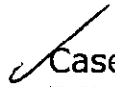


MEMORANDUM

DATE: April 3, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0182-A - Appeal Period Expired

The appeal period for the above-referenced case expired on April 1, 2019. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlw

c:  Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(9101 Franklin Square Drive)
14th Election District
6th Council District
Healthcare Realty Trust, Inc
Legal Owner
Petitioner

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2019-0182-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Healthcare Realty Trust, Inc., legal owner of the subject property (“Petitioner”). Petitioner is requesting variance relief from Section 450.4 of the Baltimore County Zoning Regulations (“BCZR”) to permit two (2) wall mounted identification signs on the same building frontage in lieu of the permitted one (1), and each with a square footage of up to 97.2 sq. ft. in lieu of the permitted 25 sq. ft. A site plan was marked as Petitioner’s Exhibit 1.

Professional engineer Peter Soprano and Mike Baldwin from Medstar Health appeared in support of the petition. Jennifer R. Busse, Esq. represented Petitioner. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. No substantive Zoning Advisory Committee (“ZAC”) comments were received from County reviewing agencies.

The site is approximately 0.57 acres in size and is zoned OR-1. The property is improved with a medical arts building owned by Medstar/Franklin Square Hospital. This case concerns signage for the building.

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

ORDER RECEIVED FOR FILING

Date 3-1-19

By sen

- 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).

Peter Soprano testified the property has irregular dimensions and that the front façade of the building does not directly face Franklin Square Drive, which makes it difficult for motorists or pedestrians to locate the building. As such I believe the property is unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because it would be unable to provide appropriate and necessary signage for the medical building. 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.

THEREFORE, IT IS ORDERED, this 1st day of **March, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Section 450.4 of the Baltimore County Zoning Regulations ("BCZR") to permit two (2) wall mounted identification signs on the same building frontage in lieu of the permitted one (1), and each with a square footage of up to 97.2 sq. ft. in lieu of the permitted 25 sq. ft., 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.

ORDER RECEIVED FOR FILING

Date 3-1-19

By Sen

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

ORDER RECEIVED FOR FILING

Date 3-1-19

By slh



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 9101 Franklin Square Drive

which is presently zoned OR 1

Deed References: _____

10 Digit Tax Account # 2500003425

Property Owner(s) Printed Name(s) Healthcare Realty Trust, Inc.

(SELECT THE HEARING(S) BY MARKING ☒ 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

2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. X a **Variance** from Section(s)

PLEASE SEE ATTACHED

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate 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)

REASONS TO BE PRESENTED AT HEARING

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

I, or we, agree to pay expenses of above 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:

N/A

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Jennifer R. Busse, Esquire

Name - Type or Print

Signature

Whiteford, Taylor & Preston

1 W. Pennsylvania Ave., Ste. 300, Towson MD

Mailing Address

City

State

21204

410-832-2077

jbusse@wtplaw.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Healthcare Realty Trust, Inc. - Owner/

Franklin Square Hospital Center, Inc. - Petitioner

Name #1 - Type or Print

Name #2 - Type or Print

H. Cory McLeod

/Mike Baldwin

Signature #1

Signature #2

9000 Franklin Square Drive, Baltimore, MD

Mailing Address

City

State

21237

443-777-6142

mike.baldwin@medstar.net

gfranz@healthcarerealty.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Michael Baldwin

Name - Type or Print

Signature

9000 Franklin Square Drive, Baltimore, MD

Mailing Address

City

State

21237

443-777-6142

mike.baldwin@medstar.net

Zip Code

Telephone #

Email Address

CASE NUMBER 2018-0182-A

Filing Date 12/6/2018

Do Not Schedule Dates: _____

Reviewer JNP

ORDER RECEIVED FOR FILING

REV. 10/4/11

Date 3-1-19

By Sen

Attachment to Zoning Petition

9101 Franklin Square Drive

Case No.: 2019-0182-A

Petition for Variance from BCZR §450.4 attachment 1, 5^(h)~~(a)~~ to permit two (2) wall mounted enterprise signs on the front wall with a customer entrance in lieu of the permitted one (1) wall-mounted sign.

Or in the alternative-

Petition for Variance from BCZR § 450.4, attachment 1, 6(a)~~(b)~~ to permit two (2) wall mounted identification signs on the same building frontage in lieu of the permitted one (1), and each with a square footage of up to 97.2 s.f. in lieu of the permitted 25 s.f.

November 30, 2018

ZONING DESCRIPTION

FRANKLIN SQUARE DRIVE LAND CONOMINIUM UNIT 1

Beginning at a point approximately 236 feet southeasterly of the intersection of Franklin Square Drive and Hospital Drive thence running for the following courses and distances:

1. North 39°44'29" East 35.32 feet, more or less, to a point; thence
2. North 50°23'10" West 6.11 feet, more or less, to a point; thence.
3. North 39°36'50" East 29.39 feet, more or less, to a point; thence,
4. South 50°23'10" East 6.04 feet, more or less, to a point; thence,
5. North 39°36'00" East 91.28 feet, more or less, to a point; thence,
6. South 50°22'10" East 70.98 feet, more or less, to a point; thence,
7. South 39°33'50" West 6.64 feet, more or less, to a point; thence,
8. South 50°23'10" East 17.04 feet, more or less, to a point; thence,
9. North 39°33'50" East 6.63 feet, more or less, to a point; thence,
10. South 50°22'11" East 68.19 feet, more or less, to a point; thence,
11. South 39°45'07" West 63.27 feet, more or less, to a point; thence,
12. South 50°10'49" East 6.04 feet, more or less, to a point; thence,
13. South 39°49'11" West 29.41 feet, more or less, to a point; thence,
14. North 50°10'49" West 5.80 feet, more or less, to a point; thence,
15. South 39°43'20" West 63.60 feet, more or less, to a point; thence,
16. North 50°15'42" West 112.00 feet, more or less, to a point; thence,
17. South 39°43'20" West 7.15 feet, more or less, to a point; thence,
18. North 50°15'42" West 27.48 feet, more or less, to a point; thence,
19. North 39°43'20" East 7.15 feet, more or less, to a point; thence,
20. North 50°15'42" West 16.58 feet, more or less, to the point of beginning.

Containing 24,809 square feet or 0.5695 acres of land more or less and known as 4101 Franklin Square Drive in the Fourteenth Election District, Baltimore County, Maryland.



2019-0182-A

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100
<http://www.thedailyrecord.com>

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

2/8/2019

Order #: 11685919
Case #: 2019-0182-A
Description:

NOTICE OF ZONING HEARING CASE NUMBER: 2019-0182-A



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

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: 2019-0182-A

9101 Franklin Square Drive
SE/s Franklin Square Drive, at the corner of NE/s of Hospital Drive
14th Election District - 6th Councilmanic District
Legal Owner: Healthcare Realty Trust, Inc.
Petitioner: Franklin Square Hospital Center, Inc.

Variance to permit 2 wall-mounted enterprise signs on the front wall with a customer entrance in lieu of the permitted 1 wall-mounted sign. Or in the alternative, to permit 2 wall-mounted identification signs on the same building frontage in lieu of the permitted 1, and each with a square footage of up to 97.2 sq. ft. in lieu of the permitted 25 sq. ft.

Hearing: Thursday, February 28, 2019 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Mike Mohler

