

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

We, FRIENDLY ICE CREAM CORP., legal owners of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a special hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve off street parking in residential zone.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. We, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser Legal Owner
Address Gerrold O. Lamb for
Friendly Ice Cream Corporation
1855 Boston Road
Wilbraham, Massachusetts 01095

Petitioner's Attorney Protestant's Attorney
Address _____

ORDERED By the Zoning Commissioner of Baltimore County, this 20th day of November, 1967, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of November, 1967, at 1:00 o'clock P.M.

Zoning Commissioner of Baltimore County

(over)

RE: PETITION FOR SPECIAL HEARING
E/S of Reisterstown Road, 100' N
of Chatsworth Avenue - 4th District
Friendly Ice Cream Corporation -
Petitioners
NO. 74-161-SPH (Item No. 94)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This Petition represents a request for a Special Hearing to determine whether or not the Deputy Zoning Commissioner should grant a use permit for parking in a residential zone. The Petitioners' property is located on the east side of Reisterstown Road, 100 feet north of Chatsworth Avenue, in the Fourth Election District of Baltimore County.

Testimony indicated that the Petitioners' property is improved with an ice cream parlor and a parking area with an entrance from Reisterstown Road. The property has 100 feet of frontage on Reisterstown Road with a rectangular depth of 250 feet and is zoned B.L. (Business, Local) with the exception of a small residentially zoned area measuring 40 feet by 83 feet at the rear or southeasternmost corner.

Since opening, the operators of the ice cream parlor have observed problems with customers entering and leaving the site. They feel that widening and relocating the entrance to a point as far north as possible would alleviate much of the problem. In doing so, several parking spaces will be lost and, for that reason, they are requesting permission to utilize the residentially zoned portion of their property to supplement the lost parking.

After reviewing the testimony and plat submitted by the Petitioners, it is the opinion of the Deputy Zoning Commissioner that the widening and relocation of the entrance will alleviate a potential traffic hazard, and as such, should benefit the community as a whole. With proper screening and other restrictions as to use, utilization of the residentially zoned property should not be detrimental to the health, safety and general welfare of the community.

and will serve a useful purpose by providing needed off-street parking.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 6 day of February 1974, that the Petitioners' request for off-street parking in a residential zone be and the same is hereby GRANTED. Said granting is subject to the following:

1. The existing screening fence must be relocated to a point along the eastern and southernmost side of the residentially zoned parking area.
2. Only passing vehicles excluding buses shall use the parking area.
3. The parking surface shall be paved with macadam or other similar material and shall be properly drained and otherwise maintained.
4. Hours of use shall be from 10:00 A. M. to Midnight Monday through Saturday and from 11:00 A. M. to Midnight Sunday.
5. A satisfactory plan showing the parking arrangement, vehicular access, and other general compliance, shall be approved by the State Highway Administration, Department of Public Works and the Office of Planning and Zoning.

James S. H.
Deputy Zoning Commissioner of
Baltimore County

DESCRIPTION OF THAT PORTION OF LOT ZONED RESIDENTIAL

Beginning at a point on the east side of Reisterstown Road approximately 100 feet north of Chatsworth Avenue and thence running the four following courses and distances: North 52° 23' 00" East 250 feet, South 4° 21' 00" West 40 feet more or less, North 85° 23' 20" East 83 feet, and thence North 4° 21' 20" West 40 feet to the place of the beginning.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

January 15, 1974

Mr. Gerrold O. Lamb
Friendly Ice Cream Corporation
1855 Boston Road
Wilbraham, Massachusetts 01095

RE: Special Hearing Petition
Item 94
Friendly Ice Cream Corp.

Dear Mr. Lamb:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties be made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the east side of Reisterstown Road, 100 feet north of Chatsworth Avenue, in the 4th District of Baltimore County. This property, which is zoned Business Local and D.R. 3.5, is currently improved with an attractive colonial type structure and is used as an ice cream parlor. There is an existing parking area which is well maintained and screened.

The purpose of this petition is a request to allow an additional parking area in that part of the property, which is zoned D.R. 3.5. The area in question is mostly a steep bank and is seeded.

