

2019-0418SI

RE: Job #55142, Kuresmart

BALTIMORE COUNTY

B _____

Wilkins Beltway
Plaza

DEPARTMENT OF PERMITS, APPROVALS & INSPECTIONS

111 WEST CHESAPEAKE AVENUE

TOWSON, MD 21204

410-887-3391

A 178483

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

Initials J.T.

SIGN USE PERMIT

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

PROPERTY ADDRESS 4660 Wilkins Ave, Baltimore, MD ZIP CODE 21229BUSINESS NAME Kure Smart Pain Management ZONING BLOWNER'S NAME Kensington Associates PHONE NO. 410-427-4437 HISTORIC DISTRICT ☐ Yes ☒ No
c/o Kimco Realty CorpMAILING ADDRESS 3333 New Hyde Park Rd., Ste 100, New Hyde Park, NY 11042-1205APPLICANT/OWNER'S AGENT Joe Trabert, Agent PHONE NO. 443-297-5025SIGN COMPANY NAME Triangle Sign & Service, LLC PHONE NO. 410-247-5300
11-13 Azar Ct., P.O. Box 24186, Baltimore, MD 21227TYPE OF SIGN: ☐ Window Sign TAX ACCOUNT NO. 19 / 000 / 12417☐ 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: 5.0' W feet x 13.6' H feet = 68 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 wall mount, illuminated sign "AAA" (Bldg 4), east elevation, per attached dwgs.

