

IN RE: PETITION FOR ZONING VARIANCE BEFORE THE
 S/S Baltimore National Pike, ZONING COMMISSIONER
 1900' W of the c/1 Rolling Road (Baltimore West Shopping Center) OF BALTIMORE COUNTY
 1st Election District Case No. 89-537-A
 Combined Properties, Inc. Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit four (4) other business signs containing a total of 700 sq.ft. in lieu of the maximum permitted three (3) other business signs of 100 sq.ft. total, in accordance with Petitioner's Exhibits 1 and 2.

The Petitioner, by William C. Harrison, appeared, testified, and was represented by Newton A. Williams, Esquire. Also appearing on behalf of the Petition were: Neil Murray, Property Manager, and Gary DuWall, Esquire for F & M; Dwight J. Auch, Denise L. Collins and E. Harrison Stone, Esquire for the Marriott Corporation; Charles Stark, Professional Land Surveyor; Robert Nethen, Jr. with Claude Neen Signs; and Bernard Willemain, Land Use and Planning Consultant. There were no Protestants.

Testimony indicated that the subject property, known as the Baltimore West Shopping Center, consists of 18.65 acres more or less zoned B.R. and is located on Baltimore National Pike (Route 40) southwest of Rolling Road. Petitioners propose replacing the existing Bradlees/F & M sign, currently located on the northwest corner of the Monumental entrance, with a consolidated multiple tenant roster sign as set forth in Petitioner's Exhibits 1 and 2. Petitioners also propose a primary shopping center identification sign which will be located along Route 40 adjacent to the Roy Roger's Restaurant as indicated on Petitioner's Exhibits 1 and 2.

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Mr. Harrison testified the Petitioner's retail tenants are concerned that they are not receiving sufficient advertising exposure along Route 40 and have requested individual signage. He testified that the proposed sign as indicated on Petitioner's Exhibit A, will have a red and white color scheme and will harmonize with the overall center, particularly the buildings that border the eastern property line. However, Frank's and F & M have subsequently requested permission to display their respective company colors on their portion of the signage. The proposed sign will replace the existing Bradlees/F & M sign and will be a 25-foot high, two-faced, multiple tenant roster sign containing 150 sq.ft. total, and will provide individual space for five tenants. The new center identification sign will require the removal of the 20-foot high Frank's sign which is a 64 sq.ft., double-faced sign totalling 128 sq.ft. Frank's will thereafter be assigned signage on the aforementioned replacement signs. The Zoning Commissioner was advised by correspondence dated November 14, 1989 from Newton Williams, Esquire, that all parties to the hearing, including Frank's, were in agreement with this signage format. Mr. Harrison further testified that in view of the way this shopping center sits back off of Route 40, the retailers need the exposure the requested signs will provide. Additionally, Mr. Harrison stated that, in his opinion, if the requested signage is denied, the Petitioner will suffer a practical difficulty and undue hardship as it will be difficult to attract new tenants to the site.

Mr. Stark testified that the shopping center's entrance will be difficult for passing motorists to locate without the requested signage. He stated that the signage proposed is of typical size for this area and will harmonize well with the color scheme of the center. Mr. Stark was in

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agreement with Mr. Harrison regarding the undue hardship and practical difficulty Petitioner would suffer if the requested variance were denied.

Mr. Nethen testified as to the general layout and desirability of the existing and requested signage. He stated that the shopping center is at a considerably lower elevation than Route 40, which significantly impairs the visual exposure of the center to passing motorists. Mr. Nethen stated that, in his opinion, should the requested variance be denied, the Petitioner would suffer undue hardship and practical difficulty.

Mr. Willemain testified on behalf of the Petition. He indicated that he has been familiar with the subject site since 1948. He testified that the State of Maryland intends to convert Route 40 into a high speed expressway, replacing the current median strip in this area with Jersey walls. He stated that traffic routinely travels at 50 - 60 mph on this roadway. Mr. Willemain testified that motorists will have a difficult time locating the center absent the requested signage, that in his opinion the Petitioner will suffer undue hardship and practical difficulty if the requested variance is denied.

Mr. Auch testified regarding the existing Big Boys' sign, which is a 120 sq.ft., dual-faced sign containing 240 sq.ft. total. Mr. Auch stated the sign was erected in 1979, and to the best of his knowledge, pursuant to the requisite permits. The sign was subsequently refaced in 1983 and remains unchanged to this date. Mr. Auch testified that in his opinion, if Petitioners' were required to reduce the size of the subject sign by a considerable amount, the Big Boys' restaurant would suffer a significant decrease in patron flow.

Mr. Collins testified regarding the existing Roy Rogers' sign. He indicated the sign was erected in approximately July, 1979, and to his

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 By [Signature]

knowledge, pursuant to the requisite permits, although none were produced at the hearing. Mr. Collins testified that in his opinion, if the subject sign was reduced in size by a considerable amount, the restaurant would suffer a significant decrease in patron flow.

Mr. Murray testified that F & M does not advertise on television and therefore, relies heavily on signage to generate customer traffic. He testified that in his opinion, should the requested variance be denied, the Petitioner would suffer undue hardship and practical difficulty in view of the location and layout of this property.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that if the variance is granted, as herein modified, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare. Petitioners were advised at the hearing that there ap-

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 By [Signature]

posed to be excessive signage along the Route 40 corridor in this area and to revise the sign plan to further consolidate the signage proposed for the shopping center. Petitioners subsequently submitted a revised plan, identified as Exhibits A and B, which have been incorporated into the file and made a part of this Order.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested, as herein modified, should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3rd day of January, 1990 that the Petition for Zoning Variance to permit four (4) other business signs containing a total of 700 sq.ft. in lieu of the maximum permitted three (3) other business signs of 100 sq.ft. total, in accordance with Petitioner's Exhibits 1, A and B, be and is hereby GRANTED; subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioner may apply for its sign permit 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) Prior to the erection of any additional signage granted pursuant to this Order, Petitioner shall remove the existing Frank's sign located along Route 40 adjacent to the Baltimore West Shopping Center.
- 3) Prior to the erection of any additional signage granted pursuant to this Order, Petitioner shall remove the existing Bradlees/F & M sign currently located at the Monumental entrance of the shopping center.
- 4) Petitioner shall submit to the Zoning Commissioner's Office by no later than April 15, 1990, a new site plan, prepared by a registered professional engineer and/or land surveyor, which clearly identifies

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all existing signage, and all signage proposed for the subject site, pursuant to this Order, including dimensions, exact location, and any other information as may be required to be a certified site plan; and,

IT IS FURTHER ORDERED that F & M and Frank's Nursery shall be permitted to display their respective company colors on their allotted signage.

J. Robert Haines
 J. ROBERT HAINES
 Zoning Commissioner
 for Baltimore County

JRH:bjs

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 Date 1/3/90
 By [Signature]

