

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

RECEIVED
 HARFORD COUNTY COUNCIL
 MAR - 5 2020
 ZONING BOARD OF APPEALS
 HARFORD COUNTY, MD

Case No. 5929
 Date Filed 3/5/20
 Hearing Date _____
 Receipt _____
 Fee \$650
 Type SE & Var

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.

Shaded areas for Office Use Only

Nature of Request and Section(s) of Code

CASE 5929 MAP 19 TYPE Special Exception and Variance
 ELECTION DISTRICT 05 TAX ID 05040191
 LOCATION 1520 Whiteford Road, Street 21134
 BY Darlington Volunteer Fire Company Incorporated
 Appealed because a Special Exception pursuant
 to Sec. 267-33(1)(i) of the Harford County Code
 to allow an electronic message board and a variance
 pursuant to Sec. 267-62E to disturb the NRD buffer
 within the AG District requires approval by the Board.

Owner (please print or type)

Name DARLINGTON VOLUNTEER FIRE COMPANY INCORPORATED Phone Number CALL ATTORNEY

Address 2600 CASTLETON ROAD DARLINGTON, MARYLAND 21034
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 MICHAEL E. LEAF/PESSIN KATZ LAW, P.A. Phone Number 410-938-8710

Address 139 NORTH MAIN STREET, SUITE 100, BEL AIR, MARYLAND 21014
Street Number Street City State Zip Code

Land Description

Address and Location of Property 1520 WHITEFORD ROAD, STREET, MARYLAND 21134

Subdivision N/A Lot Number _____

Acreage/Lot Size 6.78 Election District 05 Zoning AG Tax ID # 05-040191

Tax Map No. 0019 Grid No. _____ Parcel 0195 Water/Sewer: Private Public _____

List ALL structures on property and current use: DARLINGYTON VFC SUBSTATION AND PARKING AREA, 9-11 MONUMENT

Estimated time required to present case: 30 MINUTES

If this Appeal is in reference to a Building Permit, state number NO

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: X

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

SPECIAL EXCEPTION FOR ELECTRONIC DISPLAY BOARD SIGN PURSUANT TO SECTION 267-33 (l) (1) (h)

2 NRD VARIANCE PURSUANT TO SECTION 267-62 (E)

Justification

1. SIGN WILL COMPLY WITH ALL REQUIREMENTS OF THE CODE AND WILL NOT HAVE ANY ADVERSE IMPACT AND WILL PROVIDE PUBLIC SERVICE FOR CITIZENS. SEE ATTACHED SPECIFICATIONS AND CONCEPTUAL ILLUSTRATION.
2. SIGN NEEDS TO BE PLACE NEXT TO EXISTING DRIVEWAY TO IMPROVE VISIBILITY AND NOT BLOCK VIEW OF 9/11 MONUMENT. TREES TO SOUTH OF PROPERTY MUST BE TRIMMED FOR POWER LINE. SIGN LOCATION IS ON EDGE OF NRD BUFFER IN AREA WHICH HAS ALREADY BEEN DISTURBED AND FILLED AND IMPROVED BY DRIVEWAY WHICH IS ALLOWED IN NRD BUFFER PER SECTION 267-62 (C)(3) (d)

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.)

Zoning Code Requirements

Appeal from Administrative Decision/Interpretation Requirements (Article 267-7A)

- (6) Render a final written determination, within 45 calendar days of the written request, of whether a proposed use is permitted in a particular zoning district, or whether a proposed use is a legal nonconforming use upon written request of any person. The Director of Planning may determine a materially similar use exists, based on the North American Industrial Classification System (NAICS). The final written determination of the Director of Planning shall be subject to appeal to the Board by the applicant within 20 calendar days of the date of the decision.

Variance Requirements (Article 267-11)

- (A) Variances from the provisions or requirements of this Code may be granted if the Board finds that:
- (1) By reason of the uniqueness of the property or topographical conditions, the literal enforcement of the Code would result in practical difficulty or unreasonable hardship; and
 - (2) The variance will not be substantially detrimental to adjacent properties, or will not materially impair the purpose of this Code or the public interest.

(The Board may impose such conditions as it deems necessary in each particular case. No variance shall exceed the minimum adjustment necessary to relieve the hardship imposed by literal enforcement of this Code.)

