

IN THE MATTER OF  
THE APPLICATION OF  
POLLITT SIGNS

(Variance)

\* BEFORE THE CECIL COUNTY  
\* BOARD OF APPEALS  
\* CASE NO.: 3659

\*  
\*

\* \* \* \* \*

**OPINION**

The Cecil County Board of Zoning Appeals (the “Board”) is now asked to consider the application of Pollitt Signs (the “Applicant”). Applicant seeks an eighty-four square foot variance from the signage size requirement in order construct additional signage on property owned by N.E. Assoc. LTD located at 102 North East Road, North East, Maryland 21901, designated as Parcel 0609 on Tax Map 25, in the Fifth Election District of Cecil County (the “Property”). The Property is in an area zoned Business Intensive (“BI”).

Under the provisions of Article XVII, Part I, Section 306, Paragraph 1, variances, as defined in Article II, may be granted by the Board of Appeals. Paragraph 2 of Section 306 requires the Board to examine all facts of the case and render a decision based upon the following criteria:

A. The variance requested is based upon a situation where, because of special circumstances, a literal enforcement of the provisions of the Ordinance would deprive the applicant of a right commonly enjoyed by other parties in the same zone under the terms of this Ordinance.

B. Special conditions and circumstances exist that are peculiar to the land, buildings, or structures involved, and that are not applicable to other lands, buildings, or structures in the same zone, such conditions and circumstances not being the result of actions by the applicant.

C. The granting of the variance will not confer upon the applicant any special privileges that are denied by this Ordinance to other properties in the same zone.

D. The variance request does not arise from any condition to land or building use, either permitted or non-conforming, on any neighborhood property.

Applicant testified that the existing sign needs to be expanded to allow signage for all commercial tenants at the Property. The current sign does not have sufficient space within the 400 square foot size restriction to allow for promotion of all businesses located within the Property. Applicant entered into evidence fourteen photos and rendering depicting the existing sign and the proposed sign.

No parties appeared to testify in favor or in opposition to the variance.

From the evidence presented the Board is satisfied that the criteria set forth in Section 306 has been met, and makes the following findings:

1. The variance request is based upon a situation where, because of special circumstances, a literal enforcement of the provisions of the Ordinance would deprive the applicant of a right commonly enjoyed by other parties in the same zone under the terms of this Ordinance. Although the Property is in a designated business zone, because of the number of commercial occupants of the Property the Applicant is unable to erect sufficient signage to promote the commercial uses at the Property due to the signage size restrictions. Other properties of the size of the Parcel with multiple commercial tenants are able to construct signs of sufficient size to promote commercial activities; however, without a variance, the Applicant will be unable to do so.

2. Special conditions and circumstances exist that are peculiar to the subject land, buildings or structures involved and that are not applicable to other lands, buildings, or structures in the same zone. The number of commercial occupants in the Property and the need to advertise and

promote each commercial occupant is a circumstance peculiar to the subject land and buildings involved.

3. The granting of the variance will not confer upon the applicant special privileges that are denied by this Ordinance to other properties in the same zone. Other owners of properties containing similar numbers of commercial tenants are able to erect sufficient signage to promote each tenant in the manner proposed by Applicant.

4. There is no evidence that the variance request arises from any condition to land or building use, either permitted or non-conforming, on any neighborhood property.

For the reasons stated, by unanimous vote, the Board is satisfied that the criteria set forth in Section 306 have been met, and the application is therefore **APPROVED**.

10/29/2013  
Date

David Willis, Jr.  
David Willis, Chairperson

**BOARD OF APPEALS APPLICATION**  
**CECIL COUNTY, MARYLAND**

MEET. MONTH: Sept 2013  
 FILE NO. 3659

**THIS REQUEST IS FOR:**

- SPECIAL EXCEPTION RENEWAL ( )
- SPECIAL EXCEPTION ( )
- VARIANCE (  )
- APPEAL ( )

DATE FILED: 8/13/13  
 AMOUNT PD: 200.00  
 ACCEPTED BY: CEA

CK # 003267

**A. APPLICANT INFORMATION**

Mail to →

POLLITT SIGNS

APPLICANT NAME - PLEASE PRINT CLEARLY

PO 368

HAG

MD 21078

ADDRESS

CITY

STATE

ZIP CODE

Frederick Pollitt

410-939-4050

APPLICANT SIGNATURE

PHONE NUMBER

**B. PROPERTY OWNER INFORMATION**

CORRISH+ ASSOC. GWS Properties

PROPERTY OWNER NAME - PLEASE PRINT CLEARLY

601 E. PRATT ST. 6th Floor Balt MD 21202

ADDRESS

CITY

STATE

ZIP CODE

John Peters

800-733-5444

PROPERTY OWNER SIGNATURE

PHONE NUMBER

**C. PROPERTY INFORMATION**

102

North East Rd.

