

IN THE MATTER OF PETITION
FOR ZONING VARIANCE OF
SHONEY'S, INC. FOR THE
PROPERTY LOCATED AT
SW/Corner Whitehead Court
and Security Boulevard
(1658 WHITEHEAD COURT)
1st Election District

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF BALTIMORE COUNTY

Shoney's, Inc., Appellee

* CASE NO. 91-334-A

CONSENT ORDER

WHEREAS, Appellee filed a Petition for Zoning Variance before the Zoning Commissioner of Baltimore County, to permit the addition of a reader board to an existing business sign with a total surface area in excess of the maximum permitted by Baltimore County Zoning Regulations; and

WHEREAS, the Petition for Zoning Variance was granted by the Zoning Commissioner by Findings of Fact and Conclusions of Law, dated May 15, 1991; and

WHEREAS, Best Western Welcome Inn, Appellant herein, noted an appeal to this Board of the decision of the Zoning Commissioner;

WHEREAS, Appellee and Appellant have reached an agreement resolving all disputes between them;

NOW, THEREFORE, it is this 15th day of August, 1991, by the Board of Appeals of Baltimore County,

ORDERED, that the decision of the Zoning Commissioner, as restricted, granting Appellee's Petition for Zoning Variance be

and the same is hereby AFFIRMED and incorporated herein by reference; and it is further

ORDERED, that the Petition be subject to a further condition that:

(4) the sign shall remain in its present location as the same is shown on Petitioner/Appellee's Exhibit A;

and it is further

ORDERED, that the Appellant and the Appellee hereby waive any and all right to appeal from this decision.

COUNTY BOARD OF APPEALS OF
BALTIMORE COUNTY

Michael Sauer

C. William Clark

Lynn B. Moreland

S. Eric DiNenna, Esquire

Attorney for Appellant

DiNenna and Breschi

Suite 600

Mercantile-Towson Building

409 Washington Avenue

Towson, Maryland 21204

Deborah C. Dopkin, Esquire

Attorney for Appellee

Rosolio and Silverman, P.A.

Suite 220, Nottingham Centre

502 Washington Avenue

Towson, Maryland 21204

-2-

IN RE: PETITION FOR ZONING VARIANCE
OF SHONEY'S, INC. FOR THE
PROPERTY LOCATED AT
SW/Corner Whitehead Court
and Security Boulevard
(1658 WHITEHEAD COURT)
1st Election District

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF BALTIMORE COUNTY
* CASE NO. 91-334-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit the addition of a reader board to an existing business sign for a total surface area of both faces of 147.2 sq.ft. in lieu of the maximum permitted 100 sq.ft. in accordance with Petitioner's Exhibit A.

The Petitioners, by Richard Stone, Division Director, Area Superintendent for Shoney's, Inc., appeared, testified, and were represented by Deborah C. Dopkin, Esquire. Also appearing on behalf of the Petition was James S. Kline, Land Planner with C. W. Stephens, Jr. and Associates, Inc. Appearing as an interested party was Samuel Knott, Jr., with the Red Lobster Restaurant. There were no Protestants.

Testimony indicated that the subject property, known as 1658 Whitehead Court, consists of 2.3 acres more or less zoned R.R.-1.M. and has been the site of a Shoney's Restaurant for the past three years. Said property was the subject of previous Case No. 88-117-A in which Petitioners were denied a variance for a business sign of 345.6 sq.ft. total surface area and a height of 50 feet. In said case, Petitioners' request was for a 20' x 6.4' identification sign with a reader board of 44.8 sq.ft. per side. Petitioners appealed the matter to the County Board of Appeals who thereafter dismissed the case for the improper and untimely filing of said appeal. In the Board's opinion it noted that Petitioners had dropped their

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Date 5/15/91 By [Signature]

variance request for the large sign but requested permission to add the reader board. The Board advised Petitioners that if they were dissatisfied with the reader board sign, they would be required to file a new Petition as the Board had no jurisdiction. The Petitioners subsequently filed the instant Petition to pursue that matter.

Testimony indicated that Petitioners have placed a 12' x 6.4' identification sign on the subject property, as permitted, in the location shown on Petitioner's Exhibit A. Testimony presented by Petitioners' witnesses indicated that, due to the unique shape of the subject property and the location of the restaurant to the east of the site, Petitioners believe that practical difficulty exists and that the reader board is necessary to assist in identifying Shoney's location as well as its services. Mr. Stone indicated that Shoney's has been in existence for the past 31 years, with headquarters in Nashville, Tennessee, and operates a full-service family restaurant. Mr. Stone testified that until recently, Shoney's concentration was mainly in the southeastern United States. He testified that Petitioners would not place more than three (3) lines on the proposed reader board at any one time and that all lettering would be a minimum of 8 inches in height to insure easy visibility. Petitioners argued that the granting of the variance would not result in any detriment to the health, safety or general welfare of the surrounding community and to deny same would create practical difficulty.

At the close of the hearing Petitioners were directed to submit a revised site plan. Said plan has been received and marked Petitioner's Exhibit A. Pursuant to a request made by Mr. Knott on behalf of Red Lobster, Petitioners requested permission to slightly relocate the subject sign so that it is not in a direct line with the Red Lobster sign. The

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Date 5/15/91 By [Signature]

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-334-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.2.f. to approve the addition of a reader board to an existing business sign, which will result in a total surface area of both faces of 147.2 Sq. Ft. in lieu of the permitted 100 Sq. Ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

To be determined at hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance 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.

I We do solemnly declare and affirm, under the penalties of perjury, that I we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Deborah C. Dopkin

(Type or Print Name)

Signature

Address

Towson, Maryland 21204

City and State

Attorney's Telephone No.: 825-1099

Address

Phone No.

Legal Owner(s):

SHONEY'S, INC.

(Type or Print Name)

Signature

Address

City and State

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

City and State

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of May, 1991, 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 24th day of April, 1991, at 2:30 o'clock

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Date 5/15/91 By [Signature]

relocation will be permitted provided said sign relocation is first approved by the State Highway Administration and the Office of Planning.

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)

It is clear from the testimony that if the variance is granted, 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. It is further noted the favorable comments submitted by the Deputy Director of the Office of Planning.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of May, 1991 that the Petition for Zoning Variance to permit the addition of a reader board to an existing business sign for a total surface area of both sides of 147.2 sq.ft. in lieu of the

maximum permitted 100 sq.ft., in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their 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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) At no time shall there be greater than three (3) lines of printing on the reader board portion of the subject sign. Further, said lettering shall be no less than 8 inches in height.

3) The relief granted herein is limited to the sign as depicted on Petitioner's Exhibit A.

4) Prior to the issuance of any permits, the exact sign location shall be chosen and approved by the State Highway Administration (SHA) and the Offices of Planning and Zoning.

5) Prior to the issuance of any permits, Petitioner shall submit a landscaping plan approved by the Office of Planning and the State Highway Administration (SHA) that provides at a minimum, planting around the sign and the property line abutting Security Boulevard in a location approved by the SHA.

6) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

ORDER RECEIVED FOR FILING

Date 5/15/91 By [Signature]

AMN:bjs

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

- 4 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 15, 1991

Deborah C. Dopkin, Esquire
405 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
SE/Corner Whitehead Court and Security Boulevard
(1658 Whitehead Court)
1st Election District - 1st Councilmanic District
Shoney's, Inc. - Petitioners
Case No. 91-334-A

Dear Ms. Dopkin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: Mr. Samuel Knott, Jr.
4401 Roland Avenue, Baltimore, Md. 21210

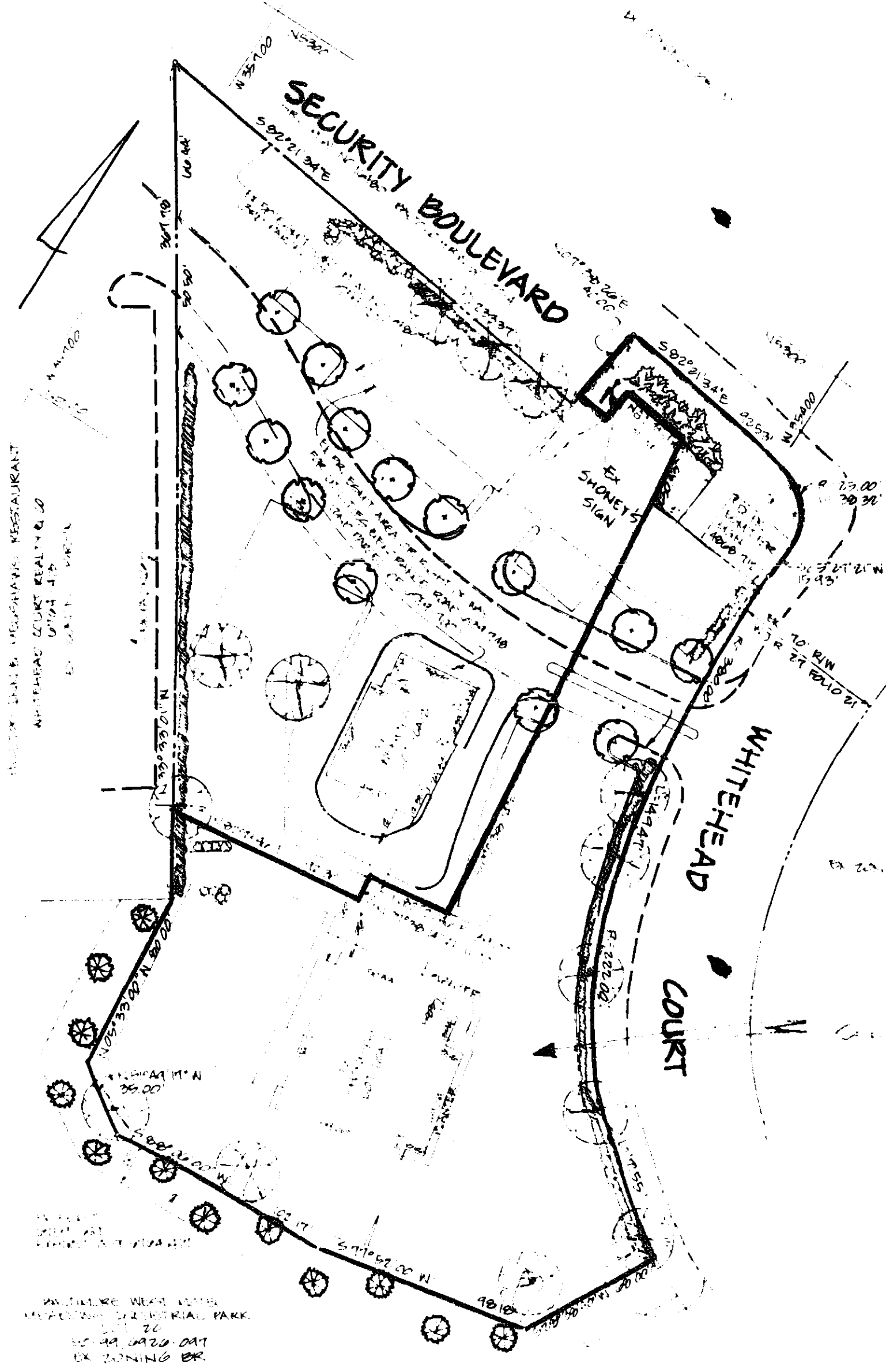
People's Counsel

File

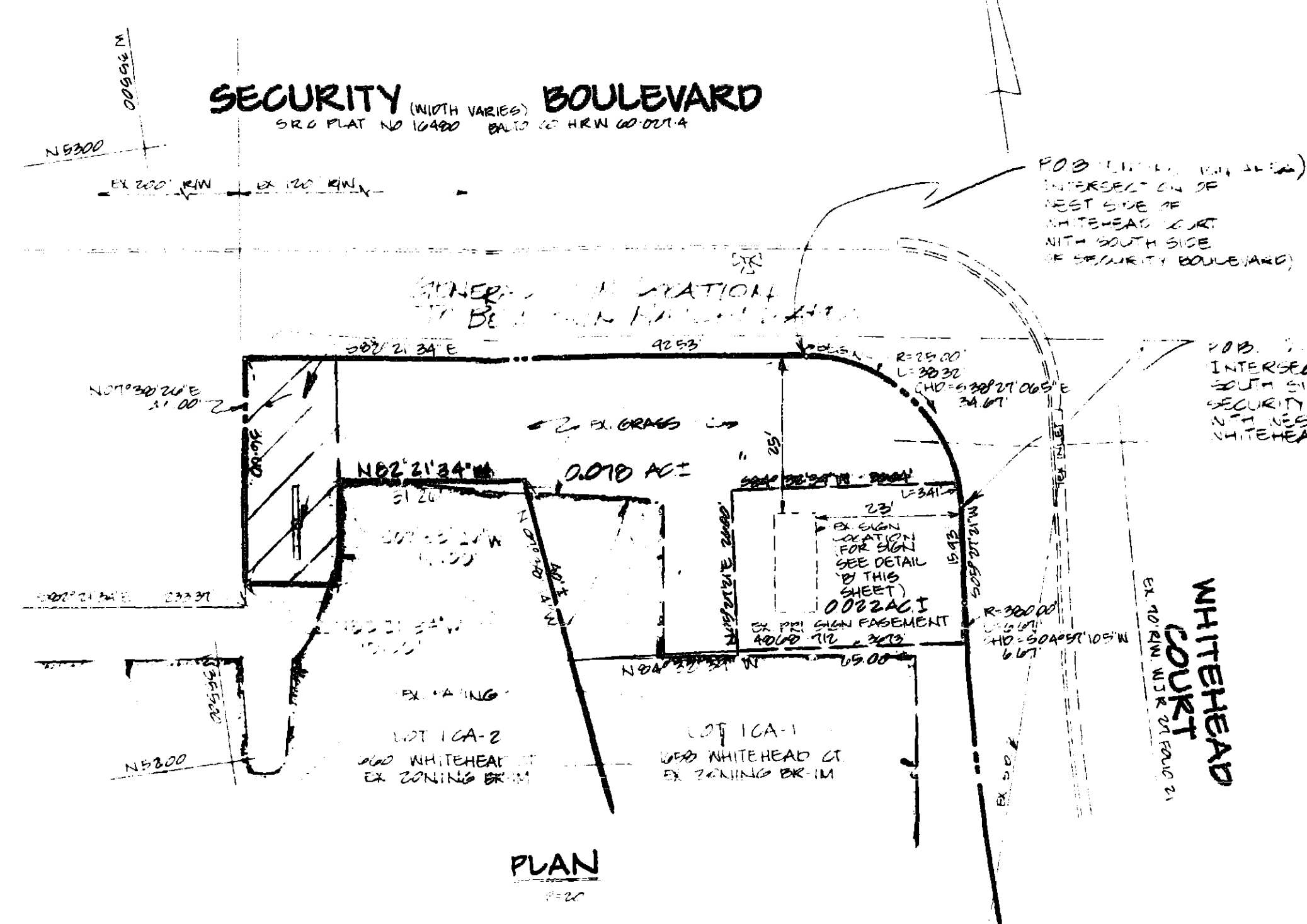
ORDER RECEIVED FOR FILING

Date 5/15/91 By [Signature]

