

<b>IN RE: PETITION FOR VARIANCE</b>	*	BEFORE THE OFFICE
(99 Shawan Road)		
8 <sup>th</sup> Election District	*	OF ADMINISTRATIVE
3 <sup>rd</sup> Council District		
GFV Shawan Office, LLC	*	HEARINGS FOR
Verizon Maryland, LLC		
<i>Legal Owners</i>	*	BALTIMORE COUNTY
Petitioners	*	<b>CASE NO. 2018-0055-A</b>

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by GFV Shawan Office, LLC, and Verizon Maryland, LLC, legal owners of the subject property (“Petitioners”). The Petition seeks variance relief from Section 450 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) as follows: (1) To allow a wall-mounted enterprise sign with a sign area/face of 674 sq. ft. in lieu of the maximum allowable sign area/face of 624 sq. ft. (Sign No. 1); (2) To allow wall-mounted enterprise signs with sign areas/faces of 674 sq. ft., 306 sq. ft. and 259 sq. ft. in lieu of the maximum allowable sign area/face of 150 sq. ft. (Sign Nos. 1, 2, & 3); (3) To allow a wall-mounted enterprise sign to extend a maximum of 4 ft. above the eaves or parapet, whichever is higher, at the top of the wall to which it is attached (Sign Nos. 1 and 2); (4) To allow freestanding directional signs with sign areas/faces of 17 sq. ft. and 12 sq. ft. in lieu of the maximum allowable sign area/face of 8 sq. ft. (Sign Nos. 4, 5, 6, 7, 8, 9, 10 and 11); (5) To allow freestanding directional signs with a sign height of 8 ft. in lieu of the maximum allowable height of 6 ft. (Sign Nos. 12 and 13); and (6) To allow a percentage of the company name or logo of a freestanding directional sign of 33 % in lieu of the maximum allowable percentage of 30 % of the total sign area (Sign Nos. 4, 5, 6, 7 and 8). A two-sheet site plan was marked as Petitioners’ Exhibit 1A & 1B.

Valek Zarski, Gerard Wit and Arthur Goldberg appeared in support of the petition. David H. Karceski, Esq. represented GFV Shawan Office, LLC Petitioner. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the B.C.Z.R. A substantive Zoning Advisory Committee (“ZAC”) comment was received from the Department of Planning (DOP). That agency did not oppose the request.

The site is approximately 23 acres in size and zoned ML-IM. The subject property was originally developed in the 1970s as a call center for Bell-Atlantic, which later became known as Verizon. The original building on the site is being reused and redeveloped, and when complete it will be a 7-story (376,542 sq. ft.) commercial office building that will be the world headquarters of McCormick spice company. This case concerns the signage proposed for the site, coloring renderings of which were submitted as Exhibit 1B.

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).

This large parcel has an irregular shape which renders it unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to provide signage which is appropriate for this corporate campus. Finally, I find that the variances can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety and general welfare. There was no opposition to the requests and the DOP visited the site and opined the proposed signs would comply with the Hunt Valley/Timonium Master Plan.

THEREFORE, IT IS ORDERED, this 24<sup>th</sup> day of **October, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Section 450 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) as follows: (1) To allow a wall mounted enterprise sign with a sign area/face of 674 sq. ft. in lieu of the maximum allowable sign area/face of 624 sq. ft. (Sign No. 1); (2) To allow wall mounted enterprise signs with sign areas/faces of 674 sq. ft., 306 sq. ft. and 259 sq. ft. in lieu of the maximum allowable sign area/face of 150 sq. ft. (Sign Nos. 1, 2, & 3); (3) To allow a wall mounted enterprise sign to extend a maximum of 4 ft. above the eaves or parapet, whichever is higher, at the top of the wall to which it is attached (Sign Nos. 1 and 2); (4) To allow freestanding directional signs with sign areas/faces of 17 sq. ft. and 12 sq. ft. in lieu of the maximum allowable sign area/face of 8 sq. ft. (Sign Nos. 4, 5, 6, 7, 8, 9, 10 and 11); (5) To allow freestanding directional signs with a sign height of 8 ft. in lieu of the maximum allowable height of 6 ft. (Sign Nos. 12 and 13); and (6) To allow a percentage of the company name or logo of a freestanding directional sign of 33 % in lieu of the maximum allowable percentage of 30 % of the total sign area (Sign Nos. 4, 5, 6, 7 and 8), be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their 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, Petitioners 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.

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Signed  
JOHN E. BEVERUNGEN  
Administrative Law Judge for  
Baltimore County

JEB:sln