

STANDARD APPLICATION
Harford County
Board of Appeals
 Bel Air, Maryland 21014

NOV - 1 2007

Case No. 5632
 Date Filed 10/25/07
 Hearing Date _____
 Receipt _____
 Fee \$450.00

Shaded Areas for Office Use Only

Type of Application	Nature of Request and Section(s) of Code
<input type="checkbox"/> Administrative Decision/Interpretation	<u>CASE 5632 MAP 56 TYPE Variance ELECTION DISTRICT 03</u>
<input type="checkbox"/> Special Exception	<u>LOCATION 1 Barrington Place.</u>
<input type="checkbox"/> Use Variance	<u>BY 1 Barrington Place LLC, 4865 Millennium Drive, Belcamp 21017</u>
<input type="checkbox"/> Change/Extension of Non-Conforming Use	<u>Appealed because a variance pursuant to Sec. 219-13B and 219-5B of the Harford</u>
<input type="checkbox"/> Minor Area Variance	<u>County Sign Code to permit a freestanding sign be erected with a front yard setback of</u>
<input type="checkbox"/> Area Variance	<u>2', 64 square feet in size and 9' in height above road grade and a wall sign which shall be</u>
<input type="checkbox"/> Variance from Requirements of the Code	<u>not greater than 48 square feet in size in the RO District requires approval by the Board.</u>
<input type="checkbox"/> Zoning Map/Drafting Correction	
<input checked="" type="checkbox"/> <u>Sign Variance</u>	

NOTE: A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

Owner (please print or type)

Name 1 Barrington Place LLC Phone Number Call Attorney
 Address 4865 Millennium Drive Belcamp MD 21017-1505
Street Number Street City State Zip Code

Co-Applicant N/A Phone Number _____
 Address _____
Street Number Street City State Zip Code

Contract Purchaser N/A Phone Number _____
 Address _____
Street Number Street City State Zip Code

Attorney/Representative John J. Gessner, Esquire Phone Number 410-893-7500
 Address 11 S. Main Street Bel Air MD 21014
Street Number Street City State Zip Code

Land Description

Address and Location of Property Lot 200 1.28 AC 1 Barrington Place

Subdivision _____ Lot Number 200

Acres/Lot Size 1.28 AC Election District Third Zoning RO

Tax Map No. 56 Grid No. 1C Parcel 590 Water/Sewer: Private _____ Public X

List ALL structures on property and current use: Commercial office building; commercial

Estimated time required to present case: 30 minutes

If this Appeal is in reference to a Building Permit, state number N/A

Would approval of this petition violate the covenants and restrictions for your property? N/A

Is this property located within the County's Chesapeake Bay Critical Area? Yes _____ No X

If so, what is the Critical Area Land Use designations: _____

Is this request the result of a zoning enforcement investigation? Yes _____ No X

Is this request within one (1) mile of any incorporated town limits? Yes _____ No X

Request

See attached

Justification

See attached

If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)

6 : 5/31/07
2 : 23778
300355

ATTACHMENT TO THE APPLICATION OF 1 BARRINGTON PLACE, LLC

REQUEST:

1. A variance pursuant to Section 219-17 of the Harford County Sign Code, ("Sign Code") from Section 219-13 and 219-5(B) of the Sign Code to permit: (a) a freestanding sign to be erected on the subject property with a front yard setback of 2 feet, 64 square feet in size and 9 feet in height above road grade as shown on the attached rendering. The sign shall be placed perpendicular to the road; and (b) a wall sign to replace the existing wall sign on the subject property which shall be not greater than 48 square feet in size as shown on the attached rendering.

