

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
E/S Osler Drive, S of	*	ZONING COMMISSIONER
St. Joseph Hospital Drive		
(7601 Osler Drive)	*	OF
9 th Election District	*	BALTIMORE COUNTY
5 th Council District		
	*	Case No. 2009-0023-SPHA
St. Joseph Medical Center, Inc.,		
Petitioner	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the legal owners of the subject property, St. Joseph Medical Center, Inc., by and through its attorney, David Karceski, Esquire with Venable LLP. The Petitioner requests the following Variances, all of which pertain to the installation of new signs throughout the St. Joseph Medical Center campus, pursuant to the Baltimore County Zoning Regulations (B.C.Z.R.) beginning with Section 450.4.6 to permit four (4) ground-mounted identification signs in lieu of the permitted one (1) sign; to permit a maximum sign face area of 48 square feet in lieu of the permitted of 25 square feet, and to permit a maximum height of 8.5 feet in lieu of the permitted 6 feet on the medical center’s Osler Drive frontage; from Section 450.4.3 to permit three (3) freestanding directional signs with a maximum sign face area of 12 square feet in lieu of the permitted 8 square feet, and to permit a maximum height of 8.5 feet in lieu of the permitted 4 feet on the medical center’s Osler Drive frontage; from Section 450.4.3 to permit a wall-mounted directional sign for a parking garage with a maximum sign face area of 63 square feet in lieu of the permitted 8 square feet on the medical center’s Osler Drive frontage; from Section 450.4.6 to permit a ground-mounted identification sign with a maximum sign face area of 48 square feet in lieu of the permitted 25 square feet, and to permit a

height of 8.5 feet in lieu of the permitted 6 feet on the medical center's York Road/Sister Pierre Drive frontage; from Section 450.4.3 to permit 22 freestanding directional signs with a maximum sign face area of 18 square feet in lieu of the permitted 8 square feet and a maximum height of 9.5 feet in lieu of the permitted 4 feet on the interior of the medical center campus; from Section 450.4.6 to permit two (2) wall-mounted identification signs and five (5) freestanding identification signs in lieu of the permitted zero (0) signs on the interior of the medical center campus; from Section 450.4.6 to permit a wall-mounted identification sign with a maximum sign face area of 235 square feet in lieu of the permitted 25 square feet on the interior of the medical center campus; from Section 450.4.6 to permit five (5) freestanding identification signs to be a height of 8.5 in lieu of the permitted 6 feet on the interior of the medical center campus, and finally from Section 450.4.3 to permit a wall-mounted directional sign for a parking garage with a maximum sign face area of 63 square feet in lieu of the permitted 8 square feet on the interior of the medical center campus. Additionally, the Petitioner filed a Petition for Special Hearing to amend the site plan approved in Case No. 08-079-SPHA. The subject property and requested relief are more particularly described on the five-sheet site plan, which was submitted into evidence and marked as Petitioner's Exhibits 1A through 1E.

At the requisite public hearing, David Karceski appeared as attorney for Petitioner. Appearing in support of the new signage were Pat Basse, Sylvia Moore, and Matthew McGovern, representatives of St. Joseph Medical Center, Inc., Jim Albert, with CSD Architects, Petitioner's architecture firm, and David Locke, with Morris & Ritchie Associates, Inc., the engineer who prepared the site plan. Donald Gerding, of the Rogers Forge Community Association, participated and indicated the community's support for the requested zoning relief.

As there were no Protestants appearing in opposition to the requested relief, the hearing proceeded on a proffer from Mr. Karceski.

The testimony and evidence offered disclosed that the 37± acre St. Joseph Medical Center campus is located on the east side of Osler Drive, south of St. Joseph Hospital Drive, in the Towson area of the County. The site also has frontage along York Road, between Yorkleigh Road and Cross Campus Drive. The site, which is split-zoned OR-1, D.R.2, D.R 3.5 and D.R.16, is uniquely shaped in that it is triangular and includes an extension in an easterly direction to York Road over which Sister Pierre Drive is located.

The site has been utilized as the campus of Saint Joseph Medical Center since approximately 1965, with piecemeal redevelopment over the years since that time. In addition to the main hospital building, numerous other freestanding structures are on-site, including medical office buildings, a maintenance plant and structured parking facilities. There are also a number of surface parking lots on the campus that serve the medical center. All medical center facilities are accessed by way of multiple access points located along Osler Drive and an additional access point on York Road. The campus layout is confusing to individuals who are not familiar with the property and are attempting to navigate it in order to reach certain destinations on campus.

The requested variance relief pertains primarily to signage for identification and directional purposes on the St. Joseph Medical Center campus. Petitioner is, more or less, proposing a complete overhaul of almost all of its existing signage, to complement its recent campus improvements. Petitioner's Exhibit 4 is a colorized sign designation plan, which shows the location of each proposed sign and identifies each type of sign. As that exhibit makes clear, the majority of the signs proposed are freestanding directional signs (with two wall-mounted directional signs for parking garages), while the remaining signs, both freestanding and wall-

mounted, will help identify the medical center from the roadways and various buildings on the interior of the campus. Details of each new sign are shown on Petitioner's Exhibits 1B through 1E, and on the color sign elevations submitted into evidence as Petitioner's Exhibits 5A through 5C.

