

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

Case No. 5763
 Date Filed 11/7/11
 Hearing Date _____
 Receipt _____
 Fee 450.00
 Type _____

Shaded areas for Office Use Only

Information to be Submitted with Application

1. A plot plan drawn to scale indicating all pertinent data.
2. A list of all adjoining property owners with mailing addresses.
3. Names and addresses of all persons having legal or equitable interest in the property.
4. All required supporting documentation or additional studies as may be required; including traffic and environmental studies, etc.

NOTE:

All applicants **MUST** schedule a pre-application meeting with the Department of Planning and Zoning prior to filing any application to the Board of Appeals.

To schedule please call 410-638-3119.

Nature of Request and Section(s) of Code

Case No. 5763. Variance, proposed for the First Election District, 21 Wegmans Boulevard, Abingdon, by BOULEVARD AT BOX HILL 20 LLC. Appealed because a variance, pursuant to Sections 267-33I(6)(b) and 267-33B(2) of the Harford County Code, to permit a sign with a height in excess of 20 feet (40 feet proposed), and sign area in excess of 120 square feet (270 square foot sign proposed), and a second sign with an area in excess of 120 square feet (348 square foot sign proposed), in the Commercial Industrial District, requires approval by the Board of Appeals.

Owner (please print or type)

Name Boulevard at Box Hill 20 LLC Phone Number call attorney

Address 2700 Philadelphia Road Edgewood MD 21040-1120
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 South Main Street Bel Air MD 21014
Street Number Street City State Zip Code

Land Description

Address and Location of Property 21 Wegmans Boulevard Abingdon, MD 21009

Subdivision Boulevard at Box Hill Lot Number 20
Acreage/Lot Size 13.44 Election District 01 Zoning CI Tax ID # 01-394266
Tax Map No. 0061 Grid No. 0002F Parcel 0676 Water/Sewer: Private _____ Public

List ALL structures on property and current use: grocery store; 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? Yes _____ No

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

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

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

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

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.)

8 : 11/10/11
2 : 29052.DOC
304306

ATTACHMENT TO THE APPLICATION OF BOULEVARD AT BOX HILL 20 LLC

REQUEST: Variances pursuant to Section 267-11 of the Harford County Code (“Code”) to permit two (2) freestanding signs (collectively the “Signs”) to be located on the subject property zoned CI, Commercial Industrial, the first, (“Sign 1/L2”) with a sign area in excess of 120 square feet (270 square feet proposed) with a setback of 8.33 feet and a height in excess of twenty (20) feet (40 feet proposed) and the second (“Sign 8/L3”) with an area in excess of 120 square feet (348 square feet proposed) as shown on the attached Sign Variance Plan Key Plan (“Plan”).

JUSTIFICATION: Sign 1L/2 will be a modification of an existing sign already located on the subject property in the same location as the existing sign. The premises served by the Signs consist not only of the subject property but the adjoining properties shown on the Plan (“Adjoining Properties”) which are part of the overall project known as “Boulevard at Box Hill” (“Project”). Sign 1/L2 will contain the names of tenants occupying the adjoining properties in the Project as shown on the Plan. Lot 20 as shown on the Plan is a corner lot with an irregular shape with frontage on Emmorton Road (Maryland Route 24). Lot 5 and Lot 21 as shown on the Plan have frontage on Box Hill South Parkway and Box Hill Corporate Center Drive but no frontage on Maryland Route 924 (“Emmorton Road”). Emmorton Road will be the main route used by motorists travelling to the Project who are seeking tenants located on Lot 5 and Lot 21. Far fewer motorists will travel to the Project from Box Hill South Parkway and Box Hill Corporate Center Drive. Unless tenants located on the Adjoining Properties can have space on Sign 1/L2, said tenants will have no sign visible to motorists travelling on Emmorton Road. In order to provide a legible sign which will accommodate tenants located on the Adjoining Property, Sign 1/L2 must have a height of forty (40) feet, a square footage of 270 square feet and a setback of 8.33 square feet.

Sign 8/L3 will be located on an existing wall and contains the logo for the Project. In order to be visible to motorists travelling on Emmorton Road (Maryland Route 924), the area of the sign must be increased to 348 square feet.