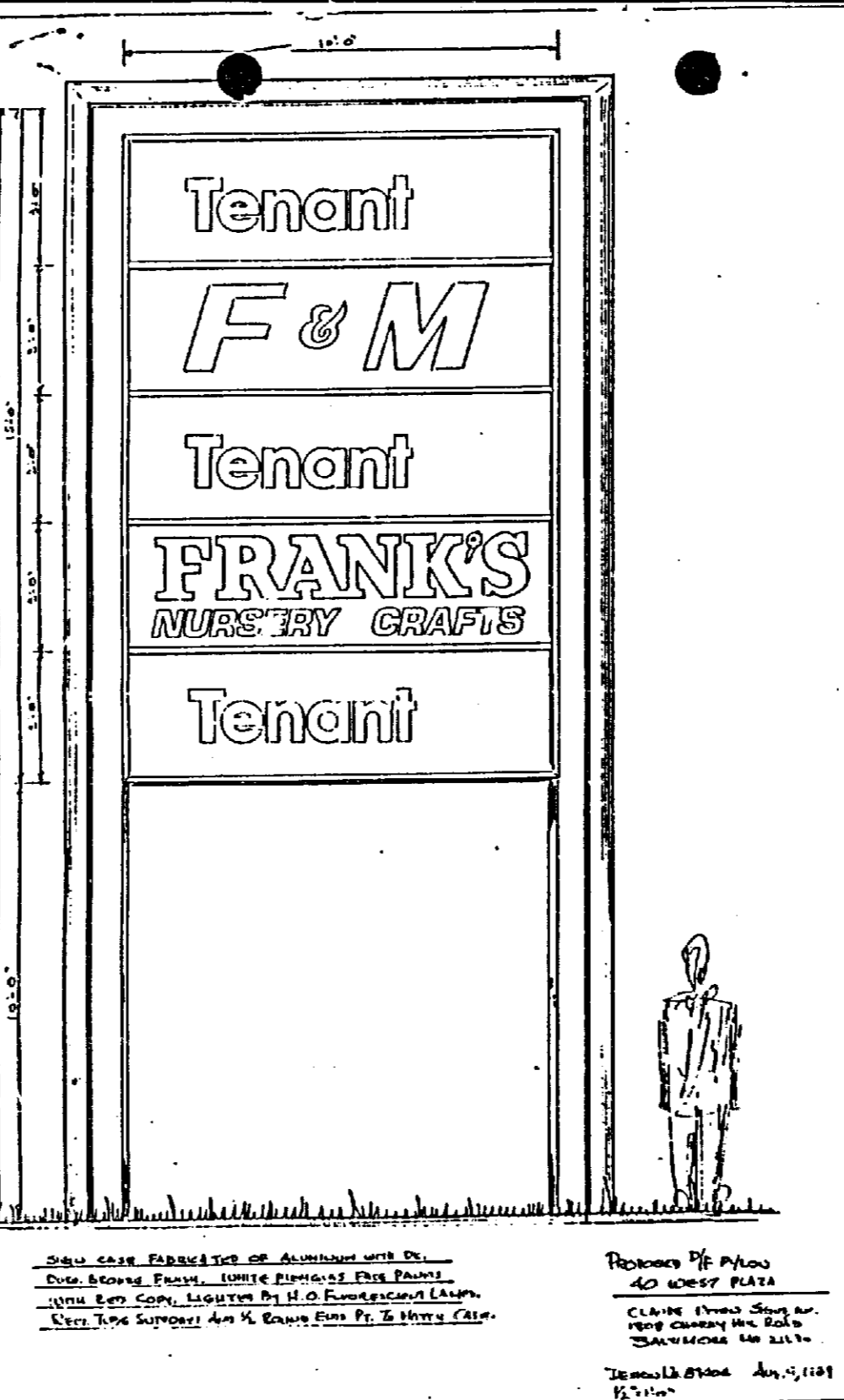


EXHIBIT A

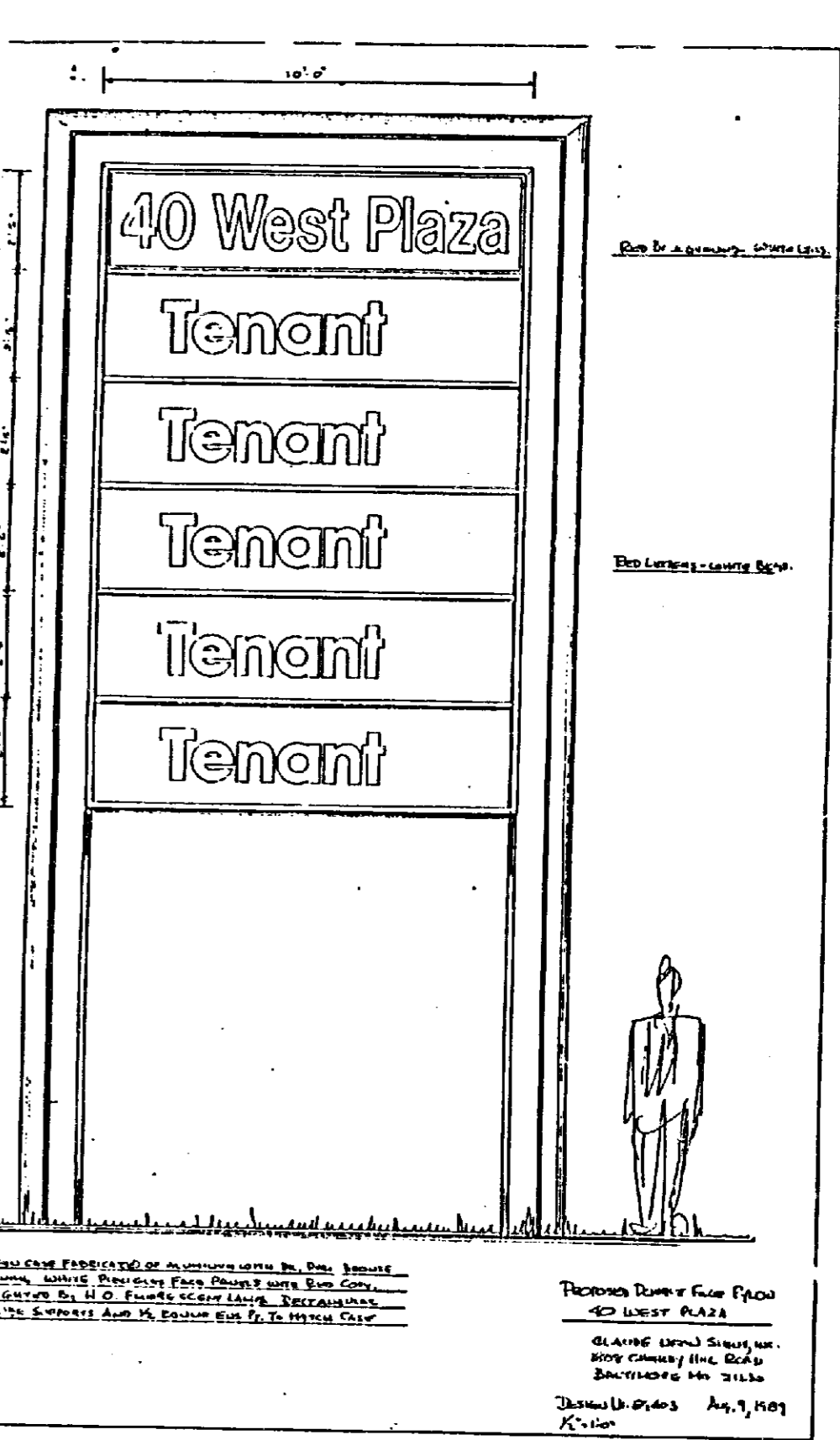
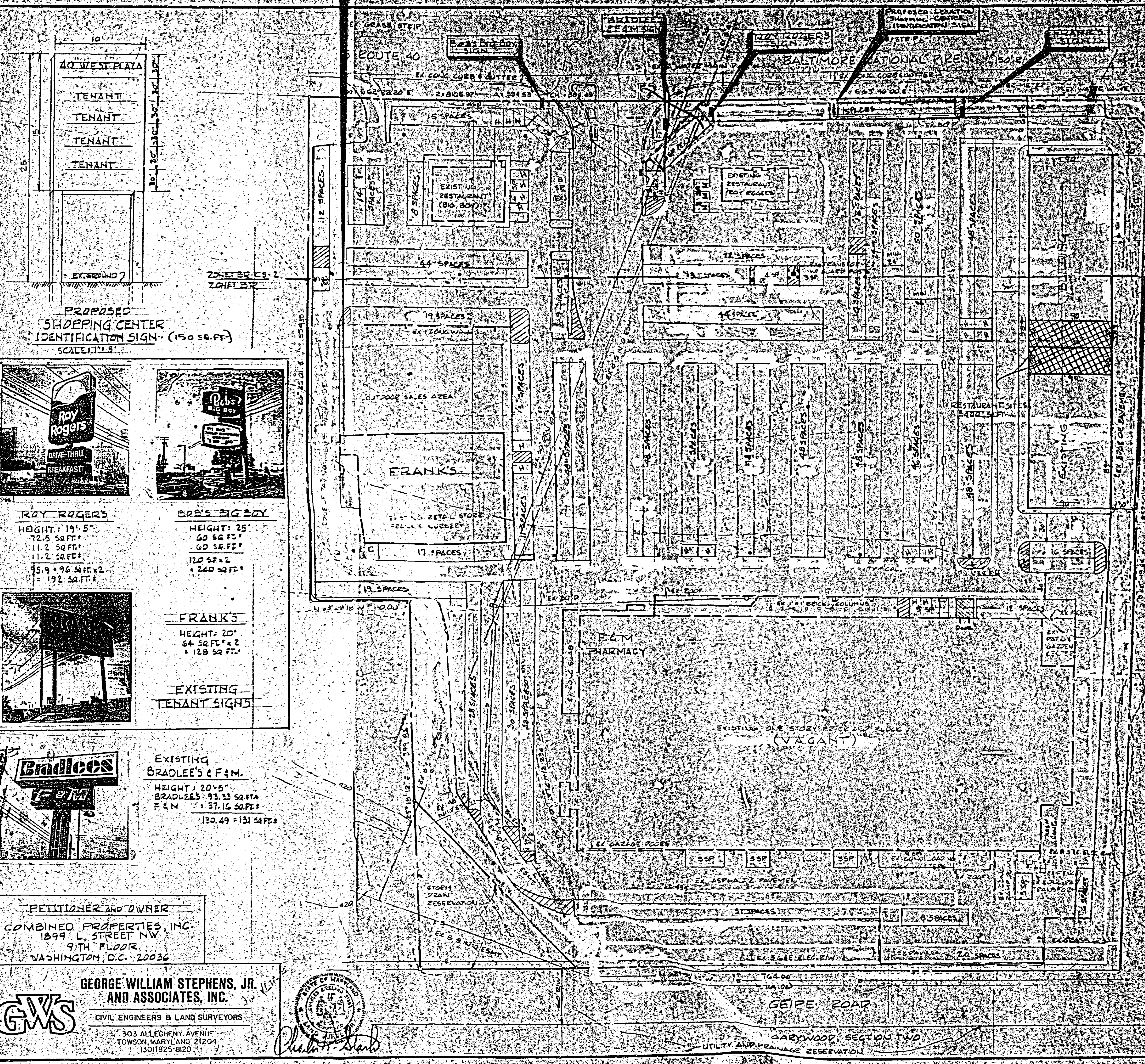


EXHIBIT B



VICINITY MAP

SCALE: 1" = 100'

PARKING TABULATION

PARKING SPACES REQUIRED	112
EXISTING SPACES	108
PROPOSED SIGN	108
PROPOSED RESTAURANT	108
PROPOSED BIG BOY	108
PROPOSED ROY ROGERS	108
PROPOSED FRANKS	108
TOTAL REQUIRED	112
TOTAL SUPPLY	108
TOTAL NEEDED	4

LEGEND

- PROPERTY LINES
- EXISTING LIGHTS
- HANDICAP SPACES
- NO PARKING AREA

HANDICAP SPACES REQUIRED
 UNDER 1999 ADA SIGNAGE REQUIREMENTS
 TOTAL HANDICAP SPACES SHOWN: 13
 TYPICAL SPACE: 9' x 8'
 HANDICAP SPACE: 12' x 8'

SITE DATA
 AREA: 18.45 ACRES
 ZONE: BR

OUTLINE DATA AND DETAIL TAKEN FROM SURVEY PLAT BY A. MORTON THOMAS AND ASSOCIATES, INC. AND MADDOX AND ASSOCIATES, INC.

VARIANCE REQUESTED TO SECTION 413.2 F TO ALLOW 4 OTHER BUSINESS SIGNS CONTAINING A TOTAL OF 100 SQ. FT. IN LIEU OF THE REQUIRED 3 OTHER BUSINESS SIGNS CONTAINING A TOTAL OF 100 SQ. FT.

PETITIONER'S EXHIBIT 1

[Handwritten Signature]

PETITIONER'S EXHIBIT 1

PLANS TO ACCOMPANY PETITION FOR SIGN VARIANCES

BALTIMORE WEST SHOPPING CENTER
 15 ELECTION DISTRICT, BALTIMORE COUNTY, MD
 SCALE: 1" = 50' DATE: MARCH 14, 1989

ROY ROGERS
 HEIGHT: 19'-5"
 72.5 SQ. FT.
 11.2 SQ. FT.
 11.2 SQ. FT.
 95.9 x 96 SQ. FT. x 2
 = 192 SQ. FT.

BRADLEE'S
 HEIGHT: 25'
 60 SQ. FT.
 60 SQ. FT.
 120 SQ. FT.
 = 240 SQ. FT.

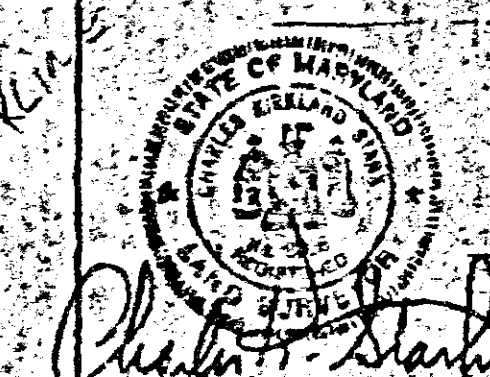
FRANKS
 HEIGHT: 20'
 64 SQ. FT. x 2
 = 128 SQ. FT.

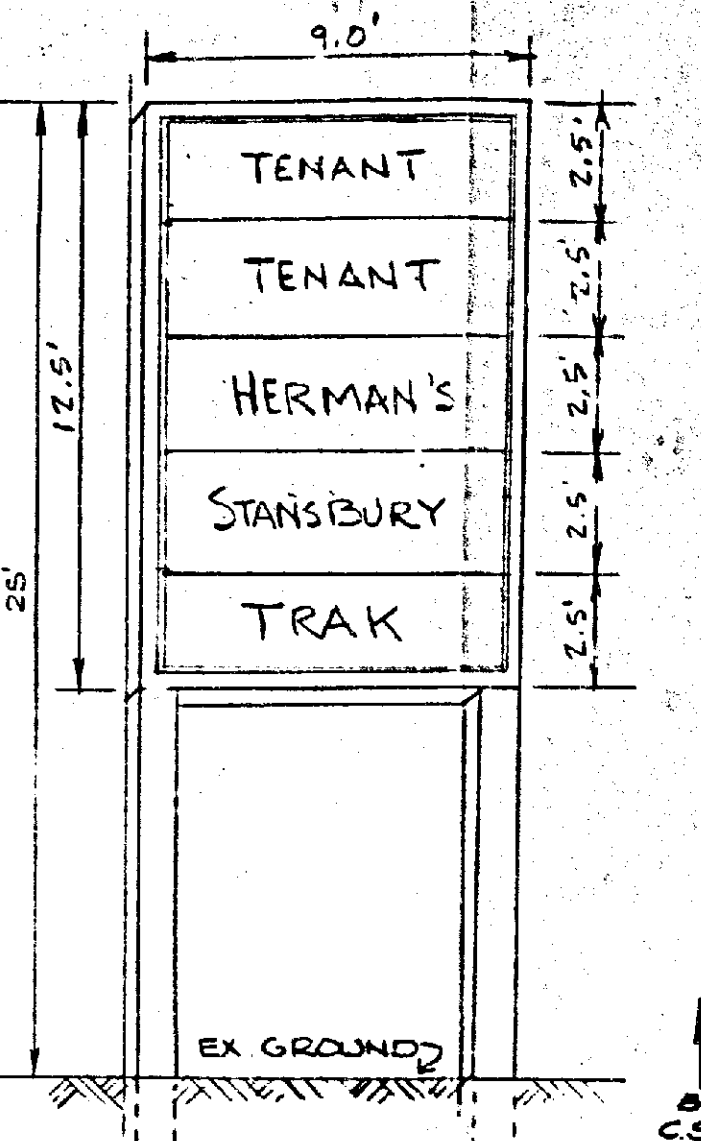
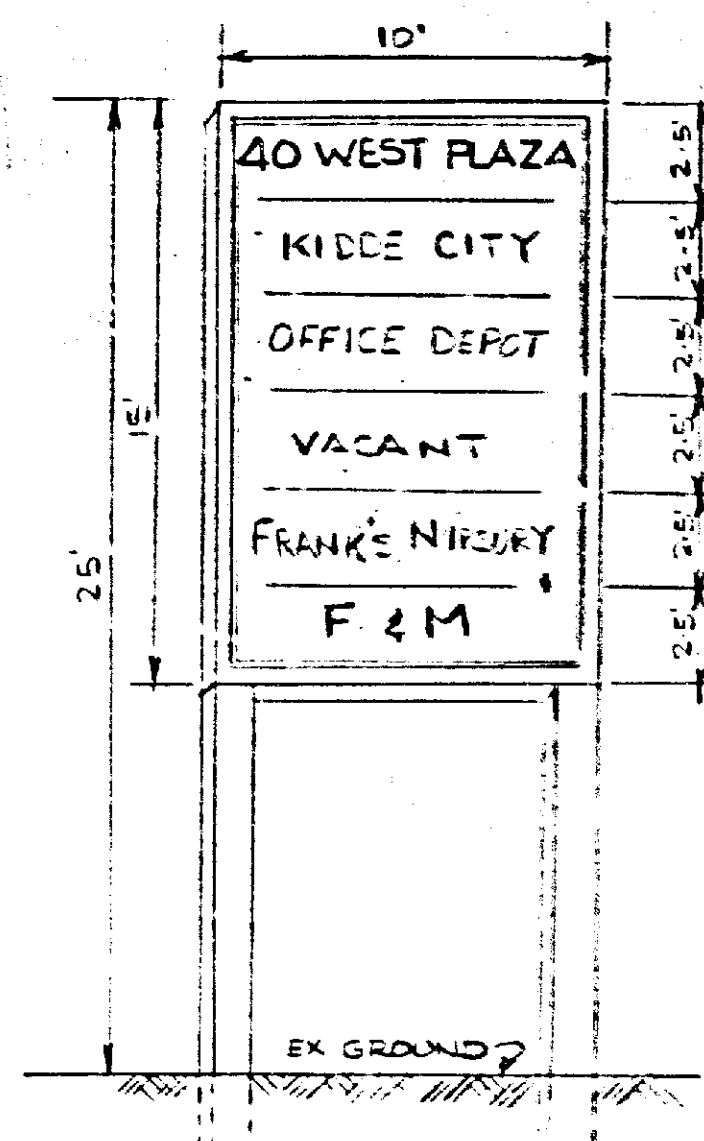
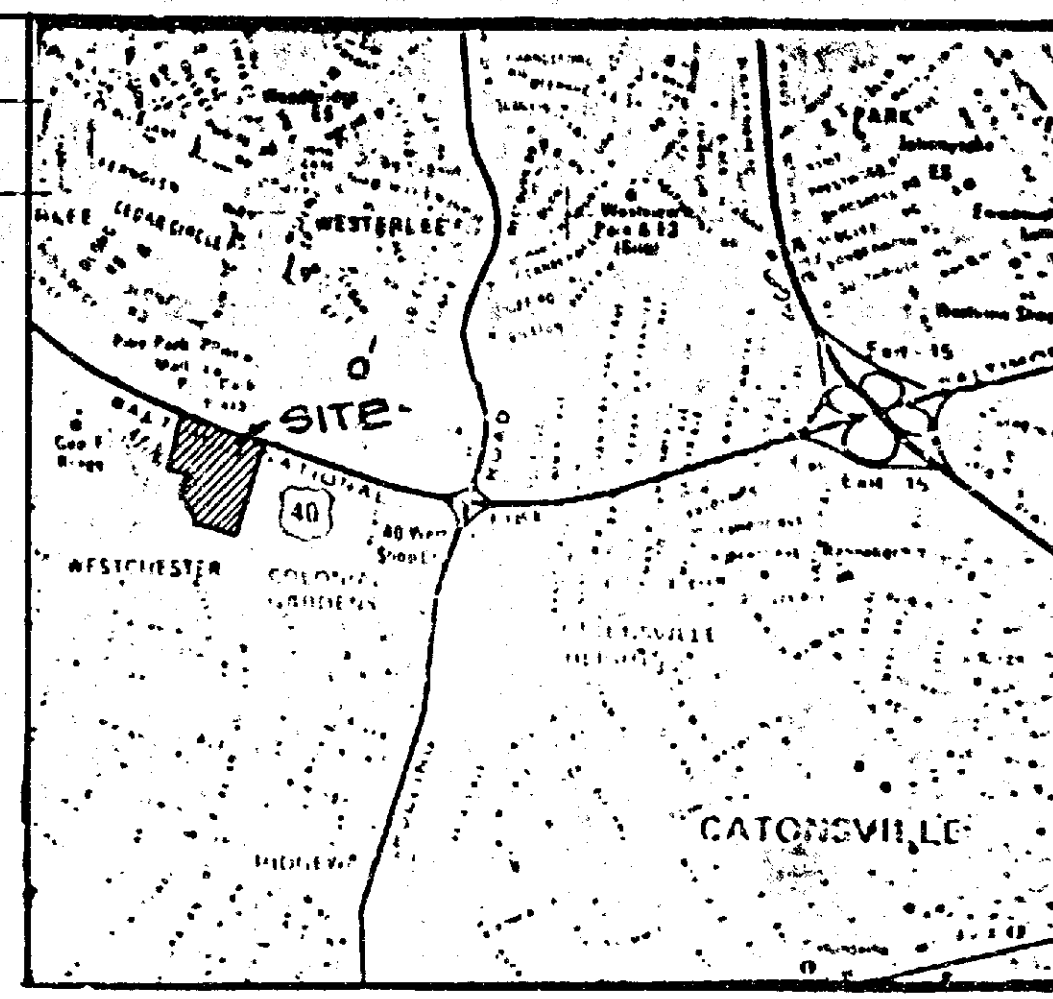
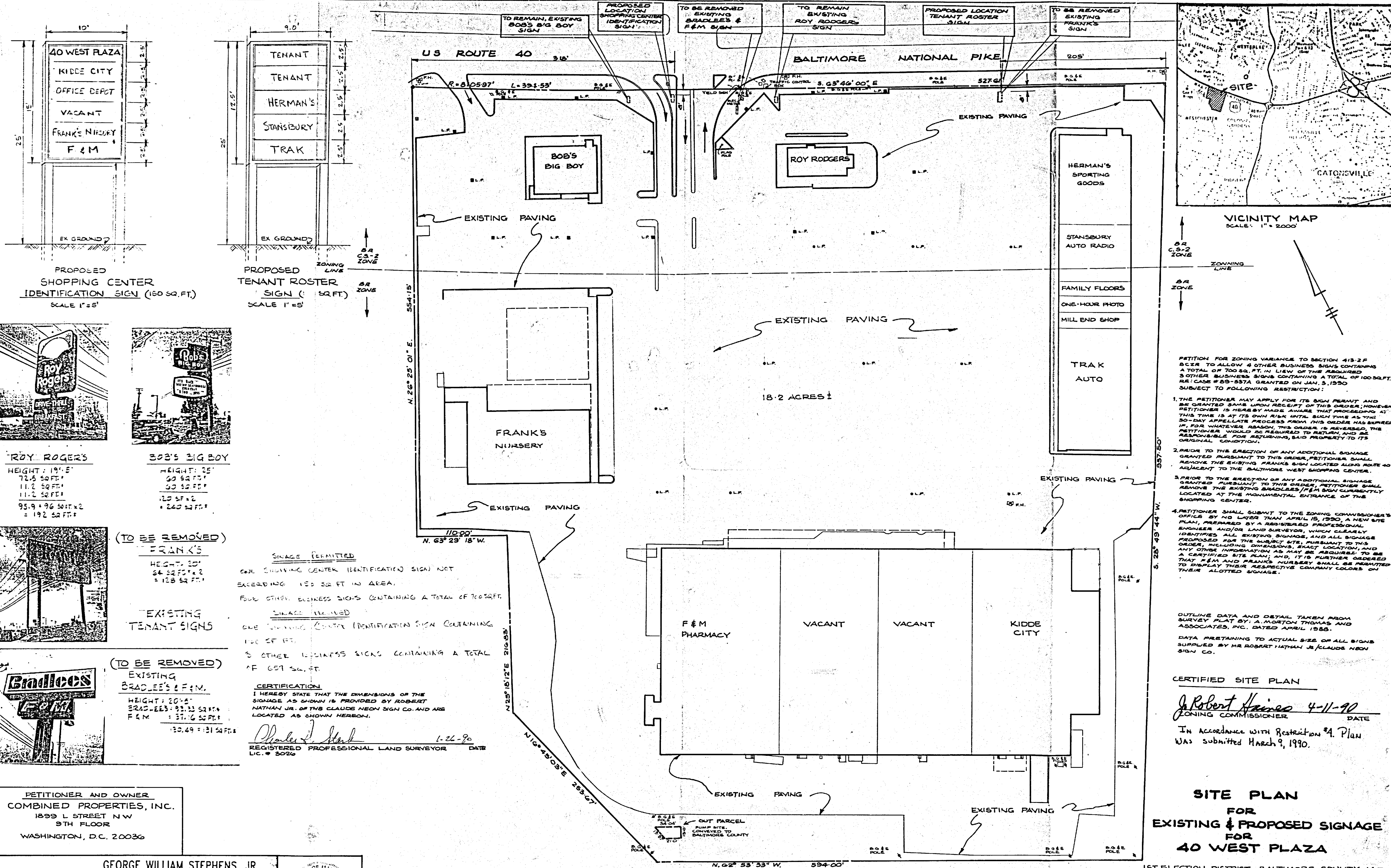
EXISTING BRADLEE'S & F&M
 HEIGHT: 20'-5"
 BRADLEE'S: 93.33 SQ. FT.
 F&M: 37.16 SQ. FT.
 130.49 = 131 SQ. FT.