reading: Dimensions: 5.0'H x 13.6'W = 68 sf

CORNER LOT ☐

Work consistent with Variance Case #2019-0021-A

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

Jan 18, 2019

Date

Joe Trabert c/o Triangle Sign & Service

Print/Type Name

☐ Require Planning Signature

N/A

Date _____

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

Date



Permits, Approvals & Inspections

111 W. Chesapeake Avenue
Towson, MD 21204

Report Generated On:
1/18/2019

Permit Processing Commercial Permit & Development Report

Page 1 of 1

Property Information

Tax Account Number: 1900012417

Plat Ref: 051:052

Election District: 1

Owner Name(s): KENSINGTON ASSOCIATES and C/O KIMCO REALTY CORP

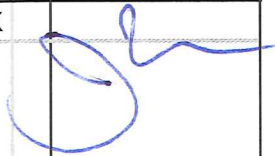
PDM #: 01-0192

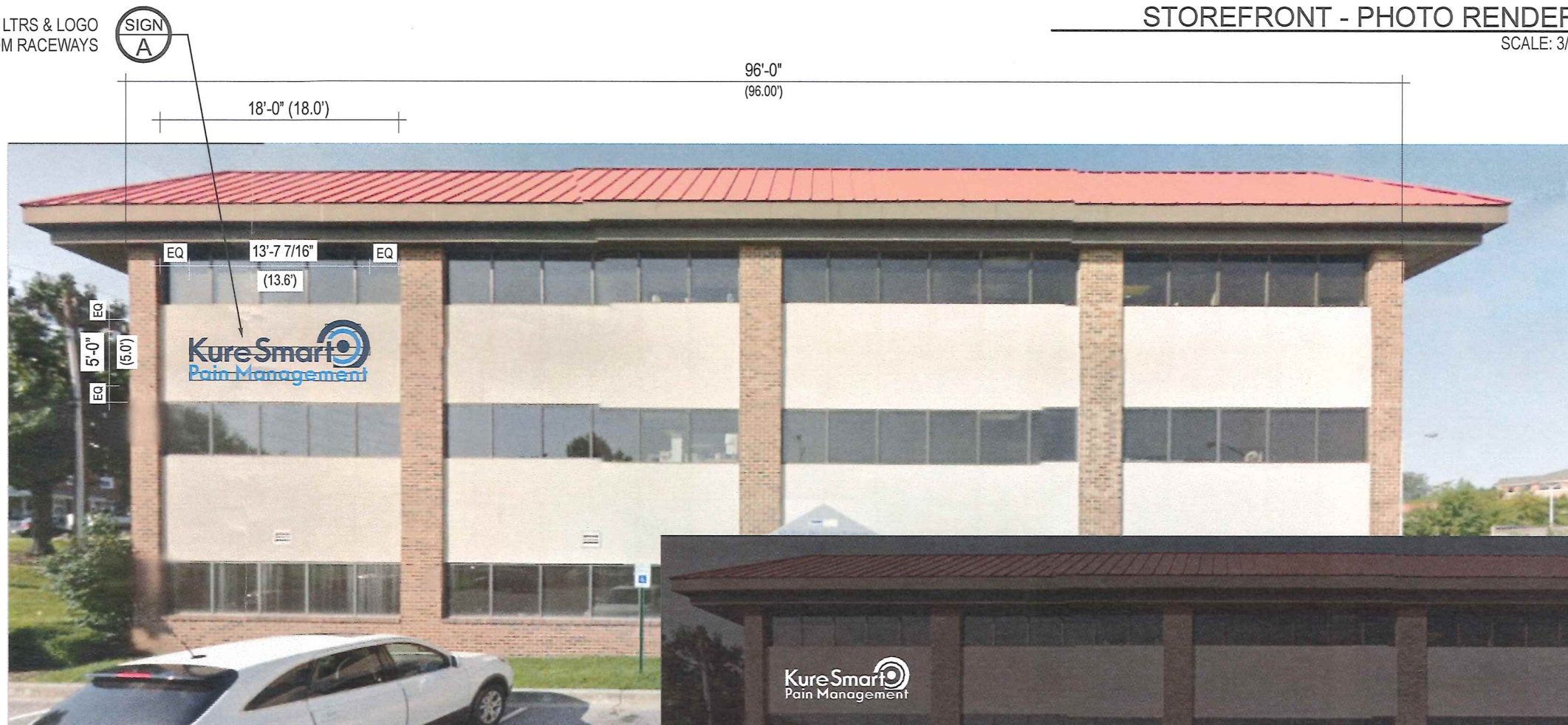
Address: SUITE 100 3333 NEW HYDE PARK RD
NEW HYDE PARK, NY 11042

Zoning District(s): BL

Premise Address: 4660 WILKENS AVE

Elevation Range: 198ft - 212ft

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
DEPS-Sed. Control Jefferson Building 4th Floor Phone: 410-887-3226	Note: All Razing Permits must be sent to Sediment Control for review.													
PAI-Public Services County Office Building Room 119 Phone: 410-887-3751	Note: All permits for Grading, New Buildings & Building Additions must be sent to Public Services.													
Zoning Review County Office Building Room 111 Phone: 410-887-3391	Zoning Cases: R-1973-0043; 2019-0021-A	X		X	X	X	X			X	X	X		



DAY TIME



NIGHT TIME

ILLUM. FACE-LIT CH LTRS & LOGO on CUSTOM RACEWAYS

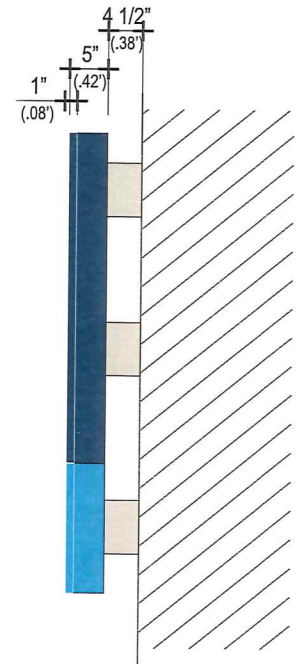
SCALE: 1/2"=1'-0"

QTY.: ONE (1)

AREA: 60.0" x 163.437" = 68.10' ±



TYP. FRONT (A.1)