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

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

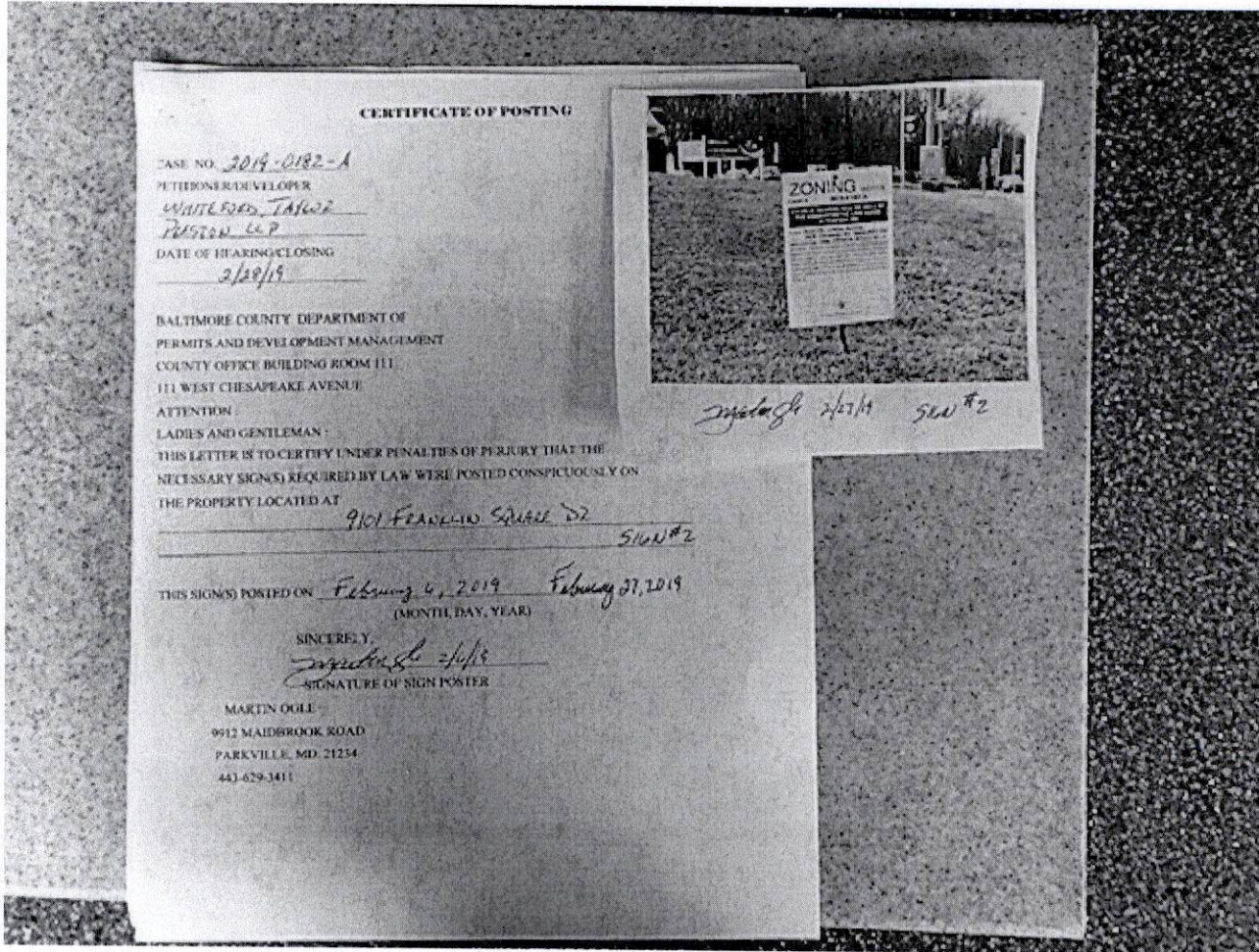
18

JB 2/28/19
11 Am

Debra Wiley

From: Marty Ogle <mert1114@aol.com>
Sent: Wednesday, February 27, 2019 12:07 PM
To: Administrative Hearings
Subject: 2019-0182-A

2nd set of certificates



CERTIFICATE OF POSTING

CASE NO. 2014-0182-A

PETITIONER/DEVELOPER

WHITEFORD, TAYLOR

PRESTON LLP

DATE OF HEARING/CLOSING

2/28/19

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111

111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMAN:

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

9101 FRANKLIN SQUARE DR

SIGN #1

THIS SIGN(S) POSTED ON February 6, 2019 February 27, 2019
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogile 2/6/19

SIGNATURE OF SIGN POSTER

MARTIN OGILE
9912 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3417



Martin Ogile 2/27/19 SIGN #1

Sent from my iPhone

RECEIVED

FEB 27 2019

OFFICE OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF POSTING

CASE NO. 2019-0182-A

PETITIONER/DEVELOPER

WHITEFORD, TAYLOR
PRESTON LLP

DATE OF HEARING/CLOSING

2/28/19

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION :

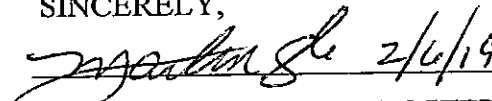
LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

9101 FRANKLIN SQUARE DR.
SIGN #2

THIS SIGN(S) POSTED ON February 6, 2019
(MONTH, DAY, YEAR)

SINCERELY,

 2/6/19
SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411

ZONING NOTICE

CASE # 2019-0182-A

A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

PLACE: Room 205, Jefferson Building
105 W. Chesapeake Ave., Towson MD 21204

DATE AND TIME: Friday, February 28, 2019 at 11:00 a.m.

REQUEST: Variance to permit 2 wall-mounted enterprise signs on the front wall with a customer entrance in lieu of the permitted 1 wall-mounted sign. Or in the alternative, to permit 2 wall-mounted identification signs on the same building frontage in lieu of the permitted 1; and each with a square footage of up to 97.2 sq. ft. in lieu of the permitted 25 sq. ft.

APPROPRIATEMENTS DUE TO WEATHER OR OTHER UNUSUAL CIRCUMSTANCES WILL BE POSTED BY THE TOWSON BOARD OF ZONING ADJUDICATORS.

DO NOT REMOVE THIS SIGN AND POSTING. OFFENSE HEARING UNDER PENALTY OF LAW.
HANDICAPPED ACCESSIBLE.

mya mgle 2/6/19 SIGN# 2

CERTIFICATE OF POSTING

CASE NO. 2019-0182-A

PETITIONER/DEVELOPER

WHITEFORD, TAYLOR
PRESTON LLP

DATE OF HEARING/CLOSING

2/28/19

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

9101 FRANKLIN SQUARE DR.
SIGN #1

THIS SIGN(S) POSTED ON February 6, 2019
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 2/6/19
SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411

ZONING NOTICE

CASE # 2019-0182-A

A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

PLACE: Room 205, Jefferson Building
105 W. Chesapeake Ave, Towson MD 21204
DATE AND TIME: Friday, February 18, 2019 at 11:00 a.m.
REQUEST: Variance to permit 2 wall-mounted entrance
signs on the front and with a rooftop entrance sign of
the permitted 1 wall-mounted sign. Or in the restricted
to permit 2 wall-mounted identification signs on the same
building frontage as the permitted 1, and each with a
square footprint of area 97.2 sq. ft. in lieu of the permitted
28 sq. ft.

FOR INFORMATION: A public hearing will be held on the above-captioned application at the time and place specified above. Any person who wishes to be heard at the hearing should appear in person or by a duly authorized representative. A notice of the hearing will be published in the Towson, MD, and in the Baltimore, MD, newspapers. A copy of this notice is being furnished to the applicant and to the interested parties.

HANDICAPPED ACCESSIBLE

W. J. M. 2/6/19

SIGN #1



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

January 24, 2019.

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: 2019-0182-A

9101 Franklin Square Drive
SE/s Franklin Square Drive, at the corner of NE/s of Hospital Drive
14th Election District – 6th Councilmanic District
Legal Owner: Healthcare-Realty Trust, Inc.
Petitioner: Franklin Square Hospital Center, Inc.

Variance to permit 2 wall-mounted enterprise signs on the front wall with a customer entrance in lieu of the permitted 1 wall-mounted sign. Or in the alternative, to permit 2 wall-mounted identification signs on the same building frontage in lieu of the permitted 1, and each with a square footage of up to 97.2 sq. ft. in lieu of the permitted 25 sq. ft.

Hearing: Thursday, February 28, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in cursive script, appearing to read "Mike Mohler".

Mike Mohler
Director

AJ:kl

C: Jennifer Busse, 1 W. Pennsylvania Avenue, Ste. 300, Towson 21204
Michael Baldwin, 9000 Franklin Square Drive, Baltimore 21237

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, FEBRUARY 8, 2019.**
- (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: THE DAILY RECORD
Friday, February 8, 2019 - Issue

Please forward billing to:

Jennifer Busse
Whiteford, Taylor & Preston
1 W. Pennsylvania Avenue, Ste. 300
Towson, MD 21204

410-832-2077

NOTICE OF ZONING HEARING

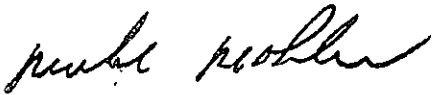
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2019-0182-A

9101 Franklin Square Drive
SE/s Franklin Square Drive, at the corner of NE/s of Hospital Drive
14th Election District – 6th Councilmanic District
Legal Owner: Healthcare Realty Trust, Inc.
Petitioner: Franklin Square Hospital Center, Inc.

Variance to permit 2 wall-mounted enterprise signs on the front wall with a customer entrance in lieu of the permitted 1 wall-mounted sign. Or in the alternative, to permit 2 wall-mounted identification signs on the same building frontage in lieu of the permitted 1, and each with a square footage of up to 97.2 sq. ft. in lieu of the permitted 25 sq. ft.

Hearing: Thursday, February 28, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Mike Mohler
Director of Permits, Approvals and Inspections for Baltimore County

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

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
9101 Franklin Square Drive; SE/S Franklin		
Square Drive @ corner of NE/S Hospital Drive*		OF ADMINSTRATIVE
14 th Election & 6 th Councilmanic Districts		
Legal Owner(s): Healthcare Realty Trust, Inc *		HEARINGS FOR
Franklin Square Hospital Center, Inc-Petitioner	*	BALTIMORE COUNTY
Petitioner(s)	*	
	*	2019-182-A

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED
DEC 18 2018

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 18th day of December, 2018, a copy of the foregoing Entry of Appearance was mailed to Michael Baldwin, 9000 Franklin Square Drive, Baltimore, Maryland 21237 and Jennifer Busse, Esquire, 1 West Pennsylvania Avenue, Suite 300, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**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: 2019-0182-A
Property Address: 9101 Franklin Square Drive
Property Description: 9101 Franklin Square Drive
Balto., MD 21237
Legal Owners (Petitioners): Healthcare Realty Trust, Inc. / Franklin
Contract Purchaser/Lessee: NIA Square
Center
Inc.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jennifer Basse, Esq.
Company/Firm (if applicable): Whiteford Taylor Preston
Address: One W. Pennsylvania Ave. Ste. 300
Towson, MD 21204
Telephone Number: 410 832 2077

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

No. **177733**

Date: **12/06/2018**

PAID RECEIPT

BUSINESS ACTUAL TIME DEN
 12/07/2018 12/06/2018 11:30:15
 WATN LJR
 RECEIPT # 023362 12/06/2018 CPLH
 Dept 5- 328 ZONING VERIFICATION

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

Total: **500.00**

Rec From:

Whitford Taylor & Preston

For:

Healthcare Realty Trust, Inc - Variance
9101 Franklin Square Drive - 2019-0182-A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

February 22, 2019

Jennifer R. Busse, Esquire
1 W. Pennsylvania Ave, Ste 300
Towson MD 21204

RE: Case Number: 2019-0182-A, 9101 Franklin Square Drive

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 06, 2018. 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, appearing to read "W. Carl Richards, Jr.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Healthcare Realty Trust Inc. Attn: Cory McLeod 9000 Franklin Square Drive, Baltimore MD
21237

