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Office of
Zoning Administration

Official Decision
Case ZA-1147
Zoning Administrator
Carroll County, Maryland

APPLICANT: St. John Properties
Thomas Pilon

REQUEST: Variance from the maximum height of a freestanding sign from 30 feet to 46.75 feet

LOCATION: 438 Old Liberty Rd.
Sykesville, Md.

MAP/BLOCK/PARCEL: 73/3/461

APPLICABLE REGULATIONS: Code of Public Local Laws and Ordinances, Chapters 223-117(b)(18)(h) and 223-181

HEARING HELD: August 11, 2009

FINDINGS AND CONCLUSIONS

Based on the testimony and evidence presented at the hearing the variance is denied.

Facts which support the request for a variance from the maximum height of a freestanding sign from 30 feet to 46.75 feet are as follows:

The applicant is now going through the site plan process for a business park on this property. It is proposed to have 3 pad sites, 2 retail buildings, 2 office buildings and 2 flex use buildings. They are allowed a freestanding sign 30 feet in height and 200 square feet per side to identify the business park and include identification of the tenants or other entities within the business park. The proposed sign that is the subject of this variance request is 46.75 feet in height. The actual "window dressing" of the sign has not been finalized yet but it will include the name of the business park, the names of the tenants and possibly a clock. The structure will have a peaked roof.

The applicant testified that additional height is needed because visibility of the sign is impacted by visual clutter due to existing poles and power lines, trees along Liberty Road (Route 26) and the distance the sign will be set back from Liberty Road, making the property unique. They also testified that their architectural options would

be limited at the maximum 30 feet and they wanted the sign to be an architectural feature, something more than just a sign. Mr. Pilon also discussed the importance of visibility for retail advertising.

After a review of the grading plan it appears as though some of the trees that the applicant felt obstructed the visibility of the sign will be removed during the grading and road improvements once the project gets underway. Based on the video presented by the applicant and my own observation of the site by traveling both east and west on Liberty Road I believe the variance of 16 feet would not enhance the visibility of the sign since it would not be visible over the tops of the trees. The property is unique in that it does not front directly on Liberty Road which causes the sign to be set back approximately 100 feet; however, I believe that extending the height of the sign will not enhance the visibility of the retail advertisement as the extra height will not expand the 200 square feet allowed for each side of the sign. The power poles and lines, unless buried or moved, will remain in front of the sign regardless of the height. Throughout the testimony the applicant commented that they did not want something that was just another sign and that they could do something that would meet the County standards. I believe that due to all of the above reasons the Applicant has not met the test of proving that strict compliance with the terms of §223-138 would result in practical difficulty or unreasonable hardship which has not been caused by the act of the applicant and so the variance request is denied.

There were several neighbors in attendance opposed to the variance.

Note: An appeal of a Decision made pursuant to Chapter 223-181.2 may be made to the Board of Zoning Appeals within thirty (30) days of the date of the Zoning Administrator's decision in accordance with Chapter 223-182 and 223-188 of the Code of Public Local Laws and Ordinances.

A decision of the Zoning Administrator made pursuant to Chapter 223-181 is final and constitutes a zoning action. Unless timely appealed, parties may not thereafter challenge the Zoning Administrator's decision.

August 21, 2009
Date

Gayle Fritz
Gayle Fritz
Zoning Administrator