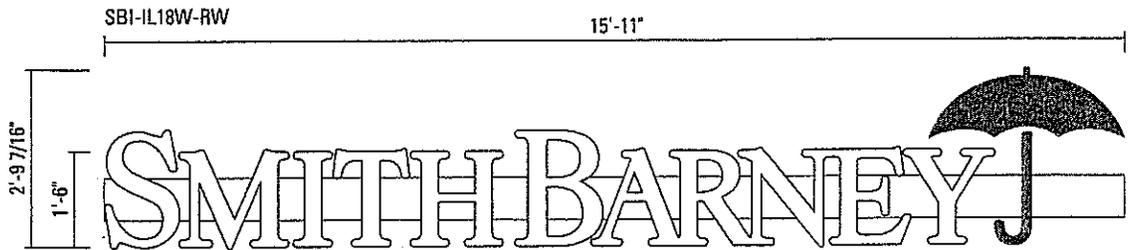
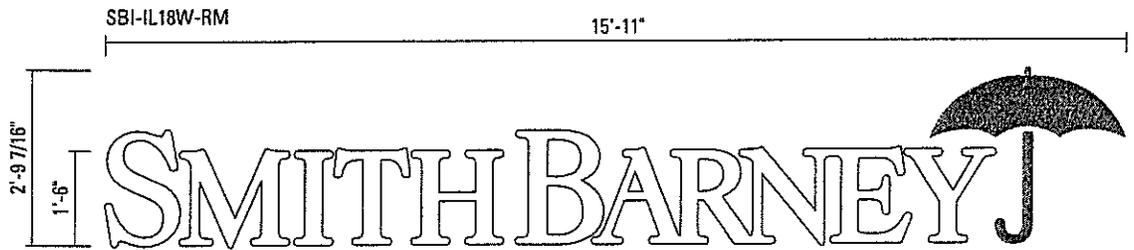
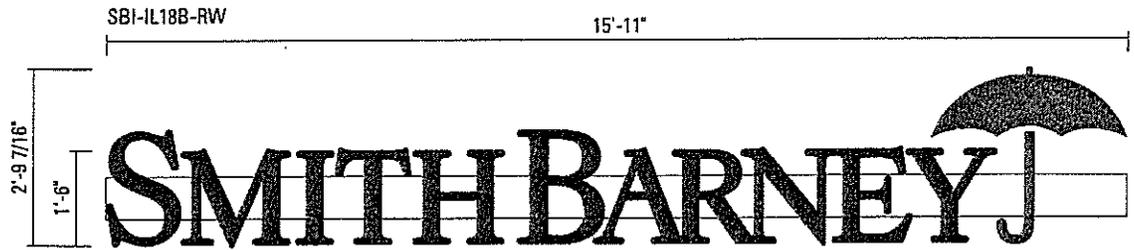
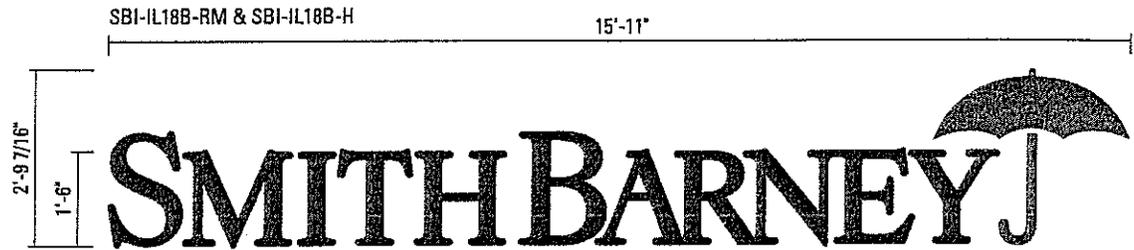
JUSTIFICATION:

1. The subject property, although zoned RO, is a large parcel, 1.28 acres in size and is improved with a commercial office building containing six (6) tenants. The building does not resemble other buildings located on RO properties. The subject property has frontage on Route 924 but no access from that road. Access is from Barrington Parkway. Given the speed limit of cars traveling on Route 924, the distance the building is set back from the road and that access is from Barrington Parkway, signage that complies with the Sign Code is not adequate to identify the tenants such that customers and clients can find the building in time to safely turn onto Barrington Parkway. The proposed signs are attractively designed and compatible with the architectural design of the building. Property zoned B3 adjoins the subject property to the south which contains a bank which has commercial signs. No residential properties are located across Route 924 from the subject property. The Barrington Community Association which governs properties which abut the subject property has no objection to the proposed signs. By reason of the configuration of the lots, topographic conditions and other exceptional circumstances unique to the lot practical difficulty would result from denial of the requested variance. Granting the requested variance will not impair the purpose of the Sign Code.

Supporting Artwork

Image Management

7675 Oak Ridge Highway
Knoxville, Tennessee 37931
(865) 342-8200 Office
(865) 539-6311 Fax



Smith Barney

MODIFIED
LAYOUT

SBI-IL18-MAIN

18 INCH
ILLUMINATED
LETTERS

*Artwork is the property of
The InSite Group, not to be
copied or reproduced without
permission of The InSite Group.*

File Name: SBI Cutsheets.ai

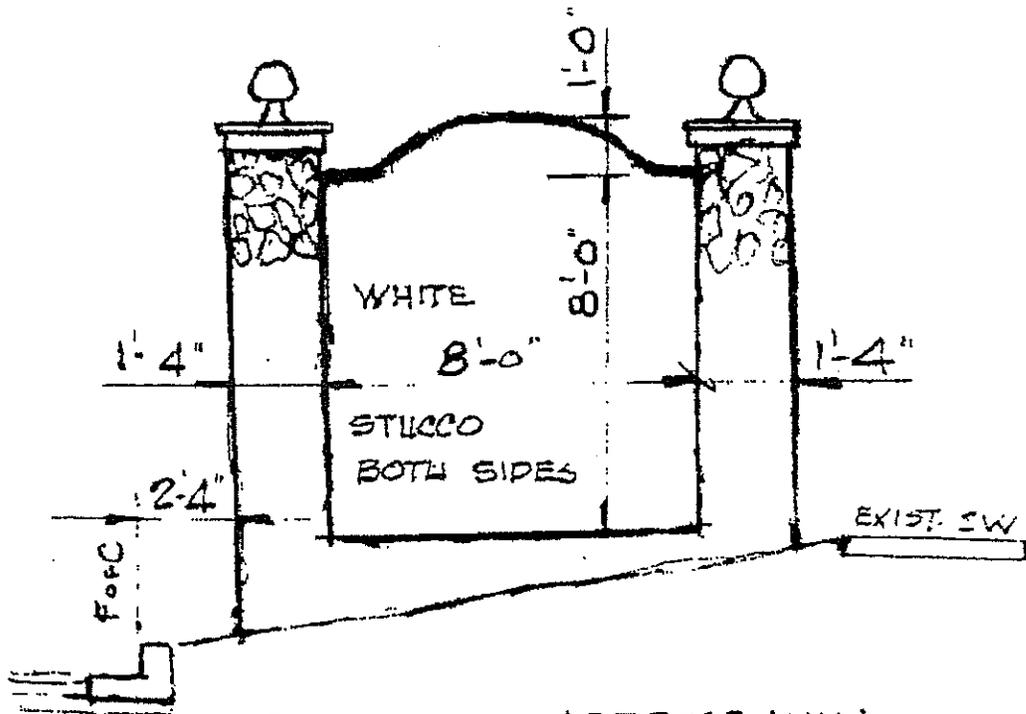
Drawing No: SBI-IL18-MAIN

Scale: 1:35

Date: 20JUN06

Approved By:

Site #



BARRINGTON - ADDRESS WALL
 SCALE: 1/4" = 1'-0"

DAVID R. CRAIG
HARFORD COUNTY EXECUTIVE

LORRAINE COSTELLO
DIRECTOR OF ADMINISTRATION



C. PETE GUTWALD
DIRECTOR OF PLANNING & ZONING

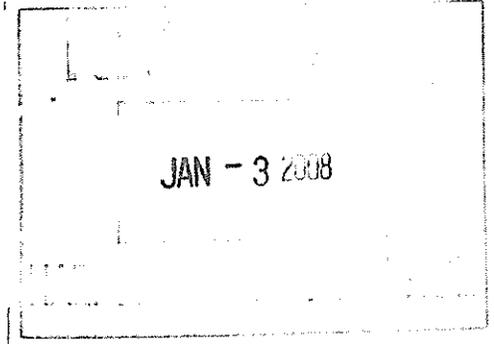
HARFORD COUNTY GOVERNMENT

Department of Planning and Zoning

December 13, 2007

STAFF REPORT

BOARD OF APPEALS CASE NO. 5632



APPLICANT/OWNER: 1 Barrington Place LLC
4865 Millennium Drive, Belcamp, Maryland 21017

REPRESENTATIVE: John J. Gessner, Esquire
11 S. Main Street, Bel Air, Maryland 21014

LOCATION: Lot 200 – 1 Barrington Place
Tax Map: 56 / Grid: 1C / Parcel: 590 / Lot: 200
Election District: Third (3)

ACREAGE: 1.28 Acres

ZONING: RO/Residential Office

DATE FILED: October 25, 2007

HEARING DATE: January 16, 2008

APPLICANT'S REQUEST and JUSTIFICATION:

See Attachment 1. Also included are renderings of the proposed signs (Attachment 2).

CODE REQUIREMENTS:

The Applicant is requesting a variance pursuant to Section 219-13B and 219-5B of the Harford County Sign Code to permit a freestanding sign be erected with a front yard setback of 2 foot, 64 square feet in size and 9 feet in height above road grade and a wall sign which shall be not greater than 48 square feet in size in the RO/Residential Office District.

Preserving Harford's past; promoting Harford's future

(410) 638-3103

MY DIRECT PHONE NUMBER IS

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1 Barrington Place LLC

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Section 219-13(B) of the Harford County Sign Code reads:

B. Residential Office District (RO).

- (1) The following signs shall be allowed:
 - (a) One freestanding sign per parcel, which shall have a maximum of eight (8) square feet in area, shall be no more than six (6) feet in height and shall be placed perpendicular to the road; and*
 - (b) A wall sign for each use, which shall be attached only to the front of a building, shall be adjacent to the front entryway and shall be no larger than four (4) square feet in area.**
- (2) Freestanding and wall signs shall be constructed of wood, brass or bronze and shall not be internally illuminated. Both freestanding and wall signs may be externally illuminated.*
- (3) Signs shall be constructed in an unobtrusive manner which compliments the architectural element of the building and reflects the architectural period of the building.*
- (4) Temporary signs shall be prohibited in the RO District.*

Section 219-5(B) of the Harford County Code reads:

Freestanding signs. A freestanding sign shall include any sign supported by uprights or braces placed upon the ground and not attached to any building. Business signs may be freestanding if the property has a minimum of forty (40) feet of road frontage. The sign area shall be calculated on the basis of one (1) square foot of sign for every foot of property road frontage. However, the maximum area of any freestanding sign shall not exceed two hundred (200) square feet. The setback measured to the edge of the sign shall be equal to one-third (1/3) of the required building setback. Unless otherwise provided herein. The maximum height allowed for any freestanding sign is thirty-five (35) feet above the nearest public road grade. [Amended by Bill No. 86-29]

LAND USE and ZONING ANALYSIS:

Land Use – Master Plan:

The Applicant's property is located south of Bel Air on the west side of Emmorton Road (MD Route 924) across from Patterson Mill Road. A location map, a copy of the Applicant's site plan and a copy of the record plat are enclosed with the report (Attachments 3, 4 and 5).

The subject property is located within the Development Envelope. The Land Use designations in this area range from Low to High Intensity. There is a Community Center located just to the south. The Natural Features Map reflects Stream Systems. The subject property is designated as Low Intensity which is defined by the 2004 Master Plan as:

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1 Barrington Place LLC

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Low Intensity – Areas within the Development Envelope where residential development is the primary land use. Density ranges from 1.0 to 3.5 dwelling units per acre. Neighborhood commercial uses such as convenience stores, doctors' offices, and banks are example of some of the nonresidential uses associated with this designation.

Enclosed with the report are copies of the 2004 Land Use Map, the Natural Features Map and the Greater Bel Air Community Area map (Attachments 6, 7 and 8).

Land Use – Existing:

The existing land uses conform to the overall intent of the 2004 Master Plan. The area includes residential development including single-family dwellings, townhouses, garden apartments and condominiums. Commercial uses include retail, personal and professional services, automotive related uses, and shopping centers. There are also institutional uses which include schools, churches, nursing homes, and recreational facilities. The topography for the area ranges from rolling to steep especially near the stream valleys. Copies of the aerial photograph and a topography map are enclosed with the report (Attachments 9 and 10).

The subject property is approximately 1.28 acres in size, rectangular in shape with frontage on the south side of Barrington Place and the west side of Emmorton Road (MD Route 924). The topography of the property is level to gently sloping. Improvements consist of a one story stone and frame building with several tenants. Access to the building is from Barrington Place. Other improvements consist of paved parking lot along the north and east sides of the building. There is screening along the east side which backs up to the residential uses. The property is nicely landscaped and well maintained. There are sidewalks along both road frontages. Located on the grass area between the sidewalk along MD Route 924 and the parking lot is the stone and block sign structure which is the subject of this case. Site photographs, a topography map of the subject site and aerial photographs are enclosed with the report (Attachments 11, 12 and 13).

Signs currently on the property include 3 wooden frame signs and the stone and block structure which is the subject of this case. The new sign will advertise the uses within the office building. There are wall mounted signs at each entrance and one on the face of the building.

Zoning:

The zoning classifications in the area are consistent with the 2004 Master Plan as well as the existing land uses. Residential zoning includes RO/Residential Office, R1, R2, R3 and R4/Urban Residential Districts. Commercial zoning includes B1/Neighborhood Business, B2/Community Business, B3/General Business and CI/Commercial Industrial. The subject property is zoned RO/Residential Office. Enclosed with the report is a copy of the zoning map for the subject property and immediate surrounding area (Attachment 14).

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SUMMARY:

The Applicant is requesting a variance pursuant to Section 219-13B and 219-5B of the Harford County Sign Code to permit a freestanding sign be erected with a front yard setback of 2 foot, 64 square feet in size and 9 feet in height above road grade and a wall sign which shall be not greater than 48 square feet in size in the RO/Residential Office District.

219-17 variances – sign code:

The Board may grant a variance from the provisions of this Chapter if, by reason of the configuration or irregular shape of the lot or by reason of topographic conditions or other exceptional circumstances unique to the lot or building, practical difficulty or unnecessary hardship results. The Board shall, before granting the variance, make a written finding as part of the record that the conditions or circumstances described are unique to the lot or building, that the conditions or circumstances cause the difficulty or hardship and that the variance can be granted without impairment of the purpose and provisions of this chapter.

Section 219-13(B):

C. *Residential Office District (RO).*

(1) *The following signs shall be allowed:*

- (a) *One freestanding sign per parcel, which shall have a maximum of eight (8) square feet in area, shall be no more than six (6) feet in height and shall be placed perpendicular to the road; and*

The proposed sign area within the existing structure is to be 64 square feet. The existing stone and block structure is 10 feet wide by 9 feet in height. The structure that is to hold the sign already exists and has been placed perpendicular to the road.

- (b) *A wall sign for each use, which shall be attached only to the front of a building, shall be adjacent to the front entryway and shall be no larger than four (4) square feet in area.*

The Applicants state that the proposed wall sign will replace the existing temporary wall sign and will not exceed 48 square feet in size.

- (2) *Freestanding and wall signs shall be constructed of wood, brass or bronze and shall not be internally illuminated. Both freestanding and wall signs may be externally illuminated.*

The existing sign structure is constructed of block and stone and will have a finish over the block.

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1 Barrington Place LLC

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- (3) *Signs shall be constructed in an unobtrusive manner which compliments the architectural element of the building and reflects the architectural period of the building.*

The sign is located approximately 225 feet south of the intersection of Barrington Place and MD Route 924. It will sit approximately 16 feet behind the curb. The sign is constructed of the same materials used in the main building.

- (4) *Temporary signs shall be prohibited in the RO District.*

No temporary signs have been requested.

Section 219-5(B):

Freestanding signs. A freestanding sign shall include any sign supported by uprights or braces placed upon the ground and not attached to any building. Business signs may be freestanding if the property has a minimum of forty (40) feet of road frontage. The sign area shall be calculated on the basis of one (1) square foot of sign for every foot of property road frontage. However, the maximum area of any freestanding sign shall not exceed two hundred (200) square feet. The setback measured to the edge of the sign shall be equal to one-third (1/3) of the required building setback. Unless otherwise provided herein. The maximum height allowed for any freestanding sign is thirty-five (35) feet above the nearest public road grade. [Amended by Bill No. 86-29]

The required front yard setback is 25 feet. A freestanding sign within this District must be located behind the property line 1/3 of the required setback or 8 feet 4 inches. According to the Applicant the existing sign is located approximately 2 feet from the property line.

Conclusion:

The Department finds that there are unique circumstances regarding the subject property. The building faces MD 924, however the entrance is off of Barrington Place. Since there is not a direct entrance off of Route 924, a larger sign and proper placement of the sign will help with traffic flow. The variance will not have an adverse impact on adjoining properties, traffic along MD 924 or the intent of the Code. The sign will complement the Architectural features of the existing building.

RECOMMENDATION and or SUGGESTED CONDITIONS:

The Department of Planning and Zoning recommends that the requested variance be approved subject to the following conditions:

1. The Applicant shall obtain permits and inspections for the requested signs.

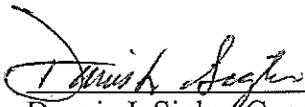
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1 Barrington Place LLC

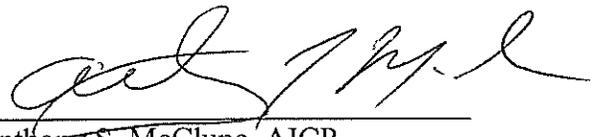
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2. The existing wooden signs shall be removed.



Dennis J. Sigler, Coordinator
Zoning & Board of Appeals Review

DJS/ASM/jf



Anthony S. McClune, AICP
Deputy Director, Planning and Zoning