



2019-0456-SI
BALTIMORE COUNTY
DEPARTMENT OF PERMITS, APPROVALS & INSPECTIONS
111 WEST CHESAPEAKE AVENUE
TOWSON, MD 21204
410-887-3391

SIGN USE PERMIT

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

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

PROPERTY ADDRESS 2020 York Rd. ZIP CODE 21093
BUSINESS NAME Smyth Jewelers ZONING BM
OWNER'S NAME York Aylesburg LLC PHONE NO 410-255-6666 HISTORIC DISTRICT ☐ Yes ☒ No
MAILING ADDRESS 2020 York Rd Timonium 21093
APPLICANT/OWNER'S AGENT Heather Davis PHONE NO. 410-255-6400
SIGN COMPANY NAME Gable Signs & Graphics inc PHONE NO. 410-255-6400
TYPE OF SIGN: ☐ Window Sign TAX ACCOUNT NO 240 / 000 / 8869
☐ 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: 9.5 feet x 7.3 feet = 69.66 square feet Height: _____ feet (freestanding signs)
Property Line/Street Right-of-Way Setbacks: front _____, sides _____ and _____, and rear _____.

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

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

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

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

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

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

Replacing existing digital display to existing pole & structure as per approved hearing # 2019-0130-A

CORNER LOT ☐

2019-0130-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.