Mr. Gerrold O. Lamb
Item 94
Page 2
January 15, 1974

It appears that a retaining wall will be required. The petitioner should revise his site plan to indicate this, as well as to reflect the comments of the State Highway Administration.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

JOHN J. DILLON, JR.
Chairman,
Zoning Advisory Committee

JJDjr.:JD
Enclosure

Baltimore County, Maryland Department of Public Works COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

Division of Engineering
ELLSWORTH H. DIVER, P. E., CHIEF

December 30, 1973

Mr. S. Eric DiMenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #94 (1973-1974)
Property Owner: Friendly Ice Cream Corp.
E/S of Reisterstown Rd., 100' N. of Chatsworth Ave.
Existing Zoning: B.L. - C.S.A.
Proposed Zoning: Special Hearing for off street parking in a residential zone
No. of Acres: 25,000 sq. ft. District: 4th

Dear Mr. DiMenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Formal comments were supplied the Petitioner for this project March 20, 1972 and May 17, 1972 by the Baltimore County Bureau of Public Services in connection with Commercial Building Permit Applications #185-72 and #429-72, respectively. Those comments are referred to for your consideration.

Very truly yours,

Elsworth H. Diver, P.E.
Chief, Bureau of Engineering

END:RAM:PH:iss

cc: G. Reier

1-SE Key Sheet
62 NW 41 Pos. Sheet
NW 16 K Topo
48 Top Map

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E.
DIRECTOR

December 12, 1973

Mr. S. Eric DiMenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 94 - ZAC - November 20, 1973
Property Owner: Friendly Ice Cream Corp.
Reisterstown Road N. of Chatsworth Avenue
Special hearing for off street parking in residential zone
District 4

Dear Mr. DiMenna:

No major traffic problems are anticipated by the request for off street parking in a residential zone.

Very truly yours,
Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF:inc

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>ETZ</u>	Revised Plans: Change in outline or description ☐ Yes ☐ No									
Previous case: _____	Map # _____									

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received* this 21st day of Oct 1974. Item # _____.

S. Eric D. Hume
S. Eric D. Hume
Zoning Commissioner

Petitioner Friendly Ice Cream Submitted by same

Petitioner's Attorney _____ Reviewed by ETZ

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

Gerald O. Lamb BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
Friendly Ice Cream Corporation
1855 Boston Road
Wilbraham, Massachusetts 01095
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Form 94

O.C.

Your Petition has been received and accepted for filing
this 28th day of November 1973.

S. Eric D. Hume
S. Eric D. Hume
Zoning Commissioner

Petitioner Friendly Ice Cream Corporation

Petitioner's Attorney _____ Reviewed by Chairman
Zoning Advisory Committee

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

No. 13087

DATE Feb. 8, 1974 ACCOUNT 01-662

AMOUNT \$43.00

WHITE - CASHIER
DISTRIBUTION
PINK - AGENCY
YELLOW - CUSTOMER

Friendly Ice Cream Corp.
1855 Boston Road
Wilbraham, Mass 01095
Advertising and testing of property
#74-161-SFH

4 3.0 C MISC

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

No. 13042

DATE Jan. 7, 1974 ACCOUNT 01-662

AMOUNT \$25.00

WHITE - CASHIER
DISTRIBUTION
PINK - AGENCY
YELLOW - CUSTOMER

Friendly Ice Cream Corp.
1855 Boston Road
Wilbraham, Mass. 01095
Petition for Special Hearing
#74-161-SFH

2 5.0 C MISC

THE LINE IS A POINT ON THE EAST SIDE OF
CHURCH LANE AND APPROXIMATELY 100 FEET
SOUTH OF CHURCH LANE AVENUE AND THENCE
THENCE THE FOUR FOLLOWING COURSES AND
DISTANCES: NORTH 85°25'20" EAST 250 FEET,
SOUTH 85°40'00" WEST 40 FEET MORE OR LESS,
NORTH 85°25'20" EAST 85 FEET, AND THENCE
NORTH 85°21'00" WEST 40 FEET.

1. THE LAND SO USED ADJOINS ACROSS AN ALLEY OR STREET FROM THE BUSINESS INVOLVED.

2. ONLY PASSENGER VEHICLES, EXCLUDING BUSES, WILL BE USED IN THE WARE AREA.

3. A LOADING SERVICE OF ANY OTHER THAN PARKING WILL BE PERMITTED.

4. LIGHTING SHALL BE REGULATED AS TO LOCATION, DIRECTION, HOURS OF ILLUMINATION, GLARE, AND INTERFERENCE. REQUIRED LIGHTING WILL BE 30 FT. HIGH & WILL NOT REFLECT ON ADJACENT RESIDENTIAL PROPERTIES.