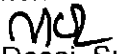
Attn: Mike Baldwin

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Michael Mohler, Acting Director
Department of Permits, Approvals

DATE: Jan 17, 2019

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For December 10, 2018
ItemNo.2019-0165-A, 0175-A, 0176-A, 0178-A, 0179-A, 0180-A, 0181-A,
0182-A, 0184-SPHA, 0185-A, 0188-SPHX and 0190-A

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

*

*

*

*

*

VKD: cen

cc: file

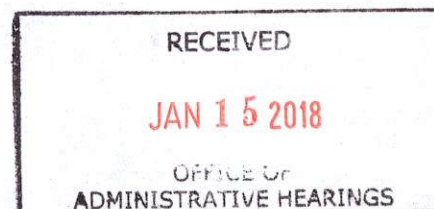
BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Mike Mohler
Acting Director, Permits, Approvals and Inspections

DATE: 1/14/2019

FROM: Jeff Mayhew
Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-182



INFORMATION:

Property Address: 9101 Franklin Square Drive
Petitioner: Franklin Square Hospital Center, Inc.
Zoning: OR 1
Requested Action: Variance

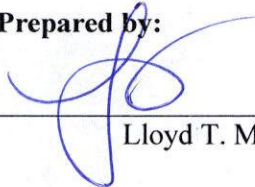
The Department of Planning has reviewed the petition for variance to permit two wall mounted enterprise signs on the front wall with a customer entrance in lieu of the permitted one wall-mounted sign or in the alternative to permit two wall mounted identification signs on the same building frontage in lieu of the permitted one and each with a square footage of up to 97.2 square feet in lieu of the permitted 25 square feet.

A site visit was conducted on December 20, 2018.

The Department has no objections to granting the petitioned zoning relief:

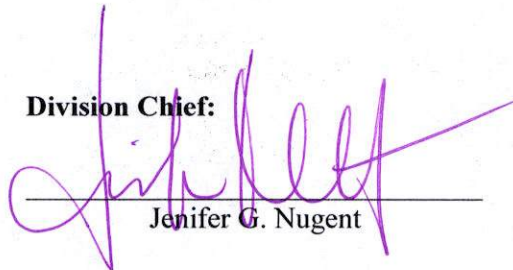
For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jennifer G. Nugent

AVA/JGN/LTM/

c: Josephine Selvakumar
Jennifer R. Busse, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

TO: Mike Mohler
Acting Director, Permits, Approvals and Inspections

DATE: 1/14/2019

FROM: Jeff Mayhew
Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-182

INFORMATION:

Property Address: 9101 Franklin Square Drive
Petitioner: Franklin Square Hospital Center, Inc.
Zoning: OR 1
Requested Action: Variance

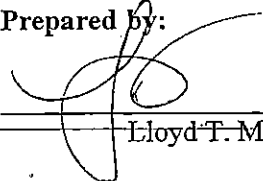
The Department of Planning has reviewed the petition for variance to permit two wall mounted enterprise signs on the front wall with a customer entrance in lieu of the permitted one wall-mounted sign or in the alternative to permit two wall mounted identification signs on the same building frontage in lieu of the permitted one and each with a square footage of up to 97.2 square feet in lieu of the permitted 25 square feet.

A site visit was conducted on December 20, 2018.

The Department has no objections to granting the petitioned zoning relief:

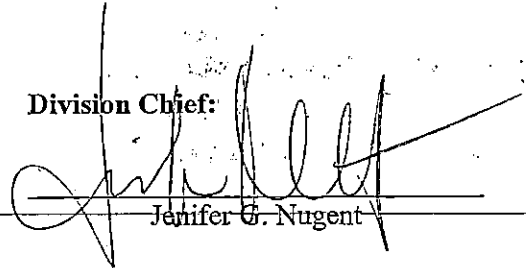
For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jennifer G. Nugent

AVA/JGN/LTM/

c: Josephine Selvakumar
Jennifer R. Busse, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: December 27, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0182-A
Address 9101 Franklin Square Drive
(Healthcare Realty Trust, Inc.
Property)

Zoning Advisory Committee Meeting of **December 24, 2018.**

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

Reviewer: Steve Ford

CASE NAME Franklin Square
CASE NUMBER 2019-182-A
DATE 2/28/19

[illegible]

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment1/17DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)NO Comment12/27DEPS
(if not received, date e-mail sent _____)NO Comment1/14

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)NO
Objections

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. 2011-0076-A)

NEWSPAPER ADVERTISEMENT

Date: 2/8/19SIGN POSTING (1st)Date: 2/6/19by OgleSIGN POSTING (2nd)Date: 2/27/19by Ogle

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 14 Account Number - 2500003425			
Owner Information					
Owner Name:		HEALTHCARE REALTY TRUST INCORPORATED		Use:	COMMERCIAL
Mailing Address:		7TH FL 3310 WEST END AVE NASHVILLE TN 37203-1028		Principal Residence:	NO
				Deed Reference:	
Location & Structure Information					
Premises Address:		9101 FRANKLIN SQUARE DR BALTIMORE MD 21237-0000 CONDO UNIT: 1		Legal Description:	.5695 AC CNDO UNIT 1 9101 FRANKLIN SQ DR SS FRANKLIN SQ DR LAND COND
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0082	0020	0076		0000	
Assessment Year:				Plat No:	
2019				Plat Ref:	0031/ 0333
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
		60492			
				Property Land Area	
				24,809 SF	
				County Use	
				15	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
		MEDICAL OFFICE BUILDING			
Value Information					
Base Value		Value		Phase-In Assessments	
		As of		As of	
		01/01/2019		07/01/2018	
Land:	427,500	427,500			
Improvements	7,668,600	5,571,800			
Total:	8,096,100	5,999,300		8,096,100	5,999,300
Preferential Land:	0				0
Transfer Information					
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2018		07/01/2019	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application					
Date:					

TB
10-28-10

IN RE: PETITION FOR VARIANCE

E side of Rossville Blvd., 55 feet S of
the c/l of Franklin Square Drive
14th Election District
6th Councilmanic District
(9000 Franklin Square Drive)

Franklin Square Hospital Center, Inc.
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* CASE NO. 2011-0076-A

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

This matter comes before this Deputy Zoning Commissioner for consideration of a Motion for Reconsideration filed by John B. Gontrum, Esquire on behalf of Petitioner Franklin Square Hospital Center, Inc. The Motion for Reconsideration was filed pursuant to Rule 4(k) of Appendix G of the Baltimore County Zoning Regulations (B.C.Z.R.) wherein the Rules of Practice and Procedure before the Zoning Commissioner/Hearing Officer for Baltimore County are provided. Rule 4(k) permits a party to file a Motion for Reconsideration of an Order issued by the Zoning Commissioner. This Motion must be filed within 30 days of the date the Order was issued, and must state with specificity the grounds and reasons for their request.

In the instant matter, Petitioner Franklin Square Hospital Center, Inc. requested Variance relief from the Table of Sign Regulations set forth in Section 450.4 – Attachment 1 of the Baltimore County Zoning Regulations (“B.C.Z.R.”). After considering the testimony and evidence offered by Petitioner in support of the relief, the undersigned issued an Order dated November 16, 2010 granting the Variance requests contained in Petitioner’s signage package.

Thereafter, Mr. Gontrum submitted a letter dated December 10, 2010, to be treated as a Motion for Reconsideration. In his Motion, Mr. Gontrum indicated that, inadvertently, three (3) directional signs for the hospital’s professional buildings were not included in the signage

package. Like the other directional, freestanding signs that were included in the Petition for Variance from Section 450 – Attachment 1.3 of the B.C.Z.R., these are 12.333 feet in height in lieu of the permitted 6 feet in height and contain 68 square feet in lieu of the permitted area per face of 8 square feet. Mr. Gontrum also noted that although the sign variances were not specifically requested for the professional building areas delineated on the site plan, these signs are within the descriptions contained on the notice of the variance requests to the public published in the newspaper and on the signs posted on the property; hence no new variances are requested. The sign locations and elevations are depicted on the signage details that accompanied the Motion, and would supplement as pages 2, 3, 4 and 5 the 22 page colorized signage details packet that was marked and accepted into evidence in the case as Petitioner's Exhibit 2. Mr. Gontrum also pointed out that the three (3) directional signs that are the subject of this Motion are important for identifying parking and services and intended to replace existing signs.

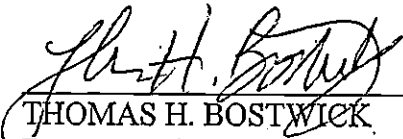
In considering the Motion for Reconsideration, the undersigned reviewed the case file -- including the Petition, the exhibits admitted into evidence, and the Zoning Advisory Committee ("ZAC") comments -- and the Findings of Fact and Conclusions of Law dated November 16, 2010, as well as the letter and supplemental signage details submitted by Mr. Gontrum in support of the Motion.

After reviewing the aforementioned documents, I believe the case warrants granting the Motion for Reconsideration. I agree with Mr. Gontrum that the signs are, in sum and substance, the same signs that were already approved in my previous Order dated November 16, 2010 for the entire Hospital property. While it is true that the actual signs in the specific locations indicated in the Motion were not part of the original Petition or evidence at the hearing, I believe the granting of relief for these signs is within the scope of my original Order and within the spirit and intent of

the Zoning Regulations. Therefore, I shall grant the Motion for Reconsideration and amend the Order to include the supplemental signage details that accompanied the Motion in the colorized 22 page signage details packet accepted into evidence as Petitioners' Exhibit 2.

WHEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of December, 2010 that Petitioner's Motion for Reconsideration pursuant to the letter dated December 10, 2010 be and is hereby **GRANTED**, and the three (3) supplemental signage details submitted with the Motion shall be included as pages 2, 3, 4 and 5 in the 22 page colorized signage details packet accepted into evidence as Petitioner's Exhibit 2 (attached to this Order on Motion for Reconsiderations as Exhibit "A").

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

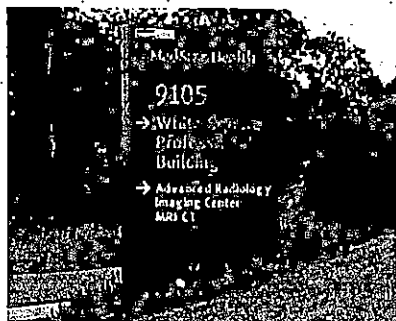
Attachment-Exhibit "A"

THB:pz

**Professional Building
White Square
Franklin Square Hospital Center**

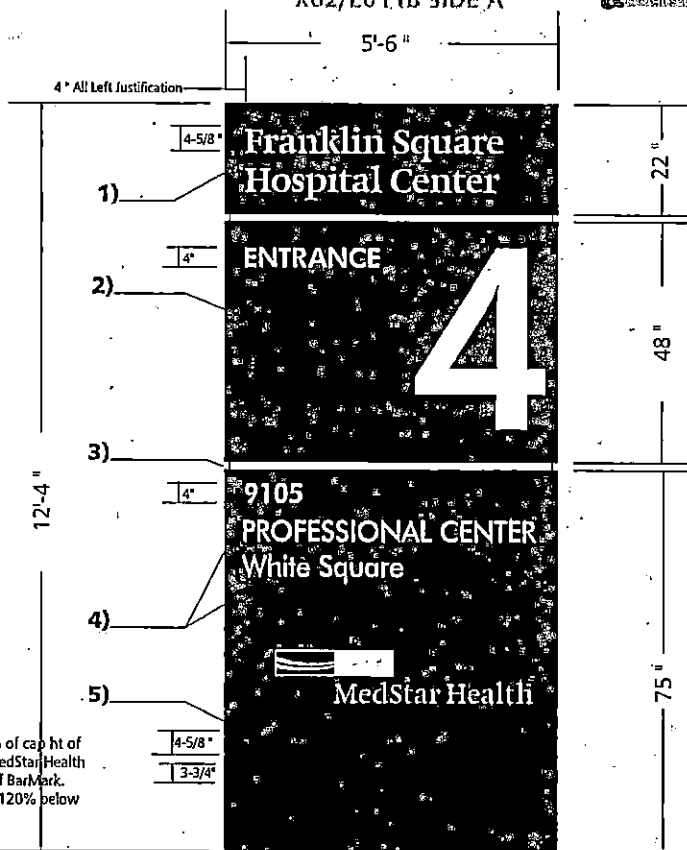
**Campus Signage Brand Execution
(*Permit Signs*)**





APPENDIX A

X02/E011B SIDE B



BarMark is 100% of cap ht of hospital copy. MedStar Health cap ht @ 80% of BarMark. Copy baseline is 120% below BarMark.



- 1) Header Letterforms are cut-through aluminum faces & backed with white acrylic.
Font is Hollander Bold
- 2) Sign Cabinets are aluminum constructed with Aluminum Sheets & Angle framing as required.
Signs are internally illuminated with Fluorescent lamps to illuminate copy evenly, Ballasts as required.
Signs Painted MedStar Standard Colors
MedStar Blue Cabinet Bodies (PMS281) with Reveals in MedStar Yellow (PMS116)
Signs are set on Posts and into Approved Concrete footers.
- 3) Reveals in MedStar Yellow (PMS116) @ 1 1/2" Tall
- 4) Sign body copy is cut-through aluminum faces & backed with white acrylic.
Font is Futura Heavy BT & Futura Med BT
- 5) BarMark & MedStar Health are cut-through aluminum faces & backed with white acrylic.
Font is Hollander & BarMark Font is Digitally Printed, Applied to Face & Will illuminate.
MedStar Logo is Centered @ Bottom of Signs / BarMark is 4-1/2" Tall - MedStar Health "M-Cap" Ht is 3.25" Tall

-SIGN TYPE EXT02

Type X02 / Location E011.

Apple Signs

CLIENT: MedStar Health
CONTACT: .
ADDRESS:
Franklin Square Hospital Center

PHONE
FAX

SKETCH# FA BY~m
SCALE: noted

NOTES

Printout Colors are for reference only.
APPLE SIGNS — SIC # 3993

REV. # / DATE / 8Y

FA	10/29/10	PPark
----	----------	-------

Page# 3

APPROVED: _____
 TITLE: _____
 LANDLORD APPROVAL: _____
 DATE: _____
 SALES _____
 PRODUCTION _____
 INSTALL _____

404 Serendipity Dr. Millersville, Md. 21108
Phone 410.987.7446 Fax 410.987.1580
Visit us at www.applsigns.com

© Apple Signs, Inc. 2015

[illegible]

**WELLSBERG CASPER
INSTITUTE**

- Medical Arts
- White Square
- Medical Fluorography
- Breast Center
- Family Health Center

[illegible]

X02/E010 SIDE B

4 - All Left Justification

5'-6"

1 1/2" Reveals

BarMark is 100% of cap ht of hospital copy. MedStar Health cap ht @ 80% of BarMark. Copy baseline is 120% below BarMark.

. MedStar Logo is Centered @ Bottom of Signs / BarMark is 4-1/2" Tall - MedStar Health "M-Cap" Ht is 3.25" Tall

--SIGN TYPE EXT02-

Apple Signs

SCALE : noted

APPLE SIGNS - SIC # 3993

INSTALL

404 Serendipity Dr. Millersville, Md. 21108
Phone 410.987.7446 Fax 410.987.1580
Visit us at www.appliasigns.com

© Apple Signs, Inc. 2003

[illegible]

Way
Franklin Square
Physical Therapy

EMERGENCY

- Weinberg Cancer Institute
- Medical Arts
- ↑ White Square
Heart Right
- MedStar Pharmacy
- Breast Center
- Family Health

admission:

X02/E010B SIDE B

- 1) Header Letterforms are cut-through aluminum faces & backed with white acrylic.
Font is Hollander Bold
- 2) Sign Cabinets are aluminum constructed with Aluminum Sheets & Angle framing as required.
Signs are Internally Illuminated with Fluorescent lamps to illuminate copy evenly, Ballasts as required.
Signs Painted MedStar Standard Colors
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MedStar Logo is Centered @ Bottom of Signs / BarMark is 4-1/2" Tall - MedStar Health "M-Cap" Ht is 3.25" Tall

-SIGN TYPE EXT02-

Type X02 / Location E010B

AppleSigns

CLIENT: MedStar Health
CONTACT: _____
ADDRESS: _____
Franklin Square Hospital Center

PHONE
FAX

SKETCH# FA	BY-r
SCALE : noted	

NOTES

Printout Colors are for reference only.

APPLE SIGNS -- SIC # 3993

REV. # / DATE / BY

FA	10/29/10	Ppark
----	----------	-------

Page# : 5

APPROVED: _____
 TITLE: _____
 LANDLORD APPROVAL: _____
 DATE: _____
 SALES _____
 PRODUCTION _____
 INSTALL _____

404 Serendipity Dr. Millersville, MD. 21108
Phone 410.987.7446 Fax 410.987.1520
Visit us at www.applesigns.com

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[illegible]

TB
10-28-10

IN RE: PETITION FOR VARIANCE

E side of Rossville Blvd., 55 feet S of
the c/l of Franklin Square Drive
14th Election District
6th Councilmanic District
(9000 Franklin Square Drive)

Franklin Square Hospital Center, Inc.
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* CASE NO. 2011-0076-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owner of the subject property, Franklin Square Hospital Center, Inc., a subsidiary of H.H. MedStar Health, Inc. and Bay Development Corp. Petitioner is requesting Variance relief from the Table of Sign Regulations set forth in the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows:

- From Section 450.5.B.3.b of the B.C.Z.R. to allow a sign on a vertical face of canopy to extend above and below the face of the canopy (signs E025, E031); and
- From Section 450.5.B.4 of the B.C.Z.R. to allow on a single premises freestanding signs within 100 feet of other freestanding signs having an area per face larger than 8 square feet (signs X04/E002, X02/E052, X06/E053, MA-2, X02/E013, X05/E014); and
- From Section 450.4 - Attachment 1.1(a) of the B.C.Z.R. to allow 2 changeable copy, freestanding signs accessory to an institution on a single premises in lieu of the permitted 1 sign, with an area per face of up to 120 square feet in lieu of the permitted area per face of 25 square feet, and a sign height of up to 13.6 feet in lieu of the permitted 6 feet in height (MA-1, MA-2); and
- From Section 450.4 - Attachment 1.3 of the B.C.Z.R. to allow directional, freestanding signs with an area per face of up to 68 square feet in lieu of the permitted area per face of 8 square feet (see Council Bill 89-1997) (Signs X02/E013, X02/E042, X02/E052, X03/E004, X03/E008, X04/E002, X04/E003, X04/007, X04/E009, X05/E014, X06/E053); and
- From Section 450.4 - Attachment 1.3 of the B.C.Z.R. to allow directional, freestanding signs in a residential zone of up to 12.333 feet in height in lieu of the permitted 4 feet in height (Signs X02/E013, X02/E042, X02/E052, X03/E004, X03/E008, X04/E003, X04/007, X05/E014, X06/E053); and

- From Section 450.4 - Attachment 1.3 of the B.C.Z.R. to allow directional, freestanding signs in a non-residential zone of up to 12.333 feet in height in lieu of the permitted 6 feet in height (Signs X04/E002, X04/E099); and
- From Section 450.4 - Attachment 1.6 of the B.C.Z.R. to allow an identification sign for an institution with an area per face of 763 square feet in lieu of the permitted area per face of 25 square feet (Sign E033); and
- From Section 450.4 - Attachment 1.6 of the B.C.Z.R. to allow 2 identification signs on the same building frontage in lieu of the permitted 1 identification sign on a building frontage, each with an area per face of up to 63 square feet in lieu of the permitted area per face of 25 square feet, and constructed on a canopy in lieu of the permitted wall mounted, freestanding, or integral sign (Signs E025, E031).