TYP. SIDE (A.2)



TRIANGLE
SIGN SERVICES

CLIENT & LOCATION



4660 WILKENS AVE
BALTIMORE, MD 21229

LEAD NO.
177641

DATE
11.26.2018

REVIEWED BY

REVISION

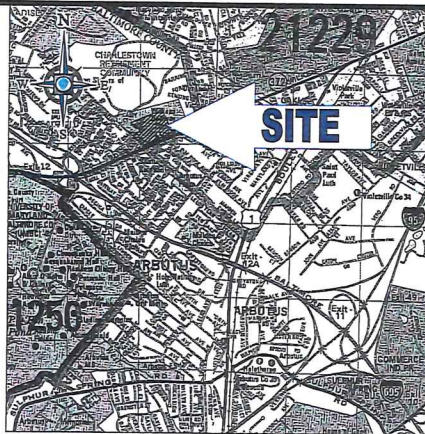
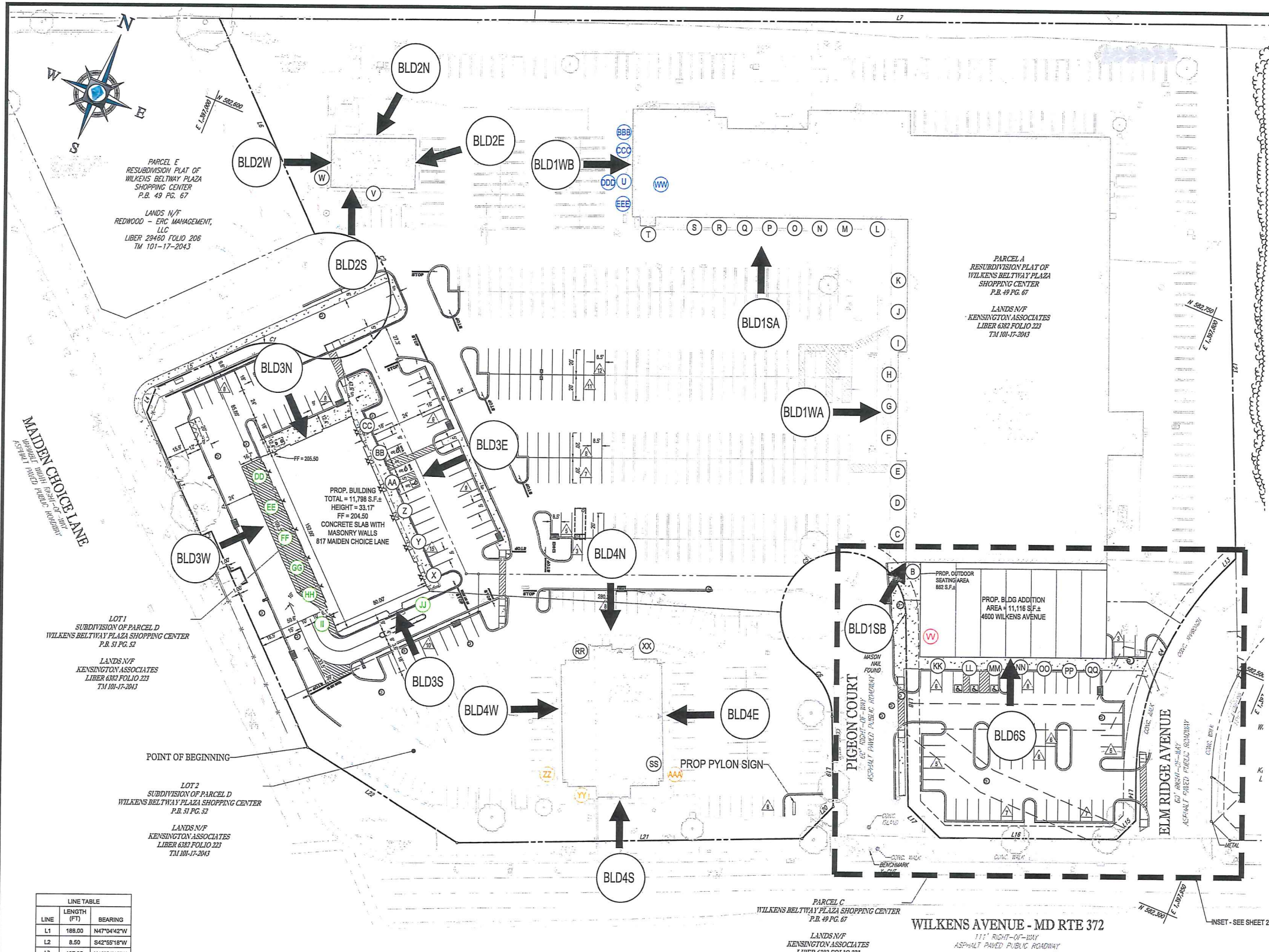
SALESMAN
R. RAPKIN