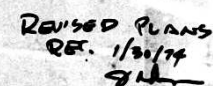
5. SCREENING BY A WALL, FENCE, PLANTING OR OTHER MEANS SHALL BE PROVIDED AS NOTED ON THE PLAN & DEEMED ADVISABLE BY THE OFFICE OF PLANNING.

6. A PAVED SURFACE, PROPERLY DRAINED, WILL BE MAINTAINED.

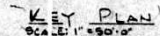
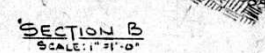
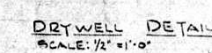
7. A SATISFACTORY PLAN SHOWING PARKING ARRANGEMENT & VEHICULAR ACCESS IS SHOWN HEREWITH.

8. MINIMUM # AREA OF OPERATION, PROVISION FOR MAINTENANCE, & PERMITTED HOURS OF USE SHALL BE SPECIFIED, & REGULATED AS REQUIRED.

HOURS OF OPERATION WILL BE FROM 10 AM TO 10 PM MONDAY THROUGH SAT FROM 11 AM TO MIDNIGHT SUNDAY.



SEDIMENT CONTROL NOTES:
1. ALL AREAS TO BE GRAVED, PLANTED, SOUL
OR SEEDS AS SHOWN IMMEDIATELY UPON
COMPLETION OF PROJECT.




 FLOODHUNT BASE CAMP. MADE SEE DETAIL ON INT (1A)
 (SEE DETAIL FOR ALIMING OFF.)
 4' 1/2" PRECAST CONC. CURB (6" HIGH)
 (SEE DETAIL ON INT (1A))
 6" PRECAST CONC. CURB (6" HIGH)
 (SEE DETAIL THIS SHEET)
 4" WOOD CURB (SEE DETAIL ON INT (1A))

[illegible]

NOTES:

1. REMOVE ALL BIRDS ETC. UNLESS OTHER SPEC. SPECIES FOR CIRCUIT N° 10.
2. ELECTRIC & TELEPHONE LINES LOT 10.
3. BEYOND LAND PLANTED.
4. GUNN: M.A.B. G.I.E. STAIN CANNOT USE: G-8 + B-15
7. PARKING DITCH: B.D.H. SPAN: GERT. 39' x 9'
8. STAIN OVER PLANTED BLANTS.
10. ZONE: B-L-CIA
11. SURVEY DATA FROM L# 4505 - 6
12. BENCH MARK: B.C. COORDINATE IN RM OF REISTERSTOWN RD.
13. PK.NAL C. VALLEY OF PROPERTY IS
14. PROPERTY IS LOCATED IN PROPERTY IS FOUND (BALTIMORE COUNTY)

Friendly ICE CREAM
CORPORATION
NORTH BILLYBRIAN, MASSACHUSETTS
INDUSTRIAL EAST OF SPRINGFIELD
TEL. 555-1234 CLD. 555-1234

DR. BY R. COHEN	SCALE
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REV. A. A. S. REV. 1/32

AT PORTION
RESIDENTIAL
THE EAST SIDE OF
APPROXIMATELY 100 FEET
WIDE AND THERE
WING COURSES AND
EAST 250 FEET,
EAST 100 FEET, AND THENCE
FEET, AND THENCE
FEET.

ENCE ZONE
WINS ACROSS AN ALLEY
BUSINESS INVOLVED.
E, EXCLUDING BUSES,
E, ANY USE OTHER THAN
E, ANY USE OTHER THAN
E, ANY USE OTHER THAN