The subject property and requested relief are more fully depicted on the 4 page site plan documents which were collectively marked and accepted into evidence as Petitioner's Exhibit 1, as well as the 22 page colorized signage details packet that was marked and accepted into evidence as Petitioner's Exhibit 2.

Appearing at the requisite public hearing in support of the variance requests were Dennis Kephart and Bob Nelson on behalf of Petitioner Franklin Square Hospital Center, Inc. Mr. Kephart is in charge of the hospital facilities and has been involved in the recent improvements to the campus, and Mr. Nelson is Chief of Security for the hospital. John B. Gontrum, Esquire, appeared as attorney for Petitioner. Also appearing in support of the requested relief was James Applegate with Apple Signs, the company involved in the design and placement of the signs identified on the site plan drawings and the colorized signage details packet. The site plan drawings were sealed by Tobi Louise Kester, a registered landscape architect with Dewberry & Davis LLC. There were no Protestants or other interested persons in attendance.

Testimony and evidence was presented by way of a proffer from Mr. Gontrum and revealed that the subject property is irregular shaped and consists of approximately 55.879 acres, more or less, zoned D.R.5.5 and O.R.-1. As shown on pages 1 and 2 of the site plan, the property

is located on the east side of Rossville Boulevard, south of Interstate 95, west of King Avenue and north of Philadelphia Road, in the White Marsh area of Baltimore County. The property straddles the north and south sides of Franklin Square Drive, which stretches from Rossville Boulevard to the west to King Avenue to the east. As shown on the vicinity map, Hospital Drive also runs from Philadelphia Road in a northerly direction to the subject property and effectively bisects the property on the east and west sides. The property is also bordered to the north by the Community College of Baltimore County – Essex Campus. The hospital property is improved with several buildings, with the focus of the hospital campus being the existing nine-story Patient Tower building located on the north side of Franklin Square Drive opposite Hospital Drive. To the south of Franklin Square Drive are parking lots and medical buildings that are part of the larger hospital campus.

By way of background, Petitioner Franklin Square Hospital Center, Inc. is the largest community teaching hospital in the State and is a member of MedStar Health, the region's largest integrated health system. Franklin Square has a medical staff of more than 3,200 healthcare professionals, including over 600 physicians. In 2009, Franklin Square's Emergency Department served more than 104,700 patients, making it the busiest emergency services facility in Maryland. Franklin Square opened at its present location in eastern Baltimore County in 1969 with the construction of a relatively modest four-story hospital building. Since that time, the hospital facility has continued to expand with a broad range of healthcare specialties, advanced technologies and treatments, and has also developed into a major regional meeting place of healthcare administrators and practitioners to discuss important healthcare issues at seminars in its conference center. This expansion culminated in the recent completion of the nine-story \$175 million Patient Tower. The 356,000 square foot facility will have private rooms and begin

accepting patients in November, 2010. The building includes an expanded emergency department, intensive care unit, and a Family Pediatric Center with pediatric emergency and inpatient units. Franklin Square is also one of the regional disaster centers in partnership with other area hospitals, wherein they can share resources and shift patients in emergencies, such as with potential railroad or chemical disasters, or tropical storms.

In discussing the specific signage issues, Mr. Gontrum indicated that one of the more unusual features of the subject site is the fact that the hospital campus is so spread out, with the various hospital and medical professional buildings, as well as delivery areas and over 3,000 parking spaces. Because the hospital campus is so sprawling, there are multiple entrances onto the property, including two at each end of Franklin Square Drive (at Rossville Boulevard and King Avenue) and one on Hospital Drive. According to Mr. Gontrum, an already complex hospital layout is now even more extensive with the new Patient Tower. The possible confusion associated with the various entrance points, coupled with the sheer size of the hospital building and its array of services, and the presence of parked vehicles and other visual obstructions throughout the property, has led Franklin Square Hospital and its engineers and consultants to fashion a signage package for the campus, as shown in Petitioner's Exhibit 2. In a broad sense, it is these features of the property, as well as the property's use as a major metropolitan hospital, that drive the need for the aforementioned sign variances.

Mr. Gontrum explained that the sign variances could be separated into four main categories: (1) the main building signs; (2) the changeable copy signs at the entrances; (3) the freestanding signs within 100 feet of other freestanding signs; and (4) the directional, freestanding signs. Details of the signs and their proposed locations are shown on Petitioner's Exhibit 2, as well as pages 1 and 2 of the site plan drawings. They can also be summarized as follows:

Main Building Signs – as the category suggests, these are the three signs that are affixed to the main hospital building, as shown on pages 18-22 of Petitioner's Exhibit 2. This includes the large "Franklin Square Hospital Center – *MedStar Health*" sign proposed for the front of the Patient Tower building just below the roofline, as well as the "Staff Entrance" and "Emergency" signs proposed on the side of the building attached to the canopies at ground level. Because of the size of the new Patient Tower, a sign of relative comparable size is necessary. As to the other signs, it is necessary to affix these signs to the canopy over the staff and emergency entrances to make them visible, while providing cover for ambulances and other emergency vehicles.

Changeable Copy Signs at Entrances – these signs would be permanent signs with foundation and brick bases with fixed and changeable copy signage on both sides. One would be located at each of the main entrances to the hospital campus -- at the Rossville Boulevard and Franklin Square Drive entrance, and the entrance to the new Patient Tower and the Emergency Department from Franklin Square Drive. These signs are depicted on pages 3 and 5 of Petitioner's Exhibit 2. The need for these signs at the height proposed is for the visibility from Rossville Boulevard, and then once visitors and emergency vehicles are on the campus, to direct them to the proper areas of the Patient Tower building. In addition, as shown on page 6 of Petitioner's Exhibit 2, there are vehicles parked on both sides of Franklin Square Drive, so a sign with sufficient size and height is needed to overcome the height of the vehicles. The changeable copy is requested to alert the public of news and events that may change from time to time and be relevant to their lives, such as blood drives and meetings or seminars at the hospital.

Freestanding Signs – these are the freestanding signs that are within 100 feet of other freestanding signs. They include the freestanding entrance "5" sign depicted on page 7 of Petitioner's Exhibit 2 that mainly directs vehicles to the Emergency Department and the service

and delivery areas, as well as a second entrance sign depicted on page 16 of Petitioner's Exhibit 2 that highlights the parking areas. Also included is the freestanding entrance "1" sign depicted on page 9 and the similar freestanding directional sign depicted on page 12 of Petitioner's Exhibit 2. These signs, and their proposed square footage and lettering size, are also needed to properly direct traffic once they enter the hospital campus.

General Directional Signage – these include the balance of the signs depicted on pages 7 through 17 of Petitioner's Exhibit 2 and request variance relief from the height, square footage, and copy size of the Regulations. Petitioner has chosen the size and placement of the proposed signs to provide directional and location information to visitors traveling along the interior public roads of the hospital campus.

Further evidence revealed that Franklin Square Hospital is a regional medical center and, as such, draws patients from a wide geographic area, many of whom are not familiar with the location of the hospital campus or the new Patient Tower. Even visitors familiar in general with Franklin Square Hospital may need the proposed signage, because some uses at the campus have recently been updated or changed. Additionally, many visitors to the hospital will be ill, under stress, or elderly and, therefore, would be assisted by signage that provides for quick identification of the campus buildings and uses. The three separate entrance locations also provide the necessity for adequate signage to accurately and efficiently direct visitors and patients to their desired destinations.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated September 27, 2010 which indicates they reviewed the request for variances from the B.C.Z.R. for a comprehensive sign package including 16 new signs to be erected on the Franklin Square Hospital

Center campus. That Office does not oppose the requested variances, but recommends that all freestanding signs should incorporate landscaping around the base of the sign, and that Petitioner should consider adding directional language to Sign X06/E053 that would direct motorists to the adjacent CCBC campus.

After due consideration of the testimony and evidence presented, it is clear that the signage, as shown on the site plan drawings and the colorized signage details packet, is appropriate in the locations proposed and, having met the standards set forth in Section 307.1 of the B.C.Z.R., should be granted. This almost 56 acre campus is unique by virtue of its overall size and irregular shape, along with the relationship of the campus to the public roadways on which it has frontage, as well as the interior public roadways and the multiple entrances on those roadways. These features and characteristics not only limit visibility into and within the property, but also drive the need for the amount of signage requested in order to provide adequate guidance for patients and visitors.

It has also been established that strict compliance with the B.C.Z.R. would result in a practical difficulty and unreasonable hardship for Petitioner. Requiring Petitioner to adhere to the number and size limitations for signage and restrictions on locations required under the B.C.Z.R. would make it quite difficult for patients and visitors to locate the many medical services provided throughout the campus and utilize those services in an efficient manner. The signs also direct service and delivery persons to the appropriate areas so as not to be intermingled or confused with the medical areas.