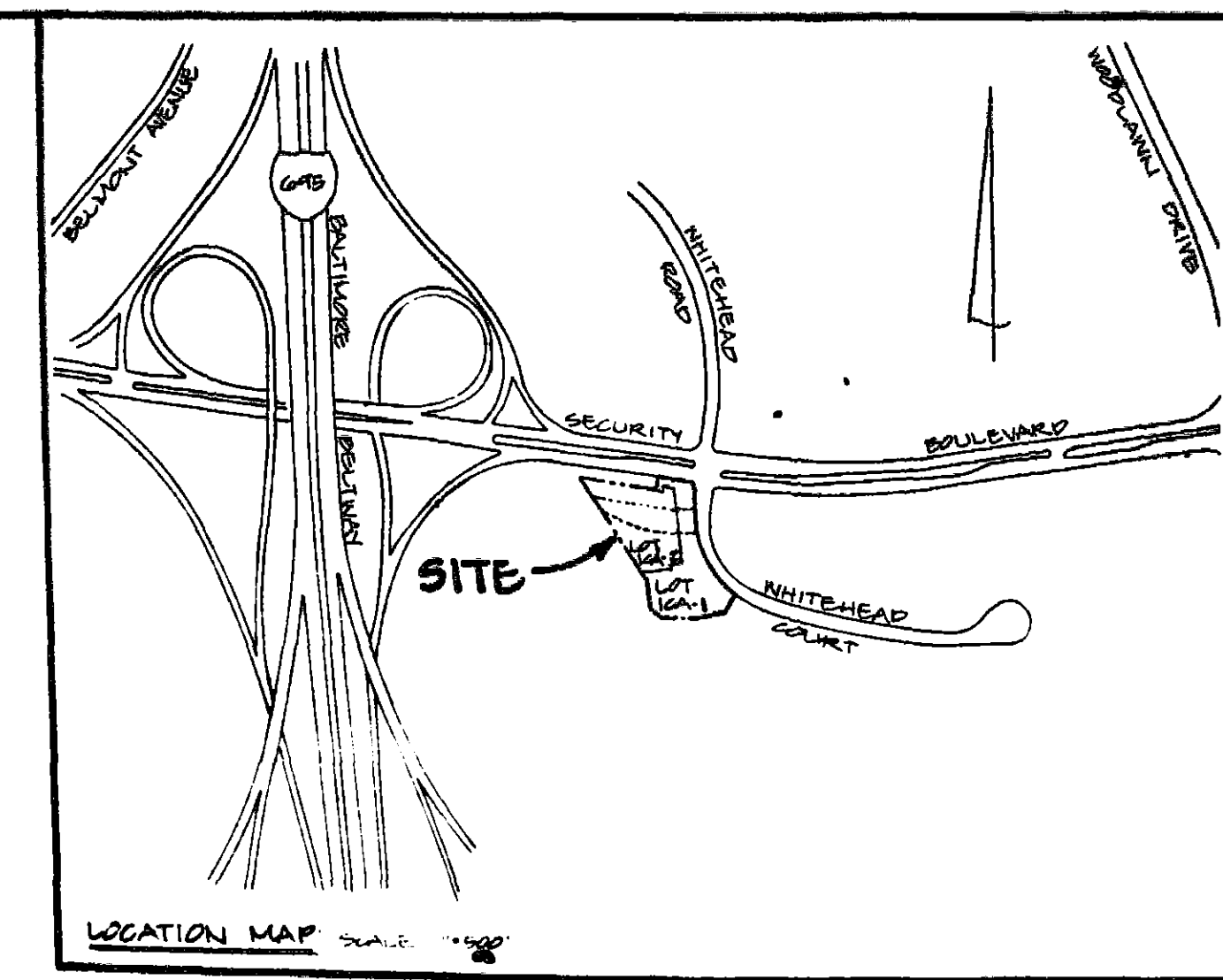
- 3 -



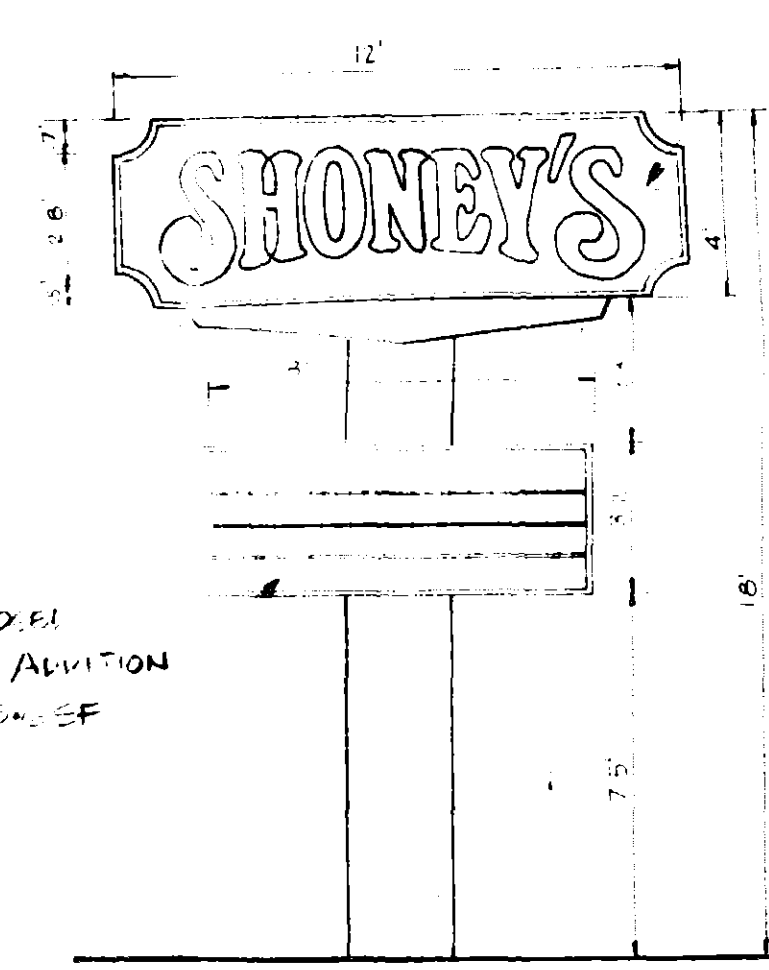
PLAN



PLAN



LOCATION MAP



DETAIL 'A'



DETAIL 'B'

GRANTED (See Case No. 91-334-A)

TO PERMIT AN EXISTING OUTDOOR ADVERTISING SIGN PER SECTION 21-112

VARIANCES TO OUTDOOR ADVERTISING SIGN

TO PERMIT AN EXISTING OUTDOOR ADVERTISING SIGN TO BE WITHIN 25 FEET OF THE RIGHT OF WAY OF A CONTROLLED ACCESS THRU HIGHWAY IN LIEU OF THE REQUIRED 35 FEET AND WITHIN 25 FEET OF THE RIGHT OF WAY OF A DUAL LANE HIGHWAY IN LIEU OF THE REQUIRED 40 FEET PER SECTION 21-112

TO PERMIT AN EXISTING OUTDOOR ADVERTISING SIGN WITH A FRONT YARD SETBACK OF 25 FEET IN LIEU OF 50 FEET AS A DUAL LANE HIGHWAY AND A FRONT YARD SETBACK OF 25 FEET IN LIEU OF 50 FEET PER SECTION 21-112

TO PERMIT AN EXISTING OUTDOOR ADVERTISING SIGN TO BE LOCATED 25 FEET FROM A STREET INTERSECTION IN LIEU OF A DUAL LANE HIGHWAY IN LIEU OF THE REQUIRED 40 FEET PER SECTION 21-112

SEE ZONING CASE NO. 95-117A
DENIED JANUARY 1995

PERMIT: B106671
RECEIPT: A133798
CONTROL: 51-5787

ORDERED, that the Petition be subject to a further condition that:

(4) the sign shall remain in its present location as the same is shown on Petitioner/Appellee's Exhibit A;

and it is further

ORDERED, that the Appellant and the Appellee hereby waive any and all right to appeal from this decision.

RE: Case No. 91-334-A
Shoney's, Inc.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Michael Sauer
Chris Clark
William Clark
Lynn B. Moreland

Eric DiNenna
Eric DiNenna, Esquire
Attorney for Appellant
DiNenna and Breschi
Suite 600

- RESTRICTIONS CASE NO. 91-334-A**
- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made, aware that proceeding at this time is at their 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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.
 - 2) At no time shall there be greater than three (3) lines of printing on the reader board portion of the subject sign. Further, said lettering shall be no less than 8 inches in height.
 - 3) The relief granted herein is limited to the sign as depicted on Petitioner's Exhibit A.
 - 4) Prior to the issuance of any permits, the exact sign location shall be chosen and approved by the State Highway Administration (SHA) and the Offices of Planning and Zoning.
 - 5) Prior to the issuance of any permits, Petitioner shall submit a landscaping plan approved by the Office of Planning and the State Highway Administration (SHA) that provides at a minimum, planting around the sign and the property line abutting Security Boulevard in a location approved by the SHA.
 - 6) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

ANN H. BARTANOVICZ
Deputy zoning Commission
for Baltimore County

PLAT TO ACCOMPANY A PETITION FOR VARIANCE
SIGN VARIANCE
LOT 1CA-1
SHONEY'S
1658 WHITEHEAD COURT

BALTIMORE COUNTY
SCALE: AS SHOWN

ELECT DIST. 1
APRIL 1, 1997
REVISED
3/23/97 JSK
6/30/97 JSK
APRIL 1, 1997 JSK

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
303 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 825-8100

SHONEY'S INC.
100 ELM HILL PIKE
NASHVILLE, TENN. 37210
(615) 251-1000

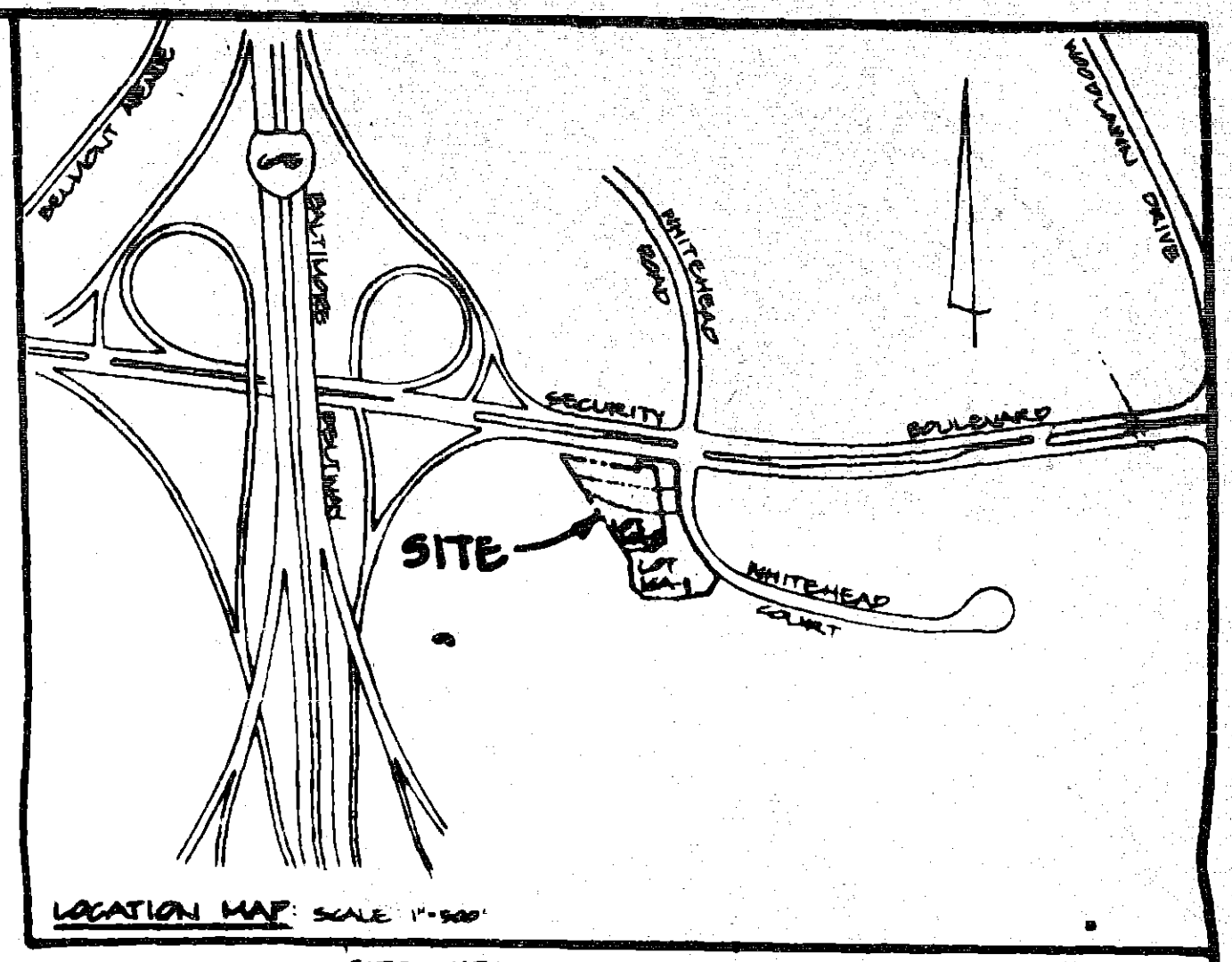
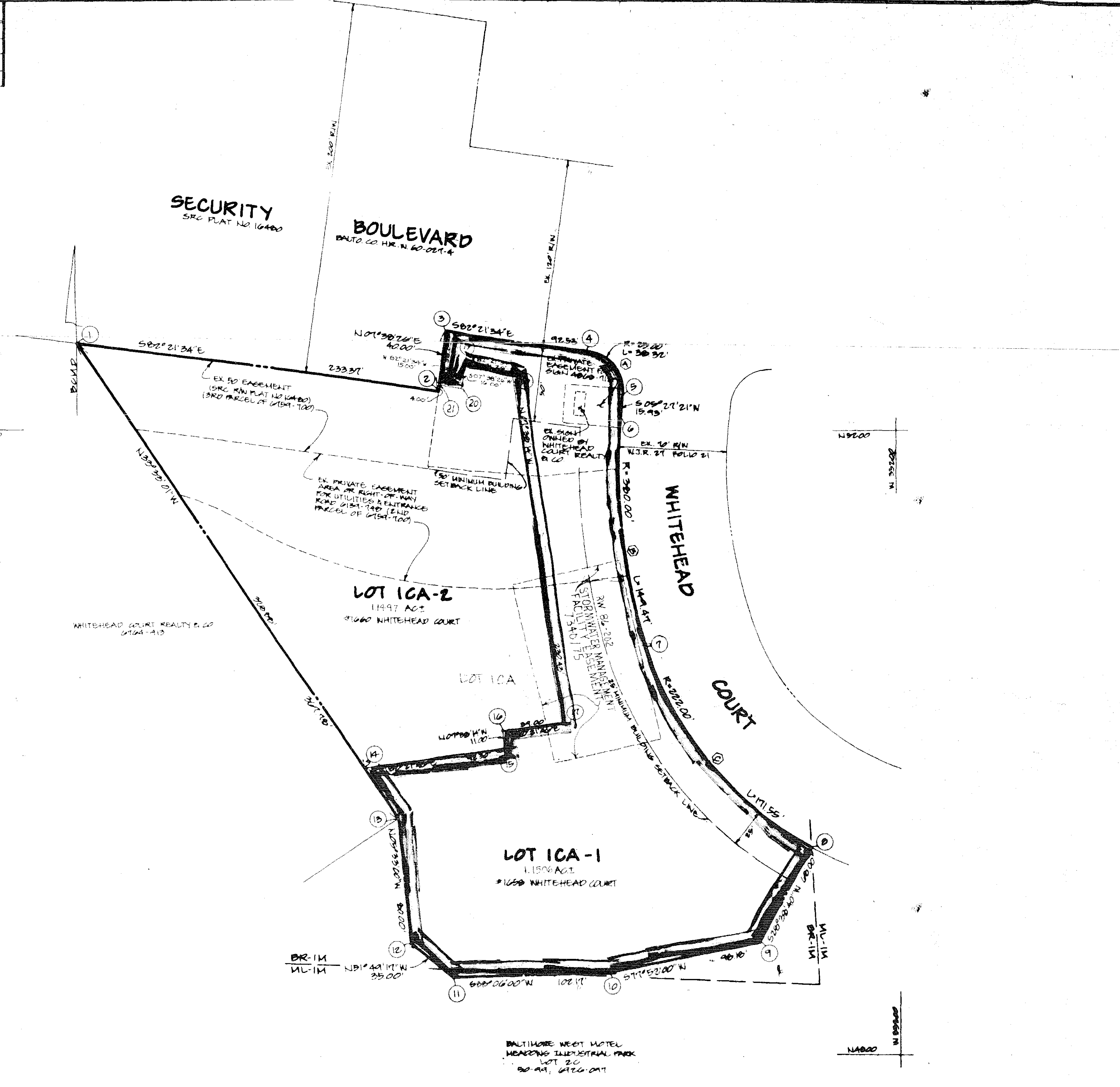
J. S. KLINE

6/14/97

FILE # 312

145531

COORDINATES		CURVE DATA					
NO	NORTH	WEST	○	RADIUS	LENGTH	△	TANGENT
1	5556.91	35719.45	A	59.00'	30.35'	21°10'55"	24.00'
2	5524.54	35414.35	B	500.00'	149.41'	22°25'10"	150.11'
3	5503.94	35404.05	C	222.00'	111.55'	44°16'31"	120.51'
4	5501.61	35391.33					
5	5524.54	35391.17					
6	5500.00	35391.30					
7	5524.54	35392.24					
8	4421.31	35392.40					
9	4271.05	35392.25					
10	4271.05	35392.04					
11	4271.01	35391.14					
12	4271.24	35391.05					
13	4143.82	35392.21					
14	4143.70	35392.01					
15	4143.55	35391.41					
16	5524.54	35392.01					
17	5524.54	35392.25					
18	5524.54	35392.01					
19	5524.54	35392.01					
20	5524.54	35392.01					
21	5524.54	35392.01					