ATED AS TO LOCATION,
MINUTION, CLARE, AND
LIGHTING WILL BE 30 FT.
ON ADJACENT

ENCE, PLANTING
BE PROVIDED AS NOTED
ADVISABLE BY THE

ELY DRAINED, WILL BE

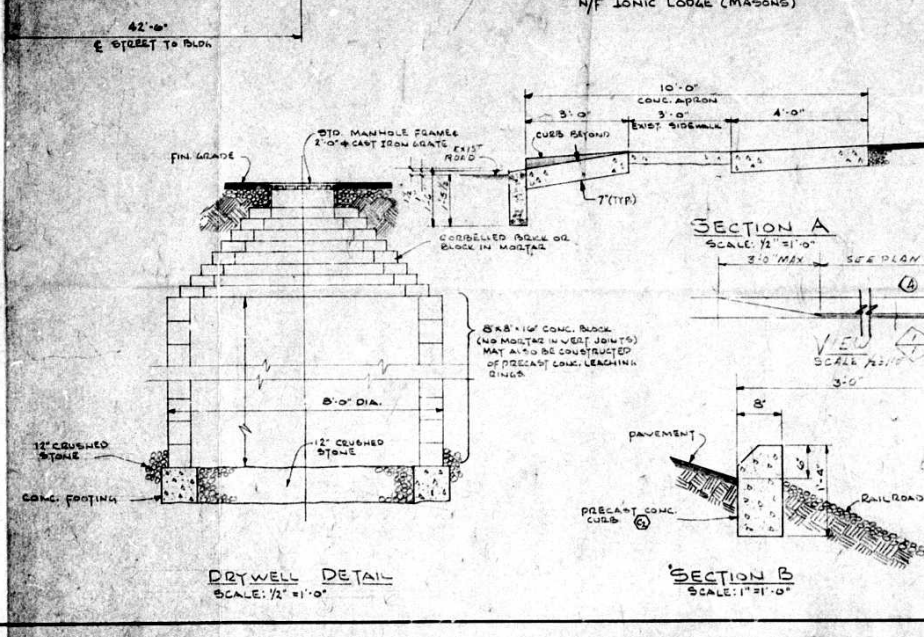
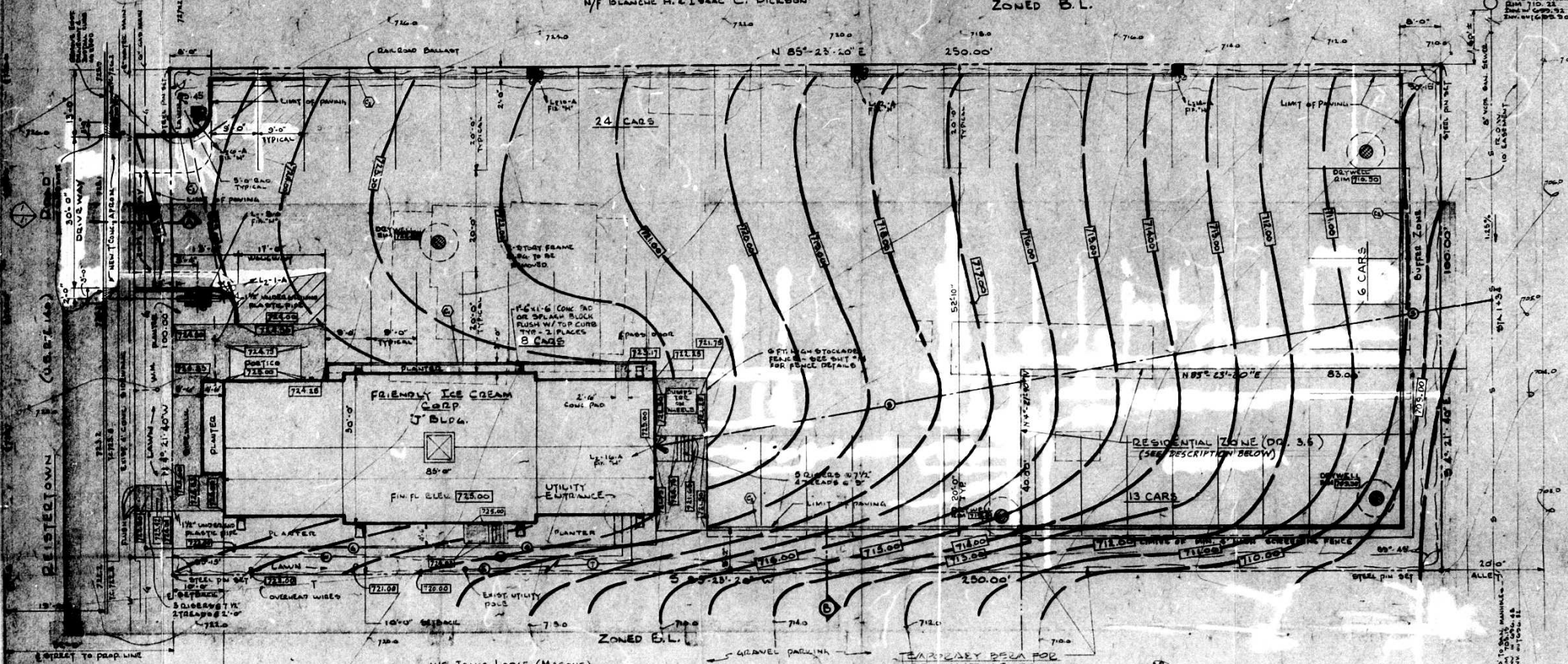
OWING PARKING
ACCESS IS SHOWN