Finally, there is no evidence that the grant of the relief would be detrimental to the surrounding area. The proposed signage is reasonable given the size of the hospital campus -- especially with the existence of the new Patient Tower -- and the number of patient services

provided throughout the hospital, and the need to provide adequate guidance to patients and visitors. A review of the details and elevations of the proposed signage confirms that the new signs will provide a significant upgrade. Additionally, the character of the proposed signs will be consistent with the signage for this type of institutional use. Therefore, I am persuaded to grant the requested relief.

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

THEREFORE, IT IS ORDERED this 16th day of November, 2010 by this Deputy Zoning Commissioner that Petitioner's request for Variance relief from the Table of Sign Regulations set forth in the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows:

- From Section 450.5.B.3.b of the B.C.Z.R. to allow a sign on a vertical face of canopy to extend above and below the face of the canopy (signs E025, E031); and
- From Section 450.5.B.4 of the B.C.Z.R. to allow on a single premises freestanding signs within 100 feet of other freestanding signs having an area per face larger than 8 square feet (signs X04/E002, X02/E052, X06/E053, MA-2, X02/E013, X05/E014); and
- From Section 450.4 - Attachment 1.1(a) of the B.C.Z.R. to allow 2 changeable copy, freestanding signs accessory to an institution on a single premises in lieu of the permitted 1 sign, with an area per face of up to 120 square feet in lieu of the permitted area per face of 25 square feet, and a sign height of up to 13.6 feet in lieu of the permitted 6 feet in height (MA-1, MA-2); and
- From Section 450.4 - Attachment 1.3 of the B.C.Z.R. to allow directional, freestanding signs with an area per face of up to 68 square feet in lieu of the permitted area per face of 8 square feet (see Council Bill 89-1997) (Signs X02/E013, X02/E042, X02/E052, X03/E004, X03/E008, X04/E002, X04/E003, X04/007, X04/E009, X05/E014, X06/E053); and
- From Section 450.4 - Attachment 1.3 of the B.C.Z.R. to allow directional, freestanding signs in a residential zone of up to 12.333 feet in height in lieu of the permitted 4 feet in height (Signs X02/E013, X02/E042, X02/E052, X03/E004, X03/E008, X04/E003, X04/007, X05/E014, X06/E053); and

- From Section 450.4 - Attachment 1.3 of the B.C.Z.R. to allow directional, freestanding signs in a non-residential zone of up to 12.333 feet in height in lieu of the permitted 6 feet in height (Signs X04/E002, X04/E099); and
- From Section 450.4 - Attachment 1.6 of the B.C.Z.R. to allow an identification sign for an institution with an area per face of 763 square feet in lieu of the permitted area per face of 25 square feet (Sign E033); and
- From Section 450.4 - Attachment 1.6 of the B.C.Z.R. to allow 2 identification signs on the same building frontage in lieu of the permitted 1 identification sign on a building frontage, each with an area per face of up to 63 square feet in lieu of the permitted area per face of 25 square feet, and constructed on a canopy in lieu of the permitted wall mounted, freestanding, or integral sign (Signs E025, E031),

be and are hereby **GRANTED**.

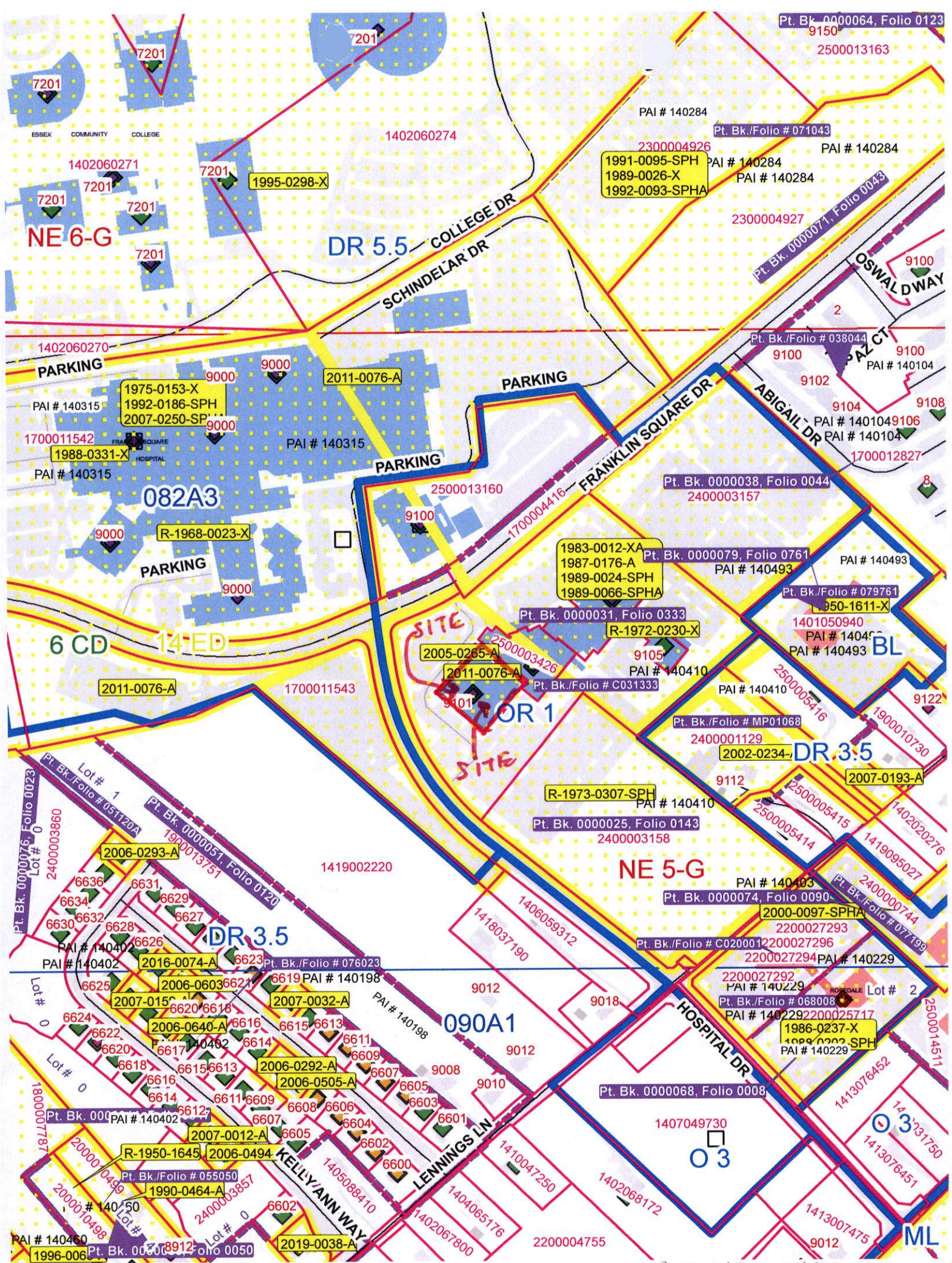
The following shall be conditions precedent to the relief granted herein:

1. Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. All freestanding signs should incorporate landscaping around the base of the sign, and Petitioner should consider adding directional language to Sign X06/E053 that would direct motorists to the adjacent CCBC campus.

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


 THOMAS H. BOSTWICK
 Deputy Zoning Commissioner
 for Baltimore County

THB:pz



**MFSMC
Medical Arts Building**

9101 Franklin Square Drive
Rosedale, MD 21237

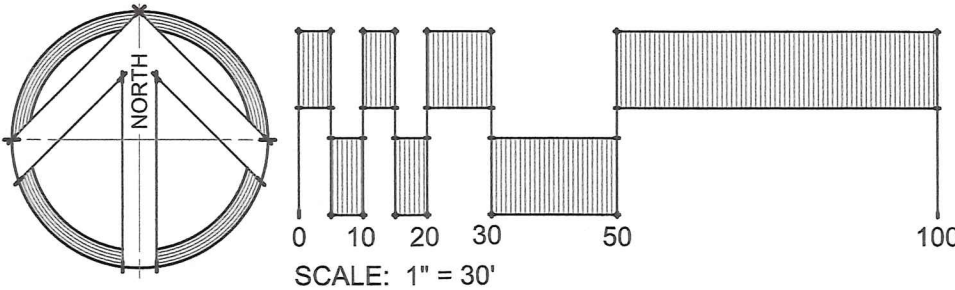
REVISIONS		
#	DATE	DESCRIPTION

DRAWN BY: RSW CHECKED BY: PCS
DATE: 12/04/18 PROJECT #: 18103
SCALE: AS NOTED
DRAWING NAME:

HEARING EXHIBIT

C100

PET. No. 2





GENERAL NOTES

- 1. OWNER: HEALTHCARE REALTY TRUST INCORPORATED
7TH FLOOR
3310 WEST END AVENUE
NASHVILLE, TN 37203-1028
- 2. SITE ADDRESS: 9101 FRANKLIN SQUARE DRIVE
BALTIMORE, MD 21237
14TH ELECTION DISTRICT, 6TH COUNCILMANIC DISTRICT
EXISTING ZONING: OR -1 P5
- 3. TAX MAP 0082, GRID 0020, PARCEL 0078
TAX ACCOUNT # 2500003425
PLAT: 0031 / 0333
TOTAL SITE AREA: 24,809 S.F. (0.57 AC.)
- 4. EXISTING USE: MEDICAL OFFICE BUILDING
- 5. WATER & SEWER: SITE IS SERVED BY PUBLIC WATER AND SEWER;
NO WELLS OR SEPTIC SYSTEMS ARE PRESENT.
- 6. THE SITE DOES NOT LIE WITHIN ANY DEFICIENT AREAS ON THE BASIC SERVICES MAPS.
- 7. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA
- 8. THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.
- 9. THE SITE DOES NOT LIE WITHIN THE FEMA 100-YEAR FLOODPLAIN.