5th  
~~05~~

05-062233

PROPERTY ADDRESS

ELECTION DIST.

ACCT. NUMBER

25

21

0609

—

8.7

BT

TAX MAP #

BLOCK

PARCEL

LOT #

#ACRES

ZONE

**D. PURPOSE OF APPLICATION** - Indicate reasons why this application should be granted. (attach separate sheet if necessary)

Need more signs for tenants at Rt. 272 sign  
24 s.f. Variance to the 400 s.f. Allowance for signage in  
the BT zone

**E. On an attached sheet, PLEASE submit a sketch of the property indicating the proposed project. Show distances from the front, side and rear property lines and the dimensions of the project.**

**F. LAND USE DESIGNATION**

Is property in the Critical Area? \_\_\_\_\_ YES \_\_\_\_\_ NO

If yes, Pertinent provision of the Chesapeake Bay Critical Area Program: \_\_\_\_\_

Is property in the 100 year Floodplain? \_\_\_\_\_ YES \_\_\_\_\_ NO

Is property an Agricultural Preservation District? \_\_\_\_\_ YES \_\_\_\_\_ NO

If property is located in the Critical Area, all provisions and requirements must be met as outlined in Article XVII, Part I, II & III of the Zoning Ordinance.

**G. PROVISION OF ZONING ORDINANCE:** Section 306

**H. SPECIAL EXCEPTION RENEWAL** - PREVIOUS FILE NO. & CONDITIONS FOR APPROVAL: N/A

**I. SPECIAL EXCEPTION FOR A MANUFACTURED HOME** - Please fill out the following information:

Will unit be visible from the road? N/A If yes, distance: \_\_\_\_\_

Will unit be visible from adjoining properties? \_\_\_\_\_ If yes, distance: \_\_\_\_\_

Distance to nearest manufactured home: \_\_\_\_\_ Size/Model/Year of Unit: \_\_\_\_\_

