



150. —

UP-2019-0331-SF

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

SIGN USE PERMIT

B
A 187541
The applicant is authorized to affirm that there are no current violations at this site pursuant to Section 112.7 BCC
Initials JA

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

PROPERTY ADDRESS 1737 Reisterstown Rd Pikesville MD ZIP CODE 21208
BUSINESS NAME Target ZONING BL
OWNER'S NAME Target Corporation PHONE NO. _____ HISTORIC DISTRICT ☐ Yes ☐ No
MAILING ADDRESS PO Box #9456 Minneapolis MN 55440

APPLICANT/OWNER'S AGENT Frank Cavanagh PHONE NO. 301-384-1300
SIGN COMPANY NAME ARK Sign Services, Inc. PHONE NO. 301-384-1300

TYPE OF SIGN: ☐ Window Sign TAX ACCOUNT NO. _____ / _____ / 0316046092

☐ 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)

Size: 13 feet x 13 feet = 169 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.

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

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.

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

Install one wall mounted target logo 13'x13'169 on a 363' wall

CORNER LOT ☐

ZONING CASE NO. 2019-0188-SF1A

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 _____

Frank Cavanagh
Print/Type Name

Date 7/26/19

☐ Require Planning Signature

Copies: White-Office; Yellow- Applicant (keep this Copy for your permanent records)
REV 03/12

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

Signature _____

Initials JCM

Date 7/18/19

**Permits, Approvals & Inspections**111 W. Chesapeake Avenue
Towson, MD 21204Report Generated On:
7/25/2019**Permit Processing Commerical Permit & Development Report**

Page 1 of 1

Property Information

Tax Account Number: 0316046092

Election District: 3

Owner Name(s): TARGET CORPORATION

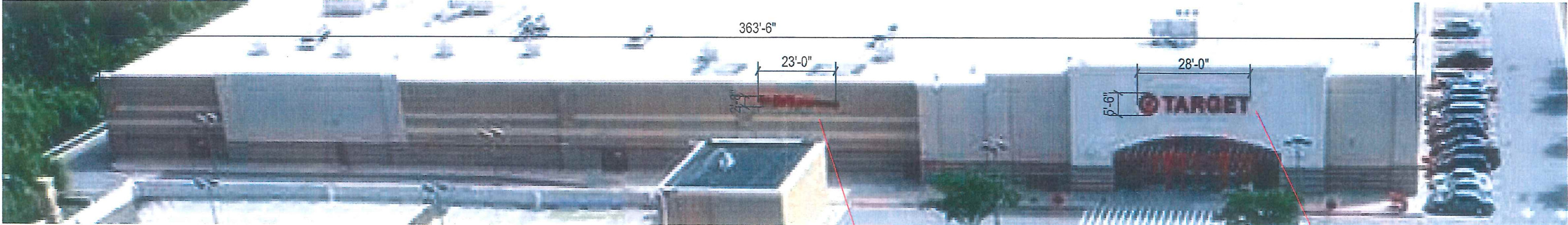
PDM #:

Address: C/O PROPERTY TAX DEPT T-1541 PO BOX #9456
MINNEAPOLIS,MN 55440Zoning District(s): DR 2
BL

Premise Address: REISTERSTOWN RD

Elevation Range: 520ft - 554ft

Affected Overlays	Instructions: Begin review process with Zoning Review, Room 111.	New Com Bldg.	Interior Alts.	Add / Ext. Alts.	Piers/Pilings	Grading/SW	Tanks	Ret. Walls/Bulk	Razing	Chg. of Occup.	Tower Antenna	Signs	Elect. & Plumb	Agency Acknowledgment
Contact Agency	Potential Overlay Issues	Initial & Date												
	Growth Tier 1: Served by public sewer and inside URDL													
Planning Jefferson Building Room 101 Phone: 410-887-3211	Commercial Design Review Areas - Pikesville	X		X								X		<i>[Signature]</i> 7/24/19
	Commercial Revitalization Districts - Pikesville	X		X								X		
DEPS-Dev. Coord. Jefferson Building 4th Floor Phone: 410-887-3733	Possible Flood Hazard - Water Body Present	X		X		X	X	X			X			
DEPS-Sed. Control Jefferson Building 4th Floor Phone: 410-887-3226	Note: All Razing Permits must be sent to Sediment Control for review.													
	Possible Flood Hazard - Water Body Present	X		X		X		X						
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.													
	Possible Flood Hazard - Water Body Present	X	X	X		X	X	X		X	X	X		OK To File
Zoning Review County Office Building Room 111 Phone: 410-887-3391	Zoning Cases: 1962-5584-A; 1976-0068-X; 2004-0547-SPHA; 2019-0188-SPHA; 1962-5706-A; R-1961-5230-X; 1963-0123-A; 1962-5493-SPHA; 1974-0228-A; 1981-0046-A; R-1961-5279	X		X	X	X	X			X	X	X		
Building Plans Review County Office Building Room 120 Phone: 410-887-3987	Possible Flood Hazard - Water Body Present	X	X	X	X		X	X			X			