ZONING HISTORY

CASE NUMBER 73-307-RSPH - 9101 FRANKLIN SQUARE DRIVE - MEDICAL ARTS BLDG
FINAL ORDER TO RECLASSIFY D.R. 3.5 AND D.R. 5.5 ZONES TO D.R. 16 AND A SPECIAL EXCEPTION FOR OFFICE BUILDINGS.
GRANTED 06/29/1973

CASE NUMBER 05-265-A - 9105 FRANKLIN SQUARE DRIVE
VARIANCE TO PERMIT MORE THAN ONE-WALL MOUNTED SIGN PER BUILDING FOR A TOTAL OF TWO SIGNS.
GRANTED 01/20/2005

CASE NUMBER 2011-0076-A - 9000 FRANKLIN SQUARE DRIVE (MULTIPLE BUILDINGS/LOCATIONS INVOLVED)
VARIANCE RELIEF FROM SIGN REGULATIONS:
• TO ALLOW A SIGN ON A VERTICAL FACE OF CANOPY TO EXTEND ABOVE AND BELOW THE FACE OF THE CANOPY.
• TO ALLOW ON A SINGLE PREMISES FREESTANDING SIGNS WITHIN 100 FEET OF OTHER FREESTANDING SIGNS HAVING AN AREA PER FACE LARGER THAN 8 SQUARE FEET.
• TO ALLOW 2 CHANGEABLE COPY, FREESTANDING SIGNS ACCESSORY TO AN INSTITUTION ON A SINGLE PREMISES IN LIEU OF THE PERMITTED 1 SIGN, WITH AN AREA PER FACE OF UP TO 120 SQUARE FEET IN LIEU OF THE PERMITTED AREA PER FACE OF 25 SQUARE FEET, AND A SIGN HEIGHT OF UP TO 13.6 FEET IN LIEU OF THE PERMITTED 6 FEET IN HEIGHT.
• TO ALLOW DIRECTIONAL, FREESTANDING SIGNS WITH AN AREA PER FACE OF UP TO 68 SQUARE FEET IN LIEU OF THE PERMITTED AREA PER FACE OF 8 SQUARE FEET.
• TO ALLOW DIRECTIONAL, FREESTANDING SIGNS IN A RESIDENTIAL ZONE OF UP TO 12.333 FEET IN HEIGHT IN LIEU OF THE PERMITTED 4 FEET IN HEIGHT.
• TO ALLOW DIRECTIONAL, FREESTANDING SIGNS IN A NON-RESIDENTIAL ZONE OF UP TO 12.333 FEET IN HEIGHT IN LIEU OF THE PERMITTED 6 FEET IN HEIGHT.
• TO ALLOW AN IDENTIFICATION SIGN FOR AN INSTITUTION WITH AN AREA PER FACE OF 763 SQUARE FEET IN LIEU OF THE PERMITTED AREA PER FACE OF 25 SQUARE FEET.
• TO ALLOW 2 IDENTIFICATION SIGNS ON THE SAME BUILDING FRONTAGE IN LIEU OF THE PERMITTED 1 IDENTIFICATION SIGN ON A BUILDING FRONTAGE, EACH WITH AN AREA PER FACE OF UP TO 63 SQUARE FEET IN LIEU OF THE PERMITTED AREA PER FACE OF 25 SQUARE FEET, AND CONSTRUCTED ON A CANOPY IN LIEU OF THE PERMITTED WALL MOUNTED, FREESTANDING, OR INTEGRAL SIGN.
GRANTED 11/16/2010

RECONSIDERATION TO INCLUDE 3 SUPPLEMENTAL SIGNAGE DETAILS SUBMITTED WITH THE PREVIOUSLY SUBMITTED PACKAGE.
GRANTED 12/27/2010

EXISTING SIGNAGE INFORMATION

EXISTING SIGN #1: "9101" - BUILDING MOUNTED	
HEIGHT	0.75'
SQUARE FOOTAGE	1.6 S.F.
ILLUMINATION	NO
SETBACK FROM EXISTING RIGHT-OF-WAY	120'+/- FROM HOSPITAL DRIVE ROW
SINGLE OR DOUBLE FACED	SINGLE
EXISTING SIGN #2: "MedStar Orthopaedic Institute" - BUILDING MOUNTED	
HEIGHT	2'
SQUARE FOOTAGE	97.2 S.F.
ILLUMINATION	YES
SETBACK FROM EXISTING RIGHT-OF-WAY	100'+/- FROM HOSPITAL DRIVE ROW
SINGLE OR DOUBLE FACED	SINGLE

PROPOSED SIGNAGE INFORMATION

PROPOSED SIGN #3: "MedStar Family Health Center" - BUILDING MOUNTED
REFER TO SHEET 2 OF 2 FOR PROPOSED SIGN INFORMATION.

SETBACK ANALYSIS

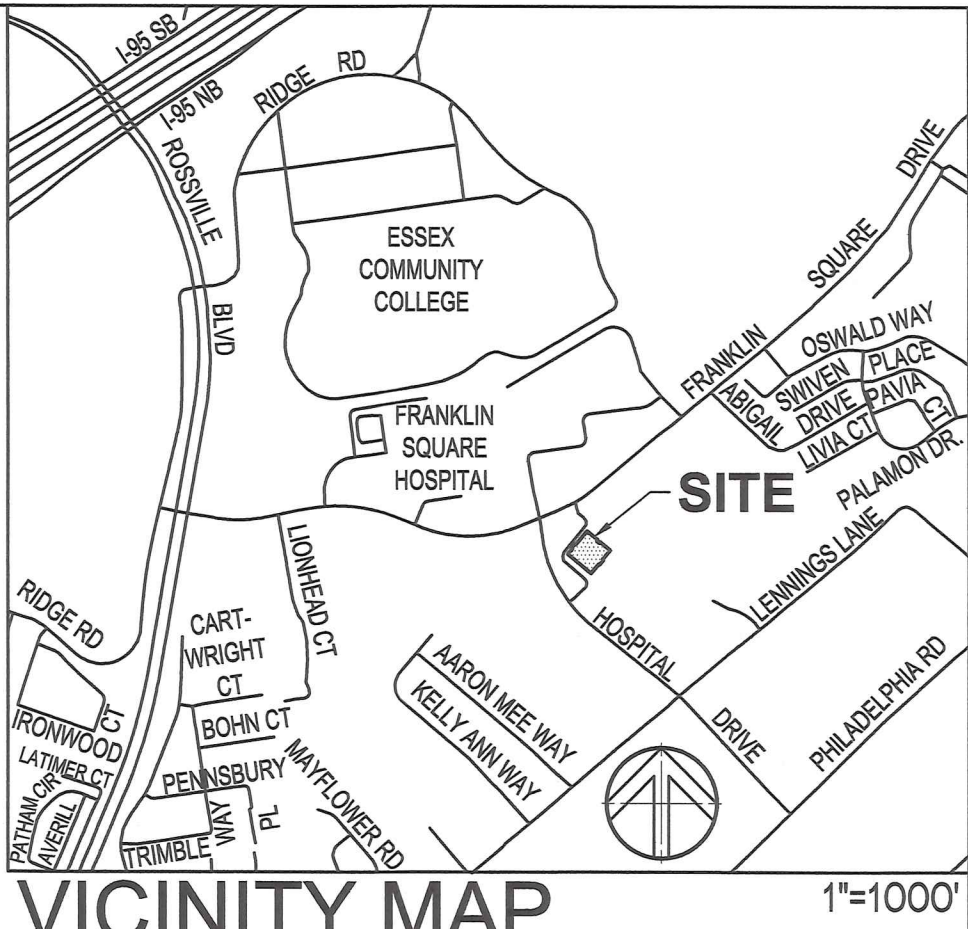
SUBJECT PROPERTY IS ZONED OR-1	
FRONT -	REQ. 40'
SIDE (INT) -	PROVIDED MIN. 137'+/-
SIDE (ST) -	22'+/-
REAR -	35'
	MIN. 88'+/-
	MIN. 129'+/-

GROSS FLOOR AREA

EXISTING BUILDING AREA:	21,000+/- S.F.
GROSS SITE AREA*:	128,361+/- S.F.
FLOOR AREA RATIO:	0.17
*GROSS SITE AREA INCLUDES A PORTION OF THE ADJACENT LOT - SEE PLAN FOR LIMITS	

PARKING REQUIREMENTS

MEDICAL OFFICE BUILDING:	4.5 SPACES PER 1,000 S.F. OF GROSS FLOOR AREA
GROSS FLOOR AREA:	58,800 S.F.
PARKING REQUIRED:	265 SPACES
PARKING PROVIDED:	396 SPACES



MFSMC
Medical Arts Building

9101 Franklin Square Drive
Rosedale, MD 21237



PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 42617, EXPIRATION DATE: 06/07/2019.

REVISIONS

#	DATE	DESCRIPTION

DRAWN BY: RSW CHECKED BY: PCS
DATE: 12/04/18 PROJECT #: 18103

SCALE: AS NOTED

DRAWING NAME:

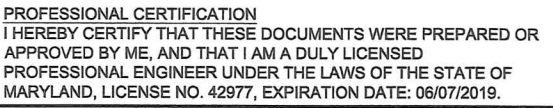
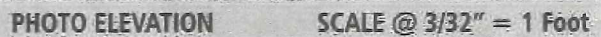
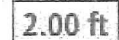
Plan to Accompany
Sign Variance
Request

2019 - 0182 - A

9101 Franklin Square Drive
Rosedale, MD 21237



- INTERNAL WHITE LED ILLUMINATION W/ 12 VOLT TRANSFORMER 60W.

