000		-				
EE	BANK OF AMERICA	11.82	1,41	16.67	20.00	40.00			

	PERRY HA	LL SQ1	UARE S	SHOP	PING C	ENTE	3
		OUTBA	ACK STE.	AKHOU	SE		
D	Tenant	Existing Signage			Store	Allowable	
		Width (FT.)	Height (FT.)	Area (SF.)	Front Width (LF.)	Signage Per Code (SF.)	Relief Needed?
061	OUTBACK STEAKHOUSE	3.09	1.15	3.55	25.00	50.00	
OB2	OUTBACK STEAKHOUSE	15.12	5.46	82.56	63.60	127.20	FOUR SIGNS IN LIEU OF THREE (NO MORE THAI TWO ON A SINGLE FACADE
ОВЗ	OUTBACK STEAKHOUSE	14.38	3.91	56.23	63.60	127.20	
OB4	OUTBACK STEAKHOUSE	10.63	1.41	14.99	63.60	127.20	

FREESTANDING ENTERPRISE SIGNS									
ID		Signage		Sign Height	Allowable Sign Height	Allowable Sign			
	Sign Panel Width (FT.)	Sign Panel Height (FT.)	Sign Panel Area (SF.)	(FT.)		Relief Needed			
SIGN 3	11.26	3.37	37.95	21.91	25.00	150.00	SPECIAL HEARING FO A PAD SITE		

ID	Tenant	Signage			Allowable Sign Height	Allowable Sign	
		Sign Panel Width (FT.)	Sign Panel Height (FT.)	Sign Panei Area (SF.)	Per Code (SF.)	Area (SF.)	Relief Needed?
ID1	VACANT	16.50	10.15	167.48	62.26	124.52 1 5% OF WALL AREA)	

ID		Signage		Sign Height	Allowable Sign Height Per Code (SF.)	Allowable Sign	
	Sign Panel Width (FT.	Sign Panel Height (FT.)	Sign Panel Area (SF.)	(FT.)		Area (SF.)	Relief Needed?
SIGN 1	10.00	15.00- 12.50	150:00 125:00	25.00	25.00	150.00	-
SIGN 2	8.00	3.00	24.00	6.00	25.00	150.00	10
SIGN 4	8.00	3.00	24.00	6.00	25.00	150.00	Yes
SIGN 5	8 00	3.00	24.00	6.00	25.00	150.00	Yes









I'ME PLECUANDO SIVES RESUMER OF HIS TOURNAMENT OF DISCONARY OF ALL PROPERTY OF THE PROPERTY OF THE STATE OF THE ST

NOT APPROVED FOR CONSTRUCTION

PROJECT No.:
DRAWN BY:
CHECKED BY:
DATE:
SCALE:
CAD LD:

SIGN VARIANCE PLAN

ATLANTIC REALTY
COMPANY

LOCATION OF SITE PERRY HALL SQUARE 4313 EBENEZER ROAD TM 72, GRID 14, PARCEL 162 NOTTINGHAM MD 21236 BALTIMORE COUNTY

BOHLER ENGINEERING

DI DULANEY VALLEY ROAD, SUIT TOWSON, MARYLAND 21204 Phone: (410) 821-7900 Fax: (410) 821-7987



PLAN TO
ACCOMPANY
SIGN VARIANCE
PETITION

SHEET NUMBER

ELEVATIONS ARE BASED UPON NAVI 1988 DATUM AS REFERENCED TO BALTIMORE COUNTY MONUMENTS 440A AND 659. 4