ATION, PROVISION FOR
HOURS OF USE SHALL
BE AS REQUIRED.

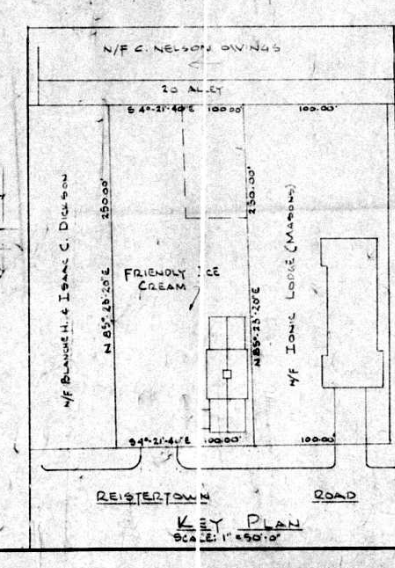
BE FROM 10
MON THRU SAT
SUNDAY

N/F BLANCHE H. & IONAC C. DICKSON

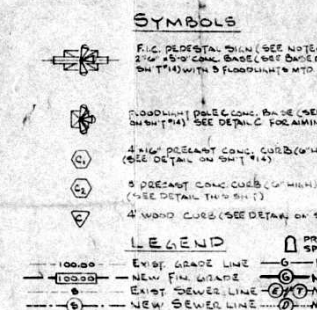
ZONED B.L.



SEDIMENT CONTROL NOTES:
1. ALL AREAS TO BE GRADED, PLANTED, SODDED
OR SEEDS AS SHOWN IMMEDIATELY UPON
COMPLETION OF PROJECT.



DETAIL C
SCALE 1/4" = 1'-0"