DRAWN BY
JJH

SEG. NO.

SHEET NO.

3 of 4



VICINITY MAP
COPYRIGHT ADC THE MAP PEOPLE
PERMIT USE NO. 2502153-5
SCALE: 1"=200'

OWNER
KENSINGTON ASSOCIATES
11111 RIGHT-OF-WAY
4600 WILKENS AVENUE
BALTIMORE, MD 21228
PHONE: (410) 521-7500

DEVELOPER
KIMCO REALTY
11111 RIGHT-OF-WAY
4600 WILKENS AVENUE
BALTIMORE, MD 21228
PHONE: (410) 521-7500

GENERAL NOTES

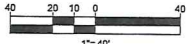
- PROPERTY INFORMATION:
A. PROPERTY ADDRESS: 817 MAIDEN CHOICE LANE & 4600 WILKENS AVENUE
B. SITE AREA: 917,869 S.F. OR 11.89 AC
C. ELECTION DISTRICT: 1
D. COUNCILMANIC DISTRICT: 1
E. ADC MAP: 41KA, 41KS
F. CENSUS TRACT: 400100
G. TAX MAP: 101
H. GRID: 17
I. PARCEL: 20403
J. TAX ACCOUNT NO.: 011500012416 AND 011500012417
K. WATERSHED: PATAPSCO RIVER
- ZONING: BUSINESS LOCAL (BL)
- ZONING MAP REFERENCE: 101C2
- FLOOR AREA RATIO:
PERMITTED = 2.0
PROVIDED = 0.24 (126,411 S.F. / 517,869 S.F.)
- EXISTING LAND USE: PLANNED SHOPPING CENTER
PROPOSED LAND USE: PLANNED SHOPPING CENTER
- SETBACKS: (TO PROPERTY LINE)
FRONT (MAIDEN CHOICE LANE)
SIDE (GROUSE CT.)
REAR

	REQUIRED	PROVIDED
FRONT	10'	58.89'
SIDE	10'	82.84'
REAR	0'	71.44'
- LANDSCAPE TRANSITION AREA
ALONG FRONT YARD (MAIDEN CHOICE LANE)
ALONG SIDE YARD (GROUSE COURT)
ALONG REAR YARD