SITE DATA
 GROSS AREA OF SITE: 8.1002 ACRES
 NET AREA OF SITE: 8.0003 ACRES
 AREA OF LOT ICA-1: 1.1990 ACRES
 AREA OF LOT ICA-2: 1.1991 ACRES
 PROPERTY REFERENCE: 11/17/1991
 REVISIONS: RESUBDIVISION OF LOT ICA, MEADOWS INDUSTRIAL PARK, 3.11.55 FOLIO 148
 TAX ACCOUNT NO: LOT ICA-1 81-20000 198 64
 LOT ICA-2 81-20000 198 65

LEGEND
 TRACT OUTLINE
 LOT LINE
 RIGHT OF WAY LINE
 EASEMENTS
 MINIMUM BUILDING SETBACK LINE
 ZONING LINE
 CURVES
 HOUSE NUMBERS - 1039 WHITEHEAD COURT
 COORDINATES

AMENDMENT
 * REASON FOR REVISION: TO ADJUST LOT LINE BETWEEN LOT ICA-1 & LOT ICA-2. * ADD EXISTING S.W.M. FACILITY EASEMENT.
 ** ALL REQUIRED PARKING IS ON THE SAME LOT OR WITHIN 500 FEET OF EACH PERCEIVED USE IN ACCORDANCE WITH B.C.Z.R. 404.8.D
 *** FOR TRACT BOUNDARY SEE PLAT ENTITLED "RESUBDIVISION OF LOT 2-C, MEADOWS INDUSTRIAL PARK" DATED AUGUST 22, 1983, E.H.K.R. 50 FOLIO 99, PREPARED BY K.C.W. CONSULTANTS, INC. CML ENGINEERS & LAND SURVEYORS

PETITIONER'S EXHIBIT 2

1ST. AMENDED *
 RESUBDIVISION OF
 LOT ICA-1 & LOT ICA-2
 MEADOWS INDUSTRIAL PARK**

BALTIMORE 12, MARYLAND
 ELECTION DIST 1
 JANUARY 22, 1990

*** THIS PLAT IS AN AMENDMENT TO A PLAT ENTITLED "RESUBDIVISION OF LOT ICA, MEADOWS INDUSTRIAL PARK," DATED OCT. 29, 1986 AND RECORDED AMONG THE PLAT RECORDS OF BALTIMORE COUNTY IN PLAT BOOK SM 55 FOLIO 148.

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.

CIVIL ENGINEERS & LAND SURVEYORS

NOTE:
 HIGHWAY AND HIGHWAY WORKING, SORE DRAINAGE AND UTILITY EASEMENTS, AND STORMWATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON ARE RESERVED TO THE DEVELOPER AND ARE HEAVILY DISCLOSED TO BALTIMORE COUNTY. THE DEVELOPER, HIS PERSONAL REPRESENTATIVES AND ASSIGNS, SHALL MAINTAIN AND BE RESPONSIBLE TO BALTIMORE COUNTY, MARYLAND AT ALL TIMES.

GENERAL NOTES
 1. THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THIS PLAT.
 2. THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE, SECTION 22-68.
 3. THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.
 4. THE INFORMATION SHOWN ON THIS PLAT MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.
 5. ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE OFFICE OF ZONING AND PLANNING AND THE DEPARTMENT OF PUBLIC WORKS.
 6. EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTIONS SHOWN HEREON HAVE BEEN PLACED AS THE RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING.

OWNER
 SHOLANS INC.
 1800 ELM HILL PIKE
 NASHVILLE, TN 37210
 604-193-1107

THE APPROVAL OF THIS PLAT IS BASED UPON A REASONABLE EXPECTATION THAT THE WATER AND SEWER SERVICE, WHICH IS PLANNED FOR THE DEVELOPMENT, WILL BE AVAILABLE WHEN NEEDED. IN-UTERO BUILDING PERMITS MAY BE ISSUED UNTIL THE PROPOSED WATER AND SEWER FACILITIES ARE COMPLETED AND DETERMINED TO BE ADEQUATE TO SERVE THE PROPOSED DEVELOPMENT.

NOTE:
 COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE BALTIMORE COUNTY METROPOLITAN DISTRICT AND ARE BASED ON THE FOLLOWING TOWNSHIP STATIONS:
 1-2000 N 55°34'15" W 35719.45
 1-2000 N 55°34'40" W 35392.00

NOTE:
 THE STREETS AND/OR ROADS AS SHOWN HEREON AND THE MENTION THEREOF IN ORDER ARE FOR THE PURPOSES OF DESCRIPTION ONLY AND THE MENTION HEREIN IS NOT INTENDED TO BE DEDICATED TO PUBLIC USE. THE FEE SIMPLE TITLE TO THE REAL ESTATE IS EXPRESSLY RESERVED IN THE GRANTOR OF THE DEED TO WHICH THIS PLAT IS ATTACHED. THE HEREIN AND ABOVE.

OWNERS CERTIFICATE:
 THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT HEREBY CERTIFIES THAT TO THE BEST OF HIS KNOWLEDGE, THE REQUIREMENT OF SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND HAS BEEN COMPLIED WITH AND THAT HE HAS CONCERNING THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

SURVEYORS CERTIFICATE:
 THE UNDERSIGNED, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN ON THE PLAT HAS BEEN LAYED OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND. PARTICULARLY, AND AS FAR AS HE IS AWARE CONCERNING THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

APPROVED BY DEPT. OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
 Robert A. Shuler, Jr. 8-21-90
 DIRECTOR

APPROVED BY BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
 [Signature] 8-21-90
 DATE

APPROVED BY DEPARTMENT OF PUBLIC WORKS
 [Signature] 8-21-90
 DATE

APPROVED BY TOWNSHIP
 [Signature] 8-21-90
 DATE

COMPUTED BY: NE CHECKED BY: RPH, GKS
 DRAWN BY: CAH W.O. NO. 8901

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
PO BOX 428 TOWSON, MARYLAND 21204

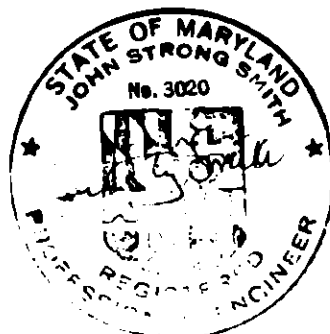
December 5, 1990
RE: Shoney's
1658 Whitehead Court
Loc 10A-1

Description to Accompany a
Petition for a Zoning Variance.

Point of beginning being located at the intersection of the west side of
Whitehead Court with the south side of Security Boulevard thence running in a
clockwise direction:

- 1) Southeasterly by a curve to the right having a radius of 25.00 feet
and a length of 38.32 feet
- 2) South 05° 27' 21" West 15.93 feet
- 3) Southwesterly by a curve to the left having a radius of 380.00 feet
and a length of 6.67 feet
- 4) North 84° 32' 39" West 65.00 feet
- 5) North 07° 38' 14" West 40.00 feet
- 6) North 82° 21' 34" West 31.26 feet
- 7) South 07° 38' 26" West 16.00 feet
- 8) North 82° 21' 34" West 15.00 feet
- 9) North 07° 38' 26" East 36.00 feet and
- 10) South 82° 21' 34" East 92.93 feet to the place of beginning.

Containing 0.10 acres of land more or less.
Saving and excepting an area for an existing outdoor advertising sign (0.022
Ac.±).



(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: _____ Date of Posting: _____
Posted for: _____
Petitioner: _____
Location of property: _____
Location of Sign: _____
Remarks: _____
Posted by: _____ Date of return: _____
Number of Signs: _____

CERTIFICATE OF PUBLICAT.

THIS IS TO CERTIFY, that the annexed advertisement was published
in the CATONSVILLE TIMES, a weekly newspaper published in
Baltimore County, Md., once in each of _____ successive weeks, the first
publication appearing on _____

CATONSVILLE TIMES

S. Zabe Orlan
Publisher

\$ 57.16

NOTICE OF HEARING
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 21204
as follows:
Case number: 91-334-A
SWC Whitehead Court and
Security Boulevard
1658 Whitehead Court
1st Election District
1st Councilmanic
Petitioner(s):
Shoney's, Inc.
Hearing Date: Wednesday
April 24, 1991 at 2:30 p.m.
Variance: Variance to approve
the addition of a reader board to
an existing business sign, which
will result in a total surface area
of both faces of 147.2 sq. ft. in lieu
of the permitted 100 sq. ft.
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County
CATSJEFF/2024 Mar. 28

CERTIFICATE OF PUBLICATION

TOWSON, MD., _____ 4-1-1991
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of _____ successive
weeks, the first publication appearing on _____ 3-28-1991

THE JEFFERSONIAN.

S. Zabe Orlan
Publisher

\$ 57.16

**Baltimore County
Zoning Commissioner**
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date

111 West Chesapeake Avenue
Towson, Maryland 21204
111 West Chesapeake Avenue
Towson, Maryland 21204
111 West Chesapeake Avenue
Towson, Maryland 21204

04A04#0100MICRRC \$175.00
Please Make Checks Payable To: Baltimore County #01215PH02-05-91

Cashier Validation

**Baltimore County
Zoning Commissioner**
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date

Please Make Checks Payable To: Baltimore County

Cashier Validation

**Baltimore County
Zoning Commissioner**
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 4-5-91

Shoney's, Inc.
1727 Elm Hill Pike
Nashville, Tennessee 37210

RE:
Case Number: 91-334-A
SWC Whitehead Court and Security Boulevard
1658 Whitehead Court
1st Election District - 1st Councilmanic
Petitioner(s): Shoney's, Inc.
HEARING: WEDNESDAY, APRIL 24, 1991 at 2:30 p.m.

Dear Petitioner(s):

Please be advised that \$ 57.16 is due for advertising and posting of the above
captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR
THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY
OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign &
post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113,
Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Deborah C. Dopkin, Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

March 1, 1991

NOTICE OF HEARING

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 21204 as follows:

Case Number: 91-334-A
SWC Whitehead Court and Security Boulevard
1658 Whitehead Court
1st Election District - 1st Councilmanic
Petitioner(s): Shoney's, Inc.
HEARING: WEDNESDAY, APRIL 24, 1991 at 2:30 p.m.

Variance to approve the addition of a reader board to an existing business sign, which will
result in a total surface area of both faces of 147.2 sq. ft. in lieu of the permitted 100 sq. ft.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Shoney's, Inc.
Deborah C. Dopkin, Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

April 9, 1991

Deborah C. Dopkin, Esquire
405 Allegheny Avenue
Towson, MD 21204

RE: Item No. 312, Case No. 91-334-A
Petitioner: Shoney's Inc., et al
Petition for Zoning Variance

Dear Mrs. Dopkin:

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 MINIARSKI. 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. Charles Vaughn
Shoney's Inc.
1727 Elm Hill Pike
Nashville, TN 37210

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
20th day of February, 1991.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:
Deborah C. Dopkin
Chairman,
Zoning Plans Advisory Committee

Petitioner: Shoney's Inc.

Petitioner's Attorney: Deborah C. Dopkin



**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

March 5, 1991

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

Re: Baltimore County Shoney's
Inc., 25 sq. ft. of Whitehead
Court and Security Blvd.
Baltimore, Md. Zoning -
Item No. 312.

Dear Mr. Haines:

Plans concerning the above subject were reviewed, and the
location in question was inspected by Mr. Jessie L. Parker,
the Highway Beautification Inspector for the area.

This office has no objections to the location of the sign
as per plans submitted. Should you need further information,
please call me at 333-1640.

Sincerely,

George T. Dawson
George T. Dawson, Chief
Highway Beautification Section

GTD JSK
cc: Jessie Parker, Inspector
R/W District # 4
Brooklandville

My telephone number is (301) 333-1640

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: March 11, 1991
Zoning Commissioner

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

SUBJECT: Shoney's, Inc., Item No. 312

In reference to the requested Variance, staff offers the
following comment:

A review of the applicant's plat indicates the petitioner
proposed to erect a 25 sq. ft. reader board on the existing business
sign. Staff supports the applicant's proposal, provided that the
addition is compatible with the existing sign.

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

ITEM312/ZAC1

Baltimore County Government
Department of Public Works
Bureau of Traffic Engineering



401 Bosley Avenue, Suite 405
Towson, MD 21204

887-3554
Fax 887-5784

February 19, 1991

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

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 296,
299, 300, 302, 305, 307, 310, 312, 313, 314, 315, and 317.

Very truly yours,

Michael S. Planigan
Michael S. Planigan
Traffic Engineer Associate II

3/7/91

APPEAL

Petition for Zoning Variance
SE/Corner Whitehead Court and Security Boulevard
(1658 Whitehead Court)
1st Election District - 1st Councilmanic District
SHONEY'S, INC. - Petitioner
Case No. 91-334-A

Petition for Zoning Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments

Petitioner's Exhibits: 1. & A. Plat to accompany Petition

2. 1st Amended Plat "Resubdivision of Lot
1CA-1 and Lot 1CA-2 - Meadows Industrial Park

Zoning Commissioner's Order dated May 15, 1991 (Granted w/
Restrictions)

Notice of Appeal received June 4, 1991 from Maureen A. Westwater of
Best Western Welcome Inn on behalf of the Petitioner

cc: Richard Stone - Shoney's, Inc.
2033 Garber Road, Winchester, VA 22601

Deborah C. Dopkin, Esquire - Hellman & Redmond
405 Allegheny Avenue, Towson, Maryland 21204

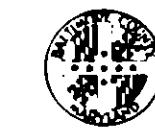
Maureen A. Westwater, Director of Lodging
1660 Whitehead Court, Baltimore, MD 21207

Samuel Knott, Jr. - Red Lobster
4401 Roland Avenue, Baltimore, MD 21210

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
J. Robert Haines, Zoning Commissioner
Ann M. Nastarowicz, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Chief Deputy County Attorney
Public Services

Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

June 14, 1991

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Zoning Variance
SE/Corner Whitehead Court and Security Boulevard
(1658 Whitehead Court)
1st Election District, 1st Councilmanic District
SHONEY'S, INC. - Petitioner
Case No. 91-334-A

Dear Board:

Please be advised that an appeal of the above-referenced case was
filed in this office on June 4, 1991 by Maureen A. Westwater of Best
Western Welcome Inn on behalf of the Petitioner. All materials
relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the
appeal hearing when it has been scheduled. If you have any questions
concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:cer

Enclosures

cc: Richard Stone - Shoney's, Inc.
2033 Garber Road, Winchester, VA 22601

Deborah C. Dopkin, Esquire - Hellman & Redmond
405 Allegheny Avenue, Towson, Maryland 21204

Maureen A. Westwater, Director of Lodging
1660 Whitehead Court, Baltimore, MD 21207

Samuel Knott, Jr. - Red Lobster
4401 Roland Avenue, Baltimore, MD 21210

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO Zoning Advisory Committee DATE: February 22, 1991

FROM: Robert W. Bowling, P.E.

RE Zoning Advisory Committee Meeting
for February 19, 1991

The Developers Engineering Division has reviewed
the subject zoning items and we have no comments for
Items 296, 299, 302, 305, 312, 313, 314, 315 and 317.

For Items 300 and 316, County Review Group Comments
are required.

For Item 310 the previous County Review Group Comments
are still applicable.

For Item 307, the previous minor subdivision comments
are still applicable.

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

RWB:s

Resolved
3/28/91



111 West Chesapeake Avenue
Towson, MD 21201

887-3353

May 16, 1991

Mr. M. L. Herzberger, Jr.
Welcome Inn
1650 Whitehead Court
Baltimore, Maryland 21207

RE: Petition for Zoning Variance
SE/Corner Whitehead Court and Security Boulevard
(1650 Whitehead Court)
1st Election District - 1st Councilmanic District
Shoney's Inc. - Petitioner
Case No. 91-334-A

Dear Mr. Herzberger:

In response to your letter dated May 14, 1991 regarding the above-captioned matter, the following comments are offered.