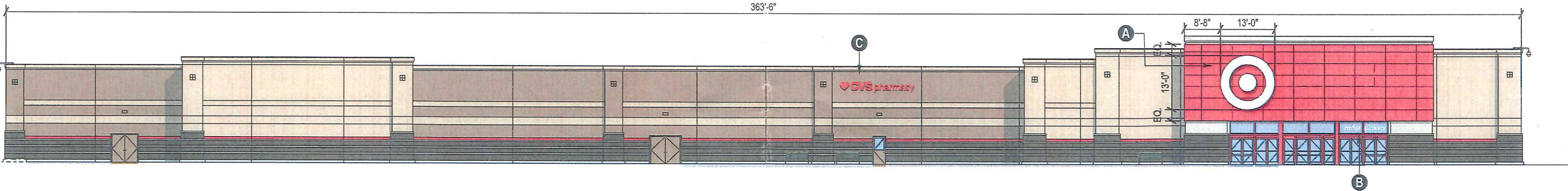


EXISTING FRONT BUILDING ELEVATION

scale: NTS

CVS PHARMACY LEAVE AS/IS

REMOVE & DISCARD EXISTING TARGET & LOGO



PROPOSED FRONT BUILDING ELEVATION

scale: NTS

- A LL156W - TARGET LOGO**
- B order pickup - VINYL**
- C CVS PHARMACY - LEAVE AS/IS NO SCOPE**





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

B _____
A 187541
The applicant is authorized
to affirm that there are no
current violations at this
site pursuant to Section
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SIGN USE PERMIT

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

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☐ Freestanding ☐ Pylon ☐ Monument ☒ Illuminated (separate electrical permit required)

Size: 20 feet x 6.5 feet = 130 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.

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9. No sign may emit sound

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.

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

Install one wall mounted target logo 6.5' x 20' + 130sqft on 342' wall

CORNER LOT ☐

ZONING CASE No. 2019-0188-SPTA

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 [Signature] Date 7/18/19 Frank Cavanagh
Print/Type Name

☐ Require Planning Signature [Signature] Date 7/26/19

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

REV 03/12

Authority under Section 500.4, BCZR **PAI Approval (SIGN ONLY)**
Signature [Signature] Initials SCM Date 7/18/19

**Permits, Approvals & Inspections**111 W. Chesapeake Avenue
Towson, MD 21204Report Generated On:
7/25/2019**Permit Processing Commerical Permit & Development Report**

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Owner Name(s): TARGET CORPORATION

PDM #:

