

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
S/S Joppa Road, 91 ft. W of *
c/1 LaSalle Road * ZONING COMMISSIONER
8600 LaSalle Road *
9th Election District * OF BALTIMORE COUNTY
4th Councilmanic District *
Legal Owner: LaSalle L.P. * Case No. 97-149-A
Lessee: Rose Casual Dining, *
Inc., Petitioner *
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 8600 LaSalle Road in Towson. The Petition is filed by the LaSalle Limited Partnership, property owner, and Rose Casual Dining, Inc. (t/a Applebee's), Lessee. The Petition seeks variance relief as follows:

1. A variance from Section 413.5.C of the Baltimore County Zoning Regulations (BCZR) to permit a free standing sign within 25 ft. of a road right of way; and,
2. A variance from Section 413.6.B.1 of the BCZR to permit a freestanding business sign having an area of 98 sq. ft. per face in lieu of the permitted 25 sq. ft. per face (a total of 196 sq. ft. in lieu of 50 ft.); and,
3. A variance from Section 413.6.B.2 of the BCZR to permit a maximum sign height of 14.75 ft. above the grade level of the lot on which is located and above the street which it faces in lieu of the 6 ft. permitted.

All of the above requested relief is more particularly shown on Petitioner's Exhibit No. 1, the plan to accompany the Petitioner for Variance.

Appearing at the public hearing held for this case was John F. Gaburick, Director of Administrative Services for Rose Casual Dining, Inc. Also present was Frederick Thompson, the engineer who prepared the

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Date

By

MICROFILMED

site plan. The Petitioner was represented by Howard L. Alderman, Jr., Esquire. Margaret H. Davis, Julian D. Smith, Jr. and William Lowman appeared as Protestants.

Testimony and evidence presented was that the subject site is known as the Maryland Executive Park, a parcel of 10.945 acres located on the southwest corner of the intersection of Joppa and LaSalle Roads in Towson. The property is zoned M.L.-I.M. The site is improved with 6 free standing office buildings which contain a variety of business clients. Additionally, a large portion of the site contains a macadam parking area. This site is well known to the Zoning Commissioner and has been utilized as an office park for many years.

The Petition for Variance comes about as a result of the construction of an additional building on the property. Specifically, presently under construction is a one story building which will be known as an Applebee's Restaurant. This is a casual dining restaurant authorized under a franchise agreement with Rose Casualty Dining, Inc. Applebee's presently has three sites in Maryland, one in Annapolis, one on the Eastern Shore and one in Baltimore County in Catonsville. The restaurant chain is making its presence felt in the Baltimore Metropolitan area and plans to ultimately construct 13 to 15 restaurants in this vicinity. The restaurant is geared towards a casual dining experience, however, does serve alcohol.

Mr. Gaburick, the Director of Administrative Services for the restaurant appeared in support of the Petition. He explained the Applebee's dining concept and the restaurant's marketing goals. He also discussed the economic impact of the business and described in detail the nature of the building to be constructed. He noted that the building would be constructed with materials compatible with the existing Executive Park and will occupy a small portion of the existing parking lot.

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Date

By

11/8/96
Jm. Spork

The matter comes before the Zoning Commissioner as it relates to the proposed sign. As noted within the Petition the sign is larger than permitted, higher than allowed and closer to the road. A schematic representation of the proposed sign was presented.

Mr. Gaburick discussed the need for the sign and the requested variance. He noted that the site is unique in terms of its topography. As was shown in several photos of the property, this portion of the overall tract is at a significantly lower grade than Joppa Road. Mr. Gaburick explained that, because of the grade differential, the proposed sign needed to be the requested size, height and location. He also observed that the BCZR requires that the entire base on which the message board is located be considered in determining the area of the sign. As shown in the schematic drawing, the sign contains a sizable brick base along with the changeable message board and an area for the restaurant's logo. The sign will be internally lighted and will not be detrimental to traffic or interfere with the line of sight.

Mr. Thompson, the engineer for the project also testified. He discussed the standards at law upon which variance relief must be evaluated and opined that the Petition should be granted. He also noted that the Petitioner originally contemplated constructing a higher pylon sign but rejected same for reasons of esthetics. Mr. Thompson concluded that the subject sign was much preferable than what was initially proposed and would not be detrimental to the surrounding locale.

Messrs. Smith and Lowman presented testimony in opposition to the request. It is of note that neither of these gentlemen reside in the community immediately adjacent to the subject site. In this regard, the most immediate neighbors support the sign as evidenced by a letter from the Associates of Loch Raven Village Community Association (Petitioner's

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Date

By

Exhibit No. 2). The witnesses who testified object to the proliferation of signage in the area and they believe same is inappropriate.

Based upon the testimony and evidence presented, I am persuaded to grant the Petition for Variance. In my judgment, the sign is appropriate for this location. I concur with the Petitioner that this property is unique. Such a conclusion is based upon the grade of the lot as compared to Joppa Road. Moreover, it is of note that the site as a whole is very large and that this sign will not dominate either the property or the neighborhood.

Lastly, it is to be noted that a Zoning Plans Advisory Committee comment was received subsequent to the hearing from the Office of Planning. That comment notes the existence of a permanent Maryland Executive Park sign located on the property. That sign is, in fact, shown on the site plan and in several photographs which were submitted. The Office of Planning believes that the Petition should be amended to include the Maryland Executive Park sign so as to include a variance request for a total of two freestanding signs in an M.L.-I.M. zone, in lieu of one freestanding sign. To the extent that such amendment is necessary, same shall be approved. The Office of Planning also requested a condition where temporary and illegal signage be removed. Specifically, it was noted that a sign advertising a deli was on site, as was a temporary "for lease" sign. I concur that the illegal sign should be removed. Thus, as a condition precedent to the relief grant, all illegal signs on the premises shall be removed. Temporary signs, as allowed by law, will remain for so long as they are in compliance with the applicable provisions of the BCZR.

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

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Date

11/8/96

By

Dr. J. J. J.

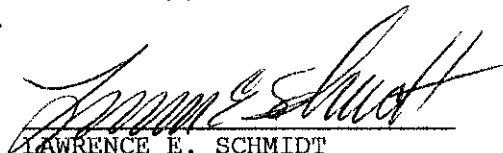
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 8th day of November, 1996 that a variance from Section 413.5.C of the Baltimore County Zoning Regulations (BCZR) to permit a free standing sign within 25 ft. of a road right of way, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 413.6.B.1 of the BCZR to permit a freestanding business sign having an area of 98 sq. ft. per face in lieu of the permitted 25 sq. ft. per face (a total of 196 sq. ft. in lieu of 50 ft.), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 413.6.B.2 of the BCZR to permit a maximum sign height of 14.75 ft. above the grade level of the lot on which it is located and above the street which it faces in lieu of the 6 ft. permitted, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The 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. All illegal signs on the premises shall be removed within 30 days of the application of the permit for the proposed sign, and other signage on the premises, be it temporary or permanent, shall be in accordance with the applicable provisions of the BCZR.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date

By

LES/mm

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Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 7, 1996

Howard L. Alderman, Jr., Esquire
Levin and Gann, P.A.
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: Case No. 97-149-A
Petition for Zoning Variance
Property: 8600 LaSalle Road
LaSalle Ltd. Partnership, Legal Owner
Rose Casual Dining, Inc., Lessee

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

- c: Mr. John Gaburick, Rose Casual Dining, Inc., 531 Wyngate Rd.,
Timonium, Maryland 21093
- c: Ms. Margaret M. Davis, 824 E. Joppa Road, Baltimore, Md. 21234
- c: Mr. Julian D. Smith, Jr., 6708 Collinsdale Road, Balto. Md. 21234
- c: Mr. William Lowman, 1102 Epworth Court, Baltimore, Md. 21234

MICROFILMED



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

8600 LaSalle Road

which is presently zoned ML-IM

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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(s)

SEE ATTACHED CONTINUATION SHEET

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

SEE ATTACHED CONTINUATION SHEET

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.

Contract Purchaser/Lessee

Rose Casual Dining, Inc.

(Type or Print Name)

BY:

Signature

John Gaburick

Three Terry Drive, Suite 103

Address

New Town, PA 18940

City

State

Zipcode

Attorney for Petitioner:

Howard L. Alderman, Jr.

Signature

LEVIN & GANN, P.A.
305 West Chesapeake Avenue
Suite 113
Towson, Maryland 21204

Attorney's Phone No.: (410) 321-0600

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.

Legal Owner(s):

LaSalle Limited Partnership

(Type or Print Name)

BY:

Signature

Edward St. John, General Partner

(Type or Print Name)

Signature

5720 Executive Drive

Address

788-0100

Phone No

Baltimore,

City

MD

State

21228

Zipcode

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

Howard L. Alderman, Jr., Esquire
LEVIN & GANN, P.A.
305 West Chesapeake Avenue, Suite 113
Towson, Maryland 21204
Tel.: (410) 321-0600

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: JEP

DATE

9/30/96

150

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PETITION FOR VARIANCE
Continuation Sheet

Address: 8600 LaSalle Road

Owner: LaSalle Limited Partnership/MIE Development Company

Lessee: Rose Casual Dining, Inc.

Variance Relief Requested:

- ▶ from BCZR § 413.5.C to permit a free standing sign within 25 feet of a road right-of-way;
- ▶ from BCZR § 413.6.B.1 to permit a freestanding business sign having an area of 98 square feet per face in lieu of the permitted 25 square feet per face (a total of 196 square feet); and
- ▶ from BCZR § 413.6.B.2 to permit a maximum sign height of 14.75 feet above the grade level of the lot on which it is located and above the street which it faces in lieu of the 6 feet permitted, all as shown more particularly on the Plan to Accompany Zoning Variance submitted herewith.

Justification:

- existing topography of the subject property;
- irregular shape of existing lot;
- restricted entrances on County roadway intersecting with State controlled roadway;
- configuration of existing, unrelated improvements; and
- such further justification as will be presented at the time of the hearing on this Petition.

RECEIVED

#150



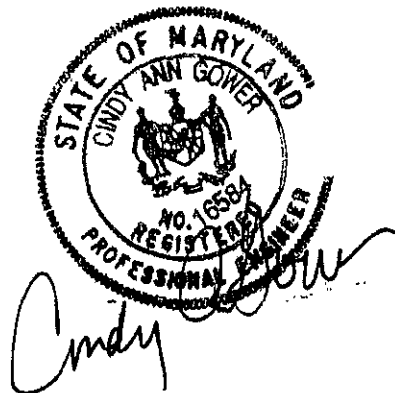
GOWER THOMPSON INC.
CIVIL ENGINEERING • SITE PLANNING

ZONING DESCRIPTION
APPLEBEE'S SIGN VARIANCE
8600 LA SALLE ROAD
SEPTEMBER 27, 1996

BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF JOPPA ROAD WHICH IS 95 FEET WIDE AT A DISTANCE OF 91 FEET WEST OF THE CENTERLINE OF LA SALLE ROAD WHICH IS 70 FEET WIDE. THENCE THE FOLLOWING COURSES AND DISTANCES:

- 1) SOUTH 13° 56' 50" WEST, 23.04 FEET;
- 2) NORTH 76° 03' 10" WEST, 21.66 FEET;
- 3) NORTH 13° 56' 50" EAST, 20.67 FEET; AND
- 4) ALONG A CURVE TO THE LEFT OF RADIUS 3,248.66 FEET
FOR A DISTANCE OF 21.68 FEET TO THE POINT OF BEGINNING.

BEING A PORTION OF THE LAND RECORDED IN A PLAT IN BALTIMORE COUNTY IN LIBER 38 AND FOLIO 12 ("MARYLAND BUSINESS PARK"). SAID PORTION CONTAINING 473.38 SQUARE FEET OR 0.011 ACRES MORE OR LESS. BEING A PORTION OF THE LAND ALSO KNOWN AS 8600 LA SALLE ROAD AND LOCATED IN THE 9TH ELECTION DISTRICT.



#150

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

No. 026355

DATE 9-30-96 ACCOUNT B-001-615-000

AMOUNT \$ 250.00

RECEIVED FROM: Gower Thompson

620 - Variance \$ 250.00

FOR: Item # 150

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20000279MICRRC
20000279-12-96

\$250.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING

RE: Case No.: 97-149 A

Petitioner/Developer: HOWARD ALDERMAN

FOR APPLEBEE'S RESTAURANT

Date of Hearing/Closing: NOV. 4, 1996

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #8600 LASALLE ROAD
@ JOPPA ROAD

The sign(s) were posted on OCTOBER, 18, 1996
(Month, Day, Year)

Sincerely,

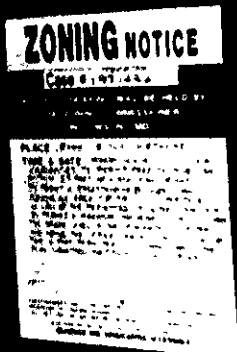
Patrick M O'Keefe, 10/20/96
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

666-5366
(Telephone Number)



MICROFILM



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) ~~Posting fees will be accessed and paid to this office at the time of filing.~~
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 150 Petitioner: La Salle Limited Partnership & Rose
Casual Dining, Inc.
Location: 8600 La Salle Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Rose Casual Dining, Inc
ADDRESS: Three Terry Drive, Suite 103
New Town, PA 18940
PHONE NUMBER: (215) 579-9220



Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book # _____, folio # _____, lot # _____, section # _____

OWNER: _____



North

date: _____ prepared by: _____ Scale of Drawing: 1"= _____



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____ acreage _____ square feet

SEWER: ☐ public ☐ private
WATER: ☐ yes ☐ no

Chesapeake Bay Critical Area: ☐ yes ☐ no

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

ITEM # 150

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: _____

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: To permit a free-standing sign within 25' of
a road right-of-way.