The Office of Planning issued a Zoning Advisory Committee (ZAC) comment indicating that it does not oppose the requested relief, as it understands that the campus is undergoing comprehensive sign upgrades. It is also noted that I received a letter from Edward Kilcullen, President of the Greater Towson Council of Community Associations, Inc. (GTCCA), dated September 5, 2008, which indicates that this community organization umbrella group and its community associations that surround the medical center have no objection to the requested variances. *See* Petitioner's Exhibit 7.

The proffered testimony and evidence provided a detailed explanation of the purpose for the proposed signage. St. Joseph Medical Center is a regional medical center and, as such, draws patients from a wide geographic area. Twenty-four (24) hour-a-day services are provided to patients, many of which are unfamiliar with the campus layout and the location of services on it. Patients and visitors have commented on their inability to reach particular destinations within the campus in an efficient manner. A new comprehensive sign package for the medical center would be a benefit to these medical center visitors. Many individuals coming to the medical center will be ill, under stress, and/or elderly, and, therefore, the directional and identification signage must be sufficient for quick identification of the medical center from the roadway, to navigate the campus and to determine the location of the various buildings on campus. To accommodate its patients and visitors, Petitioner has investigated over the past few years the best methods for providing the necessary guidance and, in doing so, decided upon the proposed sign package.

After due consideration of the testimony and evidence presented, it is clear that the signage, as shown on Petitioner's Exhibits 1A through 1E, is appropriate in the locations proposed and, having met the standards set forth in B.C.Z.R. Section 307, should be granted. This 37± acre campus is unique by virtue of its overall size, irregular shape, and topographic features. These unique features of the site, along with the relationship of the campus to the two public roadways on which it has frontage, the curvature of those roadways, and the multiple entrances on those roadways, not only limit visibility into the property, but also drive the need for the amount of signage requested in order to provide adequate guidance for patients and visitors. It has been established that strict compliance with the B.C.Z.R. would result in a practical difficulty and unreasonable hardship for Petitioner. Requiring Petitioner to adhere to the number and size limitations for signage required under the B.C.Z.R. would make it quite difficult for patients and visitors to locate the many medical services provided throughout the campus and utilize those services in an efficient manner.

Finally, there is no evidence that the grant of the relief would be detrimental to the surrounding area – the proposed signage is reasonable given the size of the medical center campus, the number of patient services provided throughout the medical center and the need to provide adequate guidance to patients and visitors. A review of the elevations of the proposed signage in comparison to the photographs of the existing signage on-site, accepted into evidence as Petitioner's Exhibit 8, confirms that the new signs will provide a significant upgrade. Additionally, the character of the proposed signs will be consistent with the signage for other existing institutional uses located along Osler Drive, and the neighboring community associations have expressed no objections to the proposal. In fact, Mr. Gerding, with the Roger's Forge Community Association, strongly supports the new signage package and Mr. Kilcullen

with the GTCCA, does not oppose the Petition for Variance. Therefore, I am persuaded to grant the requested relief.

Pursuant to the advertising and posting of the property, and public hearing held thereon, for the reasons set forth above, the Petitions for Special Hearing and Variance shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 16th day of September 2008, that the Petition for Variance, seeking relief pursuant to the Baltimore County Zoning Regulations (B.C.Z.R.) beginning with Section 450.4.6 to permit four (4) ground-mounted identification signs in lieu of the permitted one (1) sign; to permit a maximum sign face area of 48 square feet in lieu of the permitted of 25 square feet, and to permit a maximum height of 8.5 feet in lieu of the permitted 6 feet on the medical center's Osler Drive frontage; from Section 450.4.3 to permit three (3) freestanding directional signs with a maximum sign face area of 12 square feet in lieu of the permitted 8 square feet, and to permit a maximum height of 8.5 feet in lieu of the permitted 4 feet on the medical center's Osler Drive frontage; from Section 450.4.3 to permit a wall-mounted directional sign for a parking garage with a maximum sign face area of 63 square feet in lieu of the permitted 8 square feet on the medical center's Osler Drive frontage; from Section 450.4.6 to permit a ground-mounted identification sign with a maximum sign face area of 48 square feet in lieu of the permitted 25 square feet, and to permit a height of 8.5 feet in lieu of the permitted 6 feet on the medical center's York Road/Sister Pierre Drive frontage; from Section 450.4.3 to permit 22 freestanding directional signs with a maximum sign face area of 18 square feet in lieu of the permitted 8 square feet and a maximum height of 9.5 feet in lieu of the permitted 4 feet on the interior of the medical center campus; from Section 450.4.6 to permit two (2) wall-mounted identification signs and five (5) freestanding identification signs in lieu of the permitted zero (0) signs on the interior of the

medical center campus; from Section 450.4.6 to permit a wall-mounted identification sign with a maximum sign face area of 235 square feet in lieu of the permitted 25 square feet on the interior of the medical center campus; from Section 450.4.6 to permit five (5) freestanding identification signs to be a height of 8.5 in lieu of the permitted 6 feet on the interior of the medical center campus, and finally from Section 450.4.3 to permit a wall-mounted directional sign for a parking garage with a maximum sign face area of 63 square feet in lieu of the permitted 8 square feet on the interior of the medical center campus, in accordance with Petitioner's Exhibits 1A through 1E, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Special Hearing to amend the site plan approved in Case No. 08-079-SPHA be and is hereby GRANTED, subject to the following restriction:

1. Petitioner may apply for building permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

SIGNED
WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County