Address: C/O PROPERTY TAX DEPT T-1541 PO BOX #9456

Zoning District(s): DR 2
BL

MINNEAPOLIS, MN 55440

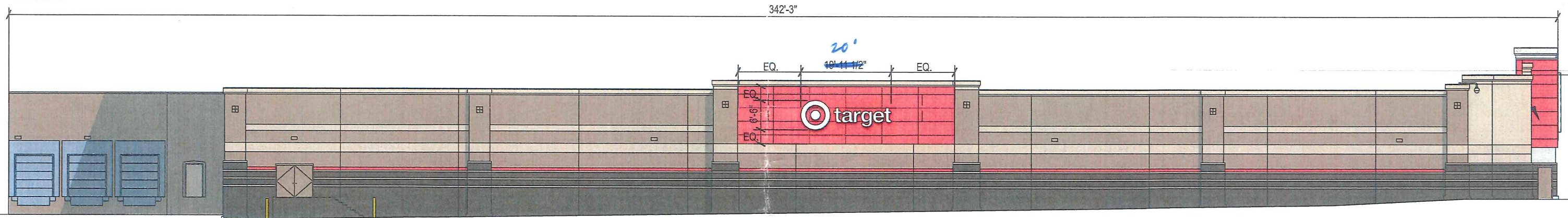
Premise Address: REISTERSTOWN RD

Elevation Range: 520ft - 554ft

Affected Overlays	Instructions: Begin review process with Zoning Review, Room 111.	New Com Bldg.	Interior Alts.	Add / Ext. Alts.	Piers/Pillings	Grading/SW	Tanks	Ret. Walls/Bulk	Razing	Chg. of Occup.	Tower Antenna	Signs	Elect. & Plumb	Agency Acknowledgment
Contact Agency	Potential Overlay Issues													Initial & Date
	Growth Tier 1: Served by public sewer and inside URDL													
Planning Jefferson Building Room 101 Phone: 410-887-3211	Commercial Design Review Areas - Pikesville Commercial Revitalization Districts - Pikesville	X		X								X		 7/26/19
		X		X								X		
DEPS-Dev. Coord. Jefferson Building 4th Floor Phone: 410-887-3733	Possible Flood Hazard - Water Body Present	X		X		X	X	X			X			
DEPS-Sed. Control Jefferson Building 4th Floor Phone: 410-887-3226	Note: All Razing Permits must be sent to Sediment Control for review. Possible Flood Hazard - Water Body Present	X		X		X		X						
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. Possible Flood Hazard - Water Body Present	X	X	X		X	X	X		X	X		X	OK To File
Zoning Review County Office Building Room 111 Phone: 410-887-3391	Zoning Cases: 1962-5584-A; 1976-0068-X; 2004-0547-SPHA; 2019-0188-SPHA; 1962-5706-A; R-1961-5230-X; 1963-0123-A; 1962-5493-SPHA; 1974-0228-A; 1981-0046-A; R-1961-5279	X		X	X	X	X			X	X	X		
Building Plans Review County Office Building Room 120 Phone: 410-887-3987	Possible Flood Hazard - Water Body Present	X	X	X	X		X	X			X			