To permit a freestanding business sign having an
area of 98 sq per face in lieu of the permitted 25 sq
Ca total of 196 sq')

*
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

9/96
post.4.doc

→ To permit a maximum sign height of 14.75' above the grade level of the lot on which it is located and above the street which it faces in lieu of the 6 feet permitted, all as shown more particularly on the plan to Accompany Zoning Variance submitted herewith.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 11, 1996

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-149-A (Item 150)
8600 LaSalle Road
S/S Joppa Road, 91' W of c/l LaSalle Road
9th Election District - 4th Councilmanic
Legal Owner(s): LaSalle Limited Partnership
Contract Purchaser(s): Rose Casual Dining, Inc.

Variance to permit a free-standing sign within 25 feet of a road right-of-way; to permit a free standing business sign having an area of 98 square feet per face in lieu of the permitted 25 square feet per face (a total of 196 square feet); and to permit a maximum sign height of 14.75 feet above the grade level of the lot on which it is located and above the street which it faces in lieu of the 6 feet permitted.

HEARING: MONDAY, NOVEMBER 4, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in black ink, appearing to read "Arnold Jablen".

Arnold Jablen
Director

cc: LaSalle Limited Partnership
Rose Casual Dining, Inc.
Howard L. Alderman, Jr., Esq.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN MUST POSTED ON THE PROPERTY BY OCTOBER 20, 1996.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 14, 1996

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
305 West Chesapeake Avenue
Suite 113
Towson, MD 21204

RE: Item No.: 150
Case No.: 97-149-A
Petitioner: LaSalle Ltd. Partnership

Dear Mr. Alderman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted, for processing by Permits and Development Management (PDM), Zoning Review, on September 30, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr.", is written over a faint, larger version of the same signature.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

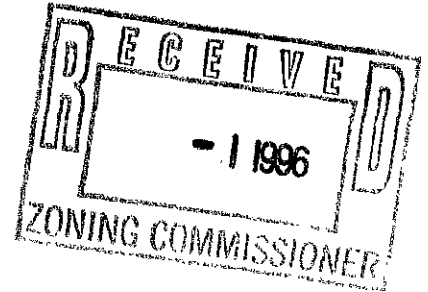
97-149A

TO: Arnold Jablon, Director
Permits and Development Management

DATE: November 1, 1996

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: 8600 LaSalle Road



INFORMATION:

Item Number: 150
Petitioner: LaSalle Limited Partnership
Property Size: _____
Zoning: ML-IM
Requested Action: _____
Hearing Date: _____ / _____ / _____

SUMMARY OF RECOMMENDATIONS:

The petitioner has requested several variances from the sign regulations in order to permit the construction of a freestanding sign for Applebee's restaurant, which is under construction at the southwest corner of Joppa Road and LaSalle Road in the Maryland Executive Park. The variances requested involve the setback from the Joppa Road right of way, sign height of 14.75' in lieu of 6' and area 98 sq. ft. per face in lieu of the required 25 sq. ft. per face. It should be noted that the site is zoned ML-IM. The restaurant is an auxiliary service use within the office park.

It also should be noted that there are several existing free standing signs on site in proximity to the new sign, which creates visual clutter along the Joppa Road frontage. There is a permanent Maryland Executive Park sign which appears to be approximately 18.38 sq. ft., a temporary real estate "for lease" sign and a sign for "Cheeseburger in Paradise." The petition for zoning variance for sign area has not acknowledged the existing signs in the requested variance. The variance request should be amended to include the existing Maryland Executive Park sign for a total of two free standing signs in an ML zone in lieu of one free standing sign. If the petitioner can demonstrate hardship or practical difficulty and all variances are granted, this office recommends the removal of all temporary and/or illegal signs prior to the issuance of a sign permit for Applebee's restaurant.

Prepared by: Jeffrey W. Long
Division Chief: Gary L. Kerns

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: October 25, 1996

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for October 21, 1996
 Item No. 150

 The Development Plans Review Division has reviewed the subject zoning item. In accordance with the final Landscape Plan approved on August 23, 1996, all of the existing trees along Joppa Road are to remain. This may be a conflict with the proposed sign.

RWB:HJO:jrb

cc: File

ZONE33B

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/10/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCT. 10, 1996.

Item No.: SEE BELOW

Zoning Agenda:

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.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 149, 150, 151, 152, 153, 154,
155, 156, 158, 159 and 160.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Oct 15

DATE: 10/11/96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

150
151

152

156

158

160

RBS:sp

BRUCE2/DEPRM/TXTSBP

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Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

10-24-96
RE: Baltimore County
Item No. 150 (J.R.F.)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 10/11/96FROM: R. Bruce Seeley
Permits and Development Review
DEPRMSUBJECT: Zoning Advisory Committee
Meeting Date: Oct 15

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

150

151

152

156

158

160

RBS:sp

BRUCE2/DEPRM/TXTSBP

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**Baltimore County Government
Fire Department**

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/10/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCT. 10. 1996.

Item No.: SEE BELOW

Zoning Agenda:

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.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 149, 150, 151, 152, 153, 154, 155, 156, 158, 159 and 160.

(MICROFILMED)

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

RE: PETITION FOR VARIANCE
8600 LaSalle Road, S/S Joppa Road,
91' W of c/l LaSalle Road
9th Election District, 4th Councilmanic

Legal Owner(s): LaSalle L.P.

Contract Purchaser(s): Rose Casual Dining *

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 97-149-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel

Room 47, Courthouse

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of November, 1996, a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esq., 305 W. Chesapeake Avenue, Suite 113, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED

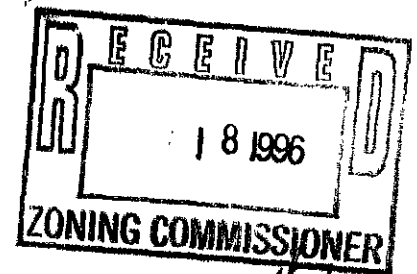
BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21201
410-539-3700
TELECOPIER 410-625-9050

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-321-0600
TELECOPIER 410-296-2801

ELLIS LEVIN (1893-1960)

HOWARD L. ALDERMAN, JR.

November 13, 1996



Lawrence E. Schmidt, Esquire
Zoning Commissioner for Baltimore County
400 Washington Avenue
Towson, Maryland 21204

RE: Case No. 97-149-A
LaSalle, L.P., Owner
Rose Casual Dining, Inc., Petitioner/Lessee

Dear Commissioner Schmidt:

I have reviewed your decision in the above-referenced case dated November 8, 1996 wherein the variance relief as requested was granted. As was presented at the hearing on this matter, neither I nor any representative of the Petitioner received a copy of the comments of the Zoning Advisory Committee prior to the hearing. As of this writing I have still not received a copy of any such comments. On page four of your decision you note that your office received a comment from the Baltimore County Office of Planning subsequent to the hearing. That comment related specifically to the existing Maryland Executive Park sign on the property. Your Order recites the position of the Office of Planning that the Petition should have included the Executive Park sign as part of the request, thereby seeking a variance for two freestanding signs in the existing ML-IM zone. As you are aware, the Petitioners sought variance relief from Section 413.6B of the Baltimore County Zoning Regulations pertaining to the stationary, "freestanding business sign".

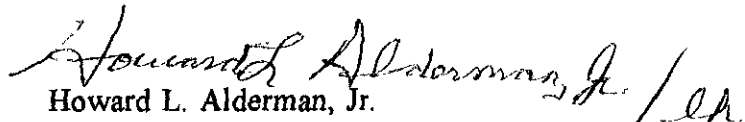
With all due respect to the Office of Planning, I suggest that their concern is, at best, misplaced. The Maryland Executive Park sign which is addressed in your Order is an identification sign for the industrial/office park. As I am sure you are aware, Baltimore County Zoning Regulations Section 413.6.F permit, in addition to the freestanding business sign permitted by subsection B, a freestanding "park identification" sign provided that its total area does not exceed 150 square feet per face. Reference to the existing sign detail for the Maryland Executive Park sign as shown on Petitioner's Exhibit No. 1 shows clearly that this Park identification sign is far less than the permitted square footage.

*I spoke to
Howard, no written
response necessary, my
order does not affect
the ID sign for the
Park. File this
in files*
*KLB
11/19/96*

Lawrence E. Schmidt, Esquire
November 13, 1996
Page 2

I am requesting that this letter be included as part of the official case file in this matter. Thank you for your consideration in this matter and should you need any additional information, as always, please do not hesitate to contact me.

Very truly yours,


Howard L. Alderman, Jr.

HLA/lah

cc: Rose Casual Dining, Inc.
Mr. John Gaburick
LaSalle Limited Partnership
Ms. Dianna Itter, Planner

MICROFILMED.

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

Margaret M. Davis

JULIAN D SMITH, JR

WM LOWMAN

824 E. Joppa Rd

6708 Colquhoun Rd 21234

1102 Epworth Ct 21234



MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

FRED THOMPSON

JOHN F. GABURICK

Howard L Alderman Jr

SEWER THOMPSON INC.

429 E LAKE AVE 21212

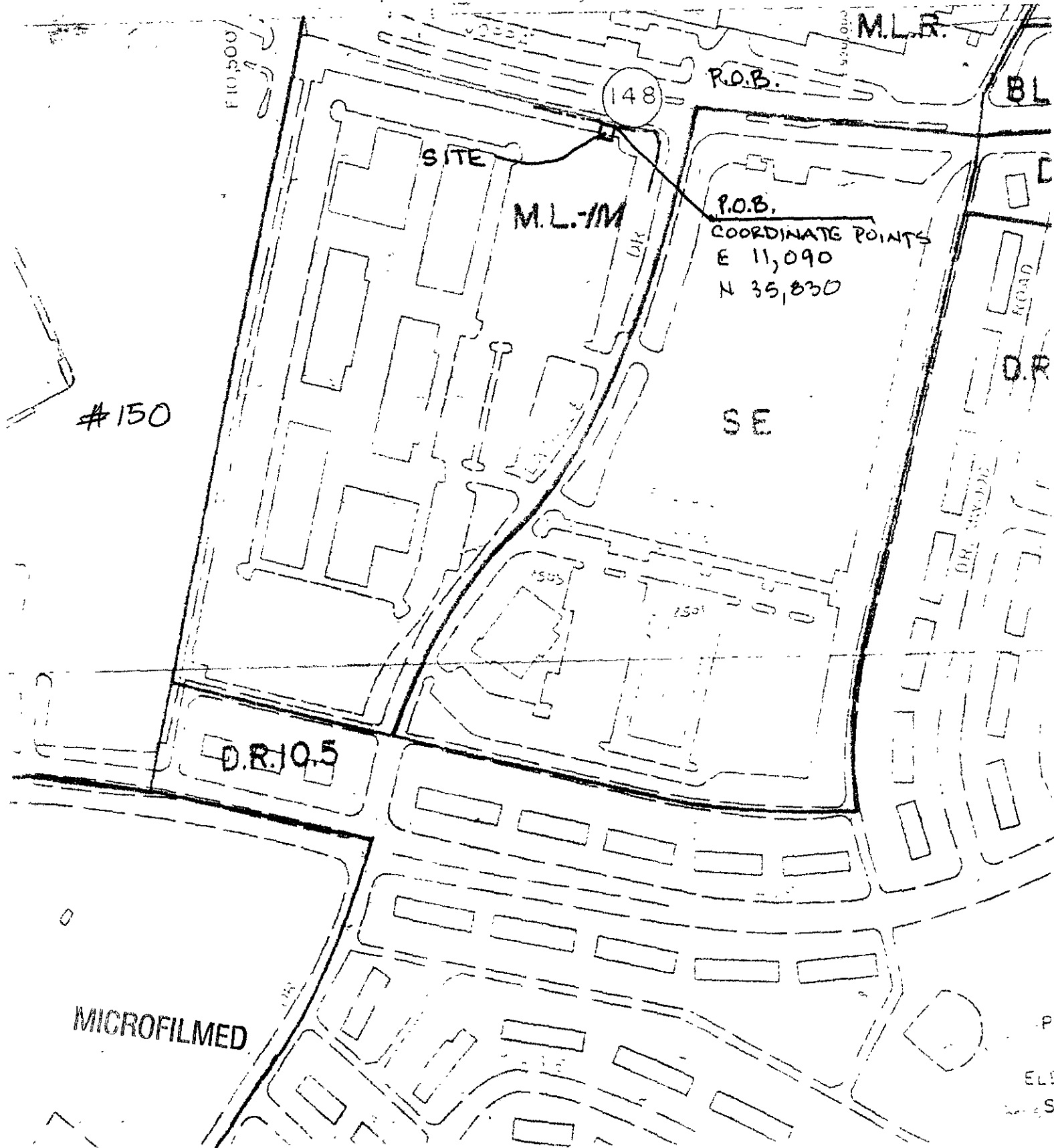
ROSE CASUAL DINING INC. - APPLEBBE'S

531 WYNBATE RD. TIMONIUM, MD, 21093

305 W. Chesapeake Ave #13 21204

WORTH REED

ZONING MAP NE 9
SCALE: 1" = 200'
APPLEBEE'S SIGN VARIANCE
8600 LA SALLE ROAD



THE ASSOCIATES OF LOCH RAVEN VILLAGE
CUBWOOD PO BOX 9721
TOWSON MARYLAND 21204-9721

November 1, 1996

Mr. Robert M. Cook, Jr.
Levin & Gann, P.A.
1100 Washington Blvd.
Cockeysville, Maryland 21032
Towson, Maryland 21204

Dear Mr. Schmidt:

The Associates of Loch Raven Village invited interested parties to attend a meeting held October 28, 1996 at Loch Raven Academy. The subject was the request by Applebee's for a zoning variant on the sign.