PETITIONER AND OWNER
 COMBINED PROPERTIES, INC.
 1899 L STREET NW
 9TH FLOOR
 WASHINGTON, D.C. 20036

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
 CIVIL ENGINEERS & LAND SURVEYORS

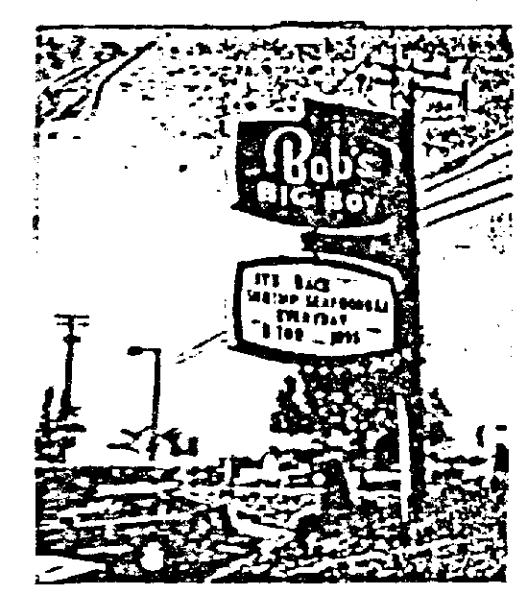
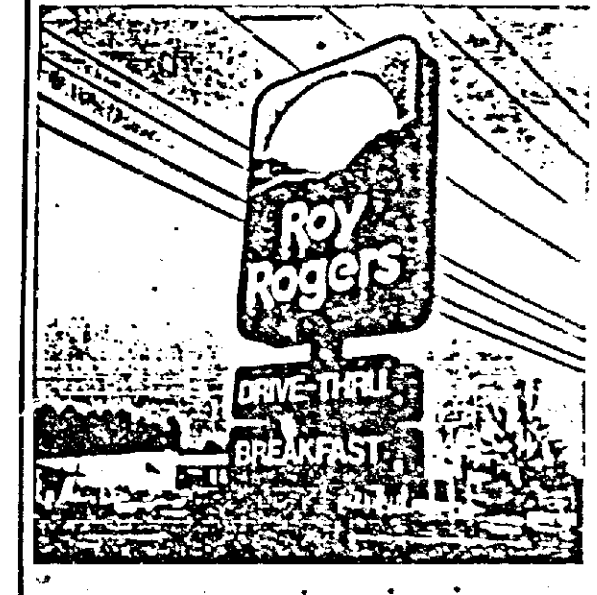
GWS
 303 ALLEGHENY AVENUE
 TOWSON, MARYLAND 21284
 1301825-8120





PROPOSED SHOPPING CENTER IDENTIFICATION SIGN (150 SQ. FT.) SCALE 1"=5'

PROPOSED TENANT ROSTER SIGN (11 SQ. FT.) SCALE 1"=5'



ROY ROGERS
 HEIGHT: 19'-5"
 72.5 SQ. FT.
 11.2 SQ. FT.
 11.2 SQ. FT.
 95.9 x 96 SQ. FT. x 2
 = 192 SQ. FT.

BOB'S BIG BOY
 HEIGHT: 25'
 99 SQ. FT.
 33 SQ. FT.
 23 SQ. FT.
 240 SQ. FT.



(TO BE REMOVED) FRANK'S
 HEIGHT: 20'
 64 SQ. FT. x 2
 = 128 SQ. FT.

EXISTING TENANT SIGNS



(TO BE REMOVED) EXISTING BRADLEE'S & F&M
 HEIGHT: 20'-5"
 3245-223: 93.33 SQ. FT.
 F & M: 37.16 SQ. FT.
 130.49 = 31 SQ. FT.

SIGNAGE PERMITTED
 ONE SHOPPING CENTER (IDENTIFICATION) SIGN NOT EXCEEDING 150 SQ. FT. IN AREA.
 FOUR OTHER BUSINESS SIGNS CONTAINING A TOTAL OF 700 SQ. FT.

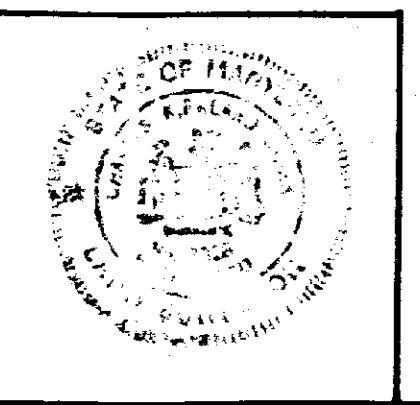
SIGNAGE REMOVED
 ONE SHOPPING CENTER (IDENTIFICATION) SIGN CONTAINING 150 SQ. FT.
 3 OTHER BUSINESS SIGNS CONTAINING A TOTAL OF 691 SQ. FT.

CERTIFICATION
 I HEREBY STATE THAT THE DIMENSIONS OF THE SIGNAGE AS SHOWN IS PROVIDED BY ROBERT NATHAN JR. OF THE CLAUDE NEON SIGN CO. AND ARE LOCATED AS SHOWN HEREON.

Charles J. Stark 1-26-90
 REGISTERED PROFESSIONAL LAND SURVEYOR DATE LIC. # 3026

PETITIONER AND OWNER
 COMBINED PROPERTIES, INC.
 1899 L STREET N.W.
 9TH FLOOR
 WASHINGTON, D.C. 20036

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
 CIVIL ENGINEERS & LAND SURVEYORS
 658 KENILWORTH DRIVE, SUITE 100
 TOWSON, MARYLAND 21204
 (301) 825-8120



- PETITION FOR ZONING VARIANCE TO SECTION 413.2 F OF THE ZONING ORDINANCE TO ALLOW 8 OTHER BUSINESS SIGNS CONTAINING A TOTAL OF 700 SQ. FT. IN LIEU OF THE REQUIRED 3 OTHER BUSINESS SIGNS CONTAINING A TOTAL OF 1000 SQ. FT. RE: CASE #89-537A GRANTED ON JAN. 3, 1990 SUBJECT TO FOLLOWING RESTRICTION:**
1. THE PETITIONER MAY APPLY FOR ITS SIGN PERMIT 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 PETITIONER WOULD BE REQUIRED TO RETURN AND BE RESPONSIBLE FOR RETURNING SAID PROPERTY TO ITS ORIGINAL CONDITION.
 2. PRIOR TO THE ERECTION OF ANY ADDITIONAL SIGNAGE GRANTED PURSUANT TO THIS ORDER, PETITIONER SHALL REMOVE THE EXISTING FRANK'S SIGN LOCATED ALONG ROUTE 40 ADJACENT TO THE BALTIMORE WEST SHOPPING CENTER.
 3. PRIOR TO THE ERECTION OF ANY ADDITIONAL SIGNAGE GRANTED PURSUANT TO THIS ORDER, PETITIONER SHALL REMOVE THE EXISTING BRADLEE'S/F&M SIGN CURRENTLY LOCATED AT THE MONUMENTAL ENTRANCE OF THE SHOPPING CENTER.
 4. PETITIONER SHALL SUBMIT TO THE ZONING COMMISSIONER'S OFFICE BY NO LATER THAN APRIL 15, 1990, A NEW SITE PLAN, PREPARED BY A REGISTERED PROFESSIONAL ENGINEER AND/OR LAND SURVEYOR, WHICH CLEARLY IDENTIFIES ALL EXISTING SIGNAGE, AND ALL SIGNAGE PROPOSED FOR THE SUBJECT SITE, PURSUANT TO THIS ORDER, INCLUDING DIMENSIONS, EXACT LOCATION, AND ANY OTHER INFORMATION AS MAY BE REQUIRED TO BE THAT F&M AND FRANK'S NURSERY SHALL BE PERMITTED TO DISPLAY THEIR RESPECTIVE COMPANY COLORS ON THEIR ALLOTTED SIGNAGE.

OUTLINE DATA AND DETAIL TAKEN FROM SURVEY PLAT BY: A. MORTON THOMAS AND ASSOCIATES, INC. DATED APRIL 1988.
 DATA PERTAINING TO ACTUAL SIZE OF ALL SIGNS SUPPLIED BY MR. ROBERT NATHAN JR./CLAUDE NEON SIGN CO.

CERTIFIED SITE PLAN
Robert Haines 4-11-90
 ZONING COMMISSIONER DATE
 IN ACCORDANCE WITH RESTRICTION #4. PLAN WAS SUBMITTED MARCH 9, 1990.

SITE PLAN FOR EXISTING & PROPOSED SIGNAGE FOR 40 WEST PLAZA
 1ST ELECTION DISTRICT BALTIMORE COUNTY, M.D.
 SCALE: 1"=50' DATE: 1-26-90

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21284
484-3353

J. Robert Haines
Zoning Commissioner

May 25, 1989

NOTICE OF HEARING



Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-537-A
S/S Baltimore National Pike (U.S. 40), 1900' x 1/2 Rolling Road
1st Election District - 1st Councilmanic
Petitioner(s): Combined Properties, Inc.
HEARING SCHEDULED: THURSDAY, JULY 6, 1989 at 5:30 p.m.