Please be advised that an Order was issued in the subject case on May 15, 1991, prior to the receipt of your letter. A copy of the Order is enclosed for your review and consideration. It is suggested that you review the case file and plans submitted in this matter to determine whether or not the intended location of the proposed sign will impact your property. In the event you are not satisfied with the decision rendered and the proposed location does not meet with your approval, you have the right to file an appeal to the County Board of Appeals, provided you do so within thirty (30) days of the date of the Order. Should you wish to pursue the appeal process, please contact our Appeals Clerk, Ms. Charlotte Radcliffe, at 887-3391, for further details.

In the meantime, should you have any questions on the subject, please do not hesitate to contact this office.

Very truly yours,

ANN M. NASTAROWICZ
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs
Enclosure
cc: Case File



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

Hearing Room -
Room 301, County Office Bldg. July 25, 1991

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-334-A SHONEY'S, INC.
SW/Corner Whitehead Court and
Security Boulevard
(1650 Whitehead Court)
1st Election District
1st Councilmanic District
VAR -Reader Board on existing sign
5/15/91 -D.Z.C.'s Order GRANTING Petition
with restrictions.

ASSIGNED FOR: FRIDAY, AUGUST 2, 1991 AT 9:30 a.m.
NOTE: Scheduled for one-half hour only for purpose of
settlement on record with agreement of Counsel.

cc: S. Eric DiNenna, Esquire Counsel for
Appellants/Protestants
Maureen A. Westwater / Appellants/Protestants
Best Western Welcome Inn
Deborah C. Dopkin, Esquire Counsel for Petitioner
Richard Stone /Shoney's Inc. Petitioner
Samuel Knott, Jr. /Red Lobster
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
J. Robert Haines
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of
Zoning Administration
Kathleen C. Weidenhammer
Administrative Assistant

7/10/91 - Following parties notified of hearing set for Friday,
August 2, 1991 at 9:30 a.m. (settlement on record only):

S. Eric DiNenna, Esquire Counsel for
Appellants/Protestants
Maureen A. Westwater / Appellants/Protestants
Best Western Welcome Inn
Deborah C. Dopkin, Esquire Counsel for Petitioner
Richard Stone /Shoney's Inc. Petitioner
Samuel Knott, Jr. /Red Lobster
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
J. Robert Haines
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of
Zoning Administration



WELCOME
INN
Baltimore, Maryland

May 14, 1991

Ms. Ann Nasterowicz
Deputy Zoning Commissioner
Baltimore County
111 W. Chesapeake Avenue
Towson, Md 21204

Re: Zoning Case #91-334-A

Dear Commissioner Nasterowicz:

Our hotel is located adjacent to Shoney's Restaurant. Recently, you heard the above referenced case where Shoney's requested permission to increase the size of their signage. Although this increased size would further block our identification sign, we did not attend your hearing to protest their zoning request. Prior to the hearing, your office permitted us to review a plan that detailed the changes Shoney's wished to make to the signage. Last week our hotel manager had a conversation with a representative from Shoney's and was told that in addition to the zoning request as detailed in the plan they were also going to move the sign three feet closer to the roadway. This additional change was not detailed in the plan we reviewed and if they are permitted to move the sign closer to the street, our hotel identification signage will be completely blocked.

If the information we received last week from Shoney's representative is correct, we must ask that you deny them the right to move the sign closer to the street. It was not our understanding that they would make this additional request and if we would have known they intended to do so, we would have attended the hearing to protest the movement of the sign.

We would appreciate your reviewing their request in light of our objection to the movement of the sign.

Very truly yours,

M. L. Herzberger, Jr.
M. L. Herzberger, Jr.

MLH/cr

I-695, Exit 17-Security Blvd. • 1660 Whitehead Court • Baltimore, MD 21207 • 301-944-7400
800-528-1234 Fax #301-944-7905

Best Western is the world's largest chain of independently owned and operated hotels, motor inns and resorts



WELCOME
INN
Baltimore, Maryland

June 3, 1991

Ms. Ann Nasterowicz
Deputy Zoning Commissioner
Baltimore County
111 W. Chesapeake Avenue
Towson, MD 21204

Re: Zoning Case #91-334-A

Dear Commissioner Nasterowicz:

Please be advised that we are appealing the decision made on May 15, 1991 in the zoning case listed above.

Enclosed is our check number 5574 in the amount of \$150.00, per requirements given to us by your zoning appeals person, Charlotte.

Sincerely,

BEST WESTERN WELCOME INN
Maureen A. Westwater, CHA
Director of Lodging

MAW:tf

Enc.

6-4-91
ZONING OFFICE

DiNENNA AND BRESCHI
ATTORNEYS AT LAW

S. ERIC DiNENNA, P.A.
GEORGE A. BRESCHI, P.A.

FRANCIS X. BORGERDING, JR. :
J. ALSO MEMBER OF DISTRICT OF
COLUMBIA BAR

SUITE 600
MERCANTILE TOWNS BUILDING
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(301) 296-6820
TELEFAX (301) 296-6884

August 26, 1991

County Board of Appeals
County Office Building
Towson, Maryland 21204

RE: Petitioner: Shoney's Inc.
Case No.: 91-334-A

Dear Mr. Chairman:

Enclosed herewith please find the Consent Order executed by counsel concerning the above-captioned matter.

After executing same, would you send each counsel a copy of the signed Order.

Thank you.

Very truly yours,

S. ERIC DiNENNA
S. ERIC DiNENNA

SED:bjk
Enclosure
cc: Deborah C. Dopkin, Esquire

DiNENNA AND BRESCHI
ATTORNEYS AT LAW

S. ERIC DiNENNA, P.A.
GEORGE A. BRESCHI, P.A.

FRANCIS X. BORGERDING, JR. :
J. ALSO MEMBER OF DISTRICT OF
COLUMBIA BAR

SUITE 600
MERCANTILE TOWNS BUILDING
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(301) 296-6820
TELEFAX (301) 296-6884

July 3, 1991

County Board of Appeals
County Office Building
Towson, Maryland 21204

RE: Case No. 91-334-A
Shoney's, Inc., Petitioner

Dear Mr. Chairman:

Please be advised that I represent the Appellants concerning the above-captioned matter and wish to enter my appearance on their behalf.

Any future correspondence concerning this matter I would request that you advise me.

Very truly yours,

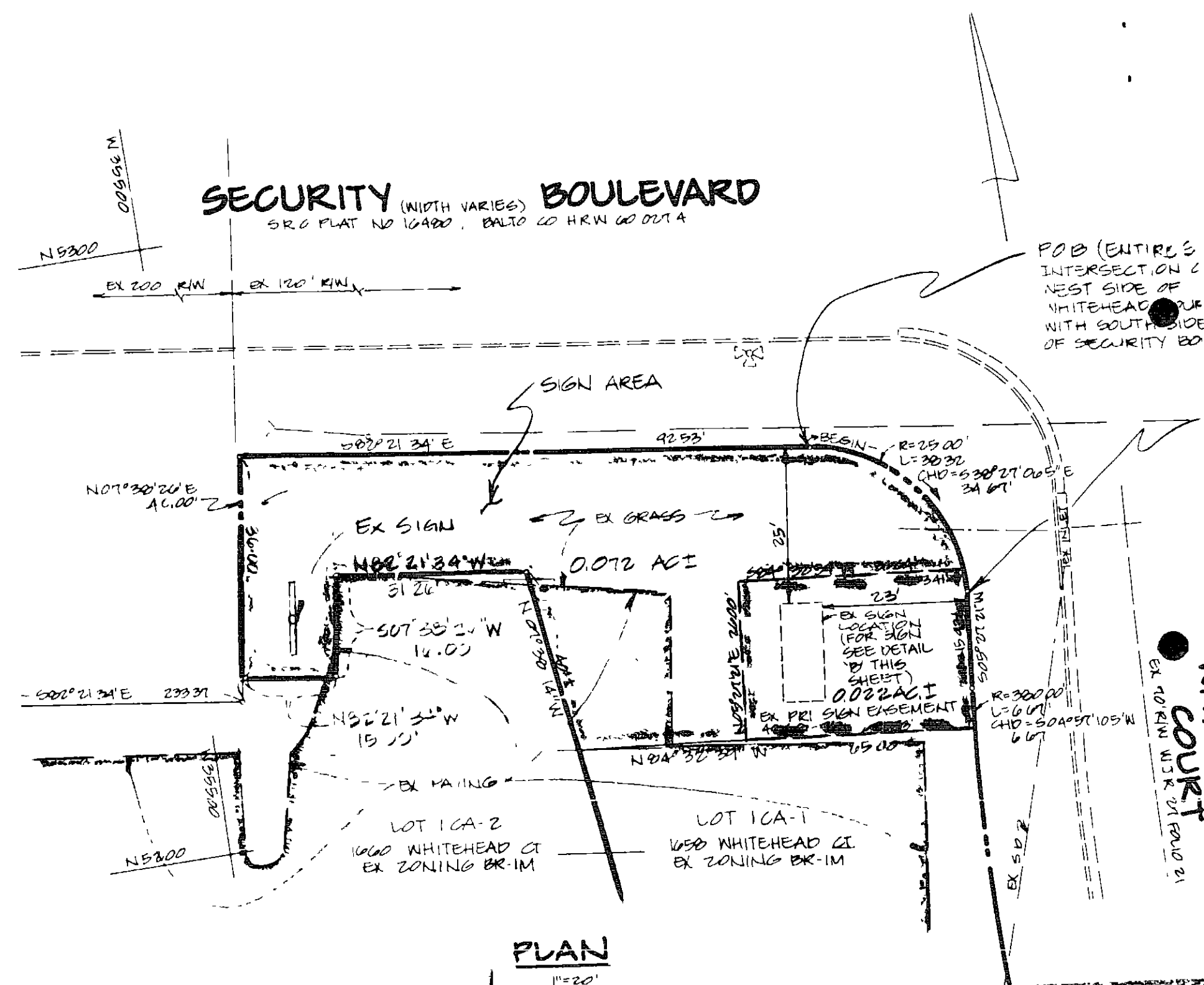
S. ERIC DiNENNA
S. ERIC DiNENNA

SED:cjc

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Samuel Knott Jr.</i>	<i>111 W. Chesapeake Ave. Towson, MD 21204</i>
<i>Richard Stone</i>	<i>111 W. Chesapeake Ave. Towson, MD 21204</i>
<i>James E. Dyer</i>	<i>111 W. Chesapeake Ave. Towson, MD 21204</i>
<i>W. Carl Richards, Jr.</i>	<i>111 W. Chesapeake Ave. Towson, MD 21204</i>
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<i>J. Robert Haines</i>	<i>111 W. Chesapeake Ave. Towson, MD 21204</i>
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<i>J. Robert Haines</i>	<i>111 W. Chesapeake Ave. Towson, MD 21204</i>
<i>Timothy M</i>	



PLAN

DATE: 10/15/88
 TIME: 10:00 AM
 PLACE: Room 101, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

J. Robert Haines
 J. Robert Haines
 J. Robert Haines
 J. Robert Haines

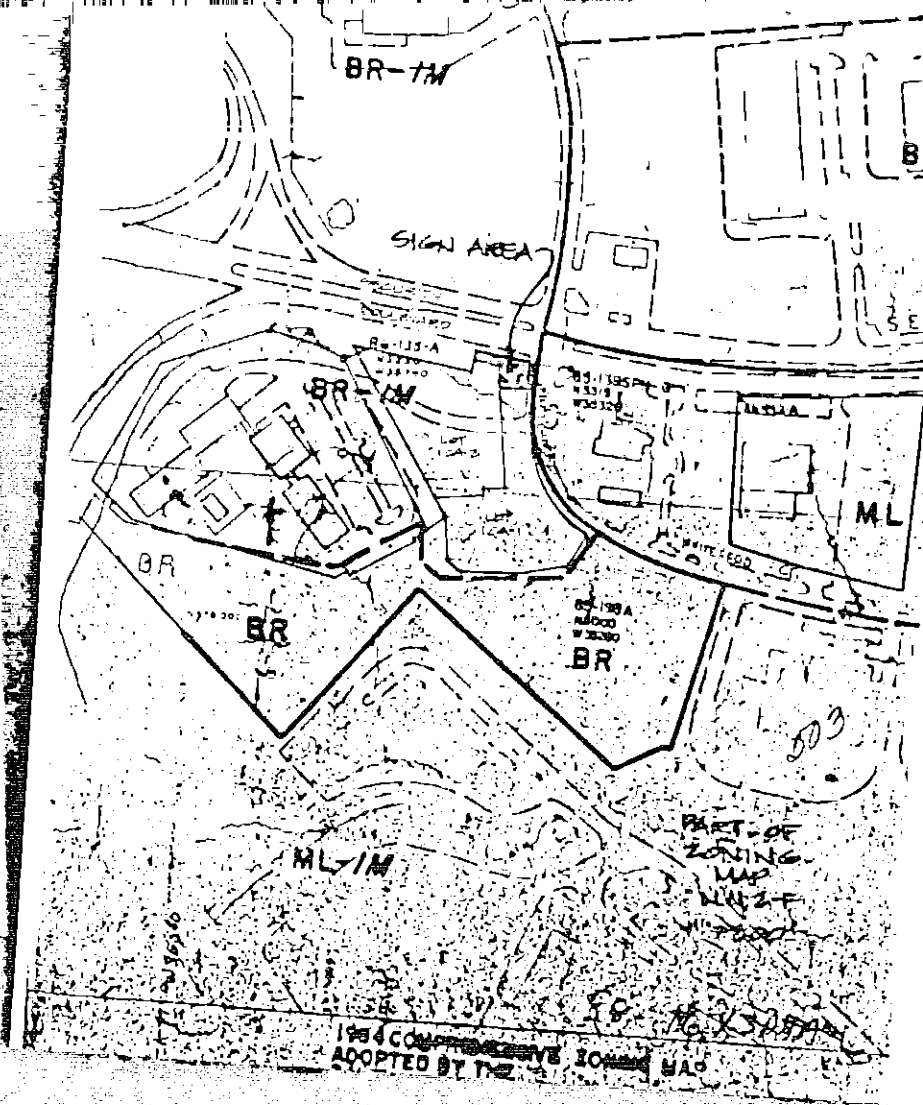
OFFICE: Whitehead Court, Suite 101, 111 West Chesapeake Avenue, Towson, Maryland 21204
 Mr. Robert L. Haines
 8411 Hainesway, Suite 101, 111 West Chesapeake Avenue, Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND
 OFFICE OF COURT REPORTERS AND SHORTHAND WRITERS
 REGISTRATION CARD NO. 36109

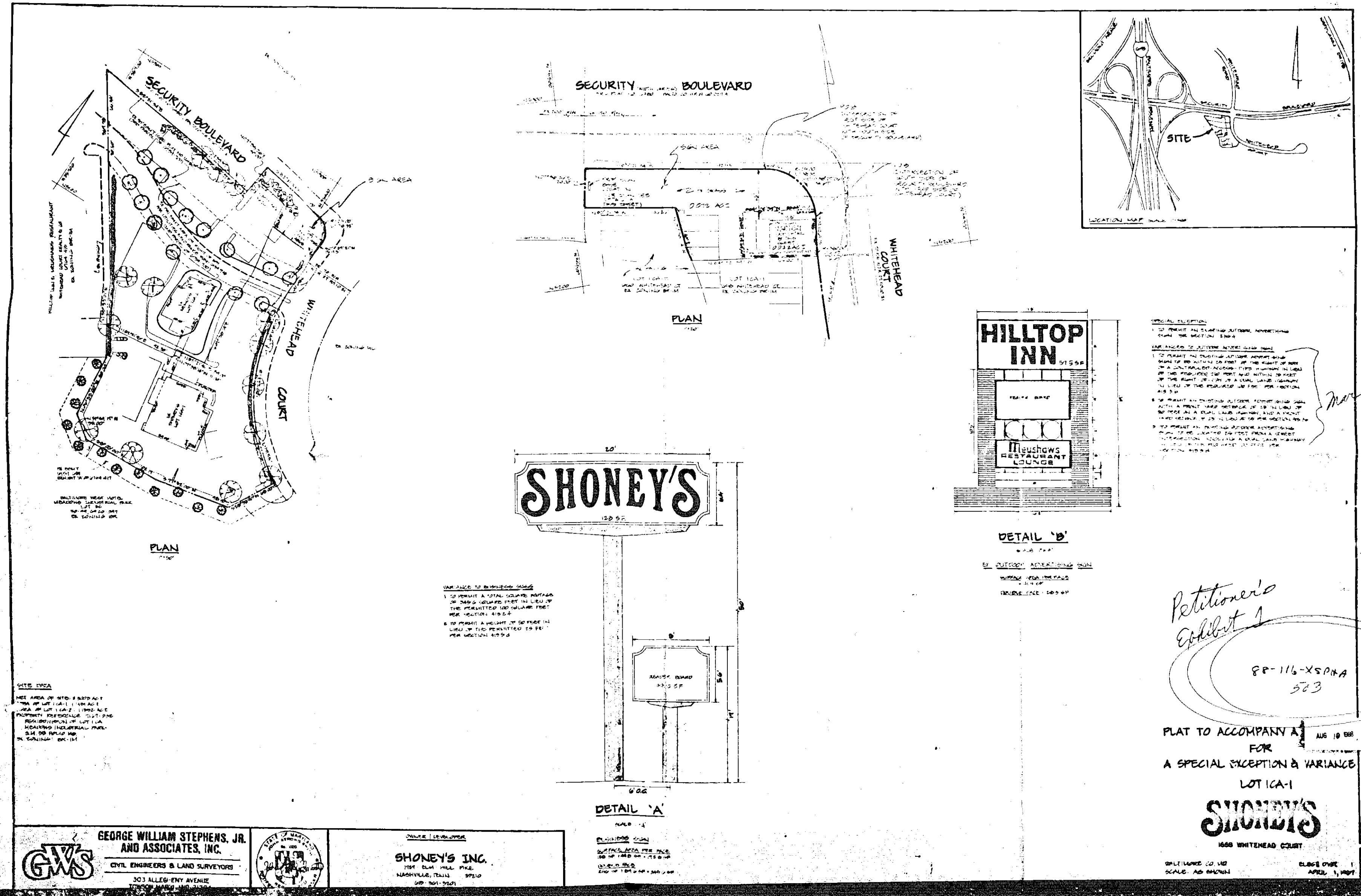
CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY that the proposed subdivision was published in the JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., according to the provisions of the Act of the General Assembly of the State of Maryland, passed on April 15, 1977.