At the meeting the principals of Applebee's presented architectural drawings of a brick based monument style sign. Our members, from Drumwood Rd. & Putty Hill Ave. addresses, found the sign acceptable and voted 15 to 0 to approve the sign as presented. Based on this, the Association does not offer any objection.

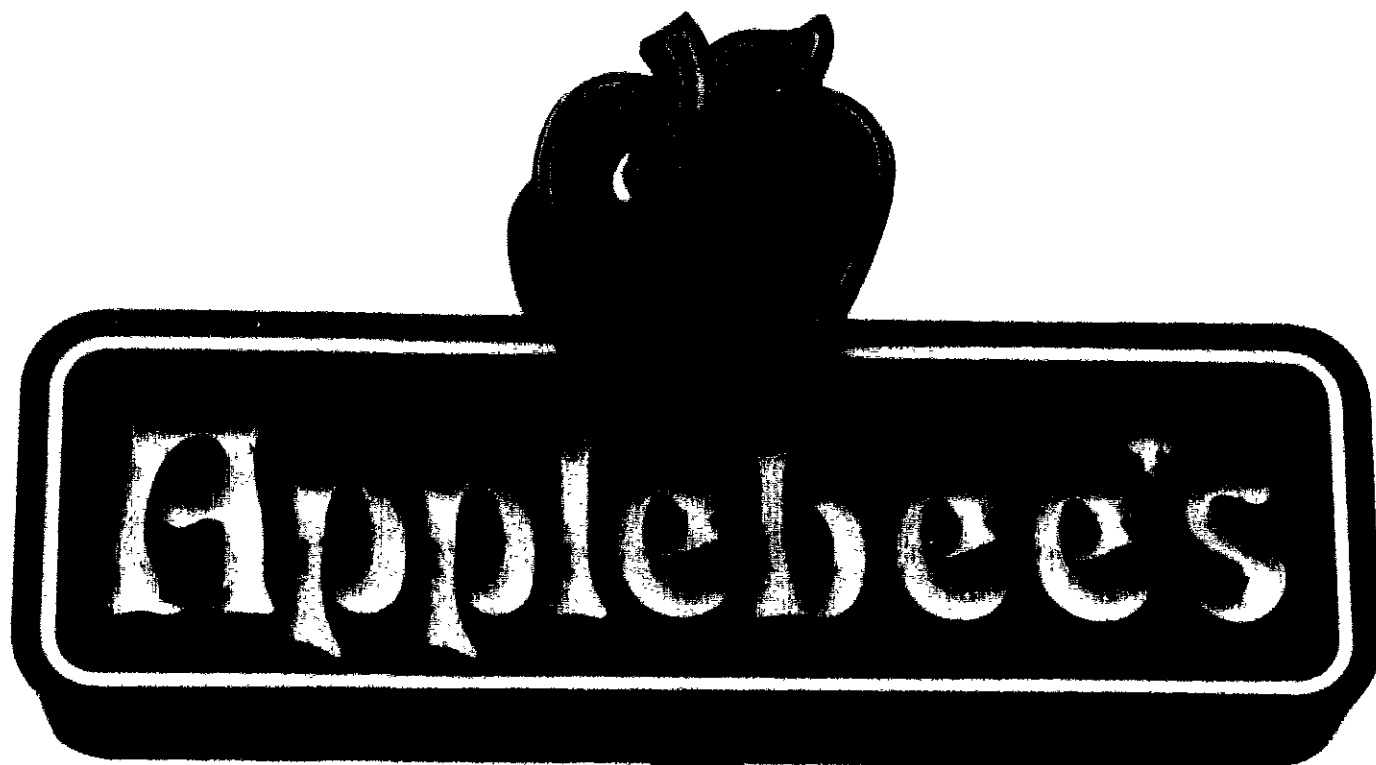
Thank you,

Robert M. Cook, Jr.
Robert M. Cook, Jr.
President

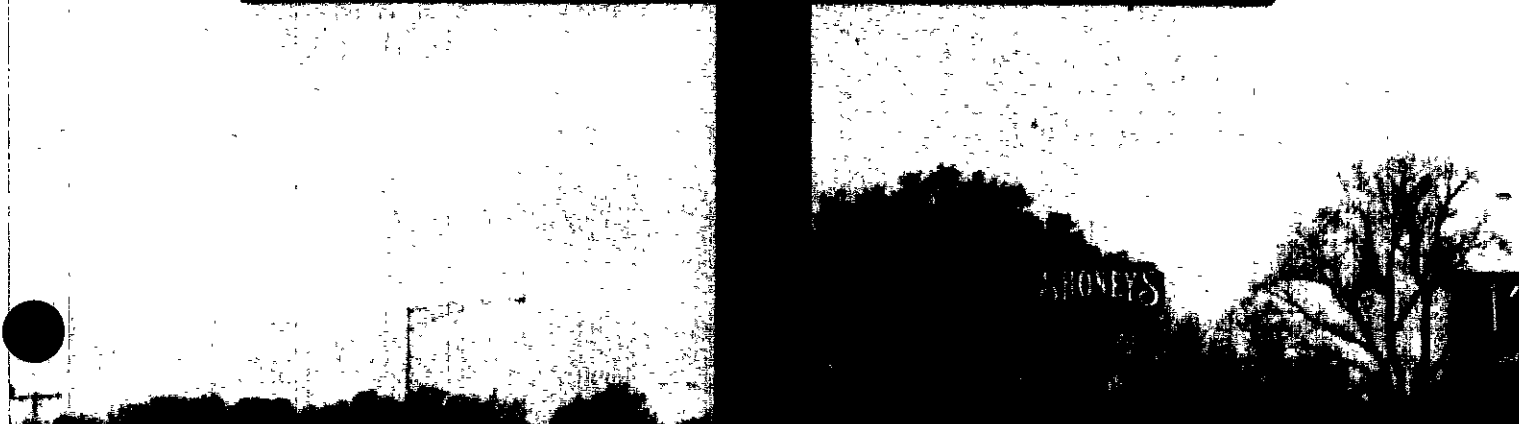
cc: Howard Alderman
Levin & Gann, PA