	REQUIRED	PROVIDED
FRONT	10'	15.50'
SIDE	10'	10.00'
REAR	0'	22.40'
- HEIGHT REQUIREMENTS: NOT TO EXCEED 40 FEET
PROPOSED BUILDING HEIGHT: 29 FEET
- THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER.
- SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL OR A VARIANCE WILL BE REQUESTED.
- THE SITE IS LOCATED WITHIN ZONE "X" (AREAS OUTSIDE 0.2% ANNUAL CHANCE OF FLOODING) PER MAP # 2400100389F, DATED 9/26/2008.
- THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICE AREAS.
- THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THE PROPERTY.
- THERE ARE WETLANDS LOCATED WITHIN 200' OF THE REAR OF THE PROPERTY. THESE WETLANDS DO NOT APPEAR TO IMPACT THE EXISTING DEVELOPMENT.
- ANY FUTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
- SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION, 450 OR A VARIANCE WILL BE REQUESTED.
- THE SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO KNOWN HISTORICAL STRUCTURES LOCATED ON THE PROPERTY.
- FOREST CONSERVATION FOR THIS PROPERTY HAS BEEN ACHIEVED VIA PURCHASING CREDITS FROM AN APPROVED FOREST BANK.
- ADDRESS NUMBERS A MINIMUM OF 6 INCHES IN HEIGHT MUST BE PROVIDED ON THE BUILDING IN ACCORDANCE WITH BALTIMORE COUNTY FIRE PREVENTION CODE BILL NO. 63.13, SECTION 1.10.12.15.

ATTACHMENT TO PETITION FOR ZONING HEARING(S)

- PETITION FOR VARIANCE FROM BCZR 450.1 ATTACHMENT 1, (D) (V1) TO PERMIT ONE (1) WALL MOUNTED ENTERPRISE SIGN AFFIXED TO A WALL WITHOUT AN EXTERIOR CUSTOMER ENTRANCE (SIGN VV).
- PETITION FOR VARIANCE FROM BCZR 450.1 ATTACHMENT 1, (D) (V1) TO PERMIT SEVEN (7) WALL MOUNTED ENTERPRISE SIGNS AFFIXED TO A WALL WITHOUT AN EXTERIOR CUSTOMER ENTRANCE (SIGN DD - JJ).
- PETITION FOR VARIANCE FROM BCZR 450.1 ATTACHMENT 1, (D) (V1) TO PERMIT SIX (6) WALL MOUNTED ENTERPRISE SIGNS AFFIXED TO A WALL WITHOUT AN EXTERIOR CUSTOMER ENTRANCE (SIGN U, WW, BBB, CCC, DDD AND EEE).
- PETITION FOR VARIANCE FROM BCZR 450.1 ATTACHMENT 1, (D) (V1) TO PERMIT THREE (3) WALL MOUNTED ENTERPRISE SIGNS AFFIXED TO A WALL WITHOUT AN EXTERIOR CUSTOMER ENTRANCE (SIGN YY, ZZ, AND AAA).



PROFESSIONAL CERTIFICATION
I, MICHAEL J. GESELL, 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. 4487, EXPIRATION DATE 09/19

LINE	LENGTH (FT)	BEARING
L1	188.00	N47°04'42"W
L2	8.50	S42°55'18"W
L3	107.35	N46°54'46"W
L4	21.21	N01°54'46"W
L5	75.00	N43°05'14"E
L6	187.31	N46°54'46"W
L7	1086.33	N67°38'00"E
L13	14.87	S22°41'22"W
L14	35.00	S22°18'38"E
L15	21.21	S22°41'22"W
L16	140.77	S67°41'22"W
L17	35.74	N67°55'52"W
L18	151.68	N23°33'06"W
L19	71.38	S23°33'06"E
L20	35.35	S21°25'54"W
L21	275.09	S66°25'54"W
L22	141.09	N80°18'42"W
L23	422.55	S23°47'24"E

CURV E	LENGT H	RADIUS	DELTA	TANGEN T	CHOR D	CHORD BEARING
C1	46.36	50.00	53°07'48"	25.00	44.72	N69°39'08"
C2	192.95	50.00	221°06'35"	133.34	93.63	N14°20'16"
C4	180.64	230.00	45°00'00"	95.27	178.03	S00°11'22"
C5	203.44	50.00	233°07'48"	100.00	83.44	S39°52'59"
C6	46.36	50.00	53°07'48"	25.00	44.72	S50°07'01"