Variance to allow 4 other business signs containing a total of 700 sq. ft. in lieu of the permitted 3 other business signs containing a total of 100 sq. ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Combined Properties, Inc.
Newton A. Williams, Esq.
File

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 20, 1989

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21284

000

Newton A. Williams, Esquire
Nolan, Plumbhoff & Williams, Chartered
Suite 1105, Hampton Plaza
300 E. Joppa Road
Towson, MD 21204

RE: Item No. 437, Case No. 89-537-A
Petitioner: Combined Properties, Inc., et al
Petition for Zoning Variance

Dear Mr. Williams:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. David H. Sisson
Combined Properties, Inc.
1099 L Street, N.W.
Washington, DC 20003



Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

June 12, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Baltimore County
Combined Properties, Inc.
Zoning Meeting of 4-25-89
S/S Baltimore National
Pike (Route 40-W)
1900' West of Rolling Rd.
~~(Case #437)~~

Dear Mr. Haines:

After reviewing the submittal for a variance to allow 4 other business signs containing a total of 700 square feet in lieu of the permitted 3 other business signs containing a total of 100 square feet, we have the following comment.

We have forwarded this plan to our Highway Beautification Section, c/o Mary Benner (333-1642) for all comments relative to zoning.

If you have any questions, please contact Larry Brocato at 333-1357.

Very truly yours,

Clayton J. Mills, Jr.
Clayton J. Mills, Jr., Chief
Engineering Access Permits
Division

LB:maw

cc: G.W. Stephens Jr. & Assoc.
Mr. J. Ogle
Mr. Mary Benner (w-attachment)

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JUN 15 1989
ZONING OFFICE

My telephone number is (301) 333-1350

Teleprinter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 563-0451 D.C. Metro - 1-800-452-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

23

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

April 25, 1989



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 424, 425, 426, 427, 428, 429, 430, 431, 432, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, and 448.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/lab

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APR 29 1989
ZONING OFFICE

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21284-2586
(301) 887-4500

Paul H. Reinke
Chief

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204



Dennis F. Rasmussen
County Executive

RE: Property Owner: Combined Properties, Inc.

Location: S/S Baltimore National Pike (U.S. 40), 1,900' W of centerline Rolling Road

Item No.: 437 Zoning Agenda: April 25, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Paul H. Reinke* Noted and Approved
Paul H. Reinke
Special Inspection Division
Fire Prevention Bureau

APR 29 1989

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: May 17, 1989

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for April 25, 1989

The Developers Engineering Division has reviewed the zoning items for the subject meeting and we have no comments for items 424, 425, 427, 428, 429, 430, 431, 432, 435, 437, 439, 440, 441, 442, 443, 444, 445, 447, and 448. Comments are attached for items 426, 434, 436, 438 and 446.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

Encls.

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: June 30, 1989
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case No. 89-537-A
Item No. 437

Re: Combined Properties, Inc.

The Petitioner requests a variance to allow four business signs totalling 700 square feet in lieu of the permitted three signs totalling 100 square feet. In reference to this request, staff offers the following comments:

This office does not support the requested variance. The 700 square feet of signage proposed here would be in addition to a 300 square foot shopping center identification sign for the newly constructed retail strip on the site. The signs which are the subject of this variance are existing, and their cumulative effect is excessive.

This office would support a variance to allow 100 square feet of free standing signage for each restaurant and a variance for an identification sign larger than the permitted 150 square feet per side in order to incorporate Frank's, Bradlee's, and F & M onto that sign.

A final landscape plan is required showing landscape treatment along the Baltimore National Pike frontage.

A:7689.txt pg.1

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Peter Max Zimmerman DATE: January 22, 1990
Deputy People's Counsel

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Combined Properties, Inc., Item 437
Zoning Petition No. 89-537-A

Please be advised that upon review of both the above-referenced case file and the Commissioner's decision, staff finds the order addresses our concerns regarding signage for the reasons as follows:

1. The signage as proposed will result in a uniform, consolidated treatment of the shopping center.
2. All existing and proposed signage will be noted on a plan that is to be submitted no later than April 15, 1990.
3. Signs advertising Bradlee's, F&M, and Frank's will be removed prior to the erection of any additional signage.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

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JAN 26 1990
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Est. Keller, Deputy Director, OFZ Date: January 17, 1990

FROM: Peter Max Zimmerman, Deputy People's Counsel

SUBJECT: Combined Properties, Inc., Petitioner
Zoning Case No. 89-537-A (Item 437)

We are considering an appeal of this Commissioner decision approving four business signs containing a total of 700 square feet. Your office comment June 30, 1989 was in opposition. Please review and call me to discuss your office's view. The appeal deadline is Friday, February 2, 1990.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

Enclosure:
ZC's Order dt'd. 1-3-90

PMZ:sh

RECEIVED
PK
JAN 18 1990
OFFICE OF
PLANNING & ZONING

7/6/89 89-537-A
Combined Properties
Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Sr. Asst.
Hal Kassoff
Administrator

July 5, 1989

RECEIVED
JUL 7 1989
ZONING OFFICE

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Baltimore County
Combined Properties, Inc.
S/S Baltimore National Pike
1900 Ft. West of Rolling Road
(Item #437)

Dear Mr. Haines:

This letter is in answer to the letter written to you by Mr. Creston J. Mills, Chief, Bureau of Access Permits, dated June 12, 1989, concerning the placing of signs at the above location.

A representative from the Office of the Highway Beautification Section, Mr. George Dawson has inspected the location for the proposed signs and determined that they will be on-premise signs, which this office does not control. The exception is if a determination is made that it is a traffic hazard. The sign cannot project into the State's Right-of-Way.

If there is any further information needed, please do not hesitate to contact this office.

Sincerely,

Mary L. Benner
Mary L. Benner
Acting Chief
Highway Beautification
Section

MIB:jsk

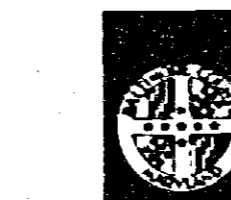
My telephone number is (301) 333-1641

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0411 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3553

J. Robert Haines
Zoning Commissioner

October 18, 1989



Dennis F. Reardon
County Executive

Martin I. Caruso, Esquire
Associate Counsel
Frank's Nursery and Crafts, Inc.
6501 East Nevada
Detroit, Michigan 48234

RE: 40 West Plaza Shopping Center
Sign Variance Case - Combined Properties, Inc.
Case No. 89-537-A

Dear Mr. Caruso:

I am in receipt of your correspondence dated October 4, 1989. The referenced matter is currently being negotiated by the interested parties which comes subsequent to a lengthy hearing in this case. If it is Frank's desire to participate in the negotiations of this matter, I would suggest that you contact Newton A. Williams, Esquire, (Area code 313, 823-7800) attorney for Combined Properties. I have no intention of setting this matter in for another hearing, simply because Frank's Nursery and Crafts failed to formally appear at the July 6, 1989 hearing. Your request is, therefore, denied.

Very truly yours,
J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mmm

cc: Newton A. Williams, Esquire
Gary C. Duvall, Esquire
E. Harrison Stone, Esquire
Neil F. Murray, Esquire
Mr. Robert Nethen, Jr.
Mr. Charles J. Stark

file ✓

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3553

J. Robert Haines
Zoning Commissioner

November 17, 1989



Dennis F. Reardon
County Executive

Newton A. Williams, Esquire
Nolan, Plumhoff and Williams
Suite 700, Court Towers
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Case 89-537-A
Combined Properties, Inc.
Petitioner

Dear Mr. Williams:

The last communication I had from the parties involved in the above captioned matter was the proposal to intervene in the matter by the attorney representing Franks' Nursery and Crafts, Inc. As a result of the telephone communication, over a month ago, from Mr. Harrison Stone, my Order was held to allow the parties to discuss the issues with Franks' attorney.

Please inform me of the status of your discussions and negotiations and, be advised that I am prepared to issue an Order in this matter if I do not hear from you, promptly, in writing.

Very truly yours,
J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mmm

cc: Gary Duvall, Esquire
E. Harrison Stone, Esquire
Mr. William C. Harrison
Neil F. Murray, Esquire
Mr. Robert Nethen, Jr.

Page Two
JRH:mm
July 10, 1989

It is respectfully requested that this revised sign be permitted as being within the spirit and intent of the original zoning case and all other subsequent cases in that the maximum allowed square footage for other business signs of 700 sq. feet will not be exceeded.

Thank you for your consideration and cooperation in this matter.

Sincerely,
Nicholas Commodari
Nicholas Commodari, Agent for Sign-It

July 17, 1989

1st Election District

Dear Mr. Commodari:

Please be advised that the zoning office will consider your request as within the spirit and intent of zoning case #89-537-A. This decision is based upon that the existing and new signs will not exceed the granted number of signs and total square feet. Given that the new sign may reduce the potential of the other business signs, the property management must approve of the new sign prior to a building permit.

Very truly yours,

Mitchell J. Kellman
Mitchell J. Kellman
Planner II
Zoning Review

MJK:rye

cc: #96-239-A
#89-537-A

12-5-89
FROM THE DESK OF J. ROBERT HAINES

TO: Ann Nastarowicz
James E. Dyer
W. Carl Richards
James H. Thompson

See immediately
Discuss with me
Prepare draft response
Please follow up
Collect \$20.00 fee
Please handle
Please attend meeting
Prepare written report
Please file
Set up conference
Other

OFFICES
SOFF & WILLIAMS
ATTORNEYS
COURT TOWERS
PENNSYLVANIA AVENUE
LAND 21204-5340
823-7800
823-296-2765

J. EARLE PLUMHOFF
(301) 922-2121
THOMAS J. RYAN, JR.
WILLIAM P. ENGLEHART, JR.
STEPHEN J. NOLAN
ROBERT E. CAHILL, SR.
ROBERT L. HANLEY, JR.
ROBERT S. GLUSHAKOW
STEPHEN M. SCHEENING
DOUGLAS L. BURGESS
ROBERT E. CAHILL, JR.
LOUIS G. CLOSE, III
THOMAS A. ALDERMAN
KERRA I. KOSTUN
9026 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133
(301) 922-2121

July 4, 1989

S

37-A
Combined Properties, Inc.

Confirming my conference with your side, Mr. Merry, on November 28th, we wish to thank you for your letter of November 17, 1989, regarding a resolution in this matter.

We are pleased to be able to tell you that it has been agreed that the Frank's Nursery sign on the frontage is to be removed, and that Frank's Nursery will receive a place on the two new upgraded substitute signs if you are disposed to grant such relief.

Secondly, we have been asked by both F & M and by Frank's Nursery if they might be allowed on their portions of the signs to utilize their distinctive company colors, and thus, if you are disposed to grant us such relief, we would appreciate latitude in this regard. With best regards of the Season, I am-

Respectfully,

Newton
Newton A. Williams

NAW/psk

cc: Gary Duvall, Esquire
E. Harrison Stone, Esquire
Mr. William C. Harrison
Neil F. Murray, Esquire
Mr. Robert Nethen, Jr.
T. Rogers Harrison, Esquire

NEWTON A. WILLIAMS
WILLIAM M. HESSON, JR.
THOMAS J. RYAN, JR.
WILLIAM P. ENGLEHART, JR.
STEPHEN J. NOLAN
ROBERT E. CAHILL, SR.
ROBERT L. HANLEY, JR.
ROBERT S. GLUSHAKOW
STEPHEN M. SCHEENING
DOUGLAS L. BURGESS
ROBERT E. CAHILL, JR.
LOUIS G. CLOSE, III
THOMAS A. ALDERMAN
KERRA I. KOSTUN
ALSO ADMITTED IN D.C.

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
TELEPHONE: (301) 823-7800
TELEFAX: (301) 296-2765

July 26, 1989

The Honorable J. Robert Haines, Esquire
Baltimore County Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Commissioner Haines:

RE: 40 West Plaza Shopping Center
Sign Variance Case-Combined Properties, Inc.
Case No.: 89-537-A

Please be advised that in accordance with your request at the end of the Hearing on July 6, 1989, we are pursuing an attempt to reduce the total number of signs and combine some of the signs into newer, more attractive signs.

Mr. Nethen is working with several of the tenants in this regard, and we hope to be in touch with you in the future.

Thanking you and your staff for your kind attention to this matter, I am -

Respectfully,

Newton
Newton A. Williams

NAW/psk

cc: Gary C. Duvall, Esquire
Miles & Stockbridge
Harrison Stone, Esquire
Royston, Mueller, McLean & Reid
Mr. William C. Harrison, Director
Combined Properties
Neil F. Murray, Esquire, Property Manager
F & M Distributors
Mr. Robert Nethen, Jr.
Claude Neon Signs
Marriott Corporation
Bob's Big Boy Division
Roy Rogers Division

NEWTON A. WILLIAMS
WILLIAM M. HESSON, JR.
THOMAS J. RYAN, JR.
WILLIAM P. ENGLEHART, JR.
STEPHEN J. NOLAN
ROBERT E. CAHILL, SR.
ROBERT L. HANLEY, JR.
ROBERT S. GLUSHAKOW
STEPHEN M. SCHEENING
DOUGLAS L. BURGESS
ROBERT E. CAHILL, JR.
LOUIS G. CLOSE, III
THOMAS A. ALDERMAN
KERRA I. KOSTUN
ALSO ADMITTED IN D.C.

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
TELEPHONE: (301) 823-7800
TELEFAX: (301) 296-2765

September 5, 1989

The Honorable J. Robert Haines, Esquire
Baltimore County Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Commissioner Haines:

RE: 40 West Plaza Shopping Center
Sign Variance Case - Combined Properties, Inc.
Case No.: 89-537-A

Supplementing our letter of July 26, 1989, Combination Properties, Inc., the Petitioner herein and property owner would propose to consolidate the signs as follows:

1. Referring to Petitioner's Exhibit 1, the site plan prepared by Stephens & Associates, Inc., the present, outdated Bradlee's/F & M Sign is proposed to be replaced by the sign shown in Exhibit A attached hereto, namely as covered at the Hearing, a 25 foot high, two faced, multiple tenant roster sign, with spaces for five (5) tenants with 150 feet per face visible from Route 40 in each direction. As noted this would replace the Bradlee's and F & M Sign presently located at the northwest corner of the monumental entrance on Route 40 just to the northwest of the Roy Rogers.