Special Overlay District Requirements (Article 267-62)

(E) Natural Resources District

Variances. The Board may grant a variance to Subsection C or D upon a finding by the Board that the proposed development has been designed to minimize adverse impacts to the Natural Resources District to the greatest extent possible. Prior to rendering approval, the Board shall request advisory comments from the Director of Planning, the Soil Conservation District and the Maryland Department of the Environment.

Chesapeake Bay Critical Area Overlay District (Article 267-63)

- (1) Variances from the provisions of this section may only be granted if, due to special features of a site or other circumstances, implementation of this section or a literal enforcement of its provisions would result in unwarranted hardship to an applicant.
- (2) All applications for variances shall be reviewed by the Director of Planning for conformance with applicable provisions of this section, and a written report shall be provided to the Board of Appeals.
- (3) In granting a variance, the Board shall issue written findings demonstrating that the requested approval complies with each of the following conditions:

- (a) That special conditions or circumstances exist that are peculiar to the land or structure within the County's Critical Area, and a literal enforcement of the Critical Area Program would result in an unwarranted hardship.
 - (b) That a literal interpretation of the provisions of this section will deprive the applicant of rights commonly enjoyed by other properties in similar geographic and land use management areas within the Critical Area.
 - (c) That the granting of a variance will not confer upon the applicant any special privilege that would be denied by this section to other lands or structures within the Critical Area.
 - (d) That the variance request is not based upon conditions or circumstances which are the result of actions by the applicant, nor does the request arise from any condition relating to land or building use, either permitted or nonconforming, on any neighboring property.
 - (e) That the granting of a variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the Critical Area, and the granting of the variance will be in harmony with the purpose and intent of this section.
 - (f) That all identified habitat protection areas on or adjacent to the site have been protected by the proposed development and implementation of either on-site or off-site programs.
 - (g) That the growth allocation for the County will not be exceeded by the granting of the variance.
 - (h) That the variance will not be substantially detrimental to adjacent properties or will not materially impair the purpose of the Code or the public interest.
- i. Special exceptions. All projects requiring approval as special exceptions within the Critical Area must meet the standards of this section. The Director of Planning may require such additional information, studies or documentation deemed necessary to ensure that applicable requirements of this district are met. Applications will not be considered complete for processing until all information as required by the Director of Planning has been received.

Change/Extension of Non-Conforming Use Requirements

267-20(3) - When authorized by the Board, one nonconforming use may be substituted for another nonconforming use.

267-21(d) - The Board may authorize the extension or enlargement of a nonconforming use, with or without conditions, provided that:

- (A) The proposed extension or enlargement does not change to a less restricted and more intense use.
- (B) The enlargement or extension does not exceed 50% of the gross square footage in use at the time of the creation of the nonconformity.

Special Exceptions Requirements (Article 267-87)

(a) Special exceptions require the approval of the Board of Appeals in accordance with 267-9 (Board of Appeals). The Board may impose such conditions limitations and restrictions as necessary to preserve harmony with adjacent uses, the purposes of this Code and the public health, safety and welfare.

(b) A special exception grant or approval shall be limited to the Site Plan approved by the Board. Any substantial modification to the approved Site Plan shall require further Board approval.

(c) Extension of any use or activity permitted as a special exception shall require further Board approval.

(d) The Board may require a bond, irrevocable letter of credit or other appropriate guarantee as may be deemed necessary to assure satisfactory performance with regard to all or some of the conditions.

(e) In the event the development or use is not commenced within 3 years from date of final decision, after all appeals have been exhausted, the approval for the special exception shall be void. In the event of delays, unforeseen at the time of application and approval, the Director of Planning shall have the authority to extend the approval for an additional 12 months or any portion thereof. (See Article 267-88 for specific requirements of Special Exception uses.)

I/We agree to provide additional information as requested by the Department of Planning and Zoning or the Hearing Examiner.

I/We do hereby declare that no officer or employee of Harford County, whether elected or appointed, has received prior hereto or will receive subsequent hereto any monetary or material consideration, any service or thing of value, directly or indirectly, upon more favorable terms than those granted to the public generally in connection with the submission, processing, issuance, grant or aware of the within application or petition.

I/We do solemnly declare and affirm under the penalties of perjury that this petition contains names and addresses of all persons having legal or equitable interest in the property, including shareholders owning more than five percent (5%) of the stock in a corporation having any interest in the property, except those corporations listed and traded on a recognized stock exchange.