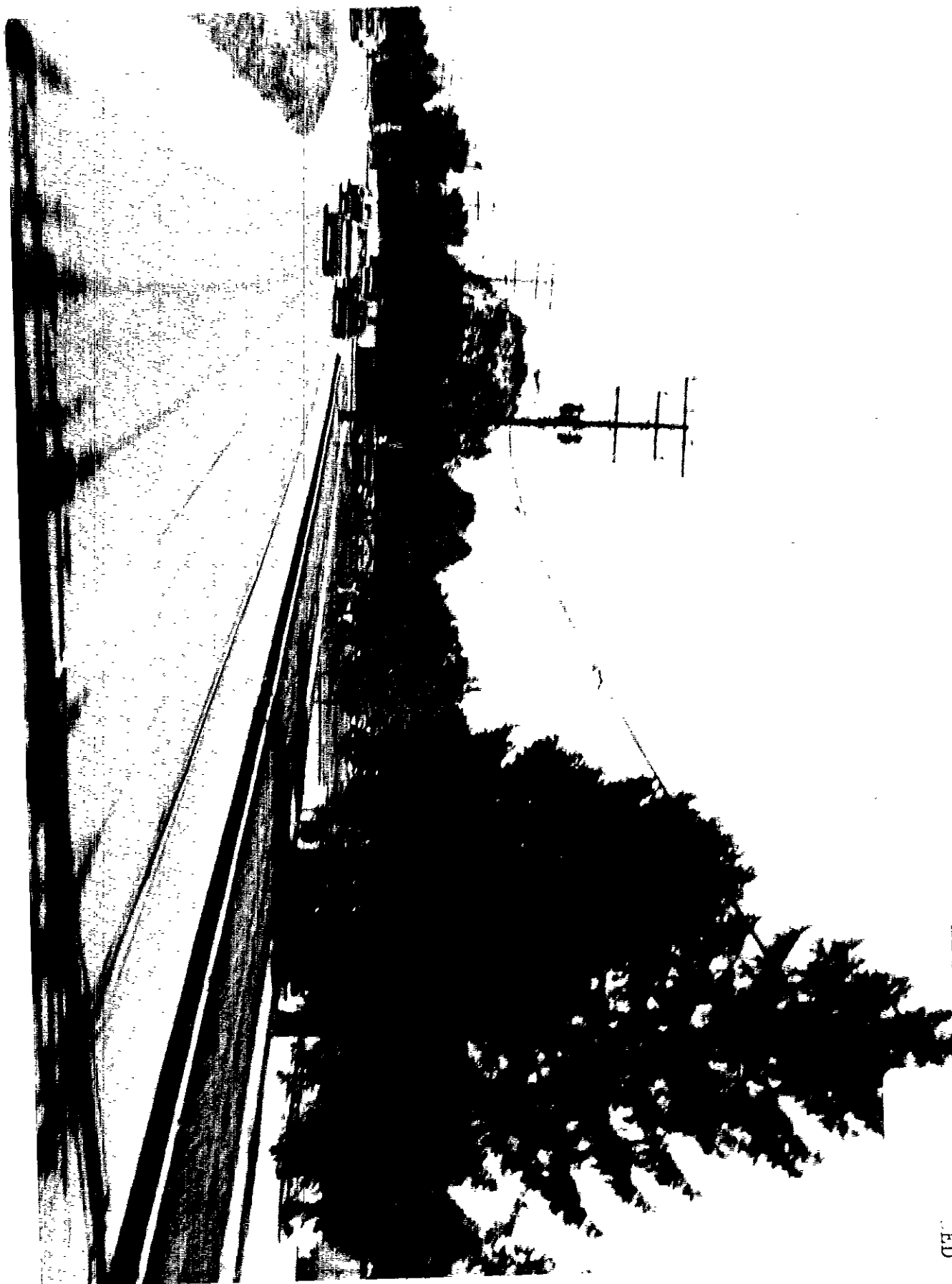
PETITIONER'S
EXHIBIT 162

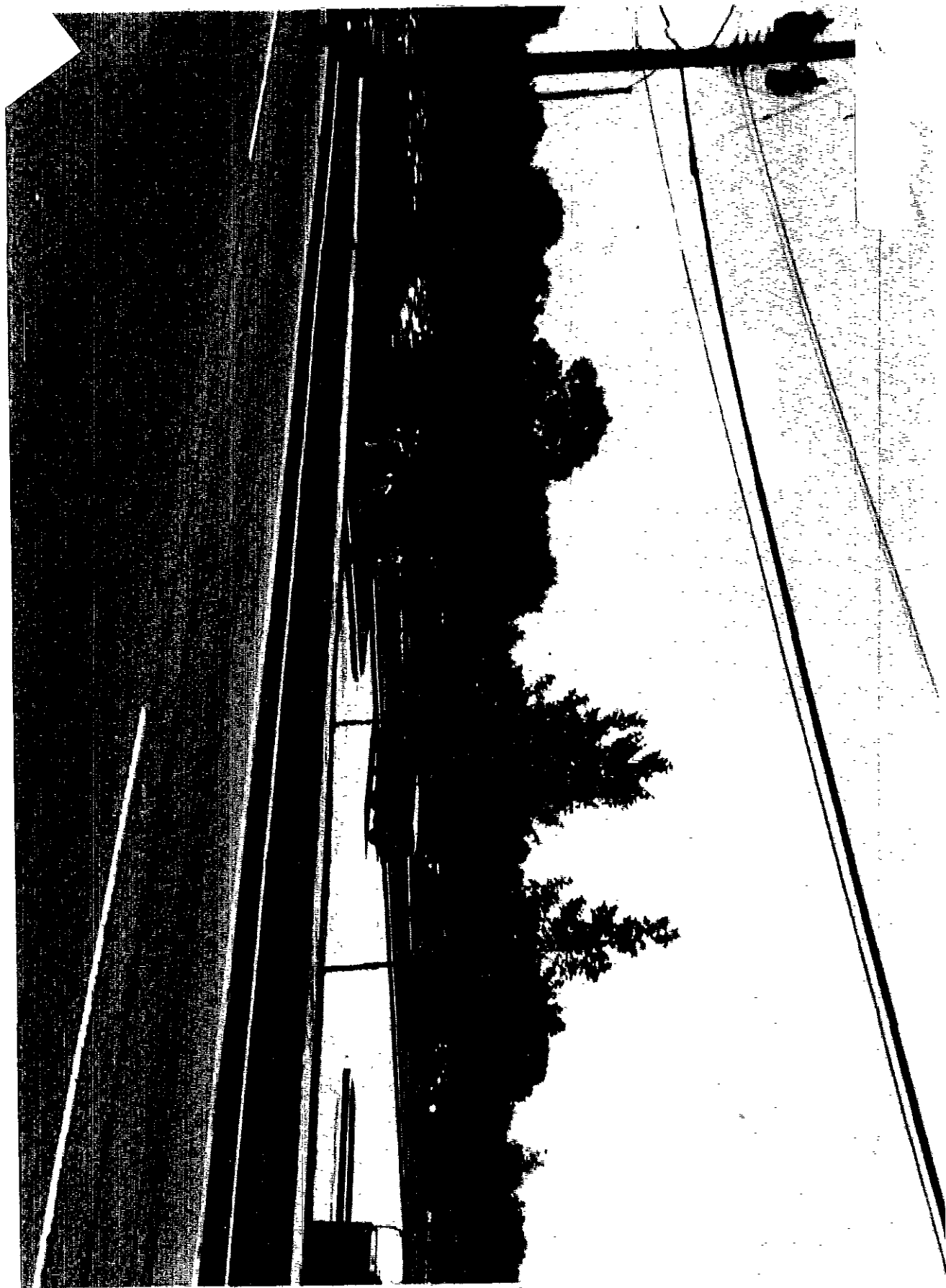
MICROFILMED



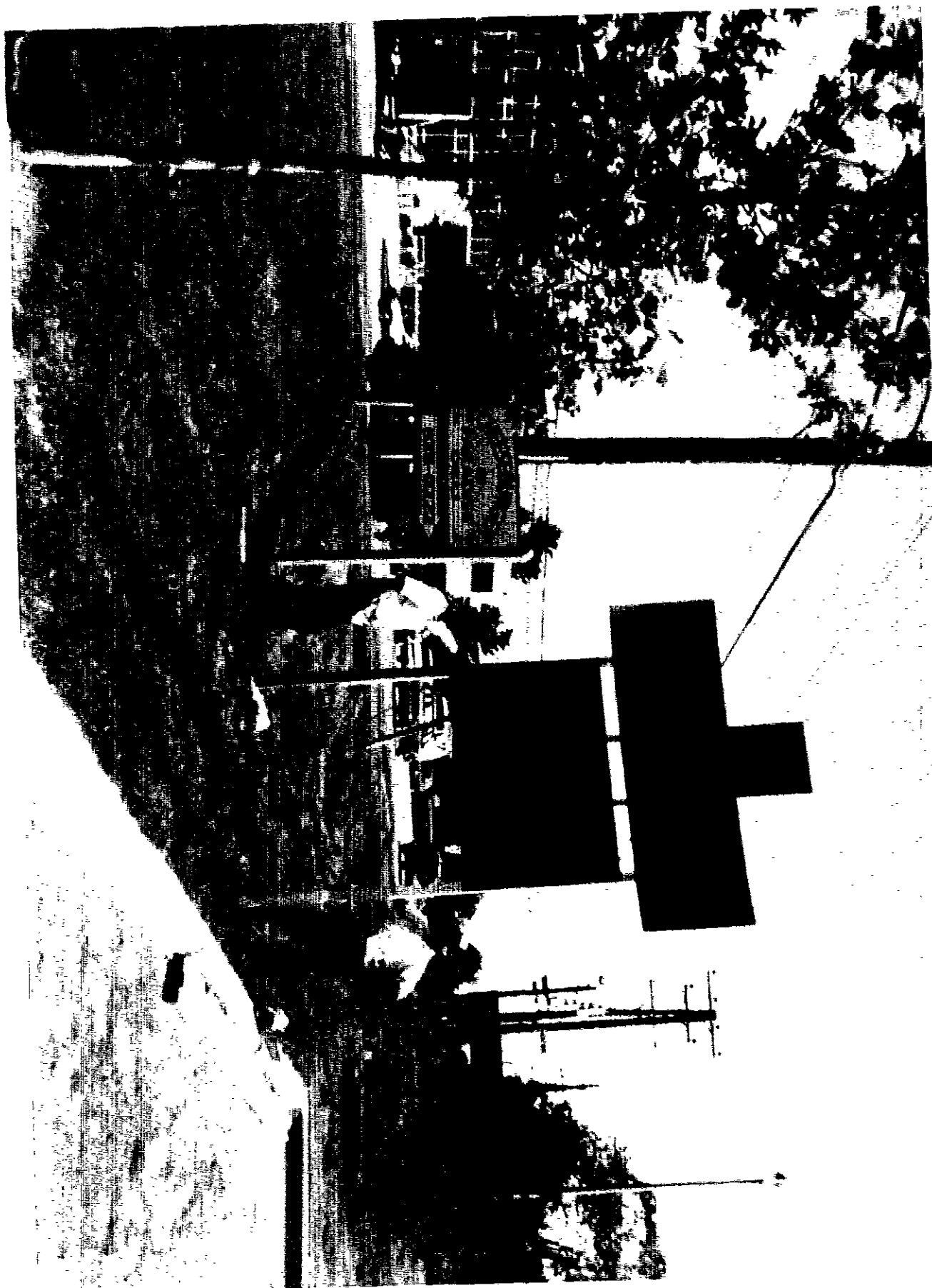
Neighborhood Grill & Bar
TRAINING IN PROGRESS
OPENING SOON





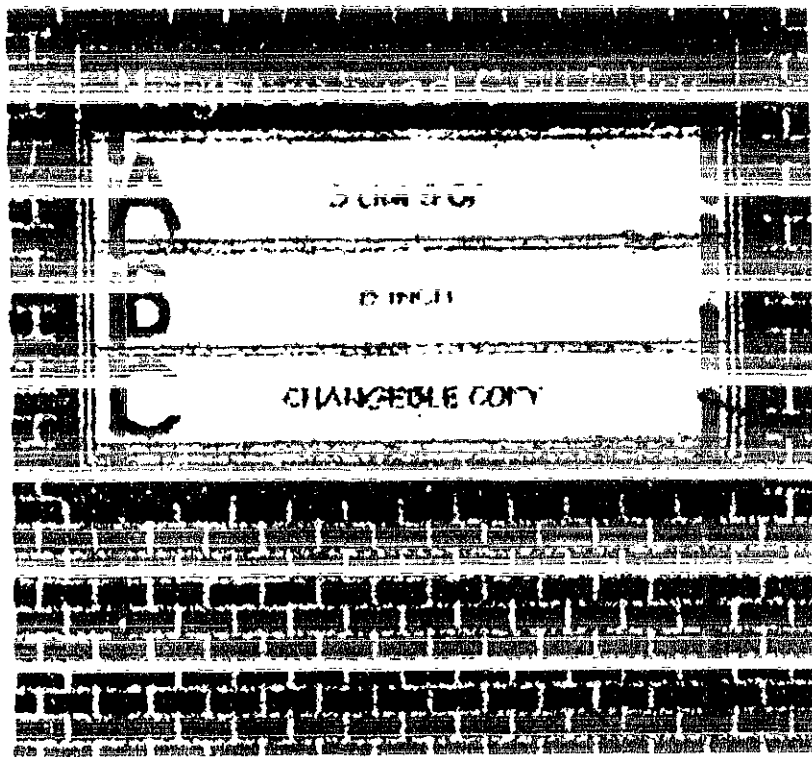






PAPPA JOHN'S

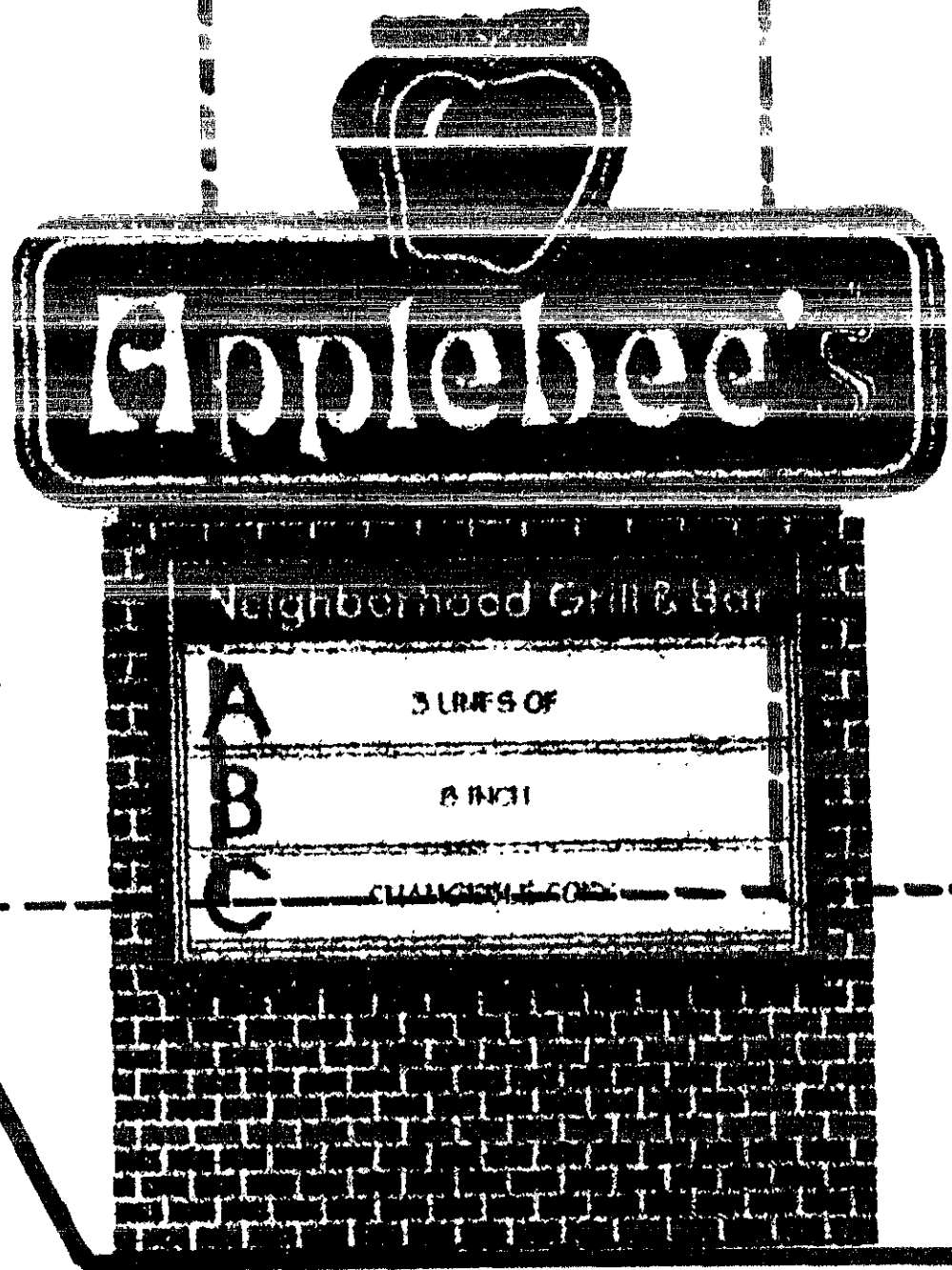
Applebee's



PAPPA JOHN'S SIGN
SUPERIMPOSED OVER
APPLEBEE'S SIGN

ACTUAL COMPARISON

PAPPA JOHN'S
ORIGINAL



PAPA JOHNS SIGN
SUPERIMPOSED OVER
APPLEBEE'S SIGN
SHOWING AT-GRADE COMPARISON

(1)