2. The primary shopping center I.D. sign will be placed as shown on Petitioner's Exhibit 1 the site plan on the frontage and will be as shown on Petitioner's Exhibit B

Speed Letter
IMPORTANT MESSAGE
FOR: Joe
DATE: 7/16/89 TIME: 11:49 AM
WHILE YOU WERE OUT
M: Newton A. Williams
OF: 823-7800
TELEPHONED: [] PLEASE CALL: []
CALLED TO SEE YOU: [] WILL CALL AGAIN: []
WANTS TO SEE YOU: [] RUSH: []
RETURNED YOUR CALL: []
MESSAGE:
SIGNED:

The Honorable J. Robert Haines
Page Two
September 5, 1989

attached hereto, namely a 25 foot high, double faced, multiple message or tenant sign, identifying 40 West Plaza and approximately five (5) tenants on each of its double faces, each face being 150 square feet, and of course one (1) face being visible from each direction on Route 40.

3. This proposal would involve the removal of the 20 foot high Frank's sign, which is double faced, at 64 square feet per face, amounting to a removal in all of 128 square feet.

4. The Petition case requested a total of five (5) signs, while this proposal would consolidate the situation down to four (4) signs; namely the existing Bob's Big Boy Sign, the replaced Bradley's/F & M Sign, Exhibit A attached hereto, the existing Roy Rogers Sign, and the proposed shopping center identification sign, Exhibit B attached hereto. With the removal of the Frank's Sign as noted, Frank's will be moved on to the main tenant roster at the monumental entrance, at least an equal, and, probably, a superior location for that tenant.

As noted the new signs, namely, Exhibits A and B attached hereto will be of colors, namely red and white to harmonize with the overall center, particularly the newer buildings built along the eastern property line, as shown in the various photographic exhibits offered during the case.

By a photocopy of this letter, we are circulating this proposal to all of the tenants, namely Frank's, Roy Rogers, F & M, and their various counsel.

As you will recall F & M is represented by Gary C. Duvall, Esquire, while Harrison Stone, Esquire, represents Marriott Corporation covering both Roy's and Bob's Big Boy.

The Honorable J. Robert Haines
Page Three
September 5, 1989

It will be appreciated if your office will review this proposed consolidation, and if all of the other parties will review this consolidation, and let me have their comments. If you have their comments with copies to me, and hopefully we can proceed toward an appropriate Order.

Thanking you and your staff, as well as all other parties involved for their continued interest and cooperation, I am -

Respectfully,

Newton A. Williams

Newton A. Williams

NAW/psk

Enclosure

cc: Gary C. Duvall, Esquire
Miles & Stockbridge
Harrison Stone, Esquire
Royston, Mueller, McLean & Reid
Neil F. Murray, Esquire, Property Manager
F & M Distributors
Mr. Robert Nethen, Jr.
Claude Neon Signs
Marriott Corporation
Bob's Big Boy Division
Roy Rogers Division
Frank's Nursery & Crafts, Inc.
Charles Stark, P.E.
Stephens & Associates

NEWTON A. WILLIAMS
WILLIAM M. HESSON, JR.
THOMAS J. BENNETT
WILLIAM P. ENGLISHART, JR.
STEPHEN J. NOLAN
ROBERT E. CHAMBERLAIN
ROBERT L. HANLEY, JR.
ROBERT S. GLENNANOW
STEPHEN M. SCHOENING
DOUGLAS L. BURGESS
HOWARD E. CHAMBERLAIN, JR.
LOUIS E. GLOUSE, JR.
E. BRUCE KOPPEL
THOMAS R. ALDENMAN
KERR L. ROYSTER
ALSO ADMITTED IN D.C.
ALSO ADMITTED IN NEW JERSEY

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
OO: 837-7800
TELEFAX: (301) 298-3768

J. EARLE PLUMHOFF
1940-1988
JAMES D. NOLAN
RETIRED 1982
OF COUNSEL
RALPH E. DEITZ
9026 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133
OO: 822-2211
WRITER'S DIRECT DIAL 822-7856

January 23, 1990

The Honorable J. Robert Haines, Esquire
Baltimore County Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Sign Variance Case
40 West Plaza
Case No.: 89-537-A
Date of the Order January 3, 1990

Dear Commissioner Haines:

First of all, on behalf of my clients, and I believe of everyone involved, we wish to thank you and your staff for your very favorable Order of January 3, 1990.

As you will recall, and as Petitioner's Exhibit 1, the Stephens' site plan shows, at the time the case was filed there were four (4) signs on the property, namely the Bradley's, the Frank's Nursery, the Roy Rogers, and the Bob's Big Boy.

As you know with your encouragement we have agreed to eliminate the Frank's sign which is some 128 square feet, and to replace the Bradley's sign.

Under our proposal as shown in Exhibits A and B attached to the Order, Exhibit B will clearly become the shopping center identification sign contemplated by Section 413.2e. of the Regulations, and a new, other business sign allowed by the same subsection will be placed on the frontage as shown in Exhibit A.

Thus, we believe that the situation will become, a new shopping center identification sign as shown in Exhibit B, the elimination of the Frank's Sign, and a new, upgraded other business sign as shown in Exhibit A.

RECEIVED
JAN 24 1990

ZONING OFFICE

Commissioner Haines
Page Two
January 23, 1990

It will be appreciated if you will check your file, and confirm our interpretation of the situation, since of course this is the basis upon which the case was tried and understood by all.

Thanking you and your staff for your kind attention to this request, I am -

Respectfully,

Newton A. Williams

Newton A. Williams

NAW/psk

cc: Gary C. Duvall, Esquire
Miles & Stockbridge
E. Harrison Stone, Esquire
Royston, Mueller & Reid
T. Rogers Harrison, Esquire
Mudd, Harrison & Burch
Mr. William C. Harrison, Director of Development
Mr. Joseph Luce
Mr. Bradley S. Salzer
Combined Properties, Inc.
Robert Nethen, Jr.
Claude Neon Signs
Mr. Charles Stark
Stephens & Associates

FRANK'S NURSERY & CRAFTS, Inc.

A General Hort Company
BEAUTIFUL THINGS BEGIN AT FRANK'S
October 4, 1989

EXECUTIVE OFFICES
500 EAST NEVADA
DETROIT, MICHIGAN 48234
CABLE ADDRESS: "FRANK"
TELEPHONE: 313 966-9100

Certified Mail, R.R.R.
Item #P-863-498-029

Honorable J. Robert Haines
Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Ave., Room 1109
Towson, Maryland 21204

RE: 40 West Plaza Shopping Center
Sign Variance Case - Combined Properties, Inc.
Case No.: 89-537-A

Dear Commissioner Haines:

I recently became involved in the above-referenced matter, and I noticed that Frank's Nursery & Crafts, Inc. ("Frank's") did not formally appear at the sign zoning hearing on July 6, 1989. I apologize for this oversight. At present, I am in contact with Mr. Newton A. Williams, and we are discussing alternatives to resolve this case. In turn, I request a continuance in this matter. A continuance remains necessary to allow Frank's the opportunity to secure local counsel to represent its interests in any further proceedings and to allow Frank's the opportunity to take part in settlement of this case. Of course, Frank's will do its utmost to resolve this matter in an expeditious manner.

I thank you for your consideration.

Very truly yours,

Martin I. Caruso
Martin I. Caruso
Associate Counsel

MIC/11j

cc: Gary C. Duvall, Esquire
Harrison Stone, Esquire
Neil F. Murray, Esquire
Mr. Robert Nethen, Jr.
Marriott Corporation
Bob's Big Boy Division
Roy Rogers Division
Charles Stark, P.E.
J. Ficarro
M. Grobbel

MIC-89-006

RECEIVED
OCT 10 1989
ZONING OFFICE

MUDD, HARRISON & BURCH
ATTORNEYS AT LAW
300 JEFFERSON BUILDING
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TELEPHONE: 837-7800
TELEFAX: (301) 298-1048

JOHN E. MUDD
T. HARRISON HARRISON
WILLIAM H. BURCH
DOUGLAS W. BRADY
W. PATRICK STINGER, JR.
ANDREW JANGUETTO
WILLIAM P. HARRISON
PHILIP S. THORNTON

October 18, 1989

Hand-Delivered

J. Robert Haines, Esquire
Zoning Commissioner for Baltimore County
Office of Planning & Zoning
Towson, Maryland 21204

Re: Petition for Zoning Variance
40 West Plaza Shopping Center
Combined Properties, Inc.
Case: 89-537-A

Dear Mr. Haines:

Frank's Nursery & Crafts, Inc. has retained me to represent its interests in the above-captioned matter. Please enter my appearance. Thank you.

If you have any questions, please contact me.

Very truly yours,

T. Rogers Harrison
T. Rogers Harrison

TRH:dm

Copies to: Newton A. Williams, Esquire
Gary C. Duvall, Esquire
Harrison Stone, Esquire
Mr. William C. Harrison
Neil F. Murray, Esquire
Mr. Robert Nethen, Jr.
Marriott Corporation
Bob's Big Boy Division
Roy Rogers Division