Number of units on property at present time: \_\_\_\_\_

N/A

**NORTHEAST**  
PLAZA

**Walmart**

**DOLLAR TREE**  
OLYMPIA

**Cecil BANK**  
petco

Little Caesars  
**QUINCY**

**MARINER FINANCE**

**Great Clips**

**47th**

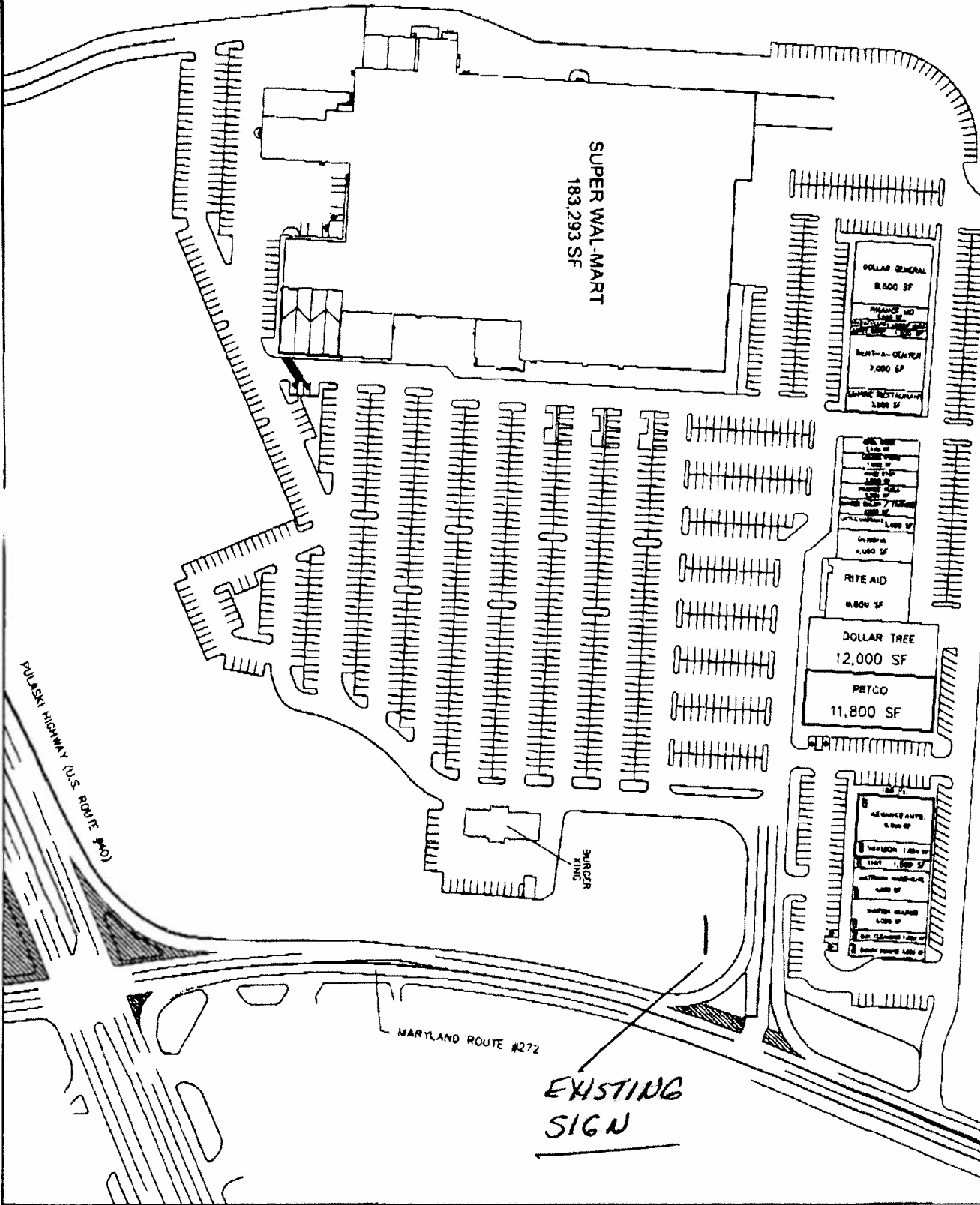
Great Clips



**EXISTING SIGNAGE USES  
388 SQ FT  
NEW SIGN USES 96 SQ FT**



This plan is for the purpose of site location and general arrangement only, indicating relative street location. No representations express or implied are made with respect to such information.



Maryland Department of Assessments and Taxation Real Property Data Search (vw1.1A) CECIL COUNTY	<a href="#">Go Back</a> <a href="#">View Map</a> <a href="#">New Search</a> <a href="#">GroundRent</a> <a href="#">Redemption</a> <a href="#">GroundRent</a> <a href="#">Registration</a>
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**Account Identifier:** District - 05 Account Number - 062233

Owner Information			
<b>Owner Name:</b>	N E PLAZA ASSOC LTD PARTNERSHIP	<b>Use:</b>	COMMERCIAL
<b>Mailing Address:</b>	601 E PRATT ST FL 6 BALTIMORE MD 21202-3111	<b>Principal Residence:</b>	NO
		<b>Deed Reference:</b>	1) /00105/ 00259 2)

Location & Structure Information	
<b>Premises Address</b>	<b>Legal Description</b>
102 NORTH EAST RD NORTH EAST 21901-0000	8.722 ACRES 102 NORTH EAST ROAD E OF NORTH EAST

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
0025	0021	0609		0000				3	

Special Tax Areas	Town	NONE
	Ad Valorem	5
	Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1974	91700	8.7200 AC	

Stories	Basement	Type	Exterior
		MARKET	

	Value Information			
	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2012	07/01/2013
<b>Land</b>	1,772,200	1,672,200		
<b>Improvements:</b>	4,127,800	4,211,400		
<b>Total:</b>	5,900,000	5,883,600	5,883,600	5,883,600
<b>Preferential Land:</b>	0			0