SEE ZONING HISTORY CASES ON SHEET 6

PARKING REQUIRED:

Use	Square Footage	Code Requirement	Total Spaces Required	Shared Parking Weekday 6 PM - 12 PM Required	Shared Parking Weekday 6 AM - 6 PM Required	Shared Parking Weekend 6 PM - 12 PM Required	Shared Parking Weekend 12 PM - 6 AM Required	Shared Parking Daytime Required
Medical Office	22,417	4.5 Spaces / 1,000 S.F.	100.88	10%	10.09	10%	5.04	5.04
Retail	81,848	5.0 Spaces / 1,000 S.F.	409.24	90%	368.32	100%	286.47	286.47
Bank	6,160	3.3 Spaces / 1,000 S.F.	20.33	100%	20.33	100%	20.33	20.33
Carry-out Restaurant	2,146	5.0 Spaces / 1,000 S.F.	10.73	100%	10.73	100%	10.73	10.73
Standard Restaurant	10,270	16.0 Spaces / 1,000 S.F.	164.32	100%	164.32	100%	164.32	164.32
Personal Service	2,450	3.3 Spaces / 1,000 S.F.	8.09	100%	8.09	100%	8.09	8.09
Barbershop	1,120	5.0 Spaces / 1,000 S.F.	5.60	100%	5.60	100%	5.60	5.60
	126,411		719.18		587.47		628.39	500.57
								77.02
								467.96

PARKING PROVIDED: 637 SPACES

BOHLER ENGINEERING

SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
SUSTAINABLE DESIGN
PROGRAM MANAGEMENT
PERMITTING SERVICES
TRANSPORTATION SERVICES
LANDSCAPE ARCHITECTURE

PHILADELPHIA, PA
NEWARK, NJ
BALTIMORE, MD
WASHINGTON, DC
NEW YORK, NY
CHICAGO, IL
ATLANTA, GA
FORT LAUDERDALE, FL
MIAMI, FL
HOUSTON, TX
SAN ANTONIO, TX
DALLAS, TX
AUSTIN, TX
SAN DIEGO, CA
LOS ANGELES, CA
SAN JOSE, CA
SEATTLE, WA
PORTLAND, OR
DENVER, CO
BOULDER, CO
SALT LAKE CITY, UT
PHOENIX, AZ
TUCSON, AZ
ALBUQUERQUE, NM
SANTA FE, NM
DENVER, CO
BOULDER, CO
SALT LAKE CITY, UT
PHOENIX, AZ
TUCSON, AZ
ALBUQUERQUE, NM
SANTA FE, NM

REV	DATE	COMMENT	BY

NOT APPROVED FOR CONSTRUCTION

THE FOLLOWING STATES REQUIRE NOTIFICATION BY EXCAVATOR, RESIDENTS, OR ANY PERSON PREPARING TO DIG THE EARTH SURFACE ANYWHERE IN THE STATE:
VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, AND DELAWARE CALL 811
OR
IN NY 1-800-455-4649 (PA) 1-800-455-4649 (DC) 1-800-357-7777 (VA) 1-800-455-7801 (MD) 1-800-257-7777 (DE) 1-800-352-6855

KIMCO REALTY

SIGN VARIANCE PLAN
LOCATION OF SITE
817 MAIDEN CHOICE LANE
TAX MAP 41KA, 41KS
GRID 17, PARCEL 20403
BALTIMORE, MARYLAND 21228
BALTIMORE COUNTY DISTRICT: 1
PAI #01-0192
TRACKING # DRC - 2016-00012
DRC # 022316A

BOHLER ENGINEERING

901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 521-7500
Fax: (410) 521-7557
MD@BohlerEng.com