Joe please note

RECEIVED
OCT 19 1989
ZONING OFFICE

PLEASE PRINT CLEARLY

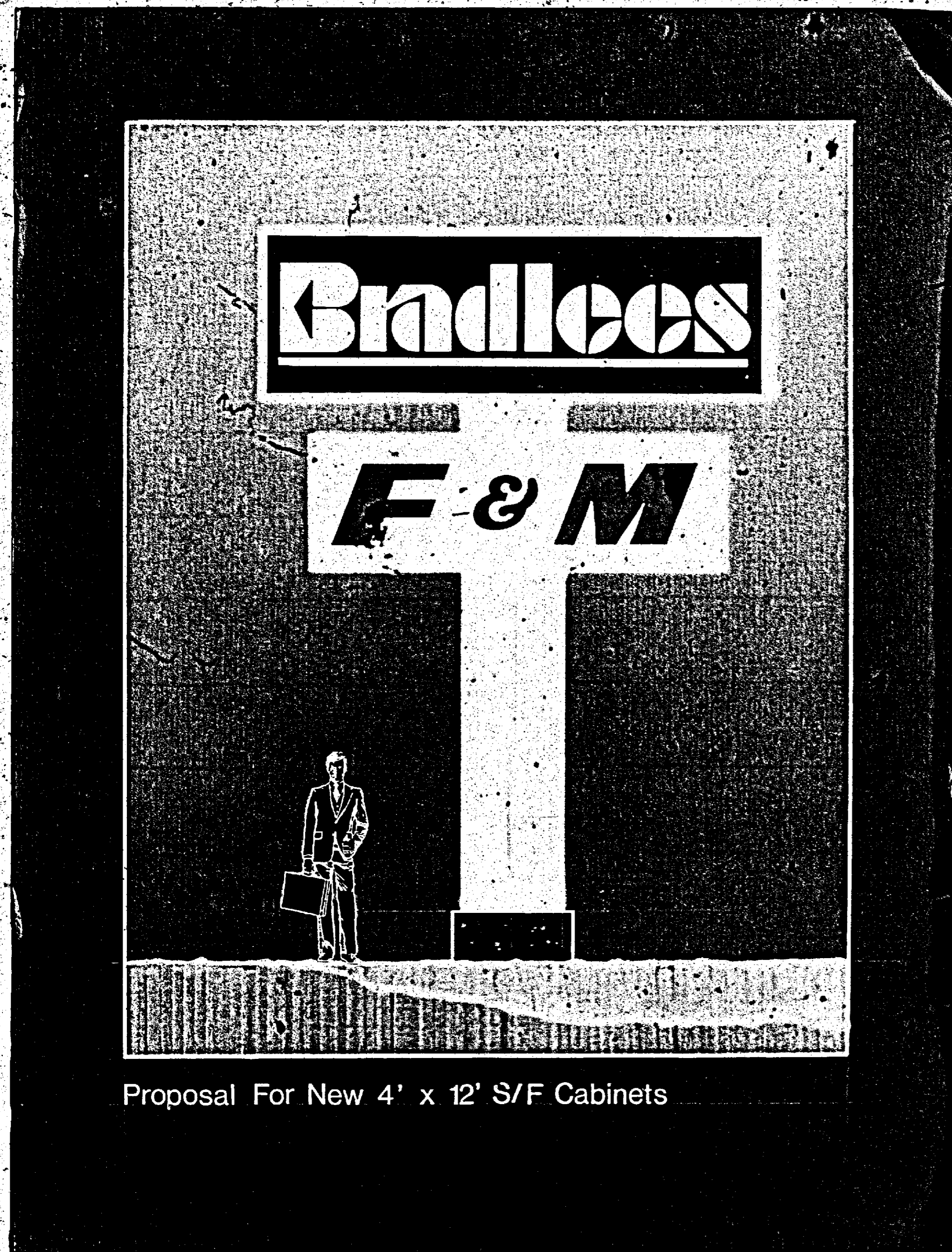
PETITIONER(S) SIGN-IN SHEET

- 7/6/89

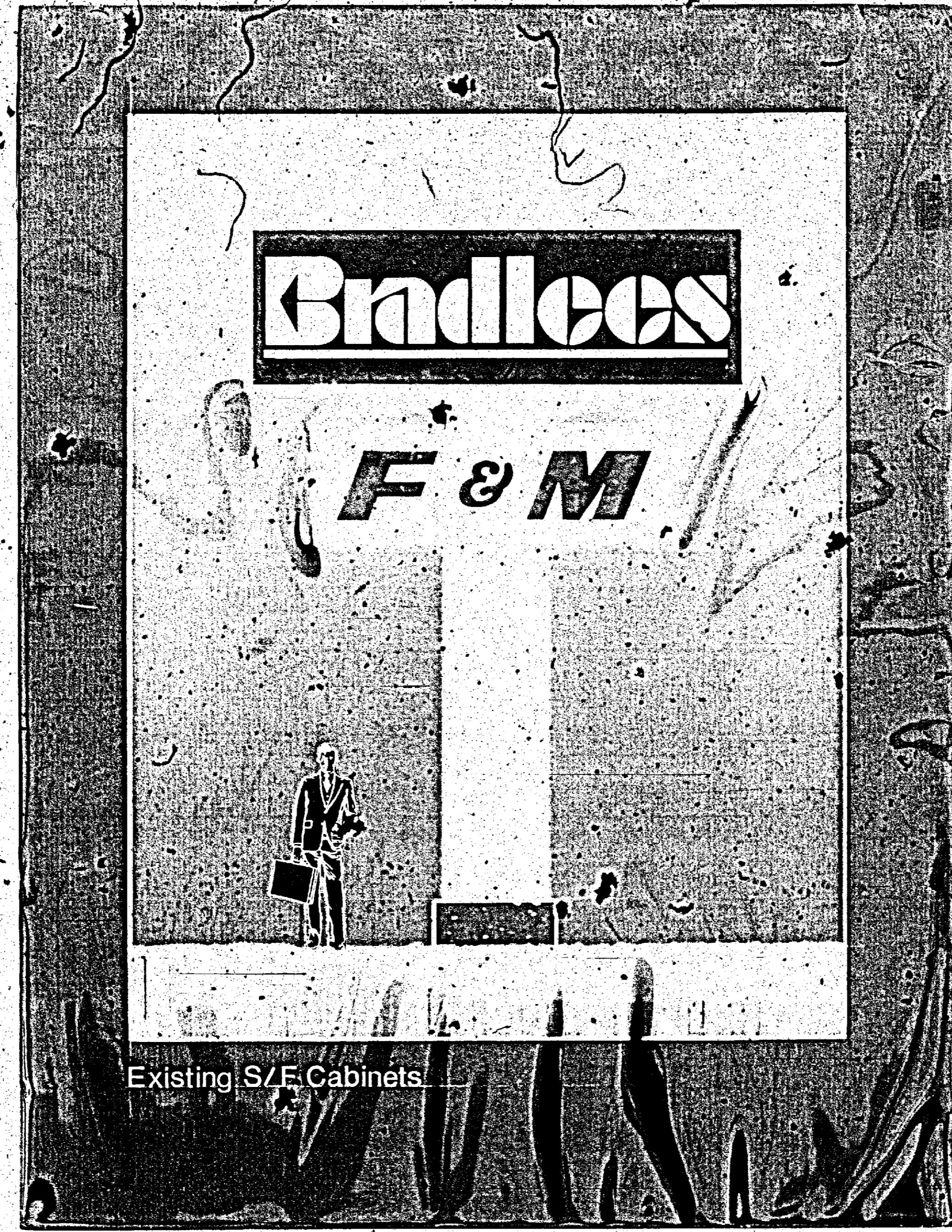
Case No. 89-537-A

NAME	ADDRESS
<i>Newton Williams, Atty</i>	<i>710 Court Towers</i>
<i>B. Williams</i>	<i>12605 Delmar Valley Pkwy</i>
<i>Stephen Stone</i>	<i>422 W. Penna. Ave. #104 Md.</i>
<i>Gary C. Duvall</i>	<i>Towson, Md. 21204</i>
<i>Neil F. Murray</i>	<i>600 Baiter Ave. 21204</i>
<i>William C. Harrison</i>	<i>25000 Stewart Ave. #11 41091</i>
<i>Robert Nethen Jr</i>	<i>1899 East Hill Rd. #DC 20036</i>
<i>Charles R. Stark</i>	<i>1800 Church Hill Rd. Fall 21220</i>
<i>Dwight J. Fucar</i>	<i>8122 Stephens 205 ALLEGANY AVE</i>
<i>KERRIE L. COLLINS</i>	<i>2636 CARDON DRIVE, STEAMER, MD 20784</i>
	<i>3 Nolia Ave. Towson, MD 21201</i>

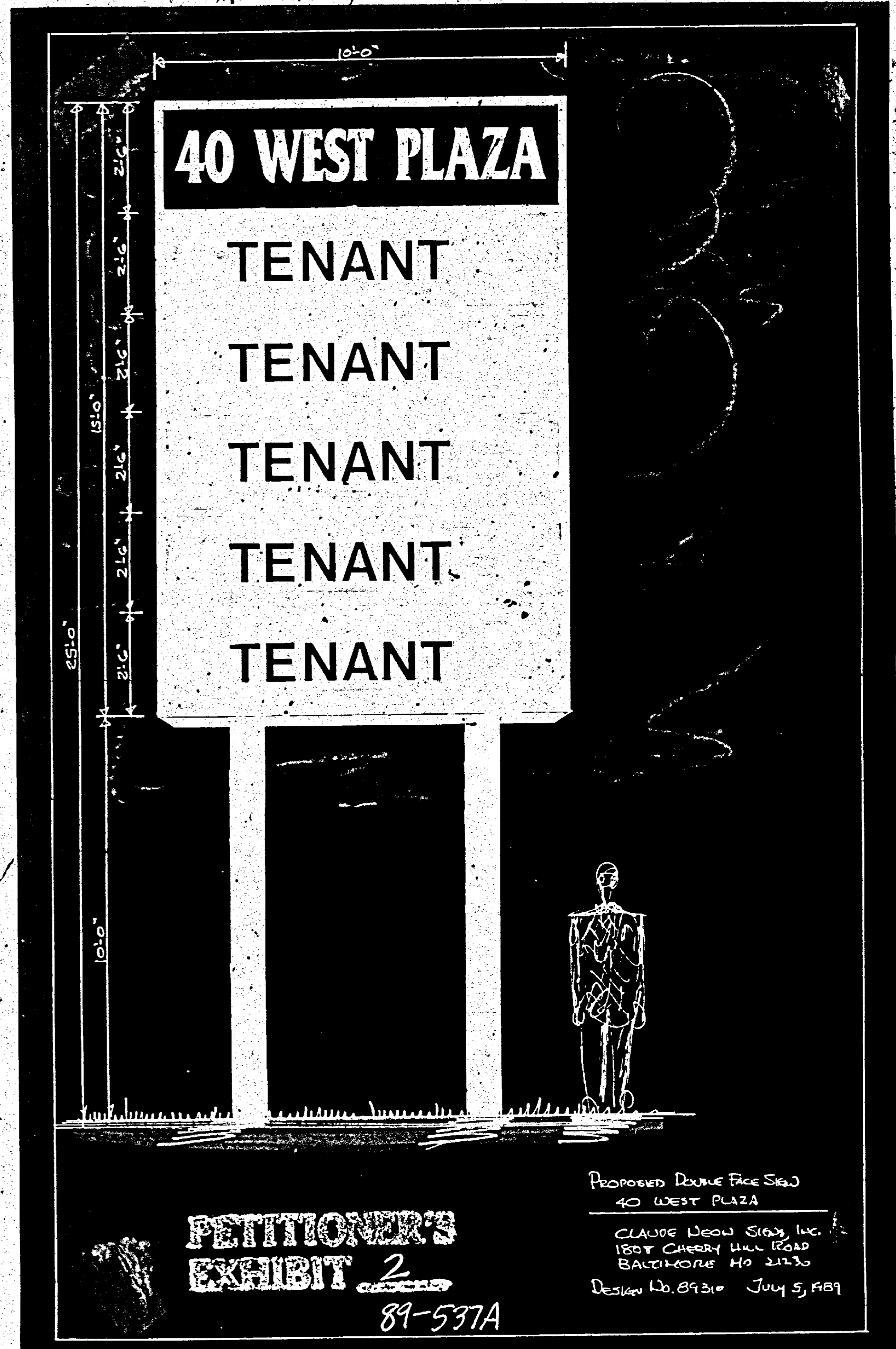
COMBINED PROPERTIES INCORPORATED
A COMPANY GOING PLACES



Proposal For New 4' x 12' S/F Cabinets



Existing S/F Cabinets



PETITIONER'S EXHIBIT 2

89-537A

PROPOSED DOUBLE FACE SIGN
40 WEST PLAZA
CLAUDE DEON SIGN INC.
1807 CHERRY HILL ROAD
BALTIMORE MD 21230
DESIGN NO. 89310 JULY 5, 1989