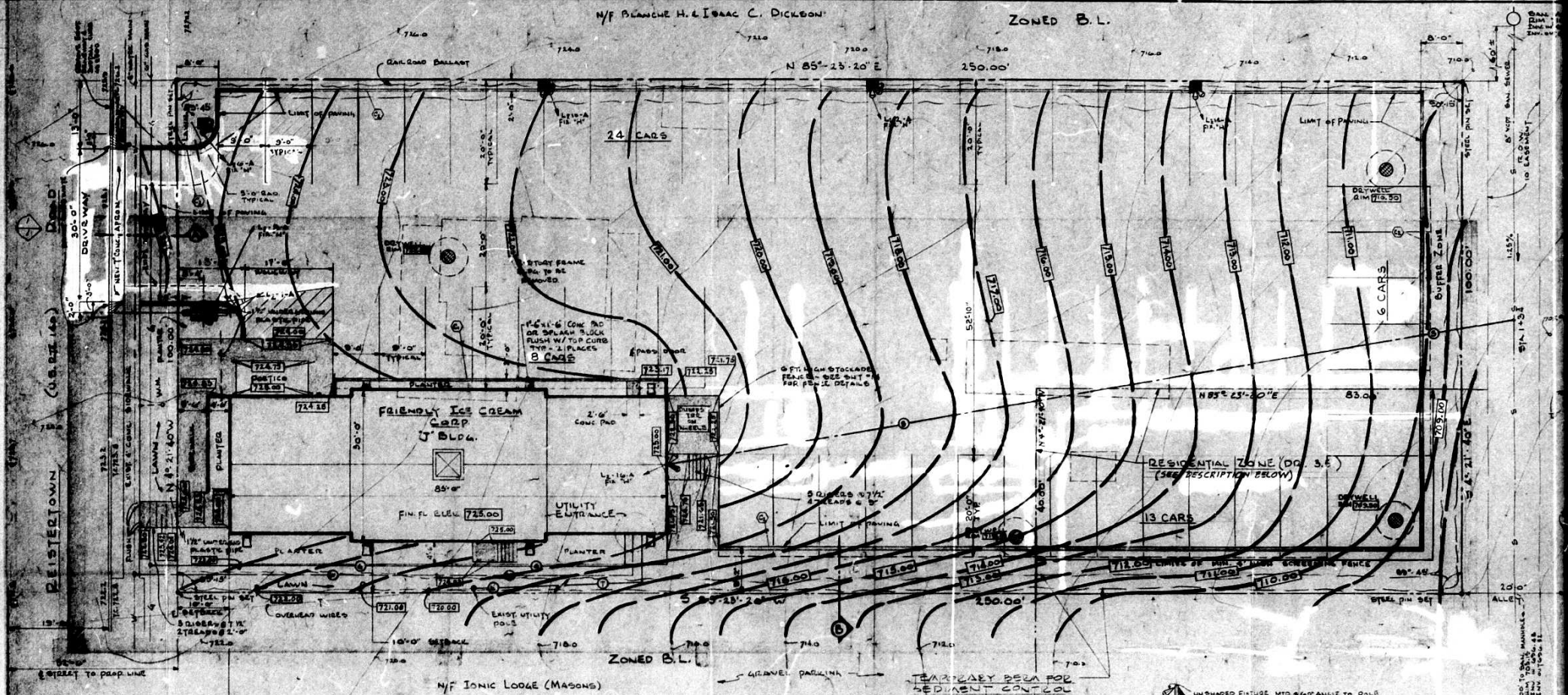
NOTES:
1. REMOVE ALL BLDGS, SHEDS, FENCES, TREES, DEBRIS,
ETC. UNLESS OTHERWISE SPECIFIED.
2. SEE SPEC. FOR LIGHT FIXTURES & DIM. E.D.
FOR CIRCUIT NO.
3. ELECTRIC & TELEPHONE SERVICE TO BE UNDERGROUND
4. PARKING LOT LIGHTING TO BE DIRECTIONAL CONTROLLED
5. SEE LANDSCAPE PLAN FOR LANDSCAPE DETAILS
6. SIGN: MAX. SIZE ALLOWED 50 SQ. FT. PER SIDE;
SIGN CANNOT OVERHANG RIGHT OF WAY.
7. PARKING DATA: BLD. 240 SQ. FT.; 1 SPURGE EA. 50 SQ. FT.; 10
SPACES REQ.; 53 SPACES SHOWN; SIZE OF SPACE 9'x15' MIN.
8. SEE DWG. E-1 FOR LOCATION & INSTALLATION OF
PLANTER LIGHTS
9. ELEV. B.L. = 5.4
10. SURVEY DATA FROM SURVEY PERFORMED BY ROBERT E. SPELLMUN
L.S. # 4503 - SURVEY DATED PERMITS
11. BENCH MARK: BALTIMORE COUNTY TRAVELER POINT MARK
CONC. IN QUARTER LANE WATER VALVE 50' S. OF
REISTERTOWN ROAD & CHATSWORTH AVE. ELEV. 717.02
12. P.K. 11.0: WALL SET IN WALL LOC. NORTHWEST CORNER
OF PROPERTY ELEV. 715.82
13. PROPERTY IS LOCATED IN 4TH DISTRICT
14. PROPERTY IS FOUND IN MARYLAND STATE TAX MAP 15
(BALTIMORE COUNTY) BLOCK 11, LOT 186, PAGE 200
15. RMD, ROOF DRAINS TO DRYWELL
AND ADDED SPLASH BLOCKS
ADDED DAD AT ENDS EXIT

YARD REQUIREMENTS	TOTAL AREA, 82. FT.
FRONT 10'-0"	BLDN. 24.0
SIDE 0	PLAT 25.000
REAR 20'-0"	
CORNER 10'-0"	TOTAL PARKING 51 CARS

REISTERTOWN ROAD
REISTERTOWN, M.D.
Plot Plan
FRIENDLY ICE CREAM CORPORATION
NORTH BALTIMORE, MARYLAND DISTRICT
DATE 2/18/72
MD 824