Granting the requested variances will not cause any adverse impact. In fact, granting the requested variances will promote traffic safety.

**HARFORD COUNTY ZONING CODE PART 1. STANDARDS.
ARTICLE V. SUPPLEMENTARY REGULATIONS**

PER SECTION §267-33. B OF THE HARFORD COUNTY ZONING CODE:

- (2) FREESTANDING SIGNS. THE MAXIMUM AREA OF ANY FREESTANDING SIGN SHALL NOT EXCEED 120 SQUARE FEET. THE SETBACK MEASURED TO THE EDGE OF THE SIGN SHALL BE EQUAL TO 1/3 OF THE REQUIRED BUILDING SETBACK. UNLESS OTHERWISE PROVIDED HEREIN, THE MAXIMUM HEIGHT ALLOWED FOR ANY FREESTANDING SIGN IS 20 FEET MEASURED FROM THE BASE OF THE SIGN.
- (3) WALL SIGNS. WALL SIGNS SHALL INCLUDE ALL FLAT SIGNS WHICH ARE PLACED AGAINST A BUILDING OR OTHER STRUCTURE AND ATTACHED TO THE EXTERIOR FRONT, REAR OR SIDE WALL OF ANY BUILDING OR OTHER STRUCTURE. FLAT WALL MOUNTED SIGNS MAY BE LOCATED ON ANY WALL OR A BUILDING AND MAY EXTEND NOT MORE THAN 8 FEET ABOVE THE PARAPET WALL OR ROOFLINE OF THE BUILDING TO WHICH THEY ARE ATTACHED. HOWEVER, NO WINDOW, OR PART OF A WINDOW, SHALL BE COVERED BY THE SIGN AREA OR ITS SUPPORTING STRUCTURE.
- (6) DIRECTIONAL SIGNS. THE MAXIMUM AREA OF ANY DIRECTIONAL SIGN SHALL NOT EXCEED 8 SQUARE FEET. DIRECTIONAL SIGNS CAN BE LOCATED AT THE NEAREST INTERSECTION OF ANY MAJOR COLLECTOR OR ARTERIAL ROAD AND SET BACK 10 FEET FROM THE PROPERTY LINE. UNLESS OTHERWISE PROVIDED HEREIN, THE MAXIMUM HEIGHT ALLOWED FOR ANY DIRECTIONAL SIGN IS 6 FEET ABOVE THE NEAREST PUBLIC ROAD GRADE.

PER SECTION §267-33. D OF THE HARFORD COUNTY ZONING CODE:

- (1) DOUBLE-FACED SIGNS. ONE FACE OF A SIGN HAVING OBVERSE AND REVERSE FACES SHALL BE CONSIDERED IN CALCULATING THE ADVERTISING AREA. IN THE EVENT THAT THE FACES OF A SIGN ARE OF A DIFFERENT AREA, THE FACE HAVING THE LARGER AREA SHALL DETERMINE THE ADVERTISING AREA OF THE SIGN.
- (2) MULTIFACED OR CURVED SURFACE SIGNS. THE ADVERTISING AREA OF A MULTIFACED OR CURVED SURFACE SIGN SHALL BE CALCULATED FROM DIMENSIONS DERIVED FROM ITS GREATEST PLANE PROJECTION.
- (3) MODULAR SIGNS. THE ADVERTISING AREA OF SIGNS CONSISTING OF 2 OR MORE INDIVIDUAL LETTERS, CHARACTERS, NUMBERS OR FIGURES SHALL BE DETERMINED BY THE AREA OF A DESCRIBED RECTANGLE COMPLETELY ENCLOSED BY THE EXTREMITIES OF ALL OF THE INDIVIDUAL LETTERS, CHARACTERS, NUMBERS OR FIGURES, PROVIDED, HOWEVER, THAT IF INDIVIDUAL MODULES ARE MOUNTED ON A BACKGROUND, OTHER THAN AN INTEGRAL STRUCTURE COMPONENT OF A BUILDING, THE ENTIRE AREA OF SUCH A BACKGROUND SHALL BE CALCULATED AS ADVERTISING AREA.