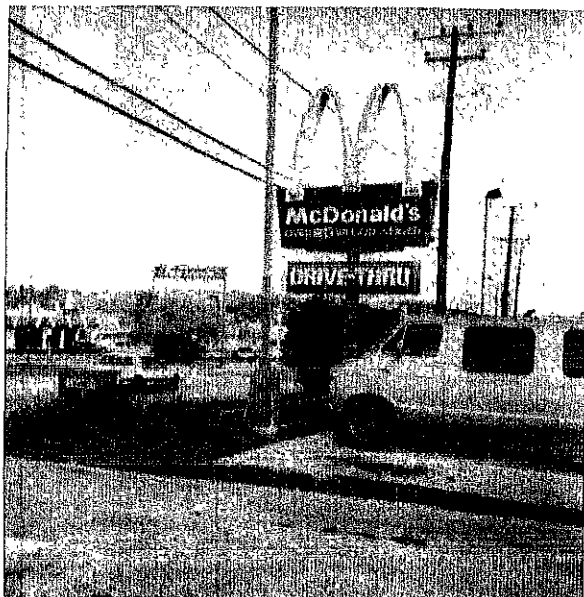


3

4



2



5



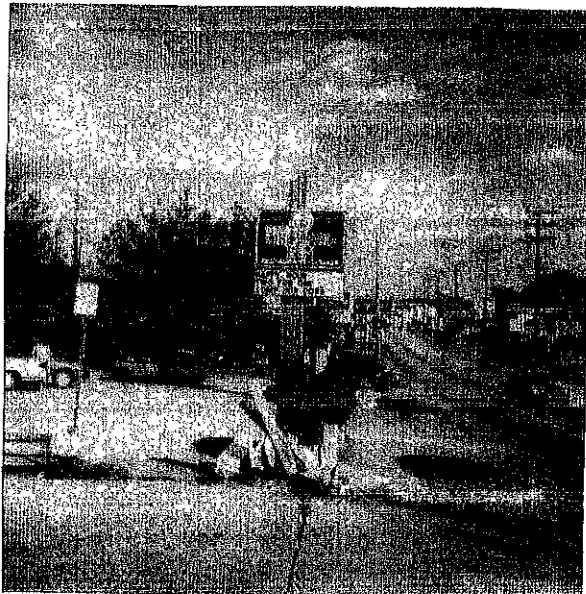
1



6



3



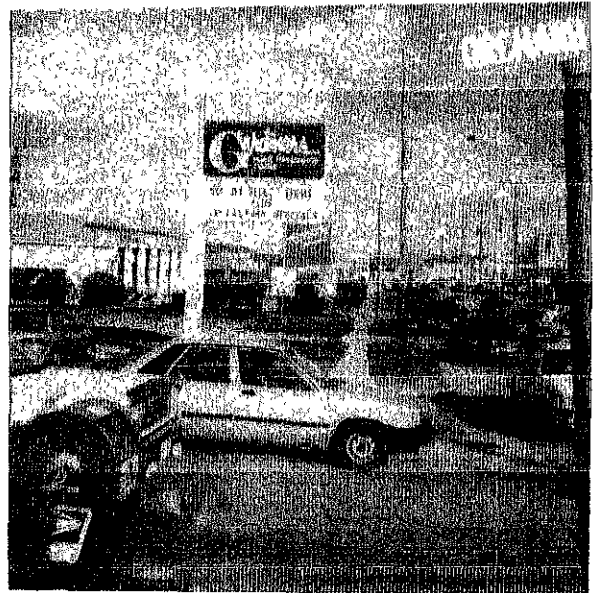
7



8



9



10



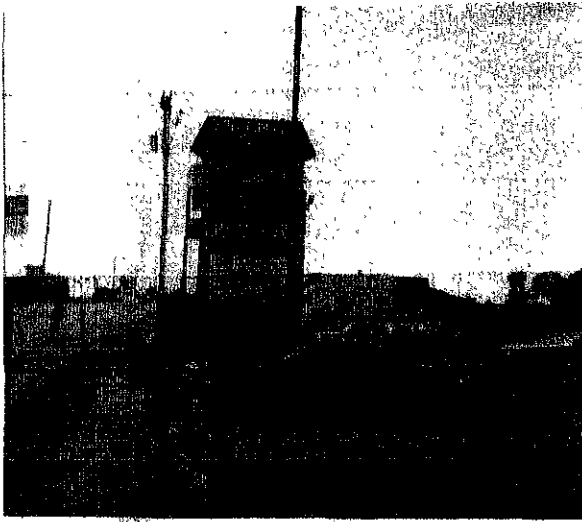
7' (w) x 24' (h)

13



14

SIGNAGE ON JOI
APPLEBI
(LASALLE RD. TO



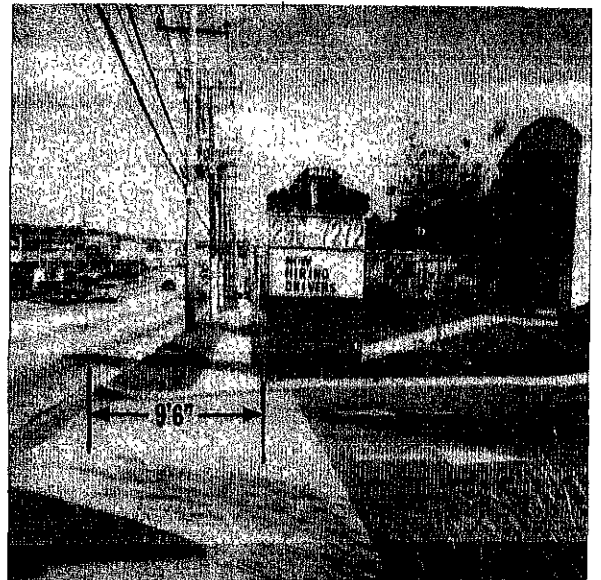
11



12



15



6' (w) x 12' 8" (h)

16

A ROAD EAST OF
'S SITE
(LOCH RAVEN BLVD)

Petitioner's No 4

97-149-A

NO BUILDINGS WITHIN
200' OF THIS PROPERTY LINE

TOWSON MARKET PLACE
LIMITED PARTNERSHIP
959/472
TAX ACCOUNT #09-05-840080

BL. CCG
N 135°50' E 1001.16'
101 SPACES

Robert L. & Ruth T. Bohannon
5018/153
#09-02-001661
Theresa M. & Marie T. Connor
7146/30
#09-03-471070

Method & Creighton Smith
8425/233
#09-10-001534
John & Ellen Creigh
1377/257
#09-03-231670

LOCH RAVEN INDUSTRIAL
EXISTING 2 STORY
BRICK HOMES
Gory & Corle
Hortonsen
#09-03-200161
Bernard F. & Geraldine
#198/420
#09-03-003303

PERMIT NOTES

1. OWNER: LASALLE UNITED PARTNERSHIP
MTC DEVELOPMENT COMPANY
5720 EXECUTIVE DRIVE
BALTIMORE, MD 21226
2. DESIGN GROUP: THE ROSE GROUP
3. TERRY DRIVE, SUITE 103
NEWTON, PA 18940
4. ELECTION DISTRICT 9, COUNCILMANIC DISTRICT 4
5. TAX ACCOUNT 170000754
6. DIED PERMIT #09-02-001661
7. ZONING: M-1M
8. THERE IS NO ZONING HISTORY FOR THIS SITE
9. SOME PREVIOUS COMMERCIAL PERMITS ISSUED FOR THE SITE
BUILDING PERMIT: B27168, ISSUED 9-11-96
GRADING PERMIT: B27168, ISSUED 9-11-96
ELECTRICAL PERMIT: B27168, ISSUED 9-11-96
PLUMBING PERMIT: B27168, ISSUED 9-11-96
COMMERCIAL PERMIT: B27168, ISSUED 9-11-96
10. EXISTING LAND USE: OFFICE, PARK
11. PROPOSED BUILDING: NEW APPLEBEE'S RESTAURANT
12. PROPOSED BUILDING: NEW APPLEBEE'S RESTAURANT
13. ALL PROPOSED PARKING AREAS WILL COMPLY WITH SECTION 409.4 (BCHP)
14. ALL PROPOSED PARKING, MANEUVERING, AND ASSE AREAS SHALL BE PERMANENTLY STRIPPED
15. BASED ON BALTIMORE COUNTY BILL NO. 16393 (THE MASON BILL) THIS PROJECT IS EXEMPT FROM FOREST CONSERVATION REQUIREMENTS
16. DEC. # 103059, DIST. 9/4
17. EXISTING SITE SHOWN ON JSPC PLAN FOR MARLAND BUSINESS PARK, REVISED JUNE 21, 1996

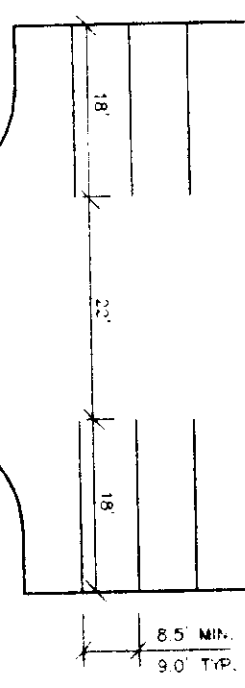
PARKING DATA (ALL USES ON SITE EXCEPT FOR THE PROPOSED RESTAURANT) WERE APPROVED REQUIRED FOR PARKING PRIOR TO MAY 25, 1989)

- Ex. Medical Office (First Floor) 23
- Ex. Day Care (First Floor) 10
- Ex. Carryout (First Floor) 4
- Ex. General Office (First Floor) 254
- Ex. General Office (Second Floor) 60
- Ex. General Office (Third Floor) 60
- Proposed Restaurant 87
- 5,434 s.f. @ 15/1000 = 87

TOTAL REQUIRED 498
TOTAL PROVIDED 620
NOTE: ALL SPACES ARE EXISTING EXCEPT FOR 4 SPACES ON NORTH SIDE OF APPLEBEE'S

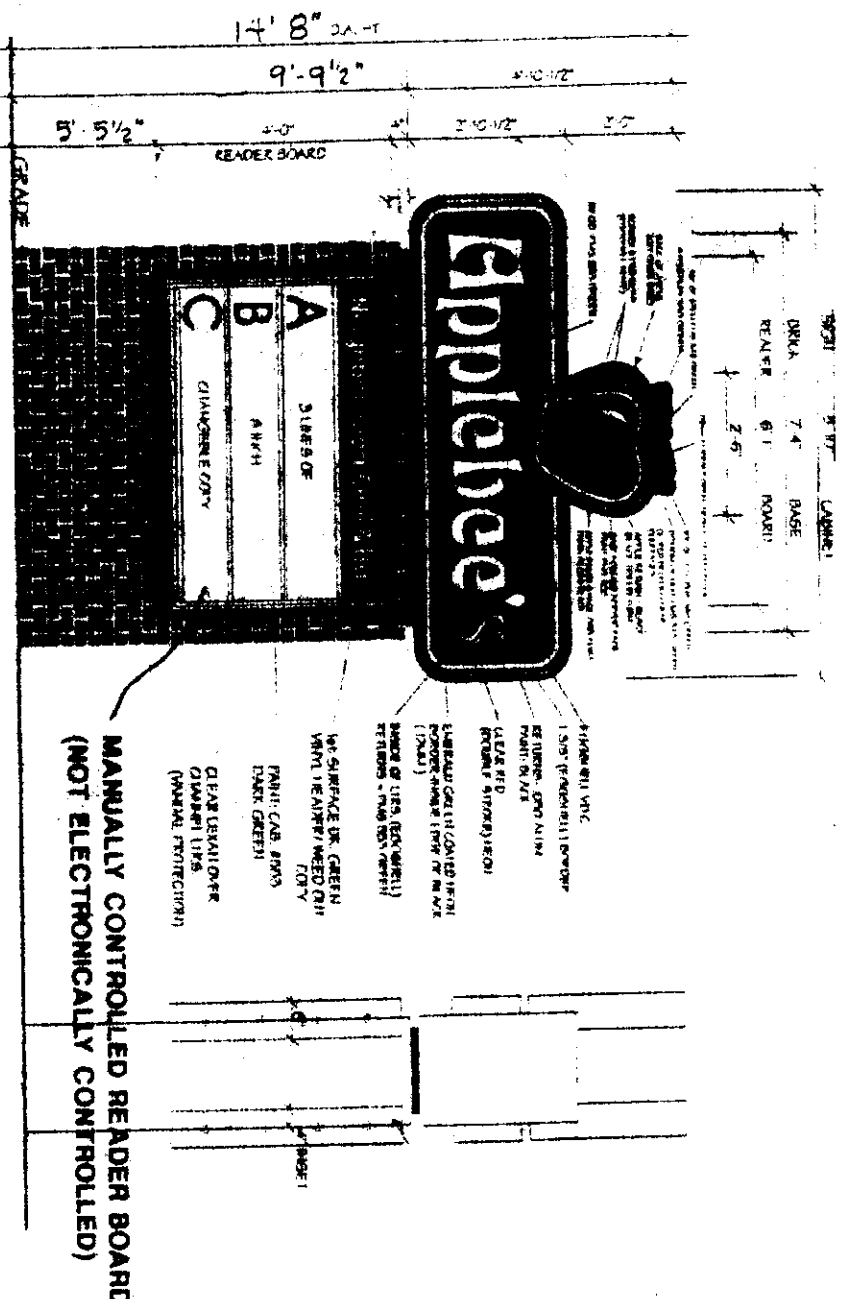
MARYLAND EXECUTIVE PARK
8600 Lo Solle Road

STANDARD PARKING SPACES



EXISTING SIGN

EXISTING SIGN TO REMAIN



PROPOSED SIGN

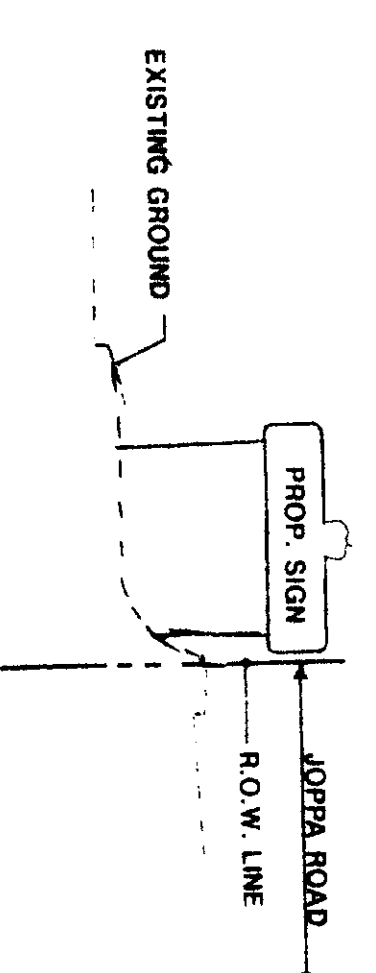
SIGN SHALL BE DOUBLE SIDED AND LIGHTED.
TOTAL AREA OF SIGN = 198 SQ. FT. (99 SQ. FT. PER SIDE)