THE JEFFERSONIAN
 Towson, Maryland



Petitioner's
 Exhibit 3
 Case 91-334-A

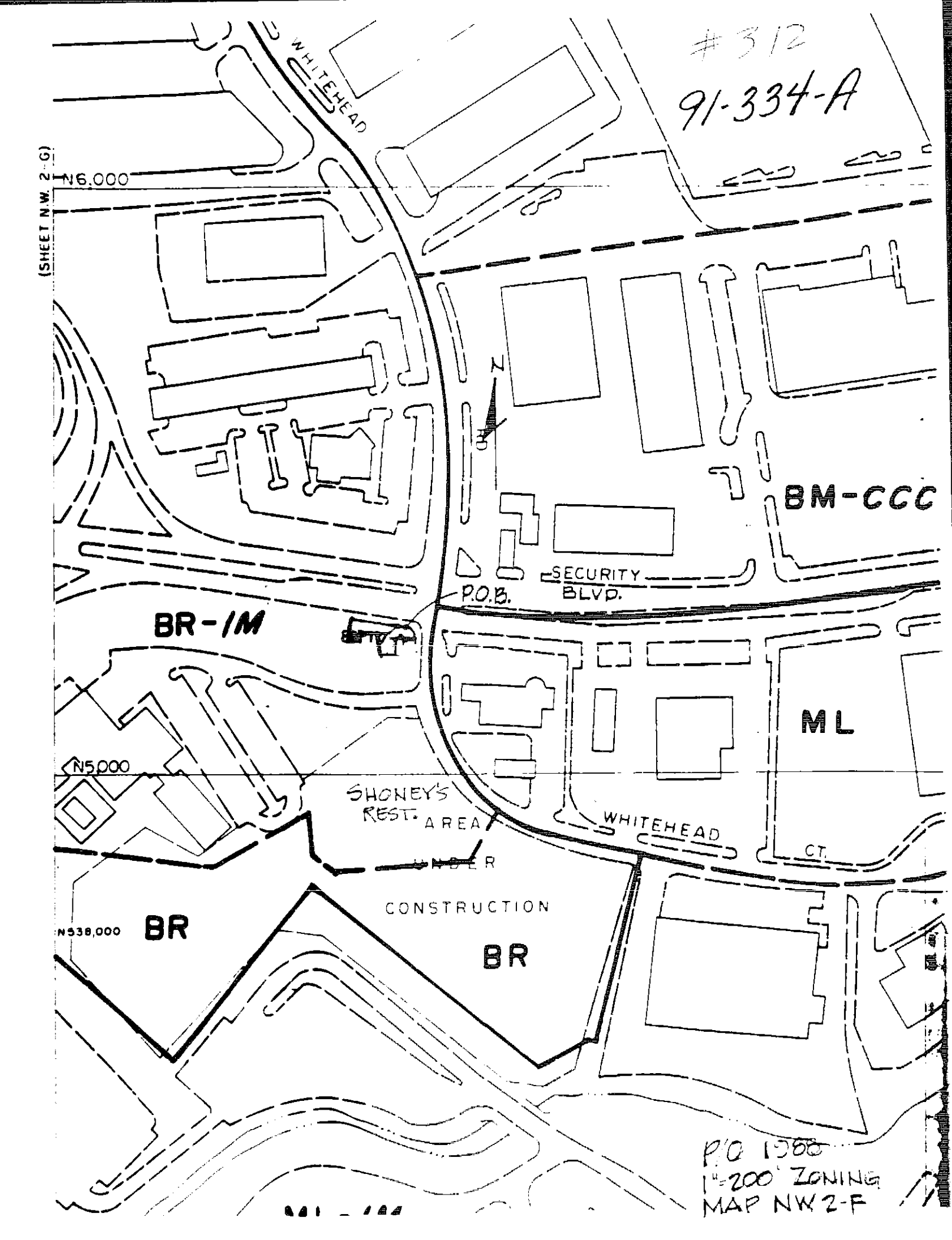


GEORGE WILLIAM STEPHENS, JR.
 AND ASSOCIATES, INC.
 CIVIL ENGINEERS & LAND SURVEYORS
 301 ALLEN PARK AVENUE
 BALTIMORE, MD 21201

SHONEY'S INC.
 1001 EAST MALL AVENUE
 BALTIMORE, MD 21201

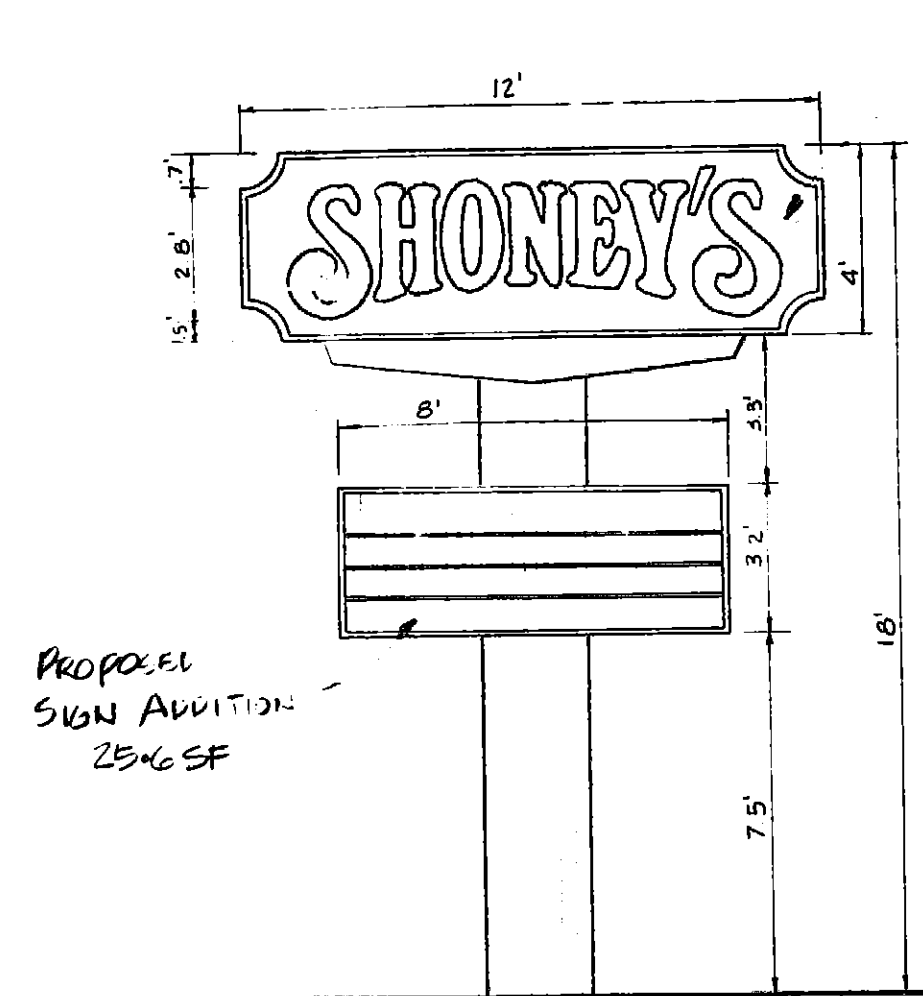
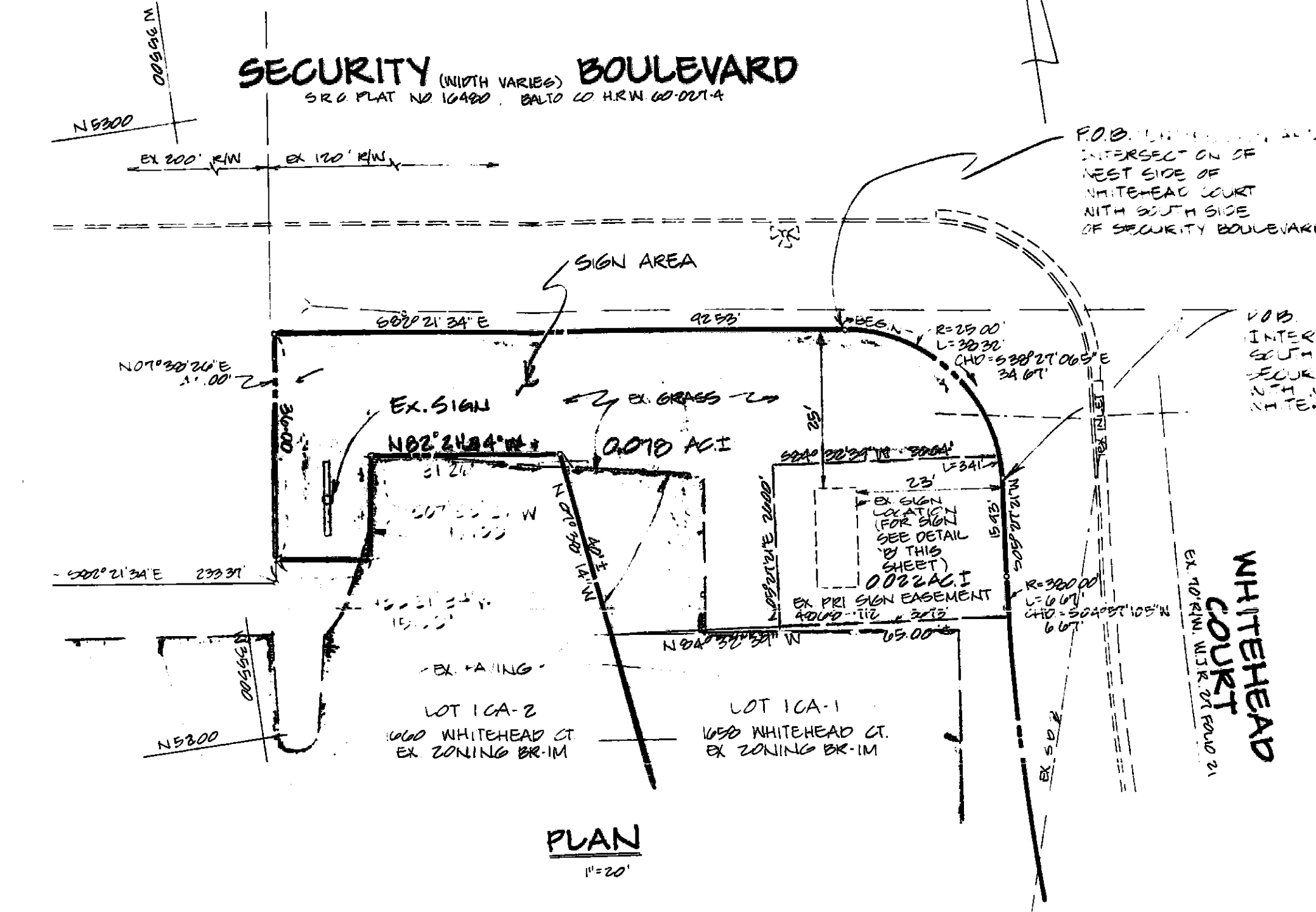
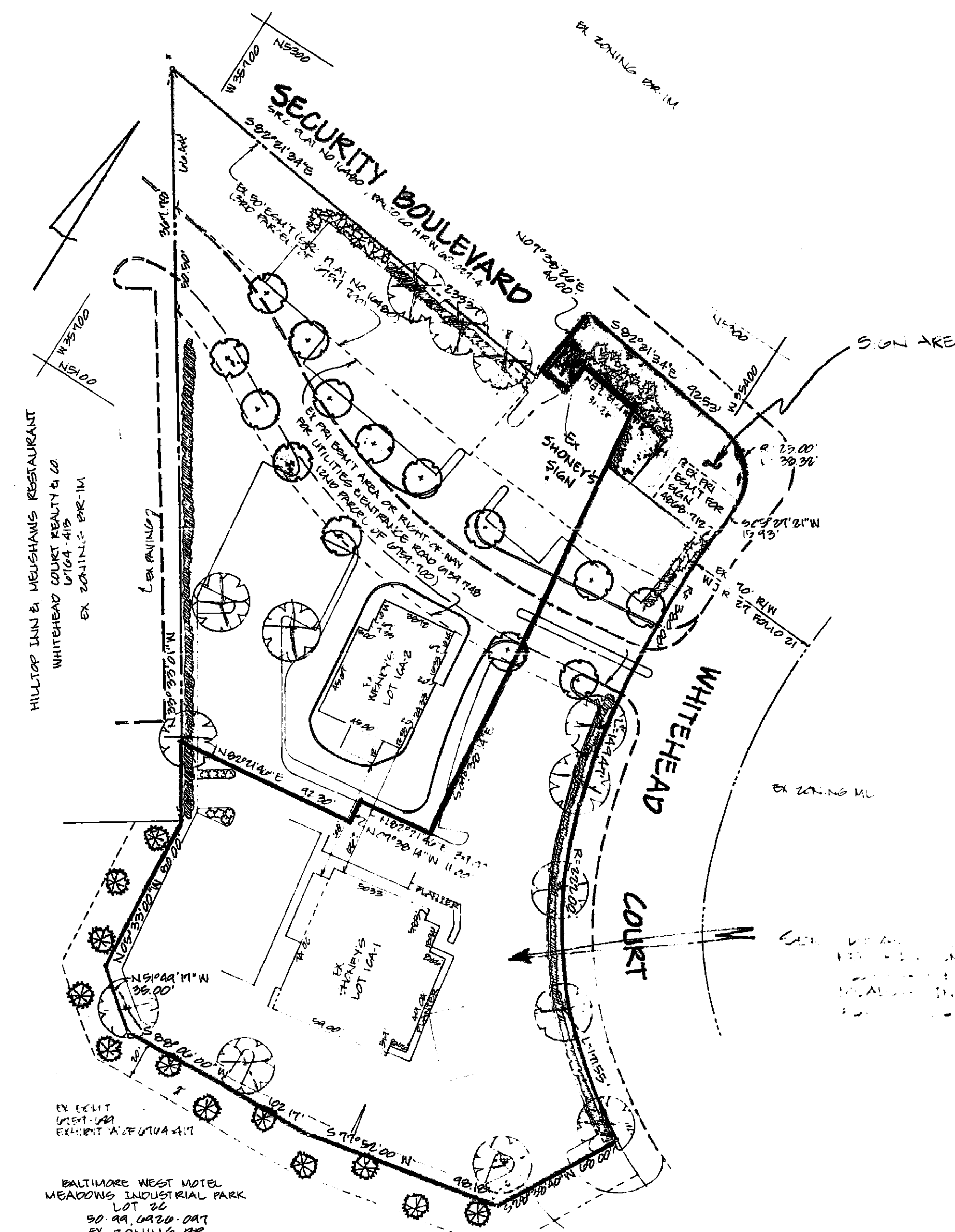
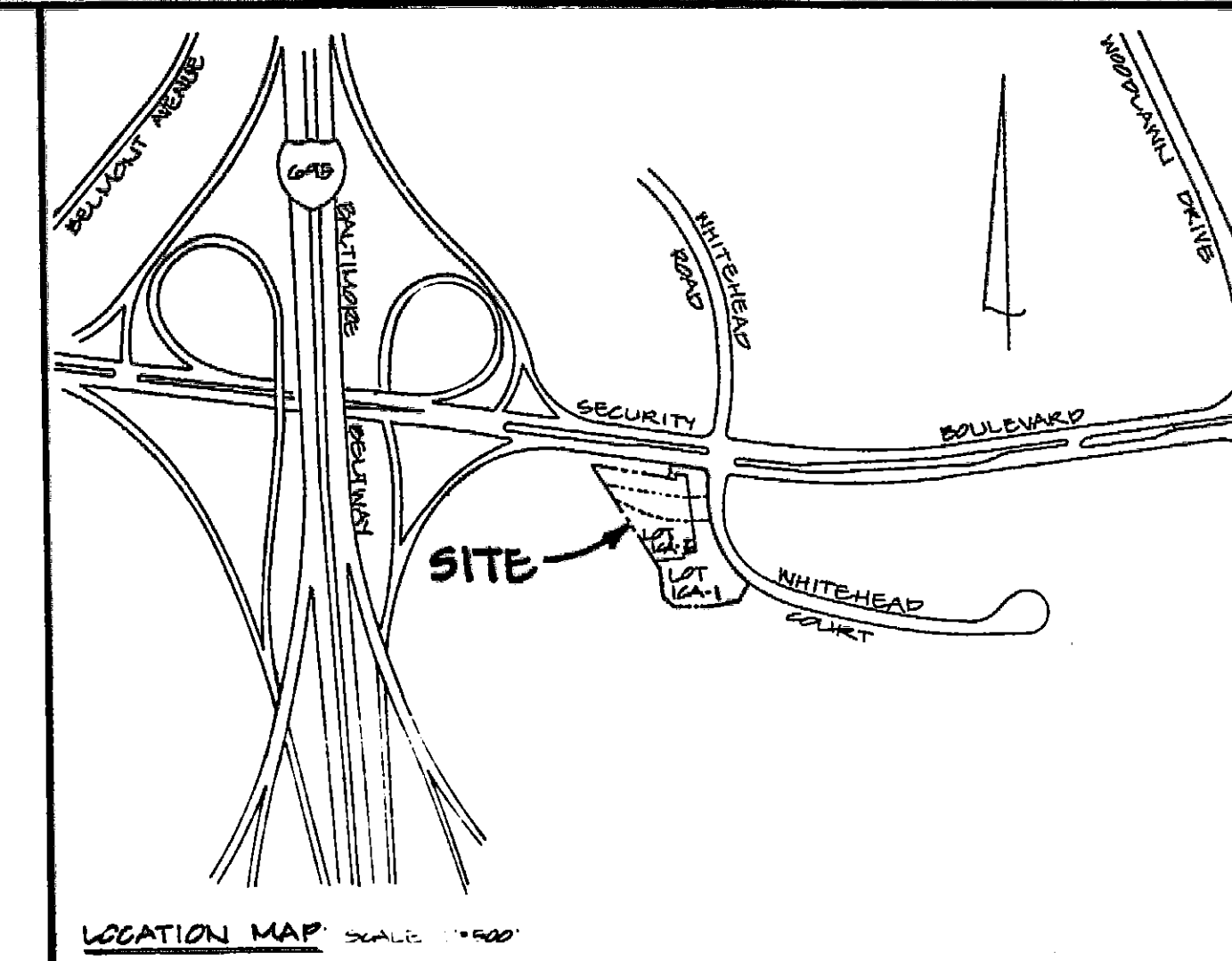
PLAT TO ACCOMPANY A
 FOR
 A SPECIAL EXCEPTION & VARIANCE
 LOT 10A-1