M.J. GESELL

PROFESSIONAL ENGINEER
MD PROFESSIONAL ENGINEER LICENSE NO. 4487

SHEET TITLE:
PLAN TO ACCOMPANY SIGN VARIANCE PETITION

SHEET NUMBER:
1



**BUILDING 4
NORTH ELEVATION** BLD4N
NOT TO SCALE



**BUILDING 4
FREESTANDING SIGN** BLD4N
NOT TO SCALE



**BUILDING 4
WEST ELEVATION** BLD4W
NOT TO SCALE



**BUILDING 4
SOUTH ELEVATION** BLD4S
NOT TO SCALE



**BUILDING 4
EAST ELEVATION** BLD4E
NOT TO SCALE

BOHLER ENGINEERING

SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING DESIGN
SUSTAINABLE DESIGN
PERMITTING SERVICES

PHILADELPHIA, PA
BALTIMORE, MD
NEW YORK, NY
WASHINGTON, DC
ATLANTA, GA
CHICAGO, IL
DENVER, CO
HOUSTON, TX
LOS ANGELES, CA
MIAMI, FL
MINNEAPOLIS, MN
PORTLAND, OR
SAN ANTONIO, TX
SEATTLE, WA
SPRINGFIELD, IL
TAMPA, FL
TULSA, OK
VIRGINIA BEACH, VA

REVISIONS			
REV	DATE	COMMENT	BY

THE FOLLOWING STATES REQUIRE NOTIFICATION BY EDUCATORS, DESIGNERS, OR ANY PERSON PREPARING TO DIGEST THE EARTH'S SURFACE ANYWHERE IN THE STATE:
VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, AND DELAWARE CALL 811
NY 1-800-245-6545 (PA 1-800-245-1171) DC 1-800-351-7777
PA 1-800-451-7891 (MD 1-800-351-7777) DE 1-800-351-6551

NOT APPROVED FOR CONSTRUCTION

PROJECT NO.:	MD159004
DRAWN BY:	DML
CHECKED BY:	MAJ
DATE:	04/05/16
SCALE:	N/A
CAD/LD:	SV1

PROJECT: WILKENS BELTWAY PLAZA FOR KIMCO REALTY

SIGN VARIANCE PLAN
LOCATION OF SITE
817 MAIDEN CHOICE LANE
TAX MAP 41KA, 41KS,
GRID 17, PARCEL 20403
BALTIMORE, MARYLAND 21228
BALTIMORE COUNTY
DISTRICT: 1
PAI #01-0192
TRACKING # DRC - 2016-00012
DRC # 022316A

BOHLER ENGINEERING

501 DULANEY VALLEY ROAD, SUITE 501
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7997
MD@BohlerEng.com

M.J. GESELL

PROFESSIONAL ENGINEER
MARYLAND LICENSE #4087

SHEET TITLE: PLAN TO ACCOMPANY SIGN VARIANCE PETITION

SHEET NUMBER: 5

PROFESSIONAL CERTIFICATION
I, MICHAEL J. GESELL, 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. 4087, EXPIRATION DATE: 6/30/17

IN RE: PETITION FOR VARIANCE

(817 Maiden Choice Lane)

1st Election District

1st Council District

Kensington Associates, LLC

Legal Owner

Petitioner

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2019-0021-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Kensington Associates, LLC, the legal owner of the subject property ("Petitioner"). Petitioner is requesting variance relief from the Baltimore County Zoning Regulations ("BCZR") as follows: **(A) Variances requested from Section 450.4 Attachment 1:** (1) to permit one (1) wall-mounted enterprise sign affixed to a wall without a separate exterior customer entrance (sign VV); (2) to permit seven (7) wall-mounted enterprise signs affixed to a wall without a separate customer entrance (signs DD-JJ); (3) to permit six (6) wall-mounted enterprise signs affixed to a wall without a separate exterior customer entrance (signs U, WW, BBB, CCC, DDD and EEE); **(4) to permit three (3) wall-mounted enterprise signs affixed to a wall without a separate exterior customer entrance (signs YY, ZZ and AAA);** and (5) to permit a joint identification sign to display six (6) lines of text with a sign copy a minimum of five (5) inches in height in lieu of the permitted five (5) lines of text and required eight (8) inch height for sign copy (Sign HHH). **(B) Variance requested from Section 450.5.B.1.a:** (1) to permit enterprise signs on the non-vertical surface of an awning in lieu of on the vertical surface (signs BBB, CCC, DDD and EEE). **(C) Variance requested from Section 450.5.9.c:** (1) to permit two (2) signs on a mansard roof with a slope of 15 degrees that project 6.8 feet from their