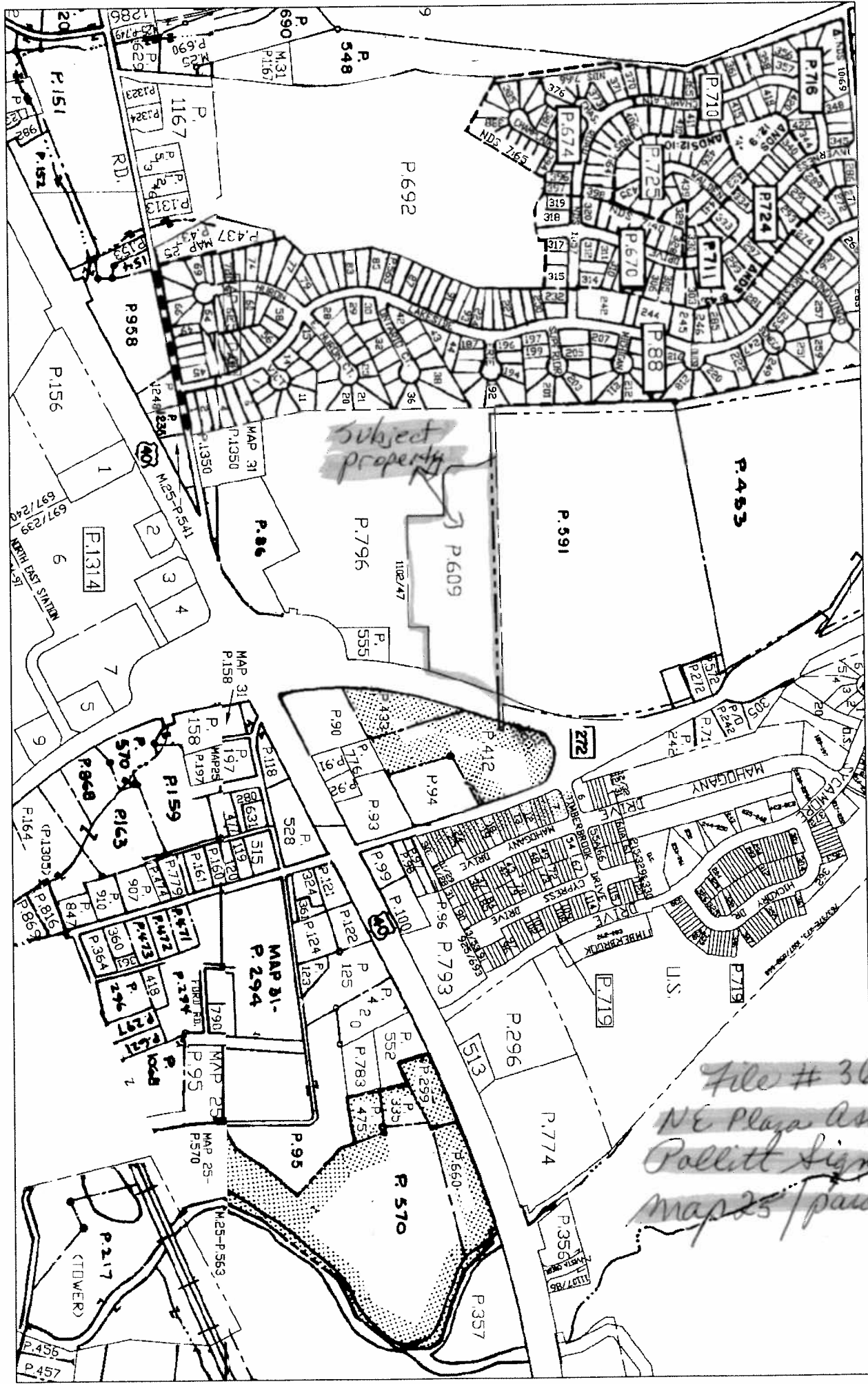
Transfer Information					
<b>Seller:</b>	G W S PROPERTIES	<b>Date:</b>	08/23/1983	<b>Price:</b>	\$2,200,000
<b>Type:</b>	ARMS LENGTH IMPROVED	<b>Deed1:</b>	NDS /00105/ 00259	<b>Deed2:</b>	
<b>Seller:</b>		<b>Date:</b>		<b>Price:</b>	
<b>Type:</b>		<b>Deed1:</b>		<b>Deed2:</b>	
<b>Seller:</b>		<b>Date:</b>		<b>Price:</b>	
<b>Type:</b>		<b>Deed1:</b>		<b>Deed2:</b>	

Exemption Information			
<b>Partial Exempt Assessments</b>	<b>Class</b>	07/01/2012	07/01/2013
<b>County</b>	000	0.00	
<b>State</b>	000	0.00	
<b>Municipal</b>	000	0.00	0.00

Tax Exempt:	Special Tax Recapture:
<b>Exempt Class:</b>	NONE

Homestead Application Information	
<b>Homestead Application Status:</b>	No Application





*Subject Property*

*File # 3659  
NE Plaza Assoc.  
Pollitt Signs  
Map 25 / parcel 609*