DESCRIPTION OF THAT PORTION OF LOT ZONED RESIDENTIAL
 BEGINNING AT A POINT ON THE EAST SIDE OF REISTERSTOWN ROAD APPROXIMATELY 100 FEET NORTH OF CHATSWORTH AVENUE AND THENCE
 1. NORTH 85° 25' 20" EAST 250 FEET,
 2. SOUTH 85° 25' 20" WEST 40 FEET MORE OR LESS,
 3. NORTH 85° 25' 20" EAST 8 FEET, AND THENCE
 4. NORTH 85° 25' 20" WEST 60 FEET.

PARKING IN RESIDENCE ZONE
 1. THE LAND SO USED ADJOINS ACROSS AN ALLEY OR STREET FROM THE BUSINESS INVOLVED.
 2. ONLY PASSENGER VEHICLES, EXCLUDING BUSES, WILL USE THE PARKING AREA.
 3. NO LOADING, SERVICE, OR ANY USE OTHER THAN PARKING WILL BE PERMITTED.
 4. LIGHTING SHALL BE REGULATED AS TO LOCATION, DIRECTION, HOURS OF ILLUMINATION, GLARE, AND INTENSITY, AS REQUIRED. LIGHTING WILL BE 20 FT. HIGH & WILL NOT REFLECT ON ADJACENT RESIDENTIAL PROPERTIES.
 5. SCREENING BY A WALL, FENCE, PLANTING, AND/OR OTHERWISE WILL BE PROVIDED AS NOTED ON THE PLAN (UNLESS OTHERWISE ADVISABLE BY THE OFFICE OF PLANNING).
 6. A PAVED SURFACE, PROPERLY DRAINED, WILL BE MAINTAINED.
 7. A SATISFACTORY PLAN SHOWING PARKING ARRANGEMENT & VEHICULAR ACCESS IS SHOWN HEREWITH.
 8. METHOD & AREA OF OPERATION, PROVISION FOR MAINTENANCE, & PERMITTED HOURS OF USE SHALL BE SPECIFIED, & REGULATED AS REQUIRED. HOURS OF OPERATION WILL BE FROM 10 AM TO 10 PM MON THRU SAT FROM 11 AM TO MIDNIGHT SUNDAY.



TEMPORARY BECA FOR SEDIMENT CONTROL
 SEDIMENT CONTROL NOTES:
 1. ALL AREAS TO BE PAVED, PLANTED, SOOLED OR GRADED AS SHOWN IMMEDIATELY UPON COMPLETION OF PROJECT.

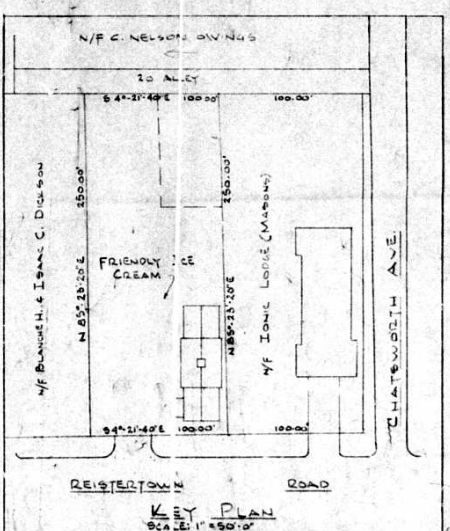
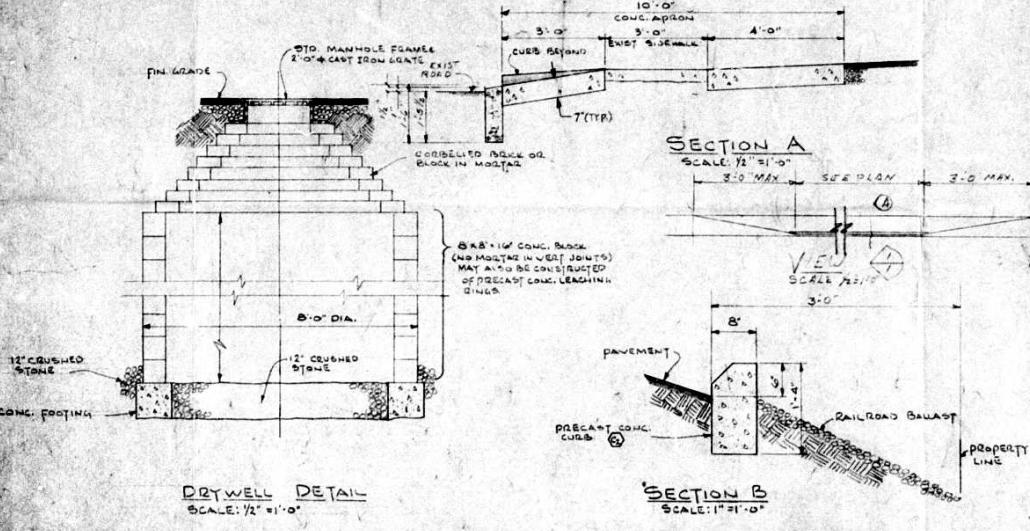
DETAIL C
 UNSHADED FIGURE INTO 60° ANGLE TO POLE
 SHADED FIGURE INTO 30° ANGLE TO POLE