[illegible]

#	DATE	DESCRIPTION
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SCALE: AS NOTED

© SITE RESOURCES, INC. Z:\18\18103-MFSMC SIGN VARIANCE\04-DWG\PLAN TO ACCOMPANY SIGN VARIANCE REQUEST.DWG 12/4/2018 3:59 PM RSW



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14TH ELECTION DISTRICT, 6TH COUNCILMANIC DISTRICT
EXISTING ZONING: OR-1
- TAX MAP 0082, GRID 0020, PARCEL 0076
TAX ACCOUNT # 2500003425
PLAT: 0031 / 0333
TOTAL SITE AREA: 24,809 S.F. (0.57 AC.)
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- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA
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- THE SITE DOES NOT LIE WITHIN THE FEMA 100-YEAR FLOODPLAIN.

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• TO ALLOW 2 CHANGEABLE COPY, FREESTANDING SIGNS ACCESSORY TO AN INSTITUTION ON A SINGLE PREMISES IN LIEU OF THE PERMITTED 1 SIGN, WITH AN AREA PER FACE OF UP TO 120 SQUARE FEET IN LIEU OF THE PERMITTED AREA PER FACE OF 25 SQUARE FEET, AND A SIGN HEIGHT OF UP TO 13.6 FEET IN LIEU OF THE PERMITTED 6 FEET IN HEIGHT.
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GRANTED 11/16/2010

RECONSIDERATION TO INCLUDE 3 SUPPLEMENTAL SIGNAGE DETAILS SUBMITTED WITH THE PREVIOUSLY SUBMITTED PACKAGE.
GRANTED 12/27/2010

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HEIGHT	0.75'
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SINGLE OR DOUBLE FACED	SINGLE
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HEIGHT	2'
SQUARE FOOTAGE	97.2 S.F.
ILLUMINATION	YES
SETBACK FROM EXISTING RIGHT-OF-WAY	100'+/- FROM HOSPITAL DRIVE ROW
SINGLE OR DOUBLE FACED	SINGLE

PROPOSED SIGNAGE INFORMATION

PROPOSED SIGN #3: "MedStar Family Health Center" - BUILDING MOUNTED
REFER TO SHEET 2 OF 2 FOR PROPOSED SIGN INFORMATION.

SETBACK ANALYSIS

SUBJECT PROPERTY IS ZONED OR-1

REQ.	PROVIDED
FRONT - 40'	MIN. 137'+/-
SIDE (INT) - 20'	22'+/-
SIDE (ST) - 35'	MIN. 88'+/-
REAR - 30'	MIN. 129'+/-

GROSS FLOOR AREA

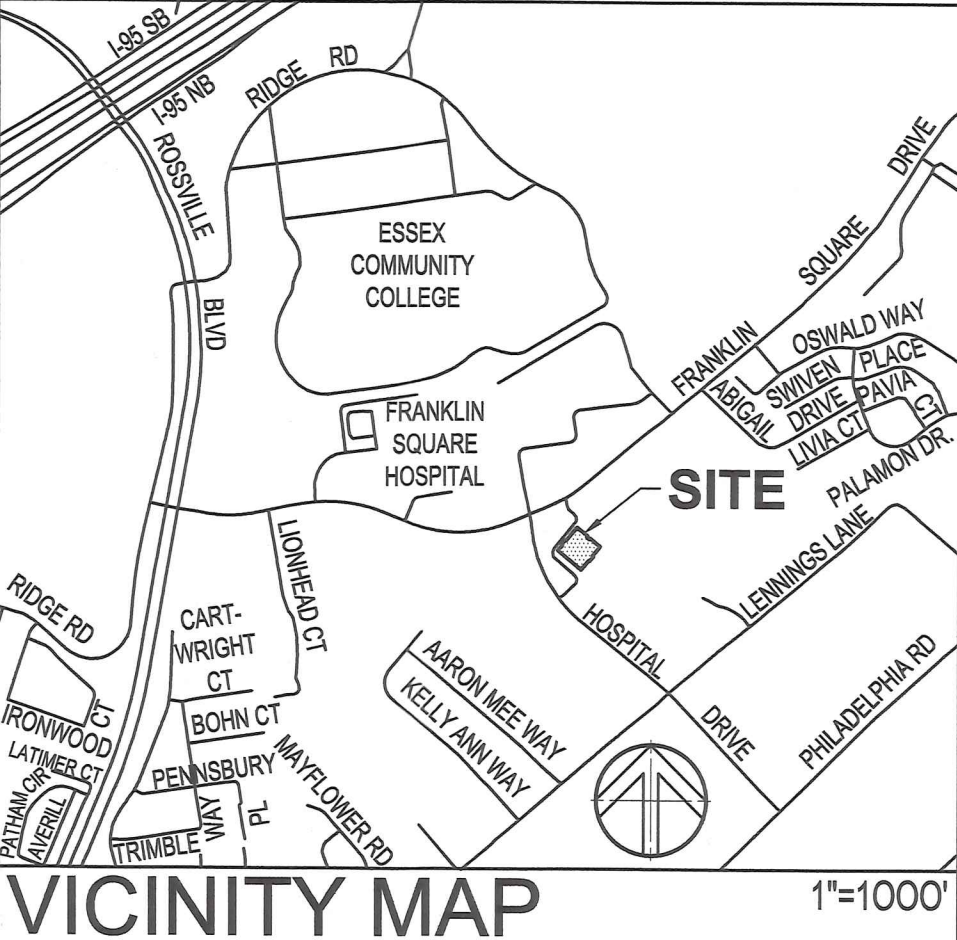
EXISTING BUILDING AREA: 21,000+/- S.F.

GROSS SITE AREA*: 126,361+/- S.F.
FLOOR AREA RATIO: 0.17

*GROSS SITE AREA INCLUDES A PORTION OF THE ADJACENT LOT - SEE PLAN FOR LIMITS

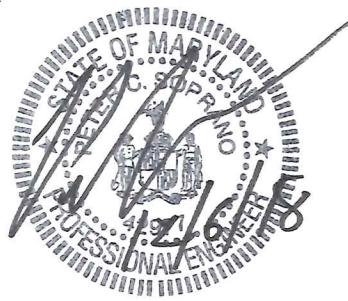
PARKING REQUIREMENTS

MEDICAL OFFICE BUILDING: 4.5 SPACES PER 1,000 S.F. OF GROSS FLOOR AREA
GROSS FLOOR AREA: 58,800 S.F.
PARKING REQUIRED: 265 SPACES
PARKING PROVIDED: 396 SPACES



MFSMC
Medical Arts Building

9101 Franklin Square Drive
Rosedale, MD 21237



PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 42677, EXPIRATION DATE: 06/07/2018.

REVISIONS

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DRAWN BY: RSW CHECKED BY: PCS
DATE: 12/04/18 PROJECT #: 18103

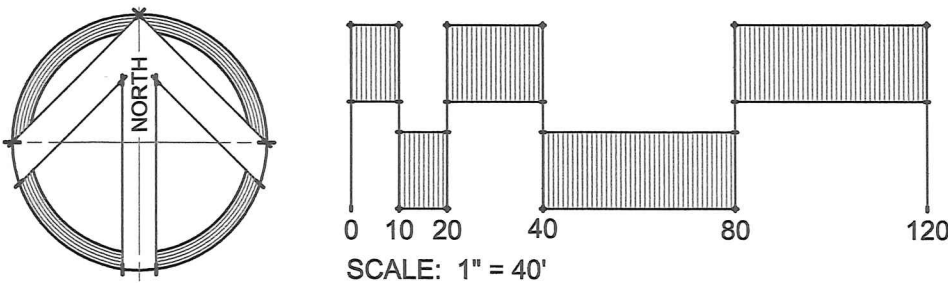
SCALE: AS NOTED

DRAWING NAME:

Plan to Accompany
Sign Variance
Request

2019 - 0182-A

PET. No. 1



© SITE RESOURCES, INC. ZN1818103-MFSMC SIGN VARIANCE04-DWG18103 - HEARING EXHIBIT 2.DWG 2/27/2019 5:12 PM .pss



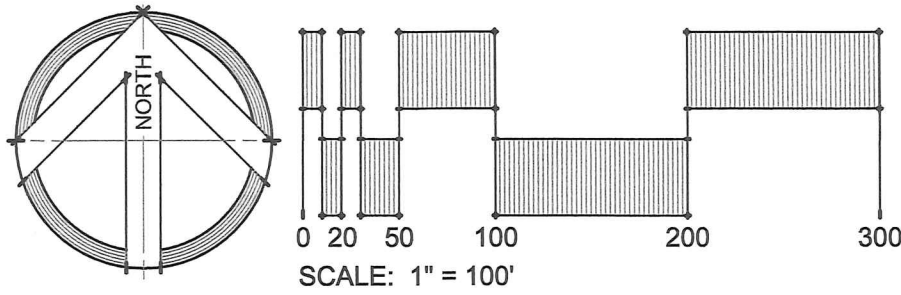
**MFSMC
Medical Arts Building**

9101 Franklin Square Drive
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REVISIONS		
#	DATE	DESCRIPTION

DRAWN BY: RSW CHECKED BY: PCS
DATE: 12/04/18 PROJECT #: 18103
SCALE: AS NOTED
DRAWING NAME:

HEARING EXHIBIT



C100

PET. No. 3