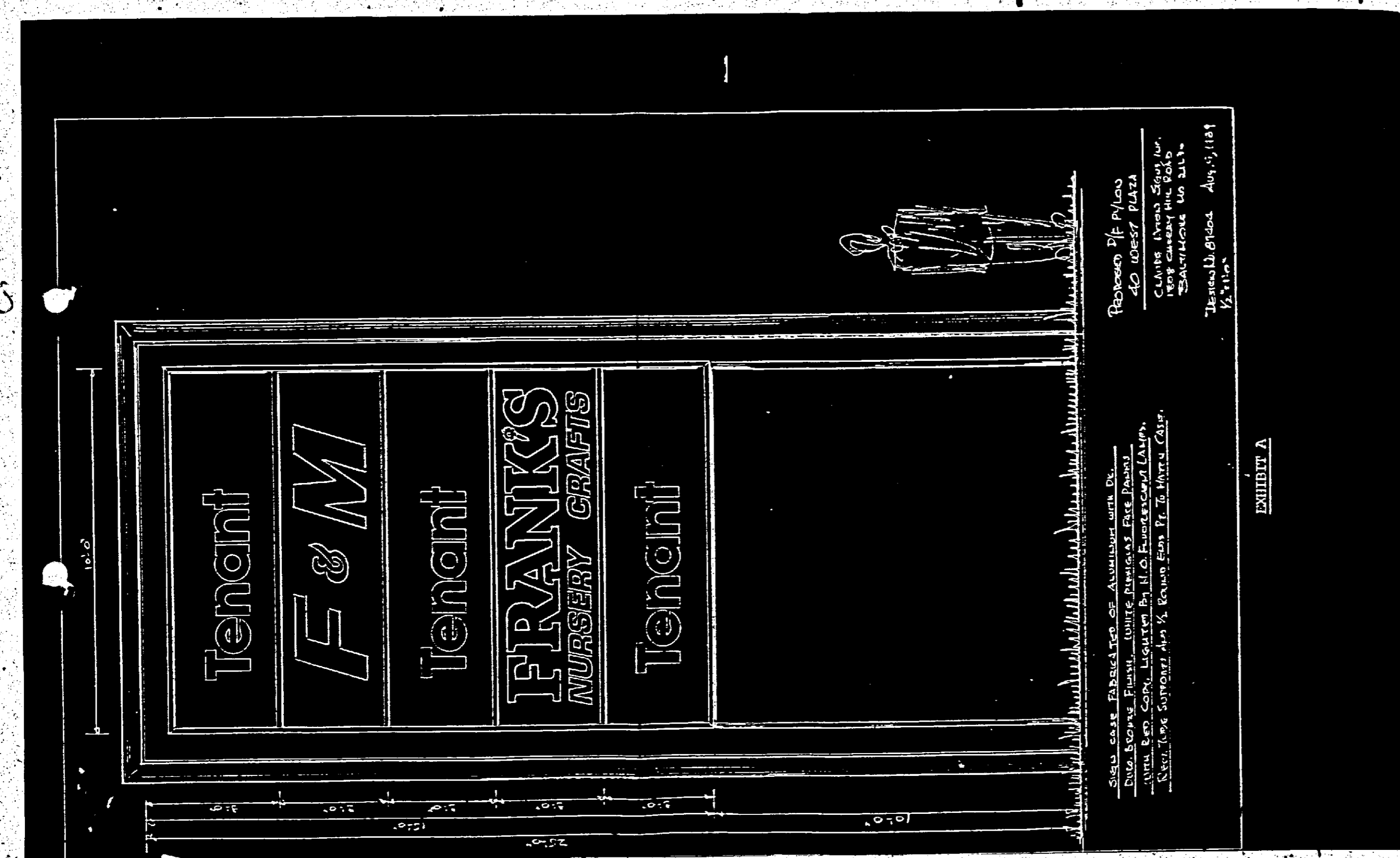


EXHIBIT A

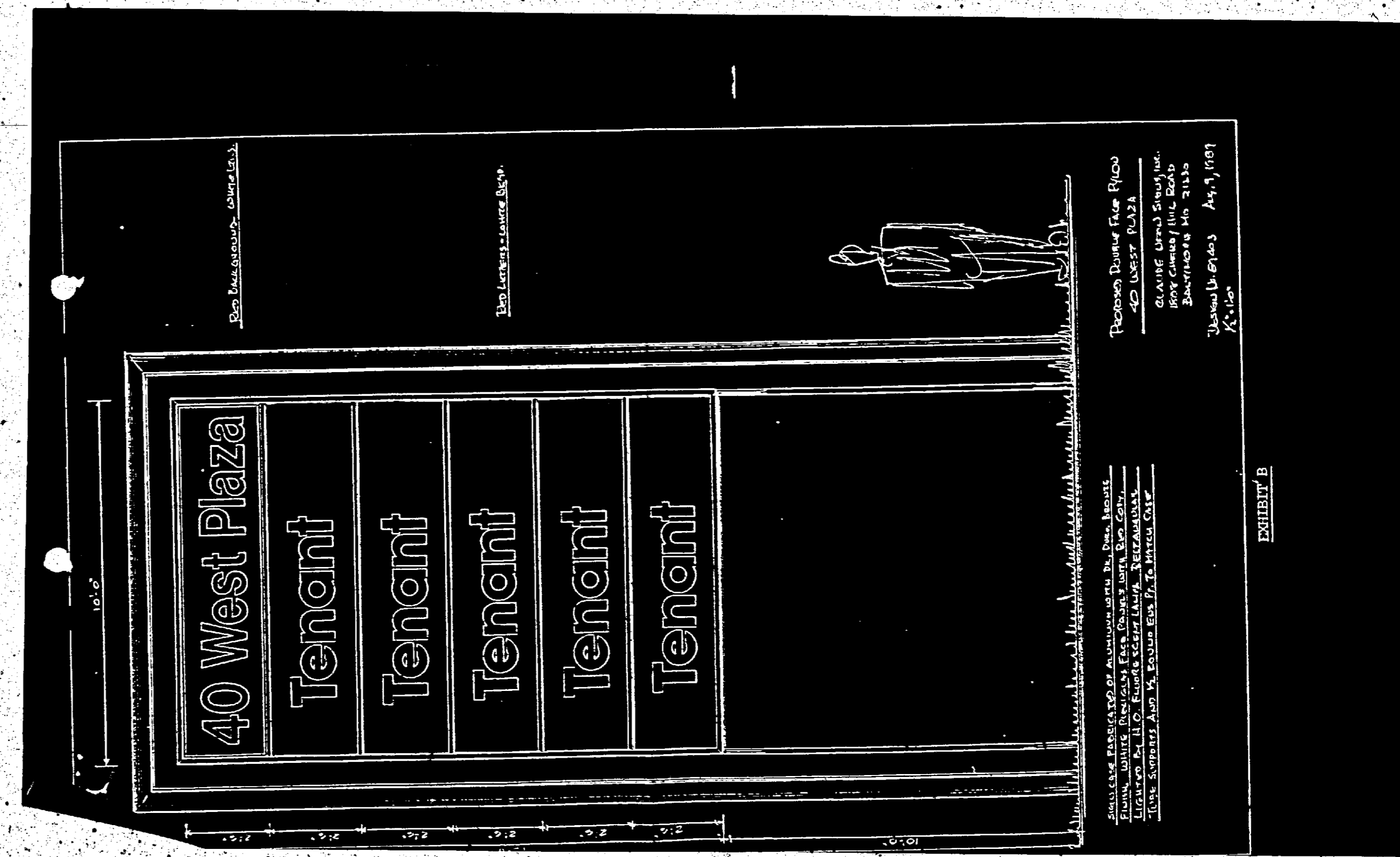
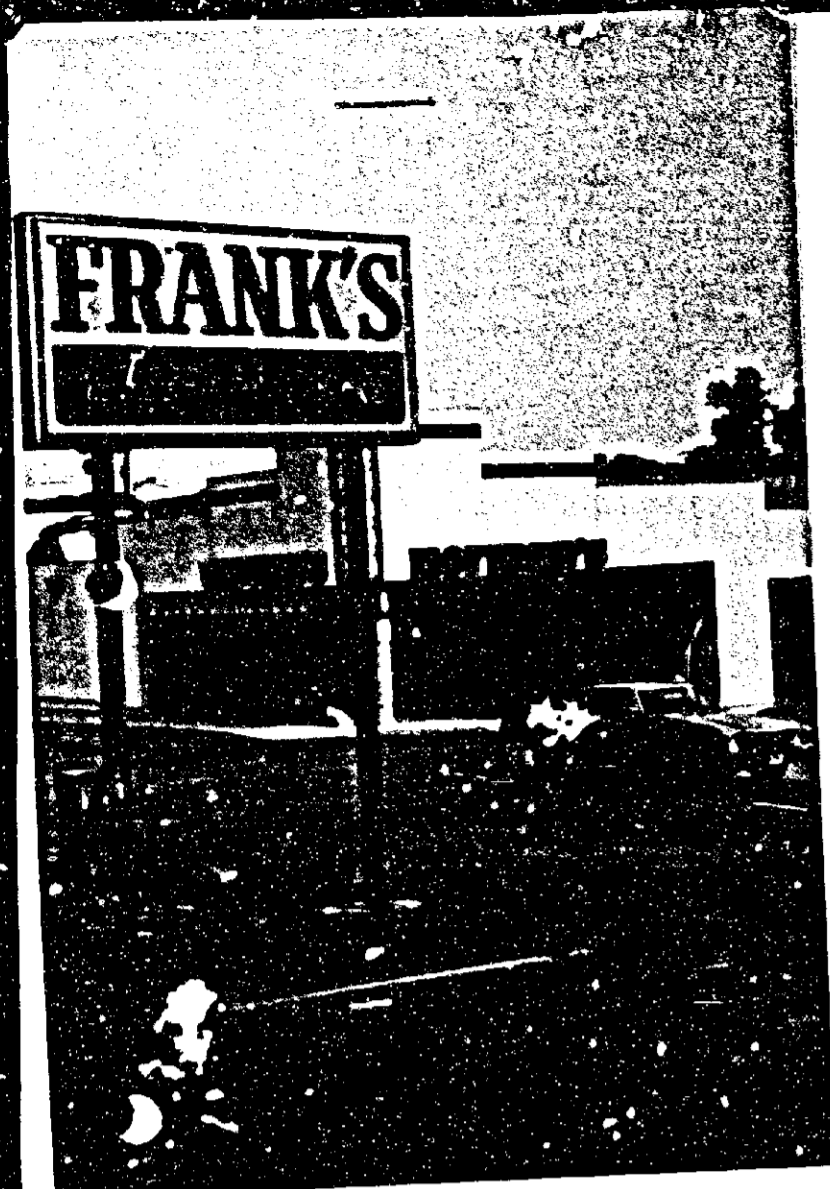
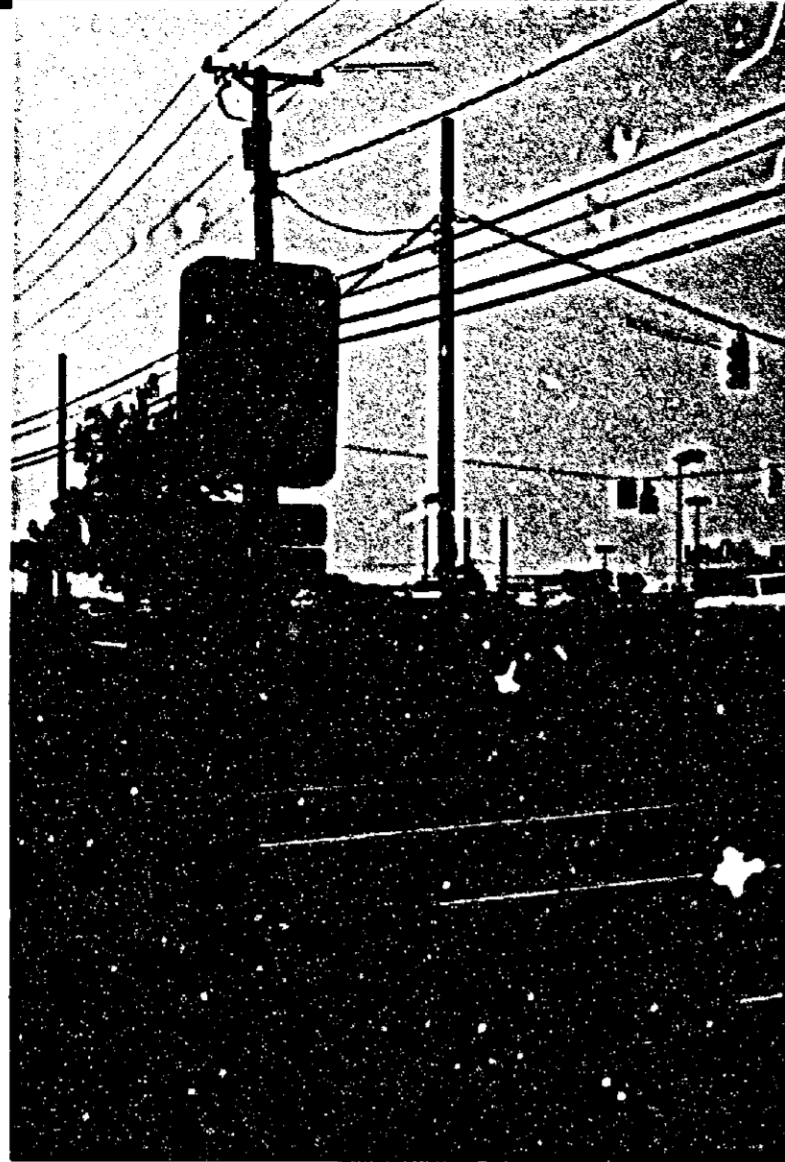