SYMBOLS
 R.C. PEDESTAL SIGN (SEE NOTES) WITH 2" X 1/2" CONC. BASE (SEE DETAIL ON SH 114) WITH 3" FLOORLINE TO SH 114
 FLOODLIGHT POLE, CONC. BASE (SEE DETAIL ON SH 114) SEE DETAIL C FOR FINISH OF FLOODS
 4" NEW PRECAST CONC. CURB (6" HIGH) (SEE DETAIL ON SH 114)
 9" PRECAST CONC. CURB (6" HIGH) (SEE DETAIL ON SH 114)
 4" WOOD CURB (SEE DETAIL ON SH 114)

LEGEND
 100.00 EXIST. GRADE LINE
 100.00 NEW FIN. GRADE
 100.00 EXIST. GAS LINE
 100.00 EXIST. SEWER LINE
 100.00 NEW SEWER LINE
 100.00 EXIST. WATER LINE
 100.00 NEW WATER LINE
 100.00 EXIST. ELEC. LINE
 100.00 NEW ELEC. LINE
 100.00 EXIST. DRAIN LINE
 100.00 NEW DRAIN LINE

NO.	DESCRIPTION	REMARKS
1	EXIST. GRADE LINE	
2	NEW FIN. GRADE	
3	EXIST. GAS LINE	
4	EXIST. SEWER LINE	
5	NEW SEWER LINE	
6	EXIST. WATER LINE	
7	NEW WATER LINE	
8	EXIST. ELEC. LINE	
9	NEW ELEC. LINE	
10	EXIST. DRAIN LINE	
11	NEW DRAIN LINE	

NOTES:
 1. REMOVE ALL BUILT ETC. UNLESS OTHERWISE SPECIFIED FOR 1" FOR CIRC. N.E.S.
 2. SEE LANDSCAPE PLAN FOR MAX. SIZES
 3. SIGN CANNOT BE OVER 6" X 8" X 12"
 4. SIGN CANNOT BE OVER 6" X 8" X 12"
 5. SIGN CANNOT BE OVER 6" X 8" X 12"
 6. SIGN CANNOT BE OVER 6" X 8" X 12"
 7. SIGN CANNOT BE OVER 6" X 8" X 12"
 8. SIGN CANNOT BE OVER 6" X 8" X 12"
 9. SIGN CANNOT BE OVER 6" X 8" X 12"
 10. SIGN CANNOT BE OVER 6" X 8" X 12"
 11. SIGN CANNOT BE OVER 6" X 8" X 12"



NO.	DESCRIPTION	REMARKS
1	EXIST. GRADE LINE	
2	NEW FIN. GRADE	
3	EXIST. GAS LINE	
4	EXIST. SEWER LINE	
5	NEW SEWER LINE	
6	EXIST. WATER LINE	
7	NEW WATER LINE	
8	EXIST. ELEC. LINE	
9	NEW ELEC. LINE	
10	EXIST. DRAIN LINE	
11	NEW DRAIN LINE	

REVISIONS
 1. 5-14-73
 2. 5-14-73
 3. 5-14-73
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 19. 5-14-73
 20. 5-14-73

CL:JEM:ap