SHONEY'S
 RESTAURANT



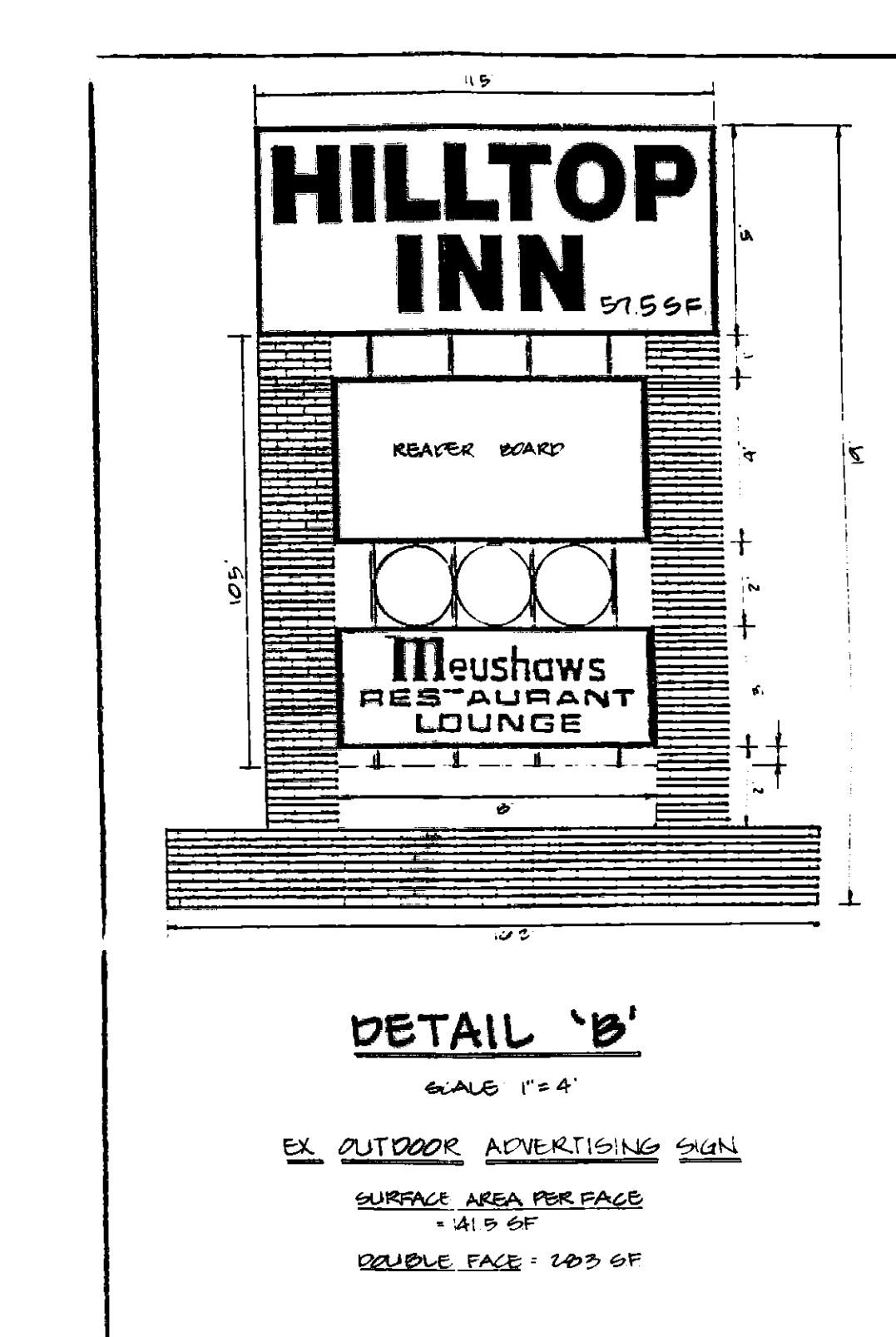
#312
 91-334-A

PG 1500
 1"=200' ZONING
 MAP NW 2-F



DETAIL 'A'
SCALE 1"=6'
BUSINESS SIGN
SURFACE AREA PER FACE
40 SF + 25.6 SF = 65.6 SF
DOUBLE FACE
90 SF + 112 SF = 202 SF

VARIANCE REQUEST
TO PERMIT A BUSINESS SIGN
HAVING A SURFACE AREA OF
147.2 SF IN LIEU OF THE
PERMITTED 100 SF PER SECTION
41B.3.F.



GRANTED (SEE CASE NO. 91-116-XSPH)
SPECIAL EXCEPTION
1. TO PERMIT AN EXISTING OUTDOOR ADVERTISING SIGN PER SECTION 230.4
VARIANCES TO OUTDOOR ADVERTISING SIGN
1. TO PERMIT AN EXISTING OUTDOOR ADVERTISING SIGN TO BE WITHIN 25 FEET OF THE RIGHT OF WAY OF A CONTROLLED-ACCESS-TYPE HIGHWAY IN LIEU OF THE REQUIRED 50 FEET AND WITHIN 25 FEET OF THE RIGHT OF WAY OF A DUAL LANE HIGHWAY IN LIEU OF THE REQUIRED 100 FEET PER SECTION 41B.3.D
2. TO PERMIT AN EXISTING OUTDOOR ADVERTISING SIGN WITH A FRONT YARD SETBACK OF 25' IN LIEU OF 50 FEET ON A DUAL LANE HIGHWAY AND A FRONT YARD SETBACK OF 25' IN LIEU OF 50 FEET PER SECTION 41B.3.E
3. TO PERMIT AN EXISTING OUTDOOR ADVERTISING SIGN TO BE LOCATED 25 FEET FROM A STREET INTERSECTION IN LIEU OF THE REQUIRED 100 FEET PER SECTION 41B.3.F

SEE ZONING CASE NO. 91-117A
DENIED JAN. 1992

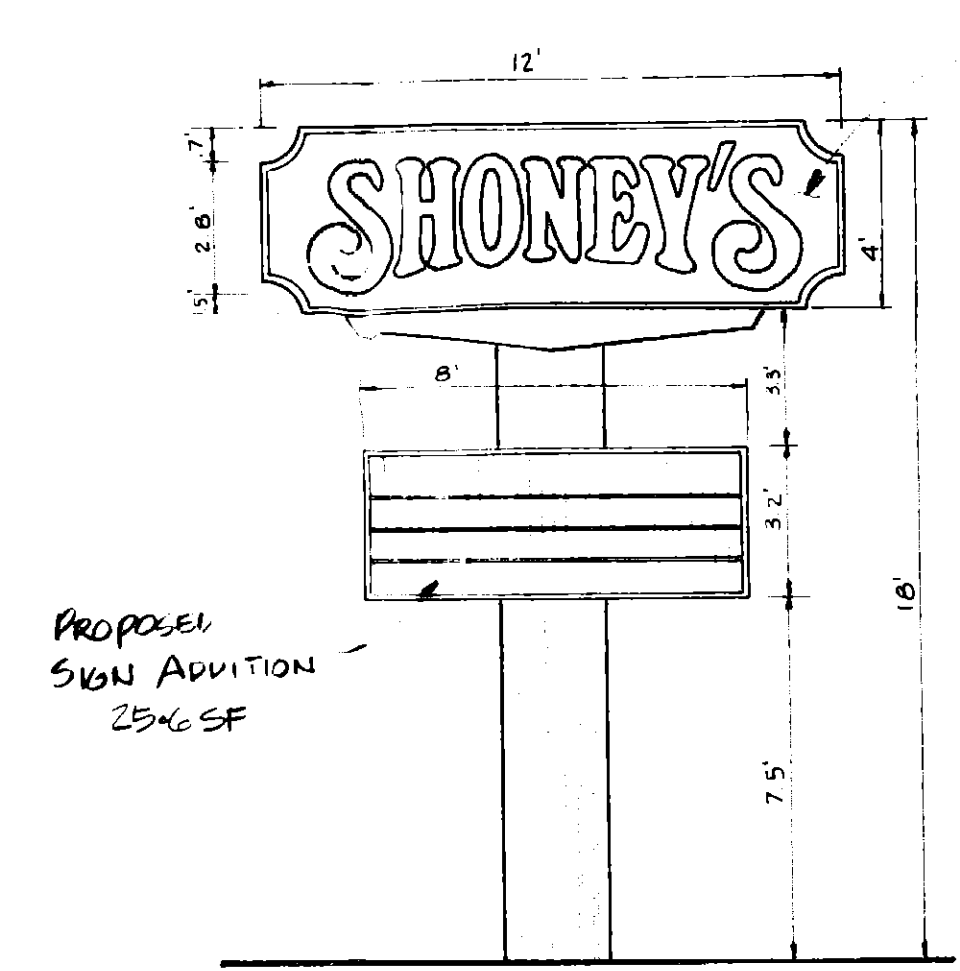
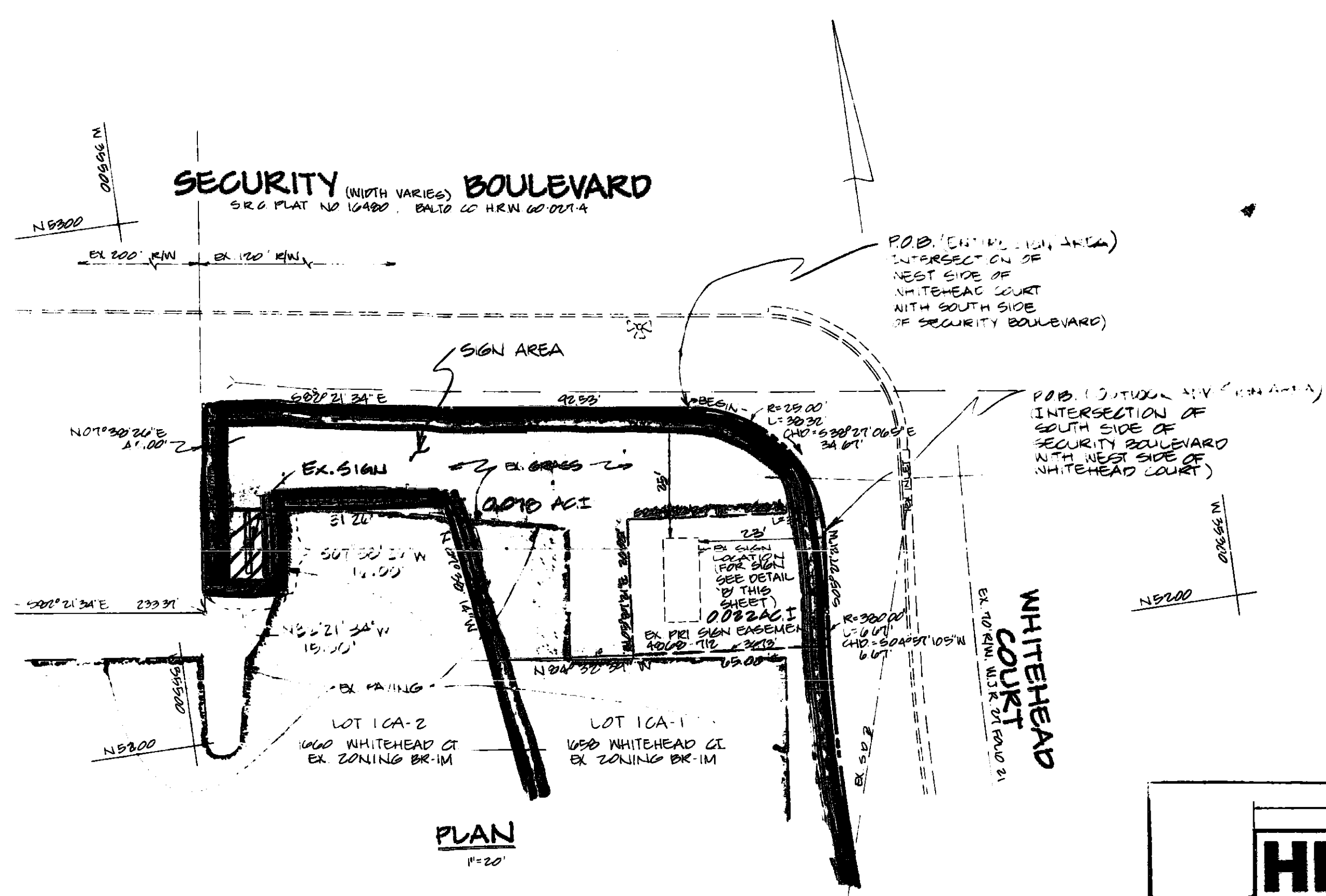
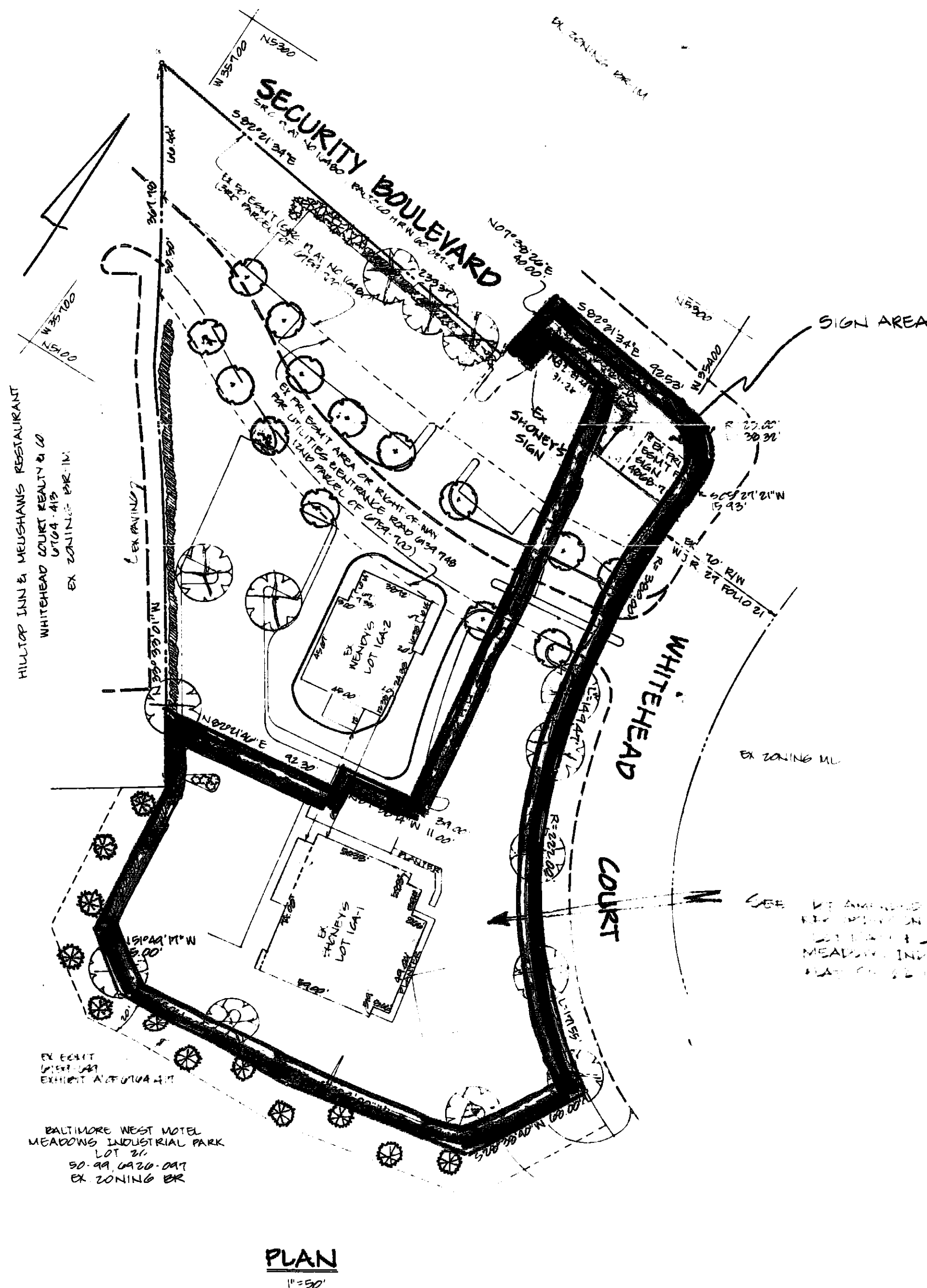
SITE DATA
NET AREA OF SITE 3.992 ACRES
AREA OF LOT 1CA-1 1.148 ACRES (AREA SUBJECT TO SIGN VARIANCE REQUEST 0.078 ACRES)
AREA OF LOT 1CA-2 1.195 ACRES
PROPERTY REFERENCE: PLAT-PBE
RESUBDIVISION OF LOT 1CA
MEADOWS INDUSTRIAL PARK
0.14 55 ROLL 140
EX. ZONING: BK-1M

 GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC. CIVIL ENGINEERS & LAND SURVEYORS 303 ALLEGHENY AVENUE TOWSON, MARYLAND 21204 (301) 825-8120		OWNER / DEVELOPER SHONEY'S INC. 1801 SUMMIT HILL PIKE NASHVILLE, TENN. 37210 (615) 321-3201
		ELECT. DIST. 1 APRIL 1, 1997 SCALE AS SHOWN 2/23/87 JOK 12/8/90 JOK

91-334-A

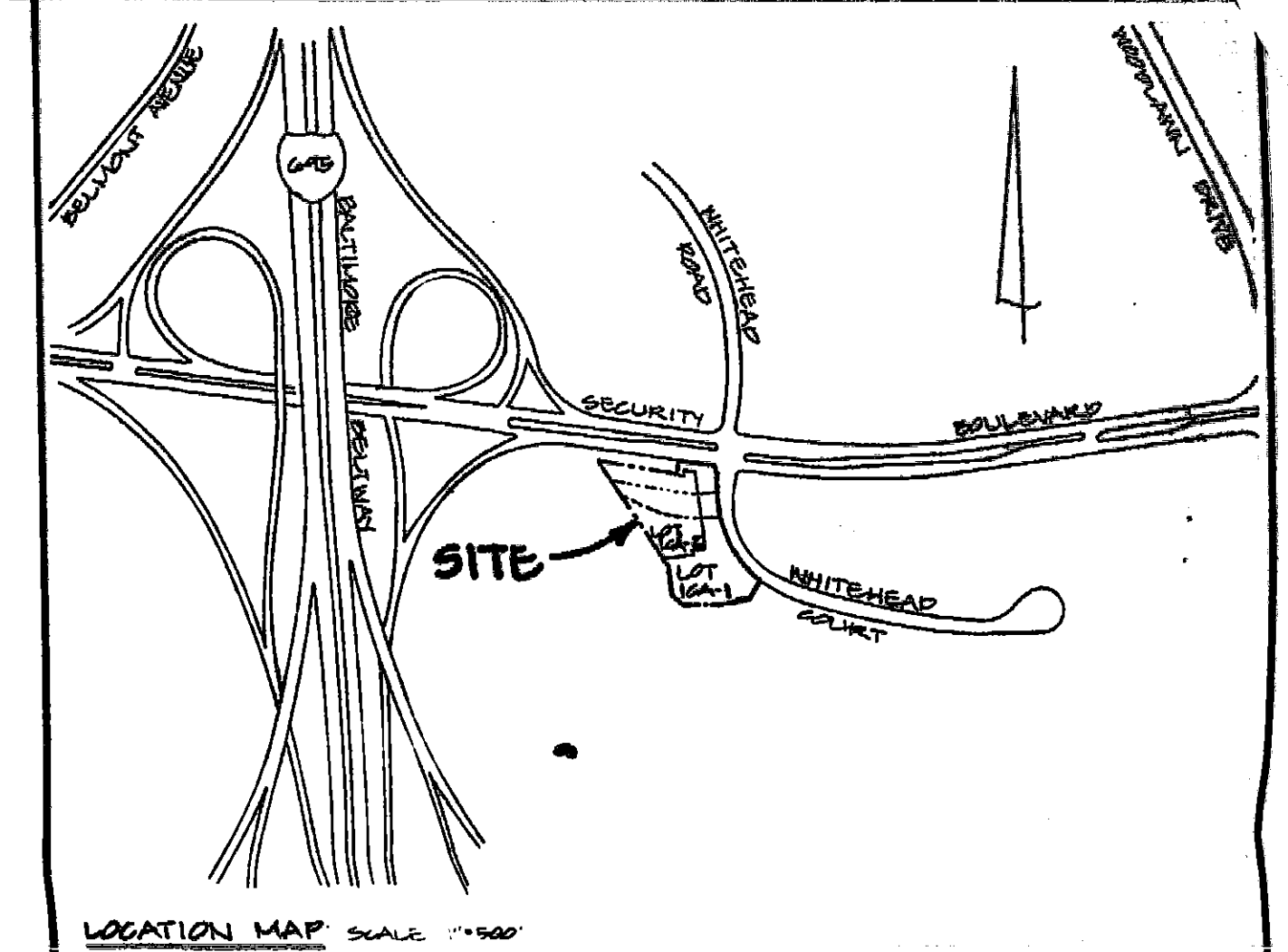
PLAT TO ACCOMPANY A PETITION
FOR
SIGN VARIANCE
LOT 1CA-1
SHONEY'S
1658 WHITEHEAD COURT

ITEM # 312

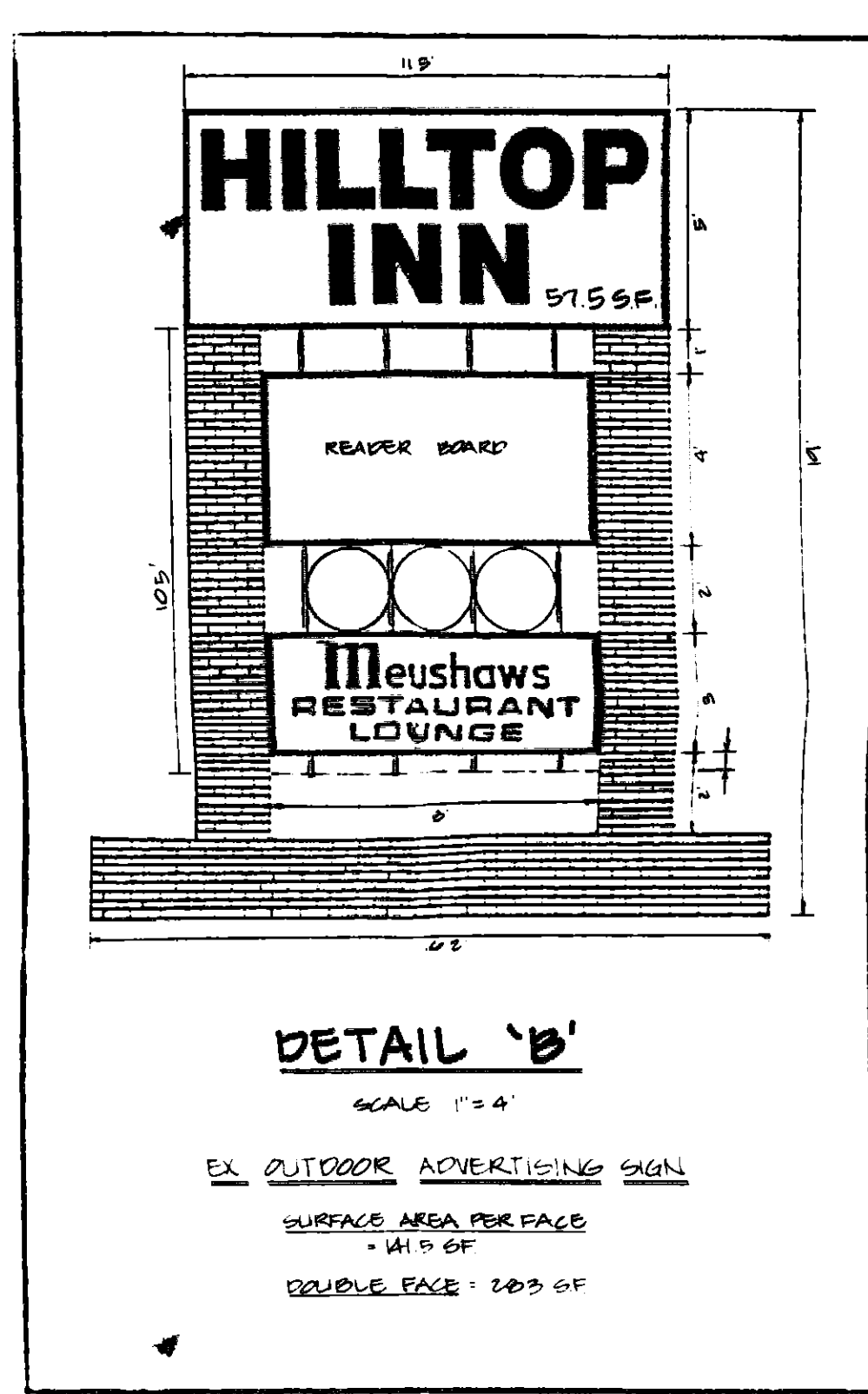


BUSINESS SIGN
SURFACE AREA PER FACE
48 SF + 25.65 SF = 73.65 SF
DOUBLE FACE
96 SF + 51.3 SF = 147.3 SF

VARIANCE REQUEST
TO PERMIT A BUSINESS SIGN
HAVING 2 FACES TOTALING
147.3 SF IN LIEU OF THE
PERMITTED 140 SF PER SECTION
419.3.4.



91-334-A



EX. OUTDOOR ADVERTISING SIGN
SURFACE AREA PER FACE
= 140 SF
DOUBLE FACE = 280 SF

GRANTED (See Case N° 88-116-XSPH)
SPECIAL EXCEPTION
1. TO PERMIT AN EXISTING OUTDOOR ADVERTISING SIGN FOR SECTION 230.4
VARIANCES TO OUTDOOR ADVERTISING SIGN
1. TO PERMIT AN EXISTING OUTDOOR ADVERTISING SIGN TO BE WITHIN 20 FEET OF THE RIGHT OF WAY OF A CONTROLLED-ACCESS-TYPE HIGHWAY IN LIEU OF THE REQUIRED 250 FEET AND WITHIN 20 FEET OF THE RIGHT OF WAY OF A DUAL LANE HIGHWAY IN LIEU OF THE REQUIRED 100 FEET PER SECTION 419.3.4
2. TO PERMIT AN EXISTING OUTDOOR ADVERTISING SIGN WITH A FRONT YARD SETBACK OF 25' IN LIEU OF 50 FEET ON A DUAL LANE HIGHWAY AND A FRONT YARD SETBACK OF 25' IN LIEU OF 50' PER SECTION 419.3.4
3. TO PERMIT AN EXISTING OUTDOOR ADVERTISING SIGN TO BE LOCATED 25 FEET FROM A STREET INTERSECTION INVOLVING A DUAL LANE HIGHWAY IN LIEU OF THE REQUIRED 100 FEET PER SECTION 419.3.4

SEE ZONING CASE N° 88-117A
DENIED JAN. 6, 1988

SITE DATA
NET AREA OF SITE: 2.00 ACRES
AREA OF LOT 1CA-1: 1.00 ACRES
AREA OF LOT 1CA-2: 1.00 ACRES
TOTAL AREA: 2.00 ACRES
REMARKS: THE SITE IS A 2.00 ACRE INDUSTRIAL PARK-OUTLETTING PARK.