surface in lieu of the requirement that the signs project no more than 4 feet from a mansard roof with a slope no less than 30 degrees (signs V and W). A site plan was marked as Petitioner's Exhibit 1.

Professional engineer Michael Gesell appeared in support of the petition. Justin Williams, Esq., represented Petitioner. No Protestants or interested citizens were in attendance. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning ("DOP"). That agency did not object to the majority of the variance requests although it expressed concern regarding the size of one proposed sign. That aspect of the ZAC comment will be discussed below.

The site is approximately 11.89 acres in size and zoned BL. The property is improved with a large strip shopping center anchored by a Giant grocery store. There are also several stand-alone commercial buildings on the site, with banking, medical and office tenants. Petitioner is undertaking a substantial improvement project at the center, and this case concerns signage for the existing and proposed buildings.

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

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

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

The subject property has irregular dimensions and is therefore unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because it would be unable to construct the proposed signs. Finally, I find that the variance can be granted in harmony with

the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the absence of County and/or community opposition.

The DOP indicated it would support a sign (identified on the plan as sign YY) on Building 4 no larger than 12 square feet in area. Mr. Gesell noted the wall-mounted sign would be located at least 150 feet from the dwellings located on the other side of Wilkens Ave. Counsel also noted the proposed sign would be the same size as the 50 sq. ft. sign on that façade containing the address of the building (i.e., “4660 Wilkens Ave”). In these circumstances I do not believe a 50 sq. ft. sign would be excessive, especially considering it will be affixed to a large, 3-story commercial building. I will include a condition below restricting the hours during which the sign may be illuminated, which should help to ensure the sign does not have a negative impact upon nearby homes.

THEREFORE, IT IS ORDERED, this 26th day of September, 2018, by the Administrative Law Judge for Baltimore County, that the Petition for Variance as follows: **(A) Variances requested from Section 450.4 Attachment 1:** (1) to permit one (1) wall-mounted enterprise sign affixed to a wall without a separate exterior customer entrance (sign VV); (2) to permit seven (7) wall-mounted enterprise signs affixed to a wall without a separate customer entrance (signs DD-JJ); (3) to permit six (6) wall-mounted enterprise signs affixed to a wall without a separate exterior customer entrance (signs U, WW, BBB, CCC, DDD and EEE); **(4) to permit three (3) wall-mounted enterprise signs affixed to a wall without a separate exterior customer entrance (signs YY, ZZ and AAA);** and (5) to permit a joint identification sign to display six (6) lines of text with a sign copy a minimum of five (5) inches in height in lieu of the permitted five (5) lines of text and required eight (8) inch height for sign copy (Sign HHH). **(B) Variance requested from**

Section 450.5.B.1.a: (1) to permit enterprise signs on the non-vertical surface of an awning in lieu of on the vertical surface (signs BBB, CCC, DDD and EEE). **(C) Variance requested from Section 450.5.9.c:** (1) to permit two (2) signs on a mansard roof with a slope of 15 degrees that project 6.8 feet from their surface in lieu of the requirement that the signs project no more than 4 feet from a mansard roof with a slope no less than 30 degrees (signs V and W), 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.
2. Sign YY on Building 4 (as shown on the site plan admitted as Petitioner's Exhibit 1) may be illuminated only between the hours of 7 a.m. - 8 p.m.

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

Signed _____
JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:sln