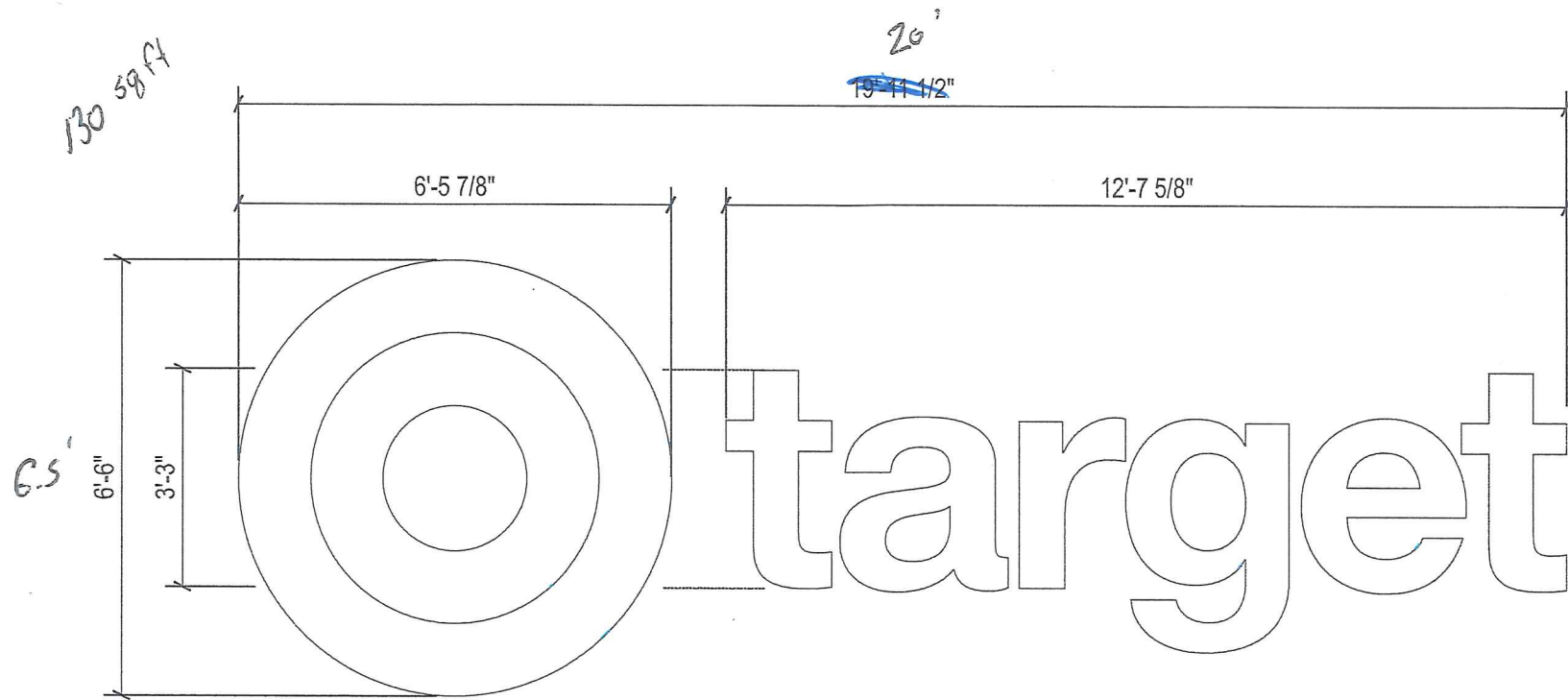


EXISTING SIDE BUILDING ELEVATION
scale: NTS



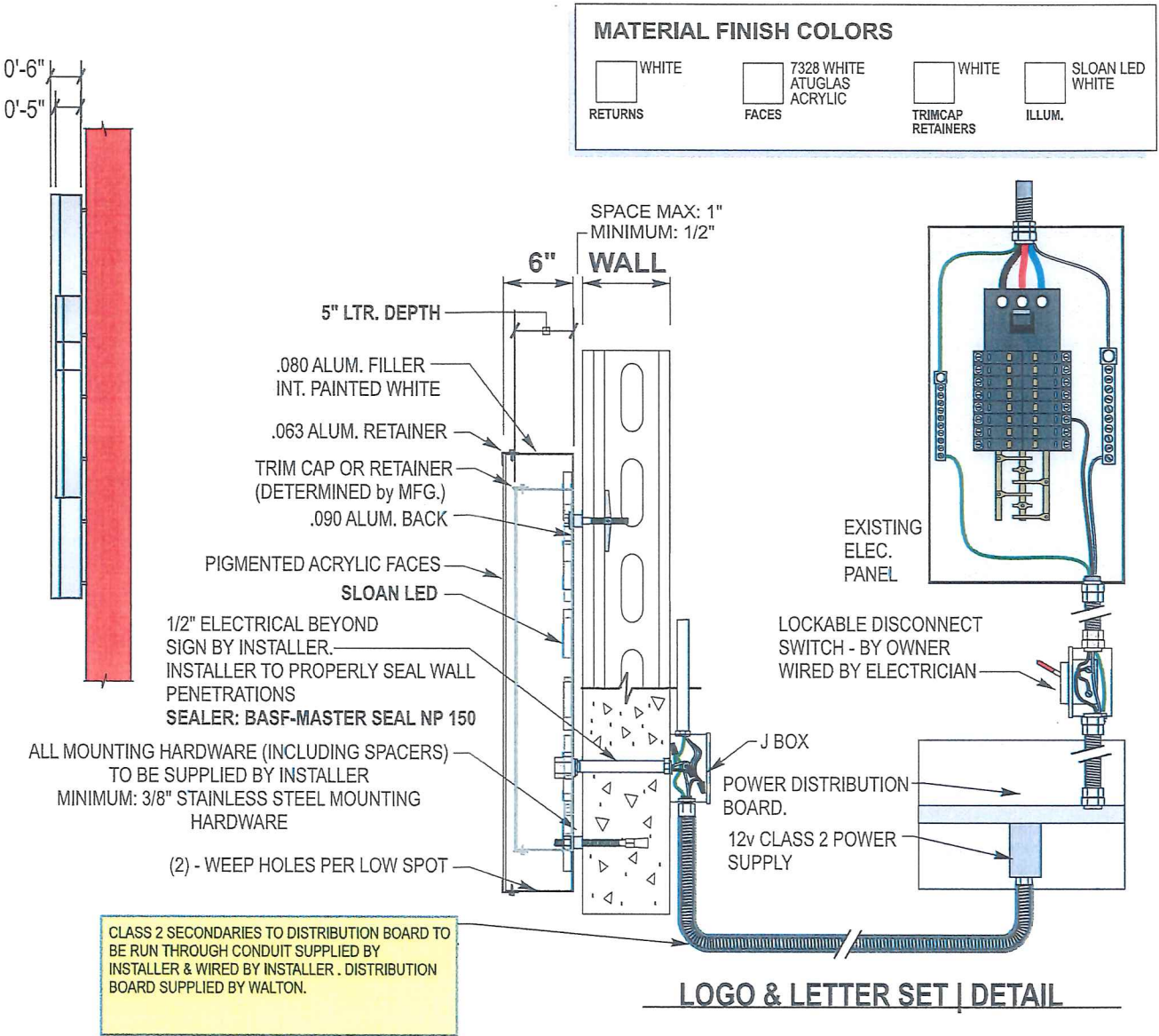
PROPOSED SIDE BUILDING ELEVATION
scale: NTS