I/We do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing affidavit are true and correct to the best of my/our knowledge, information and belief.

I/We agree, upon final action, to comply with all requirements or conditions imposed by the Board.

DARLINGTON VOLUNTEER FIRE COMPANY, INCORPORATED

BY Michael A Vincent 2/14/2020
Signature of Owner MICHAEL VINCENT, PRES. Date

Cama W. Reeves 02-14-2020
Witness Date

Signature of Co-Applicant Date
Michael E. Leaf 2/14/2020
Signature of Attorney/Representative Date
MICHAEL E. LEAF

Witness Date
Cama W. Reeves 02-14-2020
Witness Date

Director of Planning and Zoning Date

DDH lml 3-5-20
Zoning Staff Date

SPECIFICATIONS DUBLIN SUBSTATION ELECTRONIC MESSAGE BOARD

Header Cabinet

Custom Fabricated Double Sided Sign to include:

- Overall Dimension - 15"h x 94.5"w x 26" deep
- All Aluminum Construction
- 1-Color Matthews Painted Finish - Color _____
- LED Illumination
- 3/16" Thick White Acrylic Facing
- Translucent Vinyl Lettering / Graphics
- UL Listed and Approved

Installation:

- Above installed onto (2) existing Steel Poles (Customer to install Poles)
- Connection to customer supplied electric

Electronic Message Center Option 2

- Double-Sided
- Vantage 16mm 45 x 150 Pixel Matrix
- Full Color Pixel Configuration (1R,1G,1B)
- 281 Trillion Colors
- 28" x 94.5" Active Viewing Window
- Aluminum perforated mesh endcaps painted black
- 10,000+ Brightness Level (Nits)
- 160 Degree Viewing Angle
- Wireless Data Connection
- Complete Scheduling Software
- On Site Setup and Training
- 7 Year Manufacturer's Warranty (Parts & Labor)

Installation:

- Above installed onto customer supplied and installed Steel Poles
- Connection to customer supplied electric run to site
 - Dedicated electrical line recommended for LED Display