PLAN TO ACCOMPANY ZONING VARIANCE HEARING
FOR NEW APPLEBEE'S SIGN



MICROFILMED

CROSS SECTION AT NEW SIGN

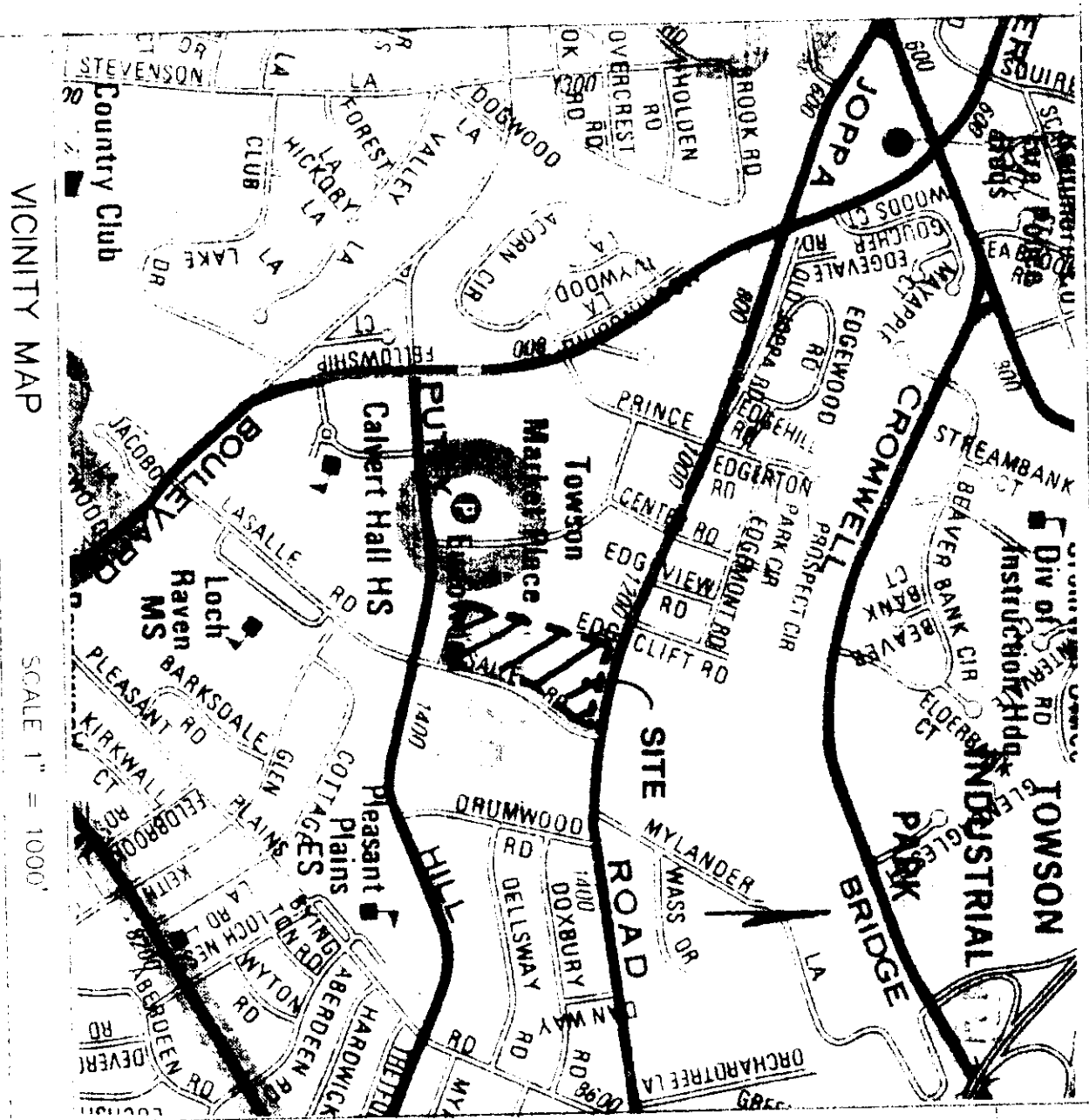


150

PROPOSED SIGN (REASON FOR ZONING VARIANCE) SEE DETAIL THIS SHEET

ARCADIA PARTNERSHIP
5543/298
TAX ACCOUNT #17100-003320

EXISTING TWO STORY OFFICE BUILDING



GT
GOWER THOMPSON, INC.
CIVIL ENGINEERING - SITE PLANNING
409 E. Lake Avenue
Baltimore, Maryland 21204
Phone: 410-552-0104
Fax: 410-552-0104

Applebee's
Neighborhood Grill & Bar
1994

STATE OF MARYLAND
COUNTY OF BALTIMORE
DEPT. OF PUBLIC SAFETY
FIRE NO. 960330
SEPT. 27, 1996
C-1

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
S/S Joppa Road, 91 ft. W of * ZONING COMMISSIONER
c/l LaSalle Road *
8600 LaSalle Road * OF BALTIMORE COUNTY
9th Election District *
4th Councilmanic District * Case No. 97-149-A
Legal Owner: LaSalle L.P. *
Lessee: Rose Casual Dining, Inc., Petitioner * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 8600 LaSalle Road in Towson. The Petition is filed by the LaSalle Limited Partnership, property owner, and Rose Casual Dining, Inc. (t/a Applebee's), Lessee. The Petition seeks variance relief as follows:

1. A variance from Section 413.5.C of the Baltimore County Zoning Regulations (BCZR) to permit a free standing sign within 25 ft. of a road right of way; and,
2. A variance from Section 413.6.B.1 of the BCZR to permit a freestanding business sign having an area of 98 sq. ft. per face in lieu of the permitted 25 sq. ft. per face (a total of 196 sq. ft. in lieu of 50 ft.); and,
3. A variance from Section 413.6.B.2 of the BCZR to permit a maximum sign height of 14.75 ft. above the grade level of the lot on which is located and above the street which it faces in lieu of the 6 ft. permitted.

All of the above requested relief is more particularly shown on Petitioner's Exhibit No. 1, the plan to accompany the Petitioner for Variance.

Appearing at the public hearing held for this case was John F. Gaburick, Director of Administrative Services for Rose Casual Dining, Inc. Also present was Frederick Thompson, the engineer who prepared the

site plan. The Petitioner was represented by Howard L. Alderman, Jr., Esquire. Margaret H. Davis, Julian D. Smith, Jr. and William Lowman appeared as Protestants.

Testimony and evidence presented was that the subject site is known as the Maryland Executive Park, a parcel of 10.945 acres located on the southwest corner of the intersection of Joppa and LaSalle Roads in Towson. The property is zoned M.L.-I.M. The site is improved with 6 free standing office buildings which contain a variety of business clients. Additionally, a large portion of the site contains a macadam parking area. This site is well known to the Zoning Commissioner and has been utilized as an office park for many years.

The Petition for Variance comes about as a result of the construction of an additional building on the property. Specifically, presently under construction is a one story building which will be known as an Applebee's Restaurant. This is a casual dining restaurant authorized under a franchise agreement with Rose Casual Dining, Inc. Applebee's presently has three sites in Maryland, one in Annapolis, one on the Eastern Shore and one in Baltimore County in Catonsville. The restaurant chain is making its presence felt in the Baltimore Metropolitan area and plans to ultimately construct 13 to 15 restaurants in this vicinity. The restaurant is geared towards a casual dining experience, however, does serve alcohol.

Mr. Gaburick, the Director of Administrative Services for the restaurant appeared in support of the Petition. He explained the Applebee's dining concept and the restaurant's marketing goals. He also discussed the economic impact of the business and described in detail the nature of the building to be constructed. He noted that the building would be constructed with materials compatible with the existing Executive Park and will occupy a small portion of the existing parking lot.

-2-

The matter comes before the Zoning Commissioner as it relates to the proposed sign. As noted within the Petition the sign is larger than permitted, higher than allowed and closer to the road. A schematic representation of the proposed sign was presented.

Mr. Gaburick discussed the need for the sign and the requested variance. He noted that the site is unique in terms of its topography. As was shown in several photos of the property, this portion of the overall tract is at a significantly lower grade than Joppa Road. Mr. Gaburick explained that, because of the grade differential, the proposed sign needed to be the requested size, height and location. He also observed that the BCZR requires that the entire base on which the message board is located be considered in determining the area of the sign. As shown in the schematic drawing, the sign contains a sizable brick base along with the changeable message board and an area for the restaurant's logo. The sign will be internally lighted and will not be detrimental to traffic or interfere with the line of sight.

Mr. Thompson, the engineer for the project also testified. He discussed the standards at law upon which variance relief must be evaluated and opined that the Petition should be granted. He also noted that the Petitioner originally contemplated constructing a higher pylon sign but rejected same for reasons of esthetics. Mr. Thompson concluded that the subject sign was much preferable than what was initially proposed and would not be detrimental to the surrounding locale.

Messrs. Smith and Lowman presented testimony in opposition to the request. It is of note that neither of these gentlemen reside in the community immediately adjacent to the subject site. In this regard, the most immediate neighbors support the sign as evidenced by a letter from the Associates of Loch Raven Village Community Association (Petitioner's

-3-

Exhibit No. 2). The witnesses who testified object to the proliferation of signage in the area and they believe same is inappropriate.

Based upon the testimony and evidence presented, I am persuaded to grant the Petition for Variance. In my judgment, the sign is appropriate for this location. I concur with the Petitioner that this property is unique. Such a conclusion is based upon the grade of the lot as compared to Joppa Road. Moreover, it is of note that the site as a whole is very large and that this sign will not dominate either the property or the neighborhood.

Lastly, it is to be noted that a Zoning Plans Advisory Committee comment was received subsequent to the hearing from the Office of Planning. That comment notes the existence of a permanent Maryland Executive Park sign located on the property. That sign is, in fact, shown on the site plan and in several photographs which were submitted. The Office of Planning believes that the Petition should be amended to include the Maryland Executive Park sign so as to include a variance request for a total of two freestanding signs in an M.L.-I.M. zone, in lieu of one freestanding sign. To the extent that such amendment is necessary, same shall be approved. The Office of Planning also requested a condition where temporary and illegal signage be removed. Specifically, it was noted that a sign advertising a deli was on site, as was a temporary "for lease" sign. I concur that the illegal sign should be removed. Thus, as a condition precedent to the relief grant, all illegal signs on the premises shall be removed. Temporary signs, as allowed by law, will remain for so long as they are in compliance with the applicable provisions of the BCZR.

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

-4-

ORDER RECEIVED FOR FILING
Date 11/16/96
By Jm. Gaburick

ORDER RECEIVED FOR FILING
Date 11/16/96
By Jm. Gaburick

ORDER RECEIVED FOR FILING
Date 11/16/96
By Jm. Gaburick

ORDER RECEIVED FOR FILING
Date 11/16/96
By Jm. Gaburick

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 8th day of November, 1996 that a variance from Section 413.5.C of the Baltimore County Zoning Regulations (BCZR) to permit a free standing sign within 25 ft. of a road right of way, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 413.6.B.1 of the BCZR to permit a freestanding business sign having an area of 98 sq. ft. per face in lieu of the permitted 25 sq. ft. per face (a total of 196 sq. ft. in lieu of 50 ft.), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 413.6.B.2 of the BCZR to permit a maximum sign height of 14.75 ft. above the grade level of the lot on which it is located and above the street which it faces in lieu of the 6 ft. permitted, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The 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. All illegal signs on the premises shall be removed within 30 days of the application of the permit for the proposed sign, and other signage on the premises, be it temporary or permanent, shall be in accordance with the applicable provisions of the BCZR.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mm



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 7, 1996

Howard L. Alderman, Jr., Esquire
Levin and Gann, P.A.
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: Case No. 97-149-A
Petition for Zoning Variance
Property: 8600 LaSalle Road
LaSalle Ltd. Partnership, Legal Owner
Rose Casual Dining, Inc., Lessee

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
att.

- c: Mr. John Gaburick, Rose Casual Dining, Inc., 531 Wyngate Rd., Timonium, Maryland 21093
c: Ms. Margaret M. Davis, 824 E. Joppa Road, Baltimore, Md. 21234
c: Mr. Julian D. Smith, Jr., 6708 Collinsdale Road, Balto. Md. 21234
c: Mr. William Lowman, 1102 Epworth Court, Baltimore, Md. 21234



Petition for Variance to the Zoning Commissioner of Baltimore County for the property located at 8600 LaSalle Road which is presently zoned ML-TH

This Petition shall be filed with the Office of Zoning Administration & Development Management. 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(s)

SEE ATTACHED CONTINUATION SHEET

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

SEE ATTACHED CONTINUATION SHEET

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.