D LL78/39R - TARGET



ACRYLIC FACED INT. ILLUM. LOGO & LETTER SET | LC-2

scale: 3/8"=1'-0"



LOGO & LETTER SET | DETAIL

CUSTOMER TO PROVIDE DEDICATED BRANCH CIRCUITS FOR SIGNS ONLY PER NEC CODE 600.5

ALL BRANCH CIRCUITS SHALL BE DEDICATED TO SIGNS (INCLUDING GROUND AND NEUTRAL) AND SHALL NOT BE SHARED WITH OTHER LOADS. PROPERLY SIZED GROUND WIRE THAT CAN BE TRACED BACK TO BREAKER PANEL IS REQUIRED.

INSTALLER REQUIREMENTS

ALL MOUNTING HARDWARE, SECONDARY WIRING AND CONDUITS ARE TO BE PROVIDED BY THE INSTALLATION CONTRACTOR. ALL PENETRATIONS IN THE WALL ARE TO BE SEALED WITH SILICONE AND TO BE WATERTIGHT.

ANY DEVIATION FROM THIS DRAWING MAY RESULT IN DAMAGE TO OR IMPROPER OPERATION OF SIGNAGE, CAUSING DELAYS AND ADDITIONAL COST.

NEW & REMODEL CONSTRUCTION

ADEQUATE BEHIND THE WALL BACKING AND ACCESS IS REQUIRED FOR THE INSTALLATION OF NEW SIGNAGE. CUSTOMER TO FORWARD APPROVED SIGNAGE DRAWINGS TO THE ON SITE CONTACT TO INSURE THAT THE REQUIRED PROVISIONS ARE MADE DURING CONSTRUCTION, PRIOR TO THE SIGN INSTALLATION.

INSTALLER REQUIREMENTS FOR EIFS WALLS

IT IS THE RESPONSIBILITY OF THE INSTALLATION CONTRACTOR TO PROVIDE ANY WALL SPACERS REQUIRED TO KEEP EIFS WALL MATERIAL FROM BEING COMPACTED DURING INSTALLATION OF ANY MOUNTING BOLTS REQUIRED FOR SIGNAGE.

GENERAL NOTE

- INSTALLER SHALL VERIFY WALL CONDITION IN THE FIELD.
- TYPE, SIZE AND NUMBER OF FASTENERS TO BE DETERMINED.
- ALL BOLT HOLES TO BE DRILLED OR PUNCHED.
- ISOLATE ALL ALUMINUM FROM STEEL.