Heather Davis
Signature

1/31/19
Date

Heather Davis
Print/Type Name

☐ Require Planning Signature N/A

Date _____

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

REV 10/14

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

Loryn Hill
Signature

gh
Initials

1/31/19
Date

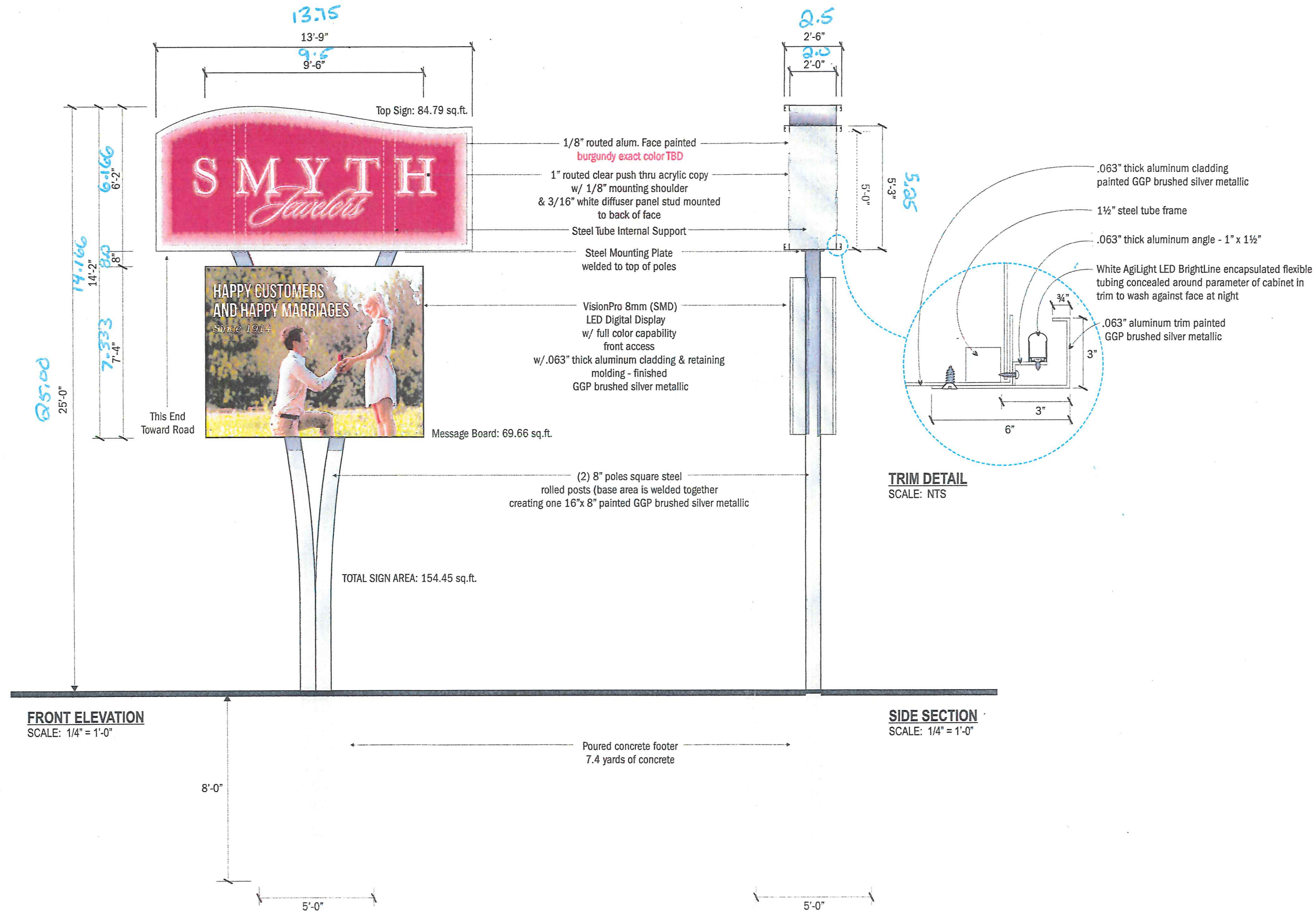
Election District: 8

PDM #: 08-0571

Zoning District(s): BLR ML IM BM

Elevation Range: 386ft - 408ft

Premise Address: 2010 YORK RD														Agency Acknowledgment	
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	Initial & Date	
Contact Agency	Potential Overlay Issues														
	Growth Tier 1: Served by public sewer and inside URDL														
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: 1950-1734-X; 2000-0301-A; 2019-0130-A; 1981-0041-A; R-1983-0120-SPHA; 1961-5385-A; 1961-5425-SPH; 1955-3592-X; R-1959-4590; 1987-0232-A	X		X	X	X	X			X	X	X			



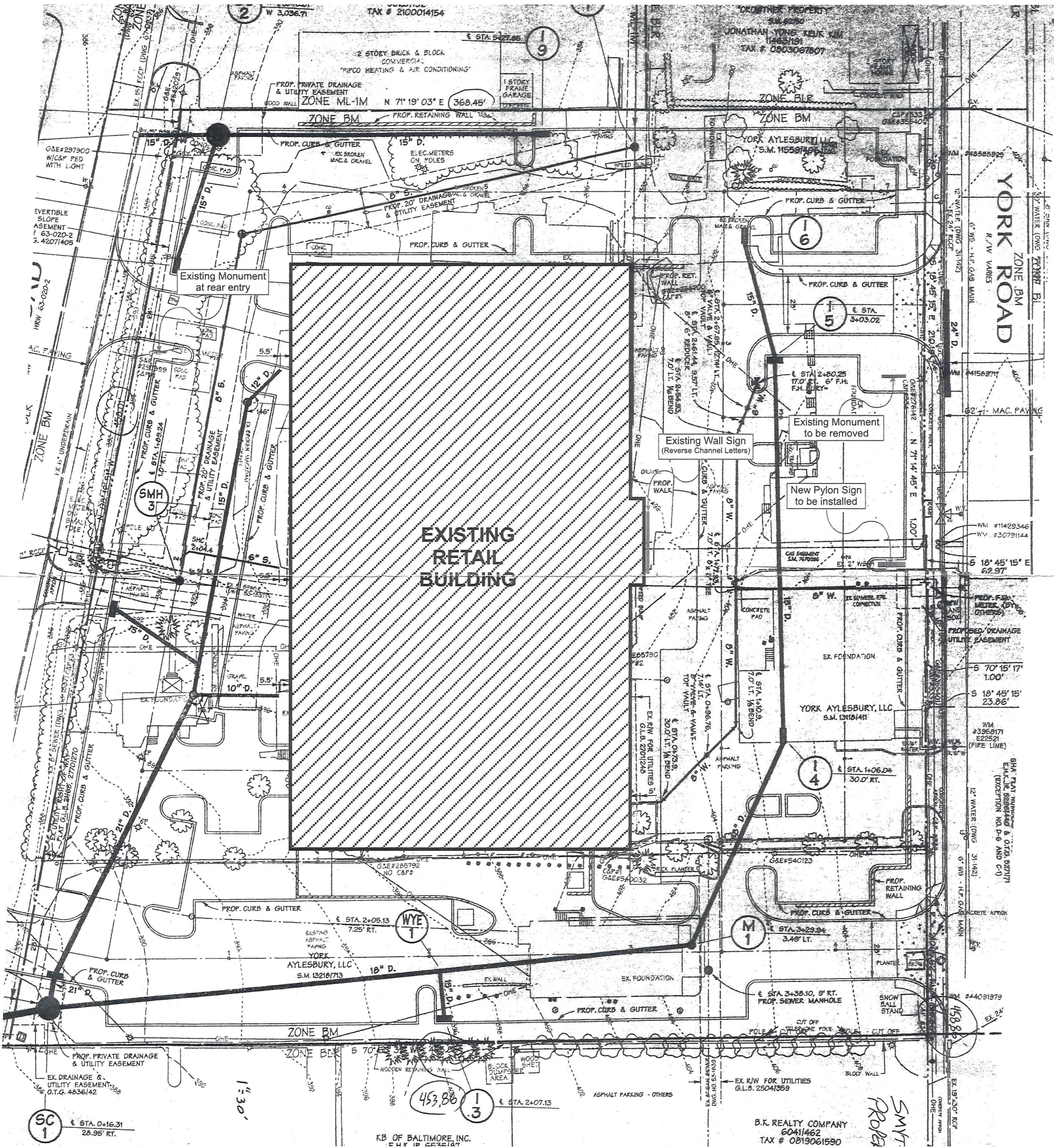
A VISUAL SOLUTIONS COMPANY.
7440 Fort Smallwood Road
Baltimore, Maryland 21226
800.854.0568