PER SECTION §267-33. (8) OF THE HARFORD COUNTY ZONING CODE FOR COMMERCIAL ORIENTED BUILDINGS:

- (a) SIGNS ERECTED ON AND ATTACHED TO COMMERCIAL OR INDUSTRIAL BUILDINGS. THE TOTAL AREA OF ALL SIGNS ERECTED ON AND ATTACHED TO COMMERCIAL OR INDUSTRIAL BUILDINGS SHALL NOT EXCEED 2 SQUARE FEET PER EACH LINEAR FOOT OF BUILDING WIDTH, MEASURED ALONG THE FRONT WALL OR ENTRANCE WALL OF A BUILDING. IF A BUILDING IS LOCATED ON A LOT HAVING FRONTAGE ON 2 STREETS, THEN THE SIGN AREA FOR EACH SIDE SHALL BE CALCULATED SEPARATELY. THE FOLLOWING TYPES OF SIGNS SHALL BE PERMITTED:
- (1) WALL SIGNS.
- (b) TWO FREESTANDING SIGNS IDENTIFYING COMMERCIAL OR INDUSTRIAL ACTIVITY OTHER THAN INTEGRATED COMMUNITY SHOPPING CENTERS SHALL BE ALLOWED ON EACH ROAD FRONTAGE IF THE PROPERTY HAS A MINIMUM OF 40 FEET OF ROAD FRONTAGE. THE SIGN AREA SHALL BE CALCULATED ON THE BASIS OF 1 SQUARE FOOT OF SIGN FOR EVERY FOOT OF PROPERTY ROAD FRONTAGE, AND THE MAXIMUM SIGN AREA SHALL BE DETERMINED IN ACCORDANCE WITH THE RESTRICTIONS CONTAINED IN SUBSECTION B (2) OF THIS SECTION.

PER SECTION §267-33. (10) OF THE HARFORD COUNTY ZONING CODE FOR ICSC DEVELOPMENTS:

- (c) FREESTANDING SIGNS IDENTIFYING INTEGRATED COMMUNITY SHOPPING CENTERS ARE ALLOWED, BUT THE MAXIMUM SIGN AREA SHALL BE DETERMINED INDEPENDENTLY FROM THE SIGN AREA RESTRICTIONS CONTAINED IN THIS SECTION. FREESTANDING SIGNS SHALL NOT EXCEED 1 SQUARE FOOT IN AREA FOR EACH LINEAR FOOT OF ROAD FRONTAGE OR 200 SQUARE FEET, WHICHEVER IS SMALLER. ONE SUCH SIGN SHALL BE PERMITTED FOR EACH ROAD FRONTAGE, OR NOT MORE THAN 2 SIGNS SHALL BE PERMITTED ALONG ANY FRONTAGE WHICH EXCEEDS 500 FEET. THE SIGN HEIGHT SHALL NOT EXCEED 40 FEET AND SHALL BE SET BACK NOT LESS THAN 20 FEET FROM THE FRONT PROPERTY LINE.
- (d) DIRECTIONAL INFORMATION SIGNS SHALL BE ADEQUATELY PROVIDED AND DESIGN COORDINATED.