JOHN A. OLSZEWSKI, JR.
County Executive

ADMINISTRATIVE LAW JUDGE
Office of Administrative Hearings

March 11, 2019

Geoffrey W. Washington, Esq.
7 St. Paul Street, Suite 600
Baltimore, Maryland 21202

RE: Petitions for Special Hearing and Variance
Case No. 2019-0188-SPHA
Property: 1737 Reisterstown Road

Dear Mr. Washington:

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", is written over a circular stamp or seal.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB: sln
Enclosure

c: George Harman, 5429 Weywood Drive, Reisterstown, Maryland 21136
Mike Pierce, 7448 Bradshaw Road, Kingsville, Maryland 21087

IN RE: PETITIONS FOR SPECIAL HEARING *	BEFORE THE
AND VARIANCE	
(1737 Reisterstown Road) *	OFFICE OF
3 rd Election District	
2 nd Council District *	ADMINISTRATIVE HEARINGS
Target Corporation	
Legal Owner *	FOR BALTIMORE COUNTY
Petitioner *	Case No. 2019-0188-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 Target Corporation, legal owner ("Petitioner"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to permit a 51 sq. ft. sign on a parking garage structure. In addition, a Petition for Variance was filed pursuant to BCZR Section 450 to permit two (2) proposed wall-mounted signs on a façade with sign areas of 201 sq. ft. & 307 sq. ft., in lieu of the maximum allowed 150 sq. ft. A site plan was marked as Petitioner's Exhibit 1.

Based on discussions at the hearing the Petition should also have included two additional variance requests: for three (3) wall-mounted signs on a single façade, in lieu of the maximum two (2) signs, and for four (4) signs on a building in lieu of the maximum three (3) signs. The order below will reflect this amendment.

Sean Miller and Todd Magiera appeared in support of the requests. Geoffrey W. Washington, Esq., represented Petitioner. Two citizens opposed the request. The Petition was advertised and posted as required by the BCZR. No substantive Zoning Advisory Committee ("ZAC") comments were received from any of the reviewing county agencies.

This case concerns a Target store located on Reisterstown Road in Pikesville, near the Beltway interchange. Petitioner proposes to install new wall-mounted signage at the store and requires zoning relief to do so. The subject property consists of three separate parcels of land totaling nearly 10 acres. The property is zoned BL.

SPECIAL HEARING

The Petition for special hearing was filed because the sign regulations (BCZR §450) are silent concerning whether signage is permitted on a parking garage structure and (if so) what area limitations are applicable. As discussed at the hearing, the parking garage on the subject property is an accessory structure which serves the principal use on site. The garage is a commercial structure and there is no reason signage should not be permitted thereon. Petitioner proposes to install a Target bullseye sign/logo on the front of the parking structure. The proposed sign is 50.2 sq. ft. in size, which is significantly smaller in size than the 150 sq. ft. allowed for enterprise signs in the BL zone. 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).

Petitioner testified (via proffer) the property was unique due to the fact the Target store is situated to the rear of the site, approximately 500 ft. +/- from Reisterstown Road. In addition, even though the site is nearly 10 acres in size, Petitioner notes that the store has limited frontage on Reisterstown Road. I am persuaded by this testimony and believe the property qualifies as unique,

since other properties in the vicinity do not share these characteristics. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because it would be unable to install updated signage at the store, as it has done at other store locations throughout the country. 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. As discussed in greater detail below, each of the signs at issue are wall-mounted, and in my opinion such signs pose much less of a traffic safety risk than freestanding signage on busy roadways.

The Len Stoler Lexus case (No. 2017-0023-SPHA) was discussed at the hearing. In that case a variance for a freestanding sign was denied, but I do not believe that dictates a similar result in this matter. The undersigned found in that case the property had no inherent characteristics which made it unique; in this case I believe the subject property has several characteristics which make it unique, as noted above. In addition, only wall-mounted signage is at issue in this case. The sign in the Len Stoler case was a freestanding pylon sign located on Reisterstown Road. As is apparent when driving on any major arterial roadway in Baltimore County, such freestanding signs not only cause "visual clutter" but also implicate traffic safety concerns. In fact, a similar variance request for a freestanding Target sign at this site was denied in case No. 2004-0547-SPHA, based on traffic safety concerns. I do not believe the proposed signage in this case is excessive or would jeopardize the safety of motorists/pedestrians, especially since the store and garage structure are barely visible from Reisterstown Road.