Steve Clark

Director of Sales

Kc Sign & Awnings

142 Conchester Highway

Aston, PA 19014

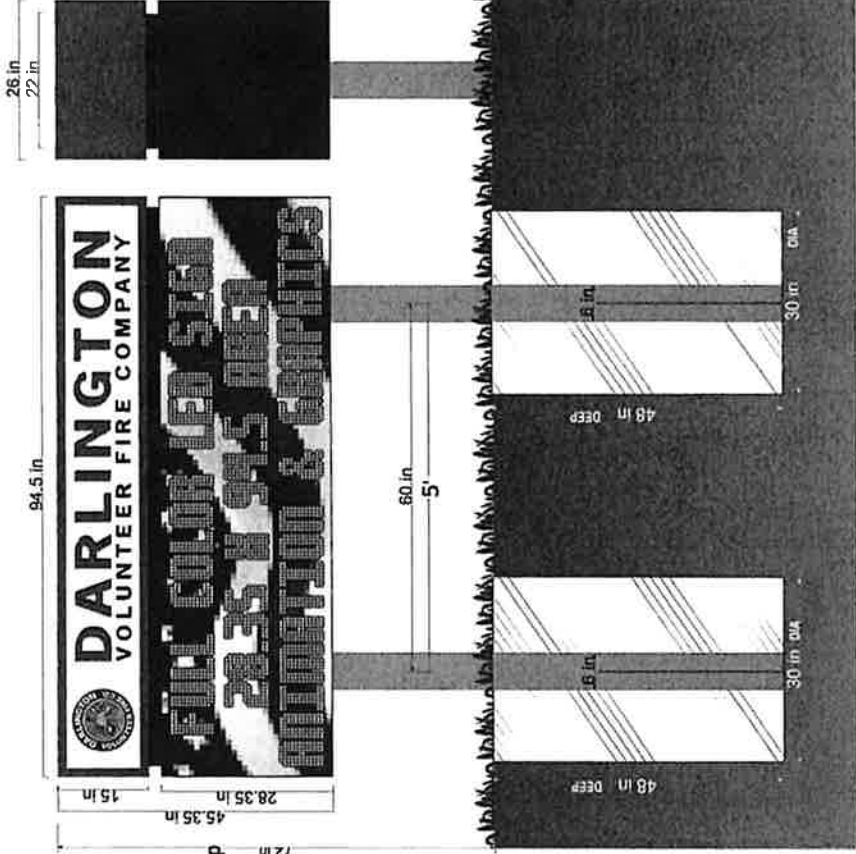
(cell) 610.299.2086

(office) 610.497.0111

- Header Cabinet**
 Custom fabricated double sided sign.
 - Overall dimension- 15" h x 94.5" w x 26" deep
 - All aluminum construction
 - 1 color Matthews painted finish-color
 - LED illumination
 - 3/16" thick white acrylic facing
 - Translucent vinyl lettering / graphics
 - UL listed and approved
 - Connection to customer supplied electric

*CUSTOMER TO INSTALL POLES AND FOOTERS

6" X 6" STEEL POLES
 30" DIA X 48" DEEP



60" in BETWEEN POLES CENTER- TO - CENTER

CUSTOMER APPROVAL: _____

Signature _____ Date _____

LANDLORD APPROVAL: _____

Signature _____ Date _____

CUSTOMER NAME

Darlington Part Time Banquet Company

SITE ADDRESS

1520 Whiteford Rd.
 Street, MD 21154

ORDER NUMBER PAGE NUMBER

033607 1

Permits approved?

YES NO N/A

Are Above Cut Sizes?

YES NO

Special Permit Notes:

Substrate:

Router Cut

Painted Background

Color: _____

Material:

Qty:(1)

Material:

Single Sided

Double Sided

Double Sided

(2) 20% extra light back to back

Graphics Details

MP23966 - Crimson Red LRV 14.9

3M BLACK

COLOR - 3

VINYL GRAPHICS

OPAQUE TRANSLUCENT

DIGITALLY PRINTED

ONE MANY

Accessories

Stakes? Yes No

H-Duty H-Duty

Posts? Yes No

Qty: _____

Color: _____

Vectors? Yes No

D/S Type? Yes No

Holes? Yes No

Size: _____

Location: _____

Installation

Installed Supplied to Customer

Pick-Up Location

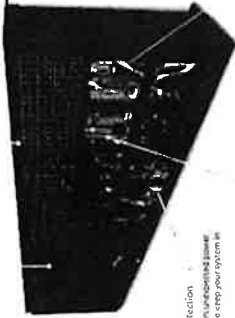
Aston West Grove

Delivery Shipped

Installation instructions

A. LED Module

High speed LEDs, an effective low-voltage system, easily border 1-1/2" typical or wrap due per size and construction.



B. Surge Protection

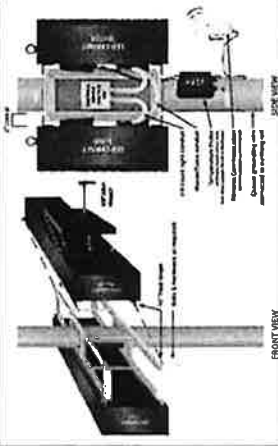
Protection from over-voltage power surges to keep your system safe.

C. Conformal Coating Power Supply

High grade power boards built to our standards to give you better performance and protection.

D. Darwin™ Solid State Control Unit

Industrial grade high temperature IC handles the heat and also provides the best performance possible.



FRONT VIEW

E. Display Board

Capable of being built with a custom size display board 1-1/2" typical or wrap due per size and construction.

Sign Description:

KC SIGN & Awnings

Design • Build • Installation • Service

DATE SALES MAN: DESIGNER

02.28.20 EW BCJ

KC SIGN - CORPORATE OFFICES

142 Conchester Hwy

Aston, PA, 19014

Ph: 610-497-0111

Fax: 610-497-0110

E-mail: info@kcsignco.com

THIS IS AN ORIGINAL UNPUBLISHED DRAWING. CREATED BY KC SIGN CO. IT IS SUBMITTED FOR YOUR APPROVAL. IN FULL COMPLIANCE WITH A DESIGN CONTRACT TO END VALUE CONTRACT USE IT IS NOT.

*NOTE- DUE TO VARIANCES AMONG COLOR PRINTED & COMPUTER MONITORS THE COLORS YOU SEE ON YOUR DEVICE MAY NOT BE THE EXACT COLORS WE WILL USE. THE COLOR YOU SEE