PROPOSED FREESTANDING SIGNS

SIGN NUMBER	LOT	ROAD FRONTAGE	LINEAR FEET	SIGNS ALLOWED	TOTAL SQUARE FEET ALLOWED	SIGNS PROPOSED	TOTAL SQUARE FEET PROPOSED
3A.2	1	EMMORTON ROAD	±186 LF	2 @ 120 SF EA	240 SF	1	111 SF
		BOX HILL SOUTH PARKWAY	±178 LF	2 @ 120 SF EA	240 SF	-	-
		MERCHANT BOULEVARD	±188 LF	2 @ 120 SF EA	240 SF	-	-
2A.2	3	EMMORTON ROAD	±220 LF	2 @ 120 SF EA	240 SF	-	-
2A.2	4	EMMORTON ROAD	±200 LF	2 @ 120 SF EA	240 SF	1 SHARED SIGN	43 SF
		WEGMANS BOULEVARD	±420 LF	2 @ 120 SF EA	240 SF	-	-
		MERCHANT BOULEVARD	±275 LF	2 @ 120 SF EA	240 SF	-	-
7A.3	20	BOX HILL CORPORATE CENTER DRIVE	±570 LF	2 @ 120 SF EA	240 SF	1	38 SF
WOODSDALE ROAD		±482 LF	2 @ 120 SF EA	240 SF	1	348 SF	
8A.3		MERCHANT BOULEVARD	±878 LF	2 @ 120 SF EA	240 SF	-	-
		WEGMANS BOULEVARD	±454 LF	2 @ 120 SF EA	240 SF	-	-
		EMMORTON ROAD	±805 LF	2 @ 120 SF EA	240 SF	1	270 SF
8A.3		BOX HILL CORPORATE CENTER DRIVE	±346 LF	2 @ 120 SF EA	240 SF	1	28 SF
	ICSC						
5A.2	5	BOX HILL SOUTH PARKWAY	±382 LF	1 @ 200 SF	200 SF	1	45 SF
BOX HILL CORPORATE CENTER DRIVE		±1,680 LF	2 @ 200 SF EA	400 SF	-	-	
MERCHANT BOULEVARD		±1,016 LF	2 @ 200 SF EA	400 SF	1	200 SF	
4A.2		MERCHANT BOULEVARD				1	80 SF
10A.3	21	MERCHANT BOULEVARD	±554 LF	2 @ 120 SF EA	240 SF	1	45 SF
			TOTAL	33	4,380 SF	10	1,203 SF

HEIGHT AND SETBACK REQUIREMENTS

SIGN NUMBER	LOT	ROAD FRONTAGE	HEIGHT ALLOWED	HEIGHT PROPOSED	SETBACK ALLOWED	SETBACK PROPOSED
3A.2	1	EMMORTON ROAD	20 FT	15 FT	8.33 FT	4.3 FT
		BOX HILL SOUTH PARKWAY	20 FT	-	8.33 FT	-
		MERCHANT BOULEVARD	20 FT	-	8.33 FT	-
2A.2	3	EMMORTON ROAD	20 FT	5.87 FT	8.33 FT	18.5 FT
2A.2	4	EMMORTON ROAD	20 FT	5.87 FT	8.33 FT	18.5 FT
		WEGMANS BOULEVARD	20 FT	-	8.33 FT	-
		MERCHANT BOULEVARD	20 FT	-	8.33 FT	-
7A.3	20	BOX HILL CORPORATE CENTER DRIVE	20 FT	8.33 FT	8.33 FT	7.5 FT
WOODSDALE ROAD		20 FT	-	8.33 FT	-	
8A.3		MERCHANT BOULEVARD	20 FT	-	8.33 FT	-
		WEGMANS BOULEVARD	20 FT	-	8.33 FT	-
		EMMORTON ROAD	20 FT	40 FT	20 FT	8.33 FT
	ICSC					
5A.2	5	BOX HILL SOUTH PARKWAY	40 FT	40 FT	20 FT	41 FT
MERCHANT BOULEVARD		40 FT	35.42 FT	20 FT	18.5 FT	
MERCHANT BOULEVARD		40 FT	4.5 FT	20 FT	11.48 FT	
10A.3	21	MERCHANT BOULEVARD	20 FT	3 FT	20 FT	0 FT
8A.3		BOX HILL CORPORATE CENTER DRIVE	20 FT	5 FT	20 FT	0.37 FT

VARIANCE REQUESTS

LOT 5 & 21: FREESTANDING ICSC SIGNS

LOCATION: MERCHANT BOULEVARD
3 ICSC SIGNS ON ROAD FRONTAGE (SIGNS 4A.2, 11A.3, & 10A.3)
ALLOWED: 2 SIGNS
PROPOSED: 3 SIGNS
REQUESTED VARIANCE: 1 ADDITIONAL SIGN

LOT 5: FREESTANDING ICSC SIGNS

LOCATION: MERCHANT BOULEVARD
SETBACK VARIANCE (4A.2)
ALLOWED: 20'
PROPOSED: 18.50'
REQUESTED VARIANCE: 1.50'

LOCATION: MERCHANT BOULEVARD
SETBACK VARIANCE (11A.3)