A question arose concerning the proper method of determining the face area of a sign. I agree with Protestants that the type of sign (i.e., freestanding vs. wall-mounted) should not change how the area is calculated. The specific issue again involved the Len Stoler Lexus case, where the Office of Zoning Review, pursuant to long-standing policy, included the entire face of the sign in

the area calculation, rather than just the Lexus logo. In that case this issue was dispositive, since Petitioner argued that only the logo should be counted, and it was 45 sq. ft. in area while the BCZR allows a 50 sq. ft. sign for new car dealerships.

Here, the Target bullseye logo on the front of the store and the bullseye and lettering on the left elevation are both in excess of the 150 sq. ft. allowed for wall-mounted enterprise signs in the BL zone. As such, Petitioner would require a variance whether or not the red background color of the sign is included in the area calculation. Petitioner stated that County staff advised the red color was an architectural finish which was not included in the area calculation. This, in my opinion, is at odds with the long-standing policy consistently applied by the zoning office as discussed in the Len Stoler Lexus case.

THEREFORE, IT IS ORDERED this 11th day of March, 2019, by this Administrative Law Judge, that the Petition for Special Hearing seeking relief from Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to permit a 51 sq. ft. sign on a parking garage structure, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from BCZR Section 450 to permit three (3) wall-mounted enterprise signs on a façade, four (4) wall-mounted enterprise signs on a single premises, with sign areas of 201 & 307 sq. ft. in lieu of the maximum allowed two (2) signs per façade, three (3) signs per premises, and 150' sq. ft. area, respectively, 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.



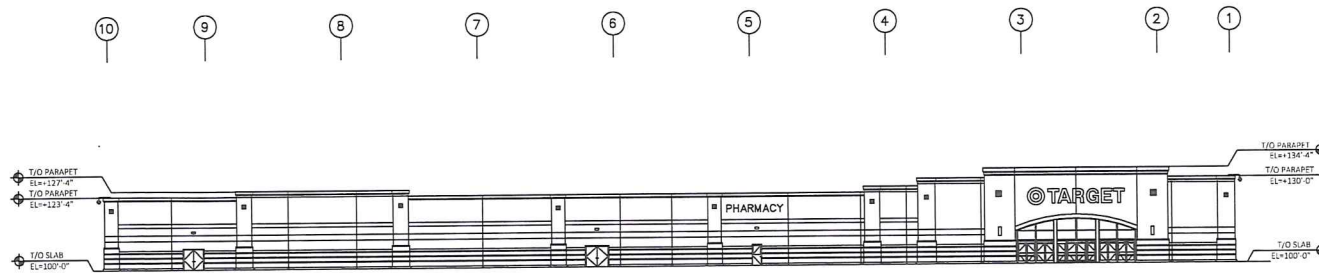
JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln



T-1541, Pikesville, MD: Exterior Elevation Refresh

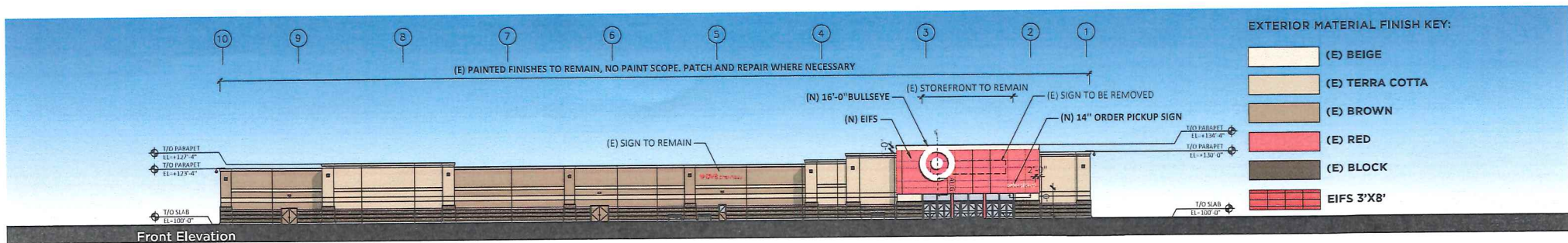
Proposed Elevations
September 7, 2018



Existing Front Elevation



Street View



Proposed Front Elevation

September 7, 2018

T-1541, Pikesville, MD: Exterior Elevation Refresh