EXHIBIT B



A. Looking SW at Frank's sign

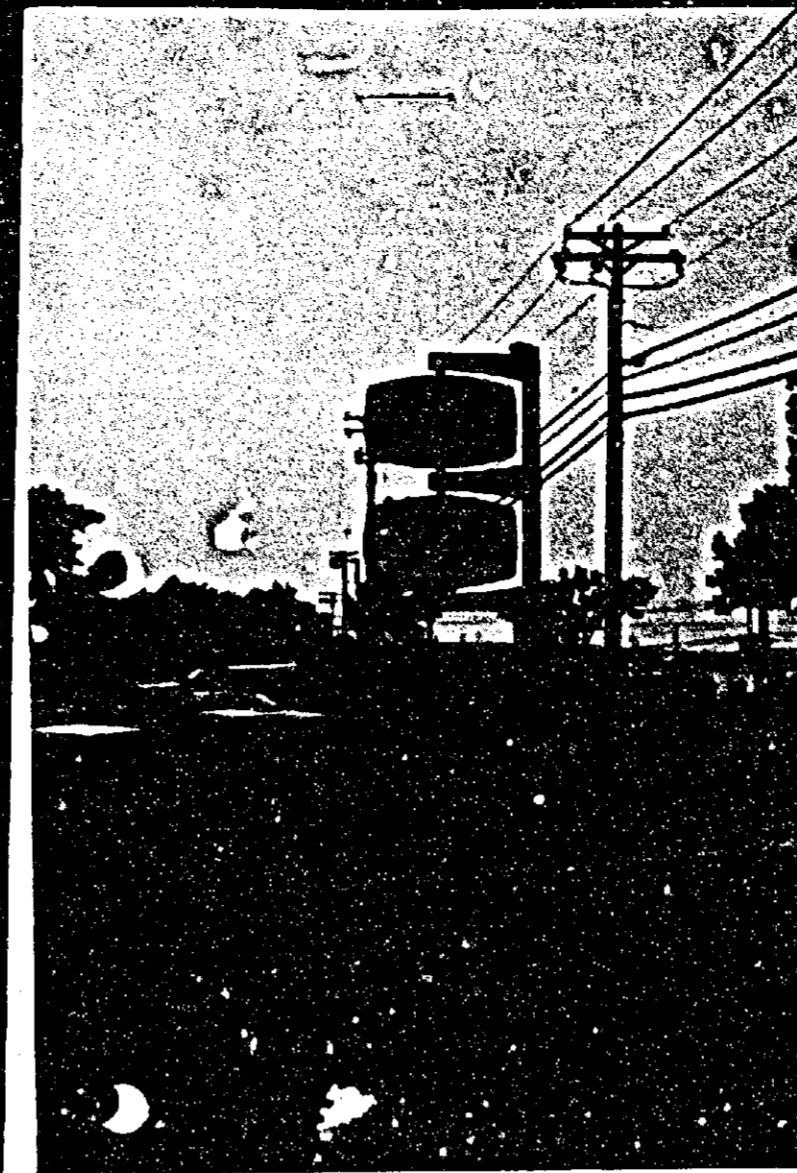


B. Looking NW at Rays sign

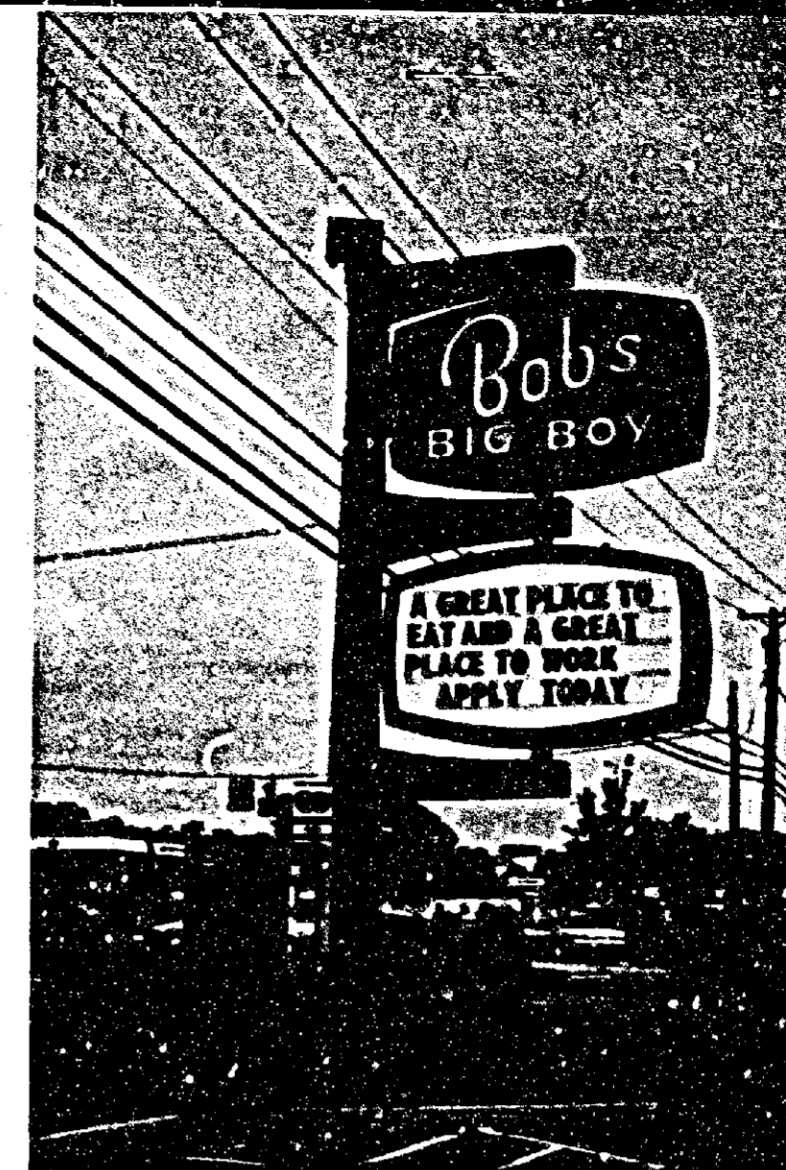


C. Looking W at Retailer / F&M sign

PETITIONER'S
EXHIBIT 5

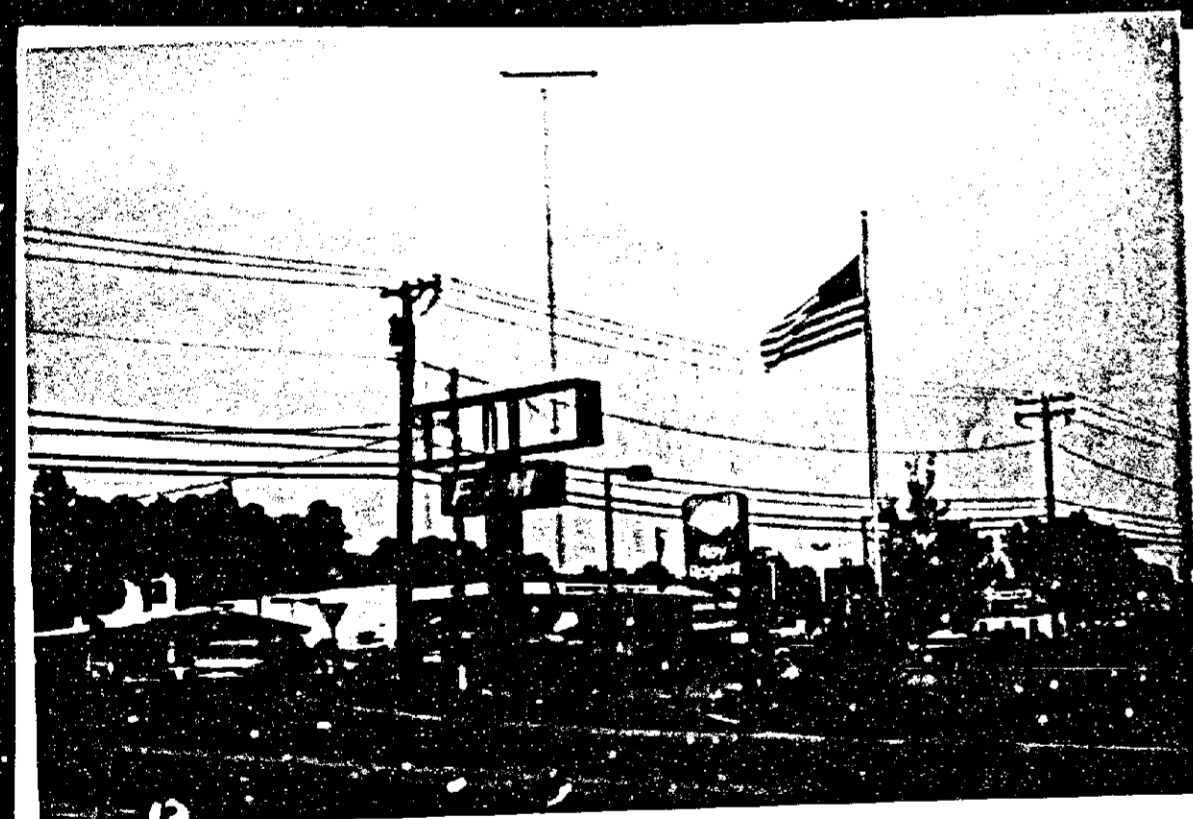


D. Looking W across entrance at Bob's sign



E. Looking E. at Bob's sign

PETITIONER'S
EXHIBIT 6

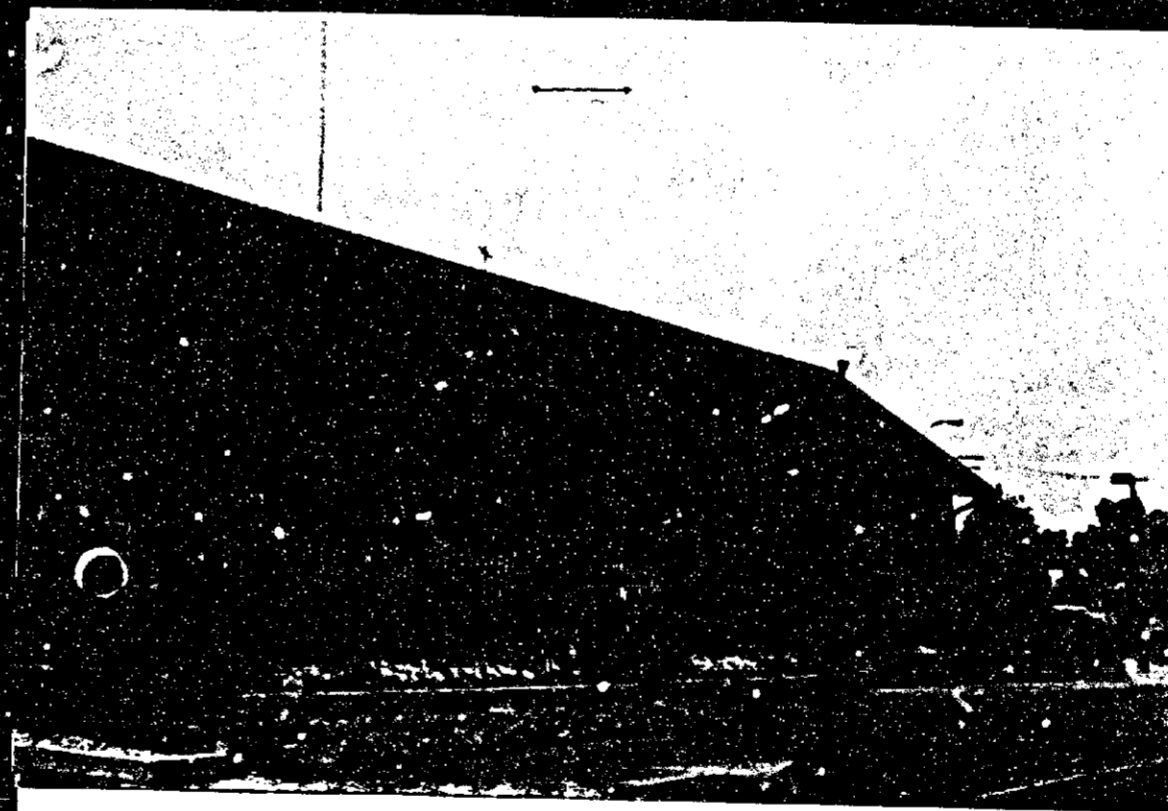


F. Looking SE at 2 signs



G. Looking SW at Rays sign

PETITIONER'S
EXHIBIT 7



H. Looking NE at Rays sign

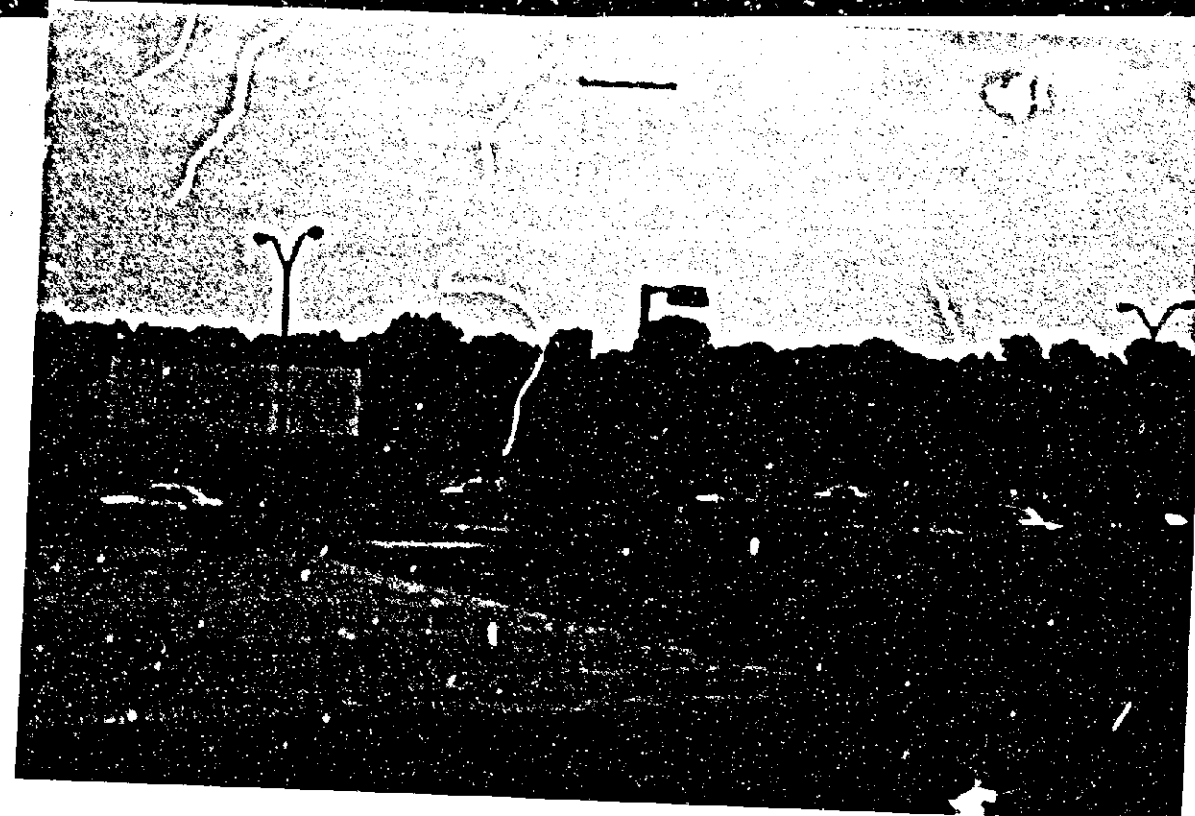


I. Looking W at Bob's Big Boy sign

PETITIONER'S
EXHIBIT 8

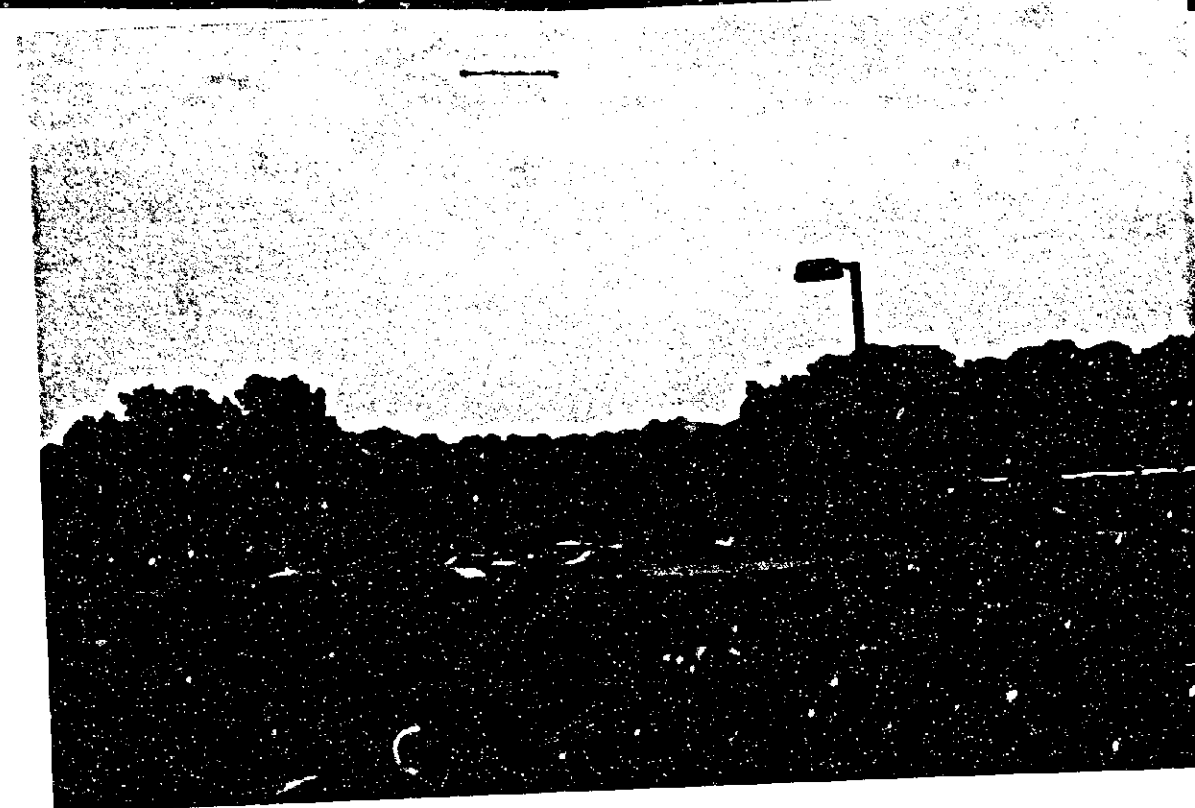


J. Looking SE at "new" stores



K. Looking S at Retailer and F.W.M.

PETITIONER'S EXHIBIT 9



L. Looking SW at Frank's Nursery.

PETITIONER'S EXHIBIT 10

Invoice

John I. Cromary
P. O. Box 422
Old Saybrook, Ct.
06475

Number 79072

DATE 7-28-79

CUSTOMER'S ORDER NO. Verbel - G. Scheer

Bob's Big Boy

Catonsville, Md.

Sold To Marriott Corporation
10400 Fernwood - Marriott Dr.
Washington, DC 20050

QUANTITY	DESCRIPTION	PRICE	AMOUNT
	Meet with Building and Zoning - File all documents Obtain permits for all signs.		
	Staff time and expenses	\$100.00	
	Permit Fees	27.00	
	Total-		\$127.00

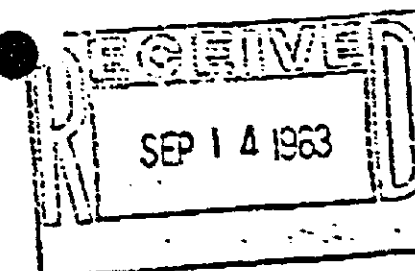
All claims and returned goods must be accompanied by this bill.

47-103
NATIONAL Made in U.S.A.

RECEIVED BY
DUPLICATE

PETITIONER'S EXHIBIT 11

JERRY NARDI
3312 AILSA AVENUE
BALTIMORE, MARYLAND 21214
(301) 426-5988



INVOICE

M - 1162

September 9, 1983

Marriott Corporation
Department 934.30
1 Marriott Drive
Washington, DC 20058

Attention: Mr. George S. Scheer

Securing sign permit.....\$150.00
(Replace faces in existing double face pole sign with
changeable copy faces)

Bob's Big Boy
6500 Baltimore National Pike
Catonsville, Maryland

Sign permit fee, Baltimore County, Maryland..... 9.00

Total \$159.00

APPROVED FOR PAYMENT			
<i>George S. Scheer</i>			
PLAN	QTY	TOTAL	
C-200	80	934.30	
COST CODE	LIENS CHECKED		
10400	#6		

PETITIONER'S EXHIBIT 12