ALLOWED: 20'
PROPOSED: 11.48'
REQUESTED VARIANCE: 8.52'

LOT 21: FREESTANDING ICSC SIGN

LOCATION: MERCHANT BOULEVARD & BOX HILL CORPORATE CENTER SOUTH
SETBACK VARIANCE (SIGN 8A.3)
ALLOWED: 20'
PROPOSED: 0.9'
REQUESTED VARIANCE: 19.5'

LOCATION: MERCHANT BOULEVARD
SETBACK VARIANCE (SIGN 10A.3)
ALLOWED: 20'
PROPOSED: 0'
REQUESTED VARIANCE: 20'

LOT 1: FREESTANDING SIGN

LOCATION: EMMORTON ROAD & BOX HILL SOUTH PARKWAY
SETBACK VARIANCE (SIGN 3A.2)
ALLOWED: 8.33'
PROPOSED: 4.3'
REQUESTED VARIANCE: 4.03'

LOT 20: FREESTANDING SIGN

LOCATION: WEGMANS BOULEVARD & EMMORTON ROAD
SIGN FACE VARIANCE (SIGN 1A.2)
ALLOWED: 120 SF
PROPOSED: 270 SF
REQUESTED VARIANCE: 150 SF

HEIGHT VARIANCE (SIGN 1A.2)

ALLOWED: 20'
PROPOSED: 40'
REQUESTED VARIANCE: 20'

LOCATION: WOODSDALE ROAD
SIGN FACE VARIANCE (SIGN 8A.3)
ALLOWED: 120 SF
PROPOSED: 348 SF
REQUESTED VARIANCE: 228 SF

LOCATION: MERCHANT BOULEVARD
SETBACK VARIANCE (SIGN 7A.3)
ALLOWED: 8.33'
PROPOSED: 7.5'
REQUESTED VARIANCE: 0.83'

DAVID R. CRAIG
HARFORD COUNTY EXECUTIVE

MARY F. CHANCE
DIRECTOR OF ADMINISTRATION



C. PETE GUTWALD
DIRECTOR OF PLANNING & ZONING

HARFORD COUNTY GOVERNMENT

January 3, 2012

Department of Planning and Zoning

STAFF REPORT

BOARD OF APPEALS CASE NO. 5763

APPLICANT/OWNER: Boulevard at Box Hill 21 LLC
2700 Philadelphia Road, Edgewood, MD 21040

REPRESENTATIVE: John J. Gessner, Esquire
Gessner, Snee, Mahoney & Lutche, P.A.
11 S. Main Street, Bel Air, MD 21014

LOCATION: 21 Wegmans Boulevard, Abingdon, MD 21009
Tax Map: 61 / Grid: 2F / Parcel: 588
Election District: First (1)

ACREAGE: 13.44+/- Acres

ZONING: CI/Commercial Industrial

DATE FILED: November 7, 2011

HEARING DATE: January 11, 2012

APPLICANT'S REQUEST and JUSTIFICATION:

See Attachment 1.



~ Preserving Harford's past; promoting Harford's future ~

STAFF REPORT

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Village at Bright Oaks, Inc.

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CODE REQUIREMENTS:

The Applicants are requesting a variance pursuant to Section 267-33I(6)(b) and 267-33B(2) of the Harford County Code to permit a freestanding sign with a height in excess of 20-feet (40-feet proposed) and a sign area in excess of 120-square feet (270-square feet proposed), and a second sign with an area in excess of 120 square feet (348-square feet proposed) in the CI/Commercial Industrial District.

Section 267-33I(6)(b) of the Harford County Code reads:

- (6) *B1 Neighborhood Business, B2 Community Business, B3 General Business, CI Commercial Industrial, LI Light Industrial and GI General Industrial districts. In addition to the requirements set forth in this section, signs in the B1, B2, B3, CI, LI and GI districts must comply with the following standards:*

- (b) *Two freestanding signs identifying commercial or industrial activity other than Integrated Community Shopping Centers shall be allowed on each road frontage if the property has a minimum of 40 feet of road frontage. The sign area shall be calculated on the basis of 1 square foot of sign for every foot of property road frontage, and the maximum sign area shall be determined in accordance with the restrictions contained in Subsection B(2) of this section.*