Contract Purchaser/Lessee
Rose Casual Dining, Inc.
Type or Print Name

BY: John F. Gaburick
Signature

Three Ferry Drive, Suite 103
Address
New Town, PA 18940
City State Zip

Attorney for Petitioner:

Howard L. Alderman, Jr.
Signature
LEVIN & GANN, P.A.
305 West Chesapeake Avenue
Suite 113
Towson, Maryland 21204
Attorney's Phone No.: (410) 321-0600

Legal Owner(s)
LaSalle Limited Partnership
Type or Print Name

BY: Edward St. John
Signature
Edward St. John, General Partner
Type or Print Name

5720 Executive Drive 789-0100
Address
Baltimore, MD 21228
City State Zip

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.
Howard L. Alderman, Jr., Esquire
LEVIN & GANN, P.A.
305 West Chesapeake Avenue, Suite 113
Towson, Maryland 21204
Tel.: (410) 321-0600

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING
The following date immediately for hearing
ALL OTHER
REVIEWED BY: JPF DATE 9/30/96

150

PETITION FOR VARIANCE Continuation Sheet

Address: 8600 LaSalle Road
Owner: LaSalle Limited Partnership/MIE Development Company
Lessee: Rose Casual Dining, Inc.

Variance Relief Requested:

- from BCZR § 413.5.C to permit a free standing sign within 25 feet of a road right-of-way;
- from BCZR § 413.6.B.1 to permit a freestanding business sign having an area of 98 square feet per face in lieu of the permitted 25 square feet per face (a total of 196 square feet); and
- from BCZR § 413.6.B.2 to permit a maximum sign height of 14.75 feet above the grade level of the lot on which it is located and above the street which it faces in lieu of the 6 feet permitted, all as shown more particularly on the Plan to Accompany Zoning Variance submitted herewith.

Justification:

- existing topography of the subject property;
- irregular shape of existing lot;
- restricted entrances on County roadway intersecting with State controlled roadway;
- configuration of existing, unrelated improvements; and
- such further justification as will be presented at the time of the hearing on this Petition.

150

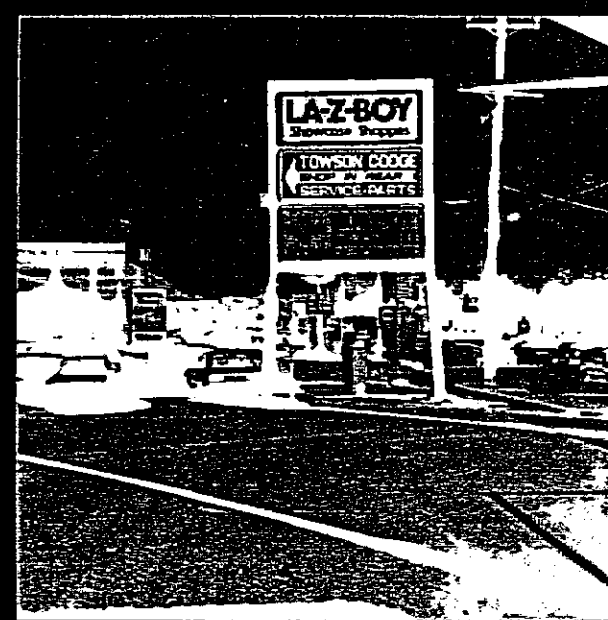
ORDER RECEIVED FOR FILING
Date 11/16/96
By Jm. Gaburick



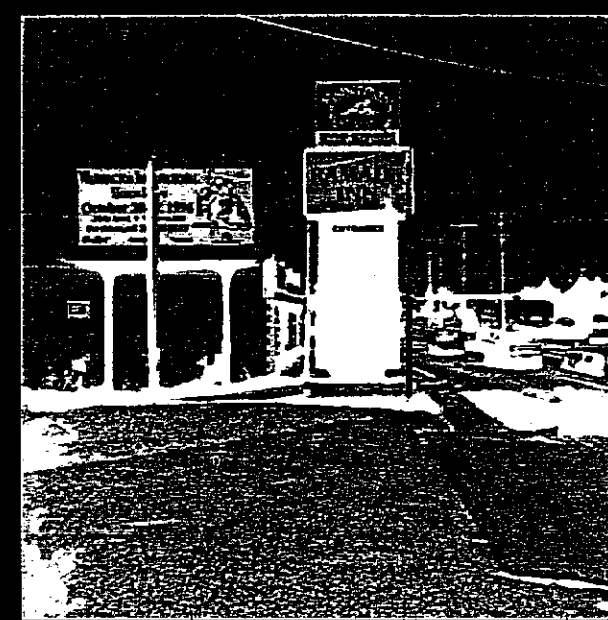
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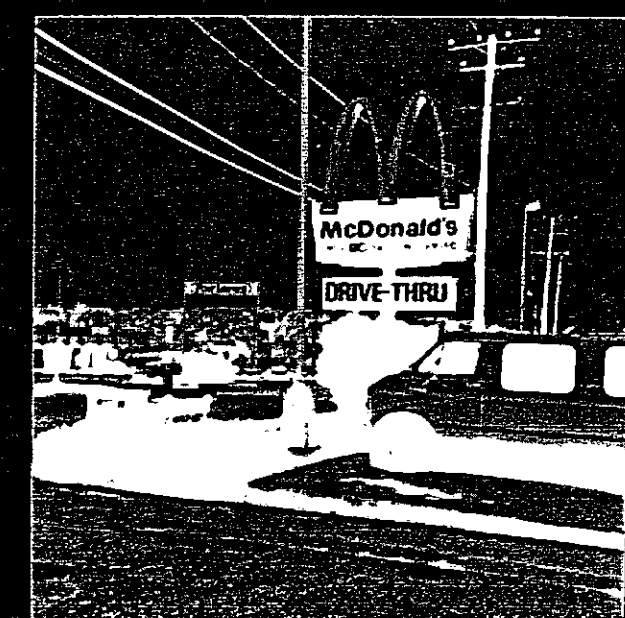
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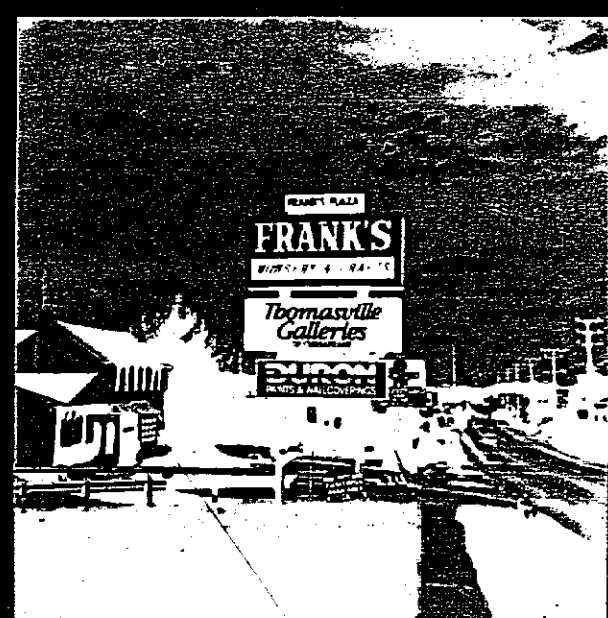
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4



5



6



7



8



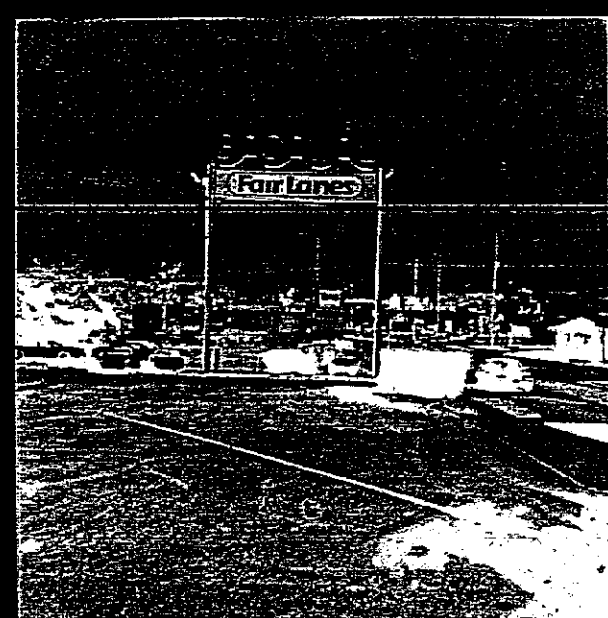
9



10



11



12



7' (w) x 24' (h)

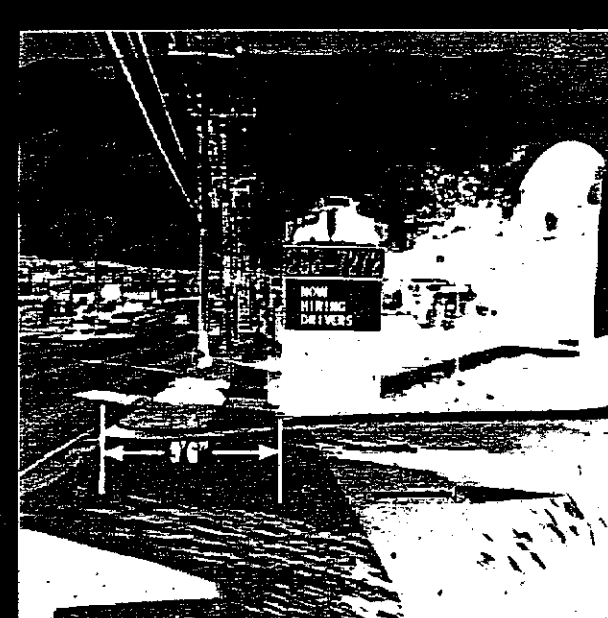
13



14



15



6' (w) x 12' 8" (h)

16

SIGNAGE ON JOPPA ROAD EAST OF
APPLEBEE'S SITE
(LASALLE RD. TO LOCH RAVEN BLVD)

Petitioner's No 4 97-144-A

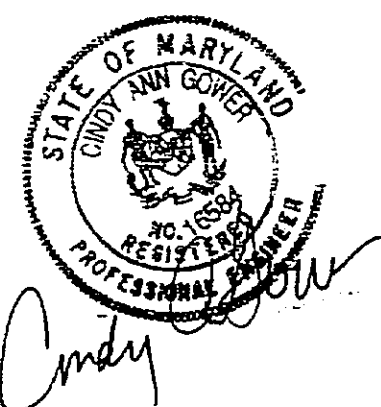
GOWER THOMPSON INC.
CIVIL ENGINEERING • SITE PLANNING

ZONING DESCRIPTION
APPLEBEE'S SIGN VARIANCE
8600 LA SALLE ROAD
SEPTEMBER 27, 1996

BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF JOPPA ROAD WHICH IS 95 FEET WIDE AT A DISTANCE OF 91 FEET WEST OF THE CENTERLINE OF LA SALLE ROAD WHICH IS 70 FEET WIDE. THENCE THE FOLLOWING COURSES AND DISTANCES:

- 1) SOUTH 13° 56' 58" WEST, 23.04 FEET;
- 2) NORTH 76° 03' 10" WEST, 21.66 FEET;
- 3) NORTH 13° 56' 50" EAST, 20.67 FEET; AND
- 4) ALONG A CURVE TO THE LEFT OF RADIUS 3,248.66 FEET FOR A DISTANCE OF 21.68 FEET TO THE POINT OF BEGINNING.

BEING A PORTION OF THE LAND RECORDED IN A PLAT IN BALTIMORE COUNTY IN LIBER 38 AND FOLIO 12 ("MARYLAND BUSINESS PARK"). SAID PORTION CONTAINING 413.36 SQUARE FEET OR 0.011 ACRES MORE OR LESS. BEING A PORTION OF THE LAND ALSO KNOWN AS 8600 LA SALLE ROAD AND LOCATED IN THE 9TH ELECTION DISTRICT.



150

429 East Lake Avenue • Baltimore, Maryland 21212

Phone (410) 532-0101 • Fax (410) 532-0104

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

DATE: 9-30-96 ACCOUNT: E-001-615-000

AMOUNT: \$ 250.00

RECEIVED FROM: Gower Thompson
020.. Variance .. \$ 250.00

FOR: Item # 150

01ADUHR0279MICHRC \$250.00
25-000-055-0002-70-06
VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING

RE Case No.: 97-149-A
Petitioner/Developer: HOWARD ALDERMAN
FOR APPLEBEE'S RESTAURANT
Date of Hearing/Closing: NOV. 4, 1996

Baltimore County Department of Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

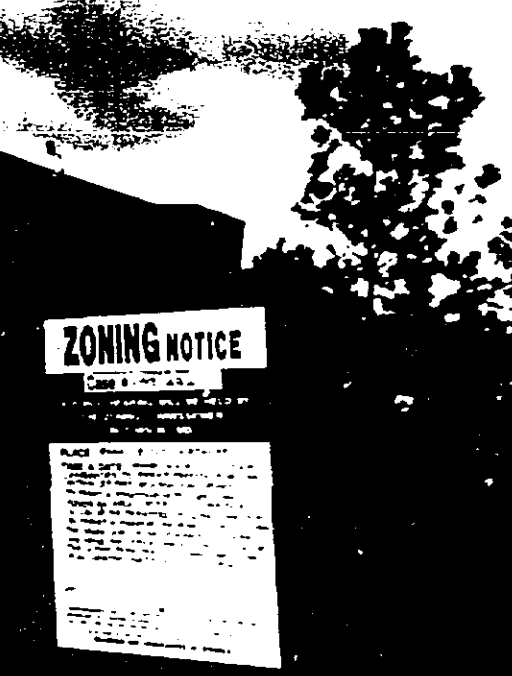
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 8600 LA SALLE ROAD @ JOPPA ROAD

The sign(s) were posted on OCTOBER 18, 1996
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe, 10/2/96
(Signature of Sign Poster and Date)
PATRICK M. O'KEEFE
(Printed Name)
523 PENNY LANE
(Address)
HUNT VALLEY, MD. 21030
(City, State, Zip Code)
666-5366
(Telephone Number)



Baltimore County
Department of Permits and Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 150 Petitioner: LaSalle Limited Partnership & Rose Casual Dining, Inc.
Location: 8600 LaSalle Road
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Rose Casual Dining, Inc.
ADDRESS: Three Terry Drive, Suite 102
New Town, PA 18940
PHONE NUMBER: (215) 579-9220

12

Exhibit B
ITEM # 150
Request for Zoning: Variance, Special Exception, or Special Hearing
Date to be Posted: Anytime before but no later than _____
Format for Sign Printing: Black Letters on White Background:

ZONING NOTICE

Case No.: _____

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE:

DATE AND TIME:

REQUEST: To permit a free-standing sign within 25' of a road right-of-way.