PROJECT TITLE: Smyth Jewelers		
ORDER TITLE: Digital Display upgrade		
CITY/STATE Philadelphia, PA	PHONE NUMBER	
DRAWING DATE 1/4/19	SALES REP Austin G.	PROJECT MGR.
REVISION HISTORY		
NO.	DATE	PREV DRWG
1	9/7/18	11847ch

The concept illustrated is for representational purposes only. Structural, resolution, and/or specification changes may occur during the design and implementation process that may result in changes from this illustration. Environmental conditions at the site may affect final results.

This drawing remains the exclusive property of Gable. It is submitted for your consideration in the purchase of the product(s) manufactured according to these plans. This design cannot be copied in whole or in part, altered or exhibited in any manner without written permission of Gable. Exceptions are previously copyrighted artwork supplied by client.

SIGN TYPE: D/F Digital Display Upgrade		
DWG. TYPE: Concept		
PROJECT NO.	TASK NO.	QTY.
79709-1	177345	1
DWG. NO.	SHEET	
18587ca	1 of 2	





JOHN A. OLSZEWSKI, JR.
County Executive

ADMINISTRATIVE LAW JUDGE
Office of Administrative Hearings

January 8, 2019

Timothy M. Kotroco, Esquire
305 Washington Avenue
Suite 502
Towson, Maryland 21204

RE: Petition for Variance
Case No. 2019-0130-A
Property: 2010 York Road

Dear Mr. Kotroco:

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 blue ink, appearing to read "JEB", is written over a faint, larger signature.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Eric Rockel, 1610 Riderwood Drive, Lutherville, MD 21093

IN RE: PETITION FOR VARIANCE

(2010 York Road)
8th Election District
3rd Council District
York Aylesbury, LLC
Legal Owner
Petitioner

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2019-0130-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by York Aylesbury, LLC, legal owner of the subject property ("Petitioner"). Petitioner is requesting variance relief from Section 450.4 of the Baltimore County Zoning Regulations ("BCZR") to replace the 15 year old message board portion of an existing enterprise sign with a new LED digital message board. The remainder of the existing sign to remain as it is. The total area of the sign will be 207 square feet in lieu of the permitted 100 square feet. A site plan was marked as Petitioner's Exhibit 1.

Mitch Kellman and Bob Yanega appeared in support of the petition. Timothy M. Kotroco, Esq. represented the Petitioner. Eric Rockel attended the hearing to obtain additional information regarding the request. 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").

The site is approximately 4.950 acres in size and is zoned BM. Smyth Jewelers, which has been in business for over 100 years, is located at the subject property, which fronts onto York Road, an extremely busy commercial corridor. Petitioner proposes to replace only the changeable copy portion of the existing sign, although variance relief is required before it can do so.

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).

Mr. Kellman noted that unlike most other commercial properties in the vicinity, the subject property has frontage on both York and Aylesbury Roads. 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 replace the existing changeable copy portion of the sign, which has been in place for over 15 years and is now technically obsolete. 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 8th day of **January, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance to allow a freestanding enterprise sign with a face area of 207 square feet in lieu of the permitted 100 square feet, 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. The electronic changeable copy portion of the sign may have a maximum frequency of one message change per 15-second cycle.

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:dlw