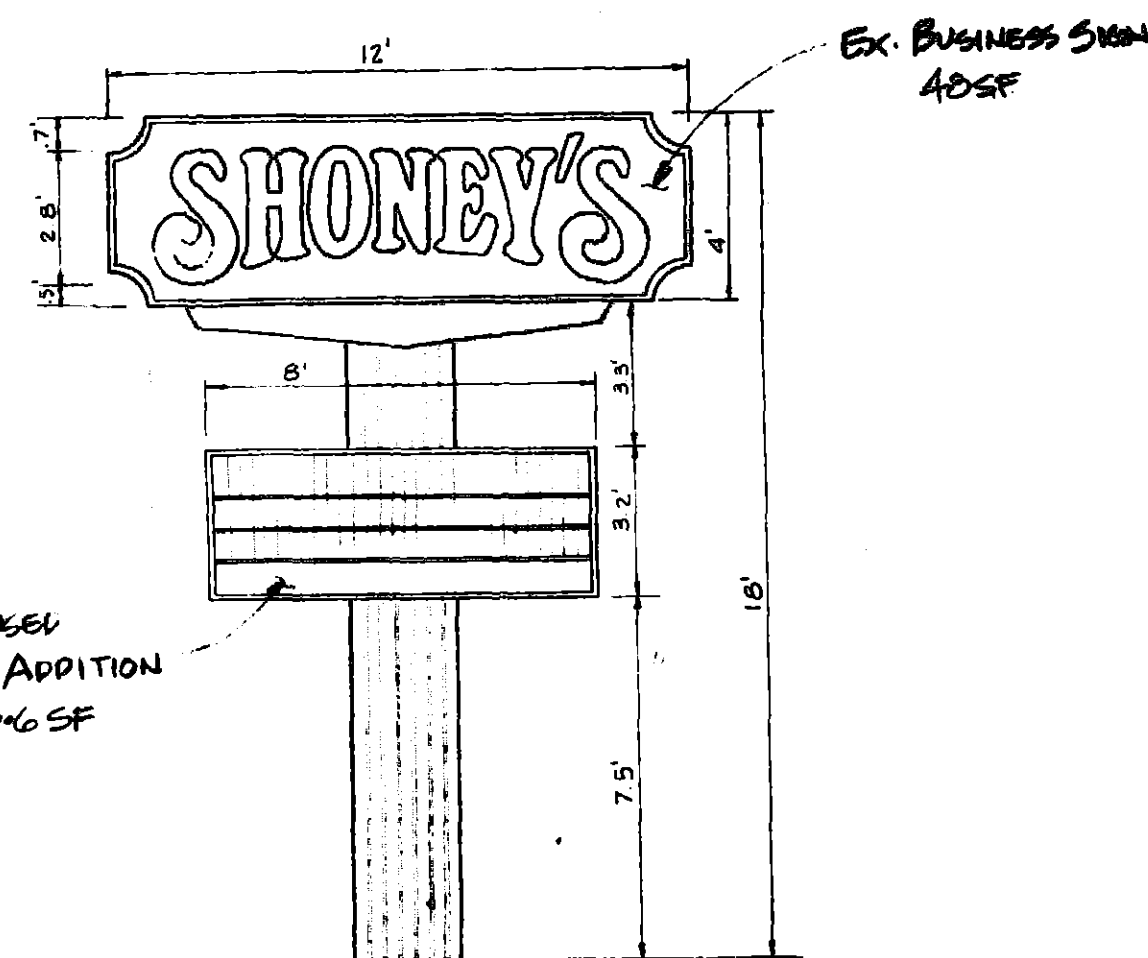
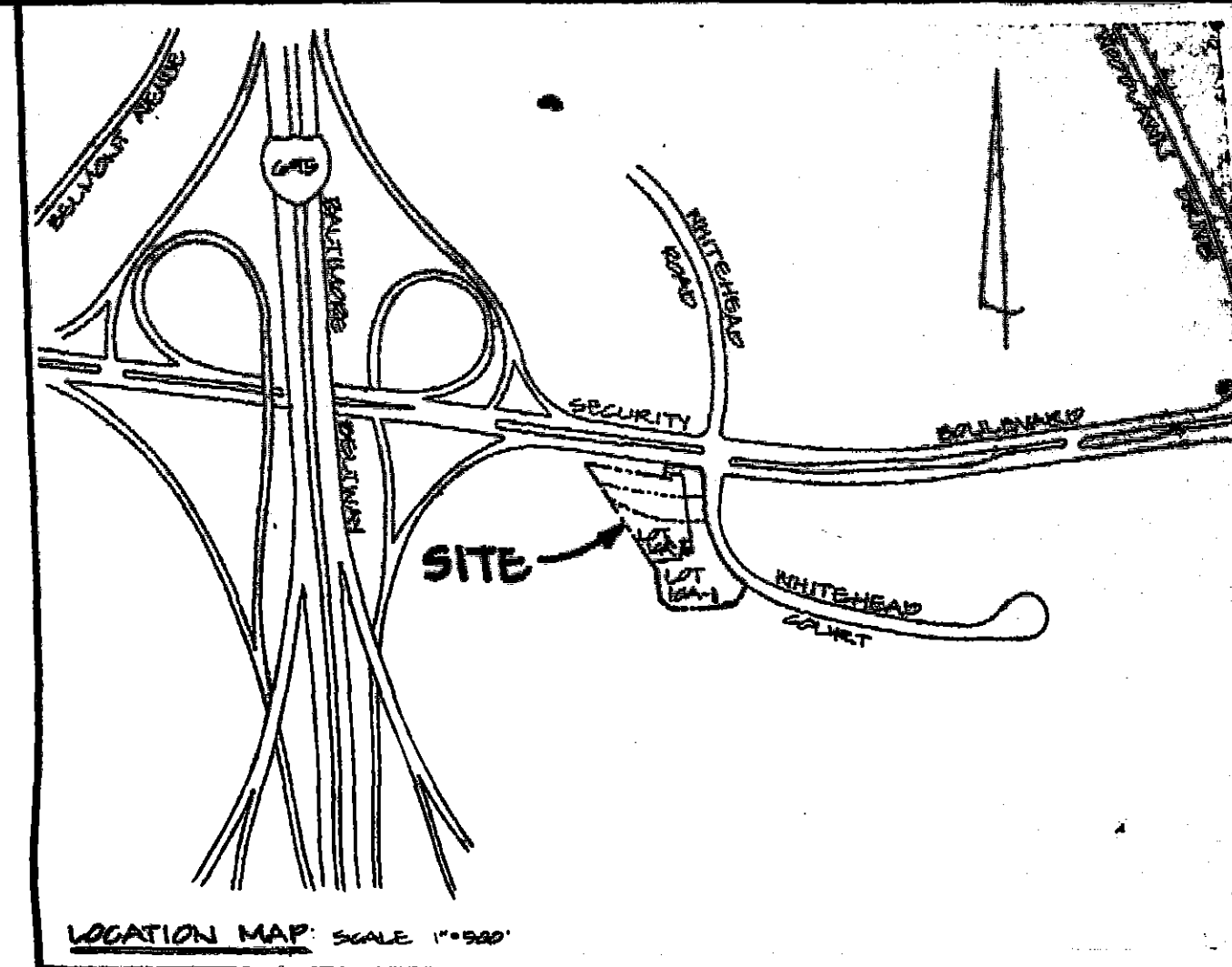
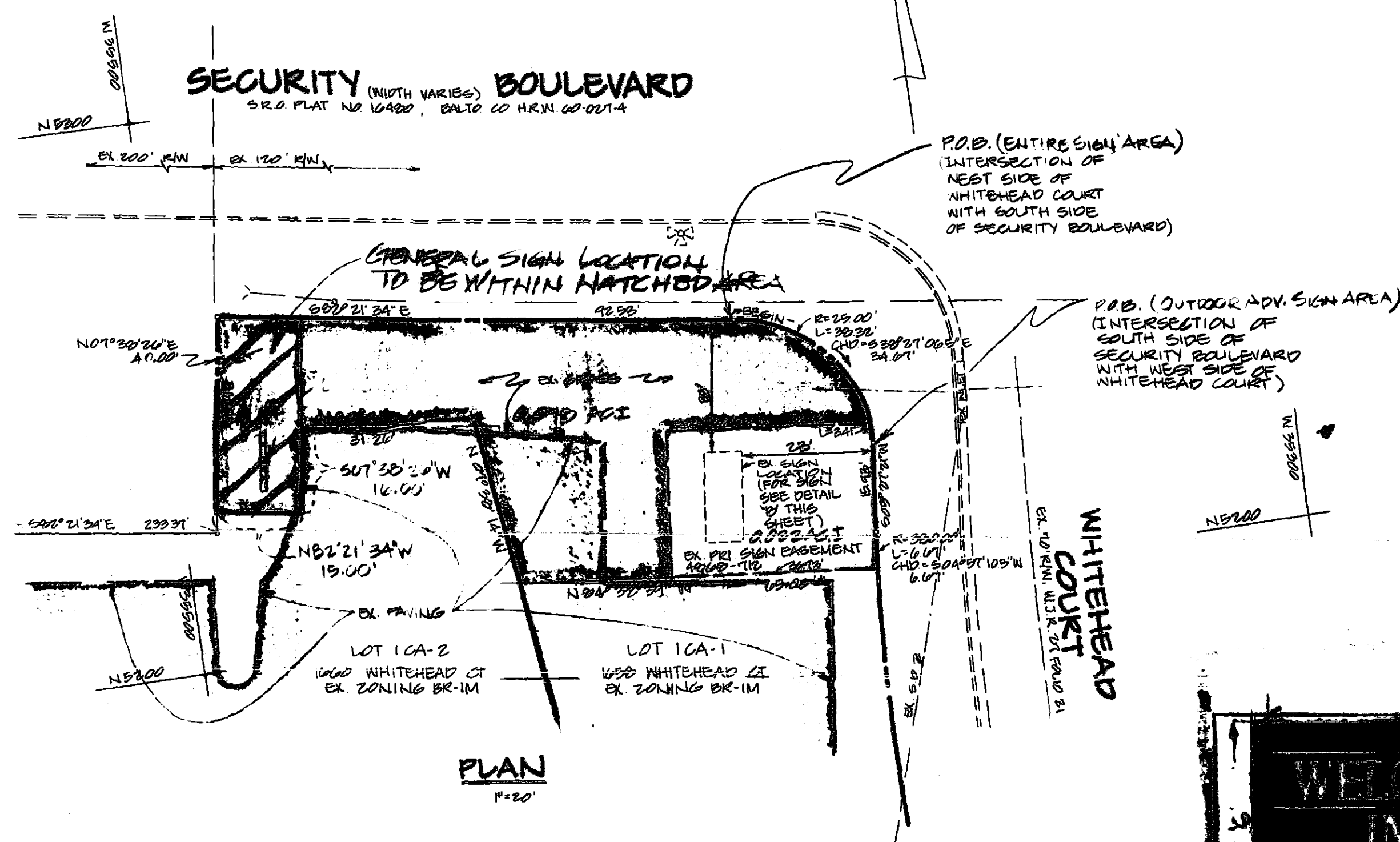
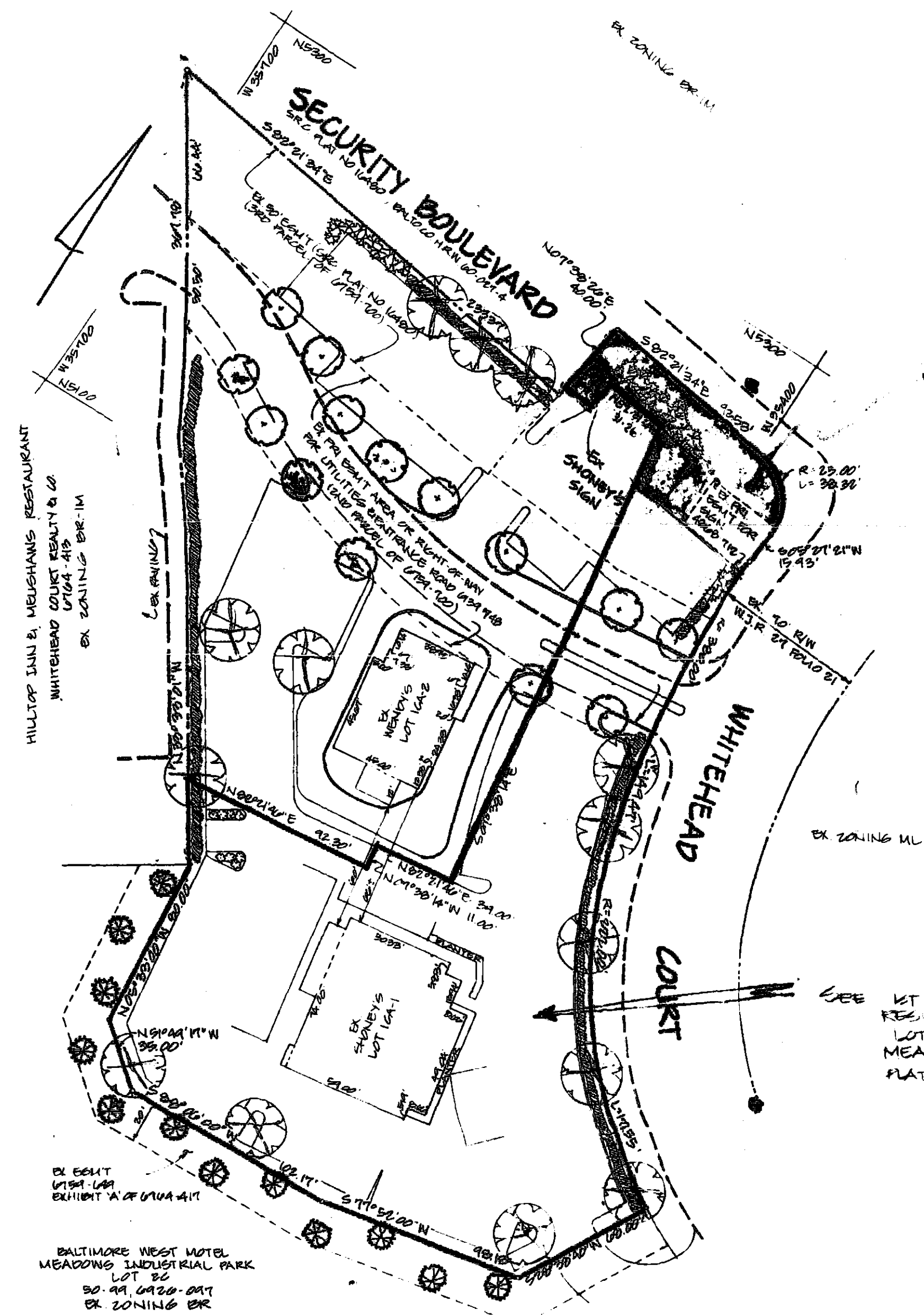
GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
303 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 825-8120



OWNER / DEVELOPER
SHONEY'S INC.
1001 ELM HILL PIKE
NASHVILLE, TENN 37210
(615) 261-5201

PLAT TO ACCOMPANY A PETITION FOR SIGN VARIANCE
LOT 1CA-1
SHONEY'S
1658 WHITEHEAD COURT

BALTIMORE CO. MD
SCALE AS SHOWN
ELECT. DIST. 4
APRIL 1, 1987
CANCELED
9/23/87 JKL
12/1/87 JKL



GRANTED (See Case No. 88-116-XSPH)

SPECIAL EXCEPTION

1. TO PERMIT AN EXISTING OUTDOOR ADVERTISING SIGN FOR SECTION 220-A

VARIANCES TO OUTDOOR ADVERTISING SIGN

1. TO PERMIT AN EXISTING OUTDOOR ADVERTISING SIGN TO BE WITHIN 25 FEET OF THE RIGHT OF WAY OF A CONTIGUOUS ACCESS-TYPE HIGHWAY IN LIEU OF THE REQUIRED 250 FEET AND WITHIN 25 FEET OF THE RIGHT-OF-WAY OF A DUAL LANE HIGHWAY IN LIEU OF THE REQUIRED 100 FEET PER SECTION 413-B

2. TO PERMIT AN EXISTING OUTDOOR ADVERTISING SIGN WITH A FRONT YARD SETBACK OF 25' IN LIEU OF 50 FEET AS A DUAL LANE HIGHWAY, AND A FRONT YARD SETBACK OF 25' IN LIEU OF 50' PER SECTION 413-B

3. TO PERMIT AN EXISTING OUTDOOR ADVERTISING SIGN TO BE LOCATED 25 FEET FROM A STREET INTERSECTION INVOLVING A DUAL LANE HIGHWAY IN LIEU OF THE REQUIRED 100 FEET PER SECTION 413-B

SEE ZONING CASE NO. 88-117A
DENIED JAN 6, 1988

SITE DATA

NET AREA OF SITE 3.800 AC (AREA SUBJECT TO SIGN VARIANCE REQUEST 0.070 AC)

AREA OF LOT 1CA-1 1.000 AC

AREA OF LOT 1CA-2 1.000 AC

PROPERTY REFERENCE: LOT 155

RE-DEVELOPMENT OF LOT 1CA

MEADOWS INDUSTRIAL PARK

5.14 55 ROLL MAP

EX ZONING BR-1M

VARIANCE REQUESTED

TO PERMIT A BUSINESS SIGN

HAVING 2 FACES, TOTALING

147.2 SF IN LIEU OF THE

PERMITTED 100 SF PER SECT.

413.2f.

PLAT TO ACCOMPANY A PETITION FOR SIGN VARIANCE LOT 1CA-1

SHONEY'S

1658 WHITEHEAD COURT

BALTIMORE CO, MD
SCALE AS SHOWN

CHECKED BY: [Signature]
DATE: 11/1/88
REVISED: 2/13/89
BY: [Signature]

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.

CIVIL ENGINEERS & LAND SURVEYORS

303 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 825-8120



SHONEY'S INC.

1901 ELM HILL PIKE
NASHVILLE, TENN 37210
615-261-5201

ITEM # 312