To permit a free-standing business sign having an area of 95 sq. ft. per face in lieu of the permitted 25 sq. ft. total of 196 sq. ft.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

To permit a maximum sign height of 14.75' above the grade level of the lot on which it is located and above the street which it faces in lieu of the 6 feet permitted, all as shown more particularly on the plan to accompany Zoning Variance submitted herewith.



Baltimore County
Department of Permits and Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 11, 1996

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-149-A (Item 150)
8600 LaSalle Road
5/6 Joppa Road, 21' W of c/l LaSalle Road
9th Election District - 4th Councilmanic
Legal Owner(s): LaSalle Limited Partnership
Contract Purchaser(s): Rose Casual Dining, Inc.

Variance to permit a free-standing sign within 25 feet of a road right-of-way; to permit a free standing business sign having an area of 95 square feet per face in lieu of the permitted 25 square feet per face (a total of 196 square feet); and to permit a maximum sign height of 14.75 feet above the grade level of the lot on which it is located and above the street which it faces in lieu of the 6 feet permitted.

HEARING: MONDAY, NOVEMBER 4, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: LaSalle Limited Partnership
Rose Casual Dining, Inc.
Howard L. Alderman, Jr., Esq.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY OCTOBER 20, 1996.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3393.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 14, 1996

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
305 West Chesapeake Avenue
Suite 113
Towson, MD 21204

RE: Item No.: 150
Case No.: 97-149-A
Petitioner: LaSalle Ltd. Partnership

Dear Mr. Alderman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 30, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/pe
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management
FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning
SUBJECT: 8600 LaSalle Road

DATE: November 1, 1996

INFORMATION:

Item Number: 150
Petitioner: LaSalle Limited Partnership
Property Size: _____
Zoning: ML-IM
Requested Action: _____
Hearing Date: 1/1

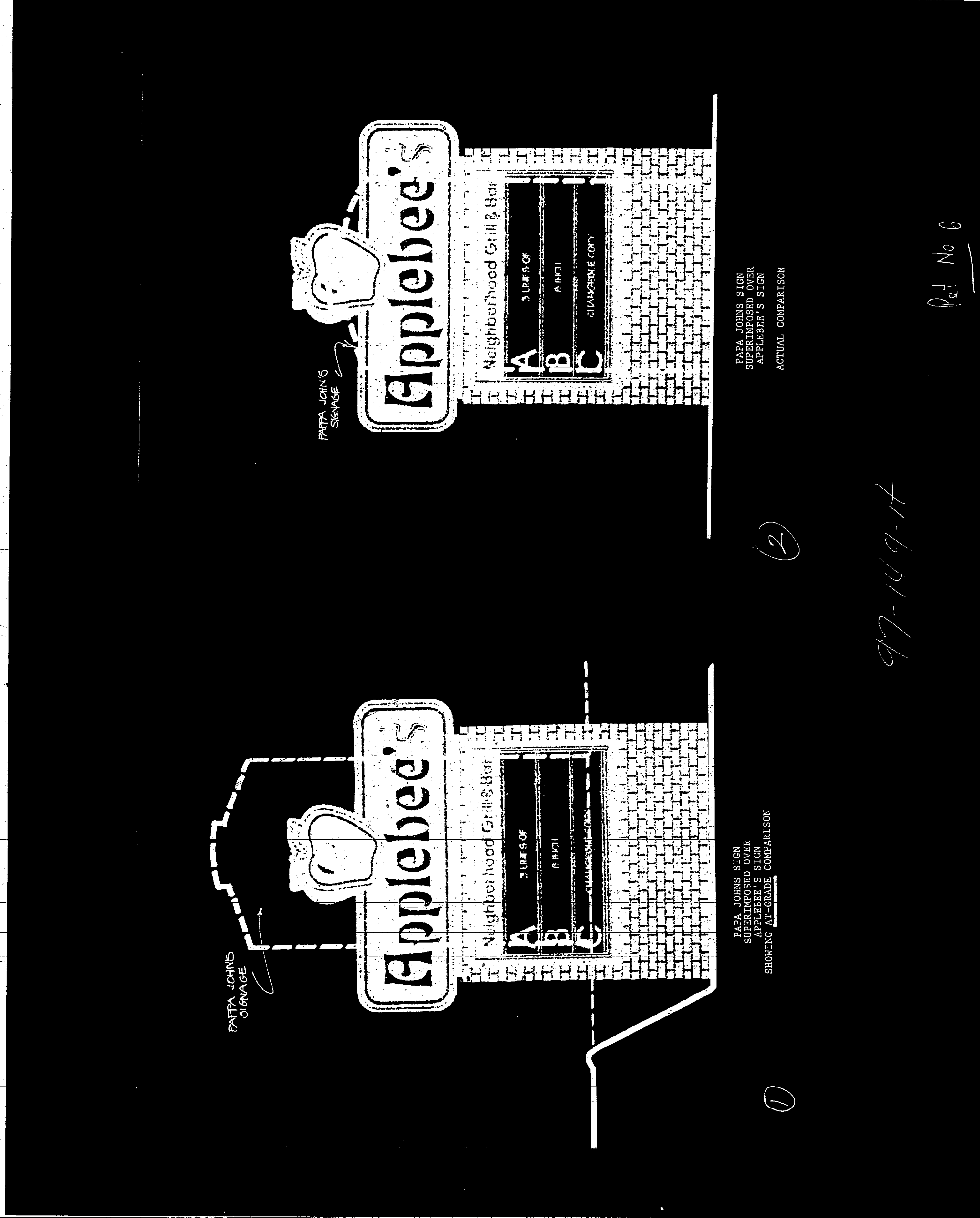
SUMMARY OF RECOMMENDATIONS:

The petitioner has requested several variances from the sign regulations in order to permit the construction of a freestanding sign for Applebee's restaurant, which is under construction at the southwest corner of Joppa Road and LaSalle Road in the Maryland Executive Park. The variances requested involve the setback from the Joppa Road right of way, sign height of 14.75' in lieu of 6' and area 98 sq. ft. per face in lieu of the required 25 sq. ft. per face. It should be noted that the site is zoned ML-IM. The restaurant is an auxiliary service use within the office park.

It also should be noted that there are several existing free standing signs on site in proximity to the new sign, which creates visual clutter along the Joppa Road frontage. There is a permanent Maryland Executive Park sign which appears to be approximately 18.38 sq. ft., a temporary real estate "for lease" sign and a sign for "Chesapeake in Paradise." The petition for zoning variance for sign area has not acknowledged the existing signs in the requested variance. The variance request should be amended to include the existing Maryland Executive Park sign for a total of two free standing signs in an ML zone in lieu of one free standing sign. If the petitioner can demonstrate hardship or practical difficulty and all variances are granted, this office recommends the removal of all temporary and/or illegal signs prior to the issuance of a sign permit for Applebee's restaurant.

Prepared by: Jeffrey M. Long
Division Chief: Gary L. Kenna

AFK/JL:rdn
ITEM 150/PZONE/ZAC1



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management
Date: October 25, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 21, 1996
Item No. 150

The Development Plans Review Division has reviewed the subject zoning item. In accordance with the final landscape Plan approved on August 23, 1996, all of the existing trees along Joppa Road are to remain. This may be a conflict with the proposed sign.

RWB:HJO:jrb
cc: File

ZONE33B

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/10/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCT. 10, 1996.

Item No.: SEE BELOW Zoning Agenda:

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.

B. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 149, 150, 151, 152, 153, 154, 155, 156, 158, 159 and 160.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seely
Permits and Development Review
DEPRM
DATE: 10/14/96

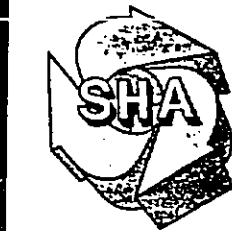
SUBJECT: Zoning Advisory Committee
Meeting Date: Oct 15

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:
150
151
152
156
158
160

RBS:sp

BRUCE2/DEPRM/TXTS8P



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 150 (J.R.F.)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 - Baltimore, MD 21203-0717

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seely
Permits and Development Review
DEPRM
DATE: 10/14/96

SUBJECT: Zoning Advisory Committee
Meeting Date: Oct 15

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:
150
151
152
156
158
160

RBS:sp

BRUCE2/DEPRM/TXTS8P

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887 4880

DATE: 10/10/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCT. 10, 1996.

Item No.: SEE BELOW Zoning Agenda:

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.

B. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 149, 150, 151, 152, 153, 154, 155, 156, 158, 159 and 160.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

RE: PETITION FOR VARIANCE * BEFORE THE
8600 LaSalle Road, S/S Joppa Road, * ZONING COMMISSIONER
91' W of c/l LaSalle Road *
9th Election District, 4th Councilmanic * OF BALTIMORE COUNTY

Legal Owner(s): LaSalle L.P. * CASE NO. 97-149-A
Contract Purchaser(s): Rose Casual Dining *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Denilio
CAROLE S. DENILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of November, 1996, a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esq., 305 W. Chesapeake Avenue, Suite 113, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

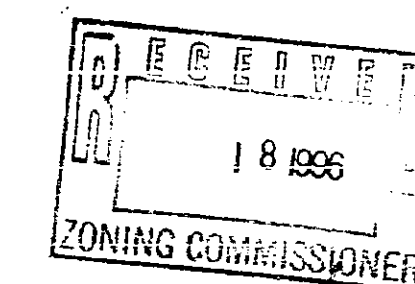
BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOBKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21201
410-526-3700
TELECOPIER 410-629-9250

LAW OFFICES
LEVIN & CANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-526-3700
TELECOPIER 410-296-2801

ELIAS LEVIN (BB3-1086)

HOWARD L. ALDERMAN, JR.

November 13, 1996



Lawrence E. Schmidt, Esquire
Zoning Commissioner for Baltimore County
400 Washington Avenue
Towson, Maryland 21204

RE: Case No. 97-149-A
LaSalle, L.P., Owner
Rose Casual Dining, Inc., Petitioner/Lessee

Dear Commissioner Schmidt:

I have reviewed your decision in the above-referenced case dated November 8, 1996 wherein the variance relief as requested was granted. As was presented at the hearing on this matter, neither I nor any representative of the Petitioner received a copy of the comments of the Zoning Advisory Committee prior to the hearing. As of this writing I have still not received a copy of any such comments. On page four of your decision you note that your office received a comment from the Baltimore County Office of Planning subsequent to the hearing. That comment related specifically to the existing Maryland Executive Park sign on the property. Your Order recites the position of the Office of Planning that the Petition should have included the Executive Park sign as part of the request, thereby seeking a variance for two freestanding signs in the existing ML-IM zone. As you are aware, the Petitioners sought variance relief from Section 413.6B of the Baltimore County Zoning Regulations pertaining to the stationary, "freestanding business sign".

With all due respect to the Office of Planning, I suggest that their concern is, at best, misplaced. The Maryland Executive Park sign which is addressed in your Order is an identification sign for the industrial/office park. As I am sure you are aware, Baltimore County Zoning Regulations Section 413.6F permit, in addition to the freestanding business sign permitted by subsection B, a freestanding "park identification" sign provided that its total area does not exceed 150 square feet per face. Reference to the existing sign detail for the Maryland Executive Park sign as shown on Petitioner's Exhibit No. 1 shows clearly that this Park identification sign is far less than the permitted square footage.

Lawrence E. Schmidt, Esquire
November 13, 1996
Page 2

LEVIN & GANN, P. A.

I am requesting that this letter be included as part of the official case file in this matter.
Thank you for your consideration in this matter and should you need any additional information,
as always, please do not hesitate to contact me.

Very truly yours,

Howard L. Alderman, Jr.
Howard L. Alderman, Jr.

HLA/lah
cc: Rose Casual Dining, Inc.
Mr. John Gaburick
LaSalle Limited Partnership
Ms. Dianna Iiter, Planner

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