Section 267-33B(2) of the Harford County Code reads:

- B. *General provisions. Signage shall be constructed in an unobtrusive manner which complements the architectural elements of quality, style, color and material of the building, and the architectural period of the building(s). The following broad categories of sign types are regulated by this section unless otherwise provided herein:*

- (2) *Freestanding signs. The maximum area of any freestanding sign shall not exceed 120 square feet. The setback measured to the edge of the sign shall be equal to 1/3 of the required building setback. Unless otherwise provided herein, the maximum height allowed for any freestanding sign is 20 feet measured from the base of the sign.*

LAND USE and ZONING ANALYSIS:

Land Use – Master Plan:

The Applicants' property is located on the northeast corner of Woodsdale Road and MD Route 924 (Emmorton Road). Enclosed with the report are copies of a location map and the Applicants' site plan (Attachments 2 and 3).

The subject property is located inside the Development Envelope. The predominant land use designations in this area of the County are Medium Intensity, High Intensity and Industrial Employment. The Natural Features Map reflects Stream Systems. The subject property is designated as Industrial/Employment and is located within a Community Center which are defined by the 2004 Master Plan as:

Industrial/Employment - Areas of concentrated manufacturing, distribution, technical, research, office, and other activities generally located along major transportation corridors.

Community Centers - Areas combining civic, social, and cultural facilities with more intensive commercial and service oriented activities. These centers are usually located along major highways.

Enclosed with the report are copies of a portion of the 2004 Land Use Map and the Natural Features Map (Attachments 4 and 5).

Land Use – Existing:

The existing land uses in this area of the County generally conform to the intent of the 2004 Master Plan. There is a mix of commercial, industrial, residential and institutional uses in this area of the County. The predominant land uses in this area of the County are commercial and residential. Commercial uses are concentrated along the MD Route 924 and MD Route 24 corridors. Commercial uses include shopping centers, restaurants, pharmacies, medical offices, gas stations, convenience stores, grocery stores and various other retail and service uses. This area of the County also has a mix of residential uses; including single-family residential, townhomes, apartments and condominiums. Institutional uses include churches, schools and daycare facilities.

Lot 20 was created as part of the Box Hill Corporate Center commercial subdivision. Development of the overall Corporate Center began in the late 1990's, with numerous office buildings being constructed since that time. The office buildings primarily house professional service uses such as engineering firms, doctor's offices, and corporate offices. The Social Security Administration and the Walter and Betty Ward YMCA are also located within the Corporate Center. A bank and two restaurants are currently under construction on lots that front directly on MD Route 924.

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Village at Bright Oaks, Inc.

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Lot 20 is irregularly shaped with frontage on MD Route 924, Woodsdale Road and Box Hill Corporate Center Drive, Wegmans Boulevard and Merchant Boulevard. Lot 20 was previously graded and the final grades are flat to moderately sloping. A Wegmans grocery store was previously approved and developed on Lot 20. Enclosed with the report are copies of the approved Lot 20 Site Plan and site photos (Attachments 6 and 7).

Zoning:

The zoning classifications in this area of the County are generally consistent with the 2004 Master Plan as well as the existing land uses. Residential zoning in the area includes R1, R2, R3 and R4/Urban Residential Districts. Commercial zoning includes RO/Residential Office District, B2/Community Business District, B3/General Business District and CI/Commercial Industrial District. The subject properties are zoned CI/Commercial Industrial District (Attachment 8).

SUMMARY:

The Applicants are requesting a variance pursuant to Section 267-33I(6)(b) and 267-33B(2) of the Harford County Code to permit a freestanding sign with a height in excess of 20-feet (40-feet proposed) and a sign area in excess of 120-square feet (270-square feet proposed), and a second sign with an area in excess of 120 square feet (348-square feet proposed) in the CI/Commercial Industrial District.

Section 267-33I(6)(b) of the Harford County Code reads:

- (6) *B1 Neighborhood Business, B2 Community Business, B3 General Business, CI Commercial Industrial, LI Light Industrial and GI General Industrial districts. In addition to the requirements set forth in this section, signs in the B1, B2, B3, CI, LI and GI districts must comply with the following standards:*

- (b) *Two freestanding signs identifying commercial or industrial activity other than Integrated Community Shopping Centers shall be allowed on each road frontage if the property has a minimum of 40 feet of road frontage. The sign area shall be calculated on the basis of 1 square foot of sign for every foot of property road frontage, and the maximum sign area shall be determined in accordance with the restrictions contained in Subsection B(2) of this section.*

Section 267-33B(2) of the Harford County Code reads:

- B. *General provisions. Signage shall be constructed in an unobtrusive manner which complements the architectural elements of quality, style, color and material of the building, and the architectural period of the building(s). The following broad*

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Village at Bright Oaks, Inc.

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categories of sign types are regulated by this section unless otherwise provided herein:

- (2) *Freestanding signs. The maximum area of any freestanding sign shall not exceed 120 square feet. The setback measured to the edge of the sign shall be equal to 1/3 of the required building setback. Unless otherwise provided herein, the maximum height allowed for any freestanding sign is 20 feet measured from the base of the sign.*

Variance:

Variances of this nature may be approved by the Board of Appeals pursuant to Section 267-11 of the Harford County Code, provided it finds by reason of the uniqueness of the property or topographical conditions that literal enforcement of the Code would result in practical difficulty or unreasonable hardship. Further, the applicant must show that the request will not be substantially detrimental to adjacent properties or will not materially impair the purpose of the Code or the public interest.

The Applicants are requesting variances for signs associated with Case No. 5760, which is a request for approval of a Special Development for an Integrated Community Shopping Center (ICSC). The Box Hill South Corporate Center has developed similar to other large developments that contain several sections or phases. In a large residential project, it is not uncommon to have several sections that have been developed under different standards; such as conventional, Conventional with Open Space (COS), and Housing for the Elderly. Similarly, the Box Hill Corporate Center has developed with different and distinct sections. The Boulevard at Box Hill ICSC is proposed in the middle of the site. The proposed shopping center is unique in that it is contained within the Corporate Center as a separate and distinct section. Appropriate signage is necessary to direct patrons to the appropriate section of the Corporate Center.

The Applicants are requesting a variance to allow an existing sign (Sign 1/L2) located on Lot 20 at the intersection of Wegmans Boulevard to be expanded from 20-feet to 40-feet in height and the sign area to be expanded from 120-square feet to 270-square feet. The variance is necessary to incorporate signage for the tenants within the proposed shopping center. The shopping center portion of the project will not be visible from MD Route 924. Therefore, the expanded "tenant identification" sign will accommodate tenants within the shopping center along with existing tenants within the Corporate Center. This will provide a cohesive and uniform signage design for the overall development that is clearly visible and legible to motorists traveling along MD Route 924.

The Applicants are also requesting a variance to allow a second sign to exceed the allowable sign area. There is an existing "Boulevard at Box Hill" sign and logo located on the retaining wall adjacent to Wooddale Road. The Applicants are requesting to replace this sign with a 348-square foot "Boulevard at Box Hill" sign and logo. The sign will exceed the maximum

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allowable square footage by 228-square feet. The proposed sign will increase visibility to patrons traveling on MD Route 924.

The requested variances will not adversely impact adjacent lots or the surrounding community. The Applicants could have additional freestanding signs on Lot 20 based on their road frontage. However, they are proposing to limit the overall number of freestanding signs by consolidating their signage. These signs will enhance the Corporate Center and shopping center and aid in traffic circulation and ease of identification of establishments within the overall project.

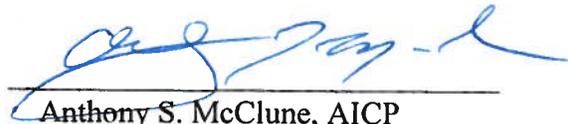
RECOMMENDATION and or SUGGESTED CONDITIONS:

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

1. The Applicants shall obtain all permits and inspections for the proposed signs.
2. The signs shall be in general compliance with the renderings approved by the Board of Appeals. Minor changes to the designs may be approved by the Director of Planning.



Shane P. Grimm, Chief
Site Plan & Building Permits Review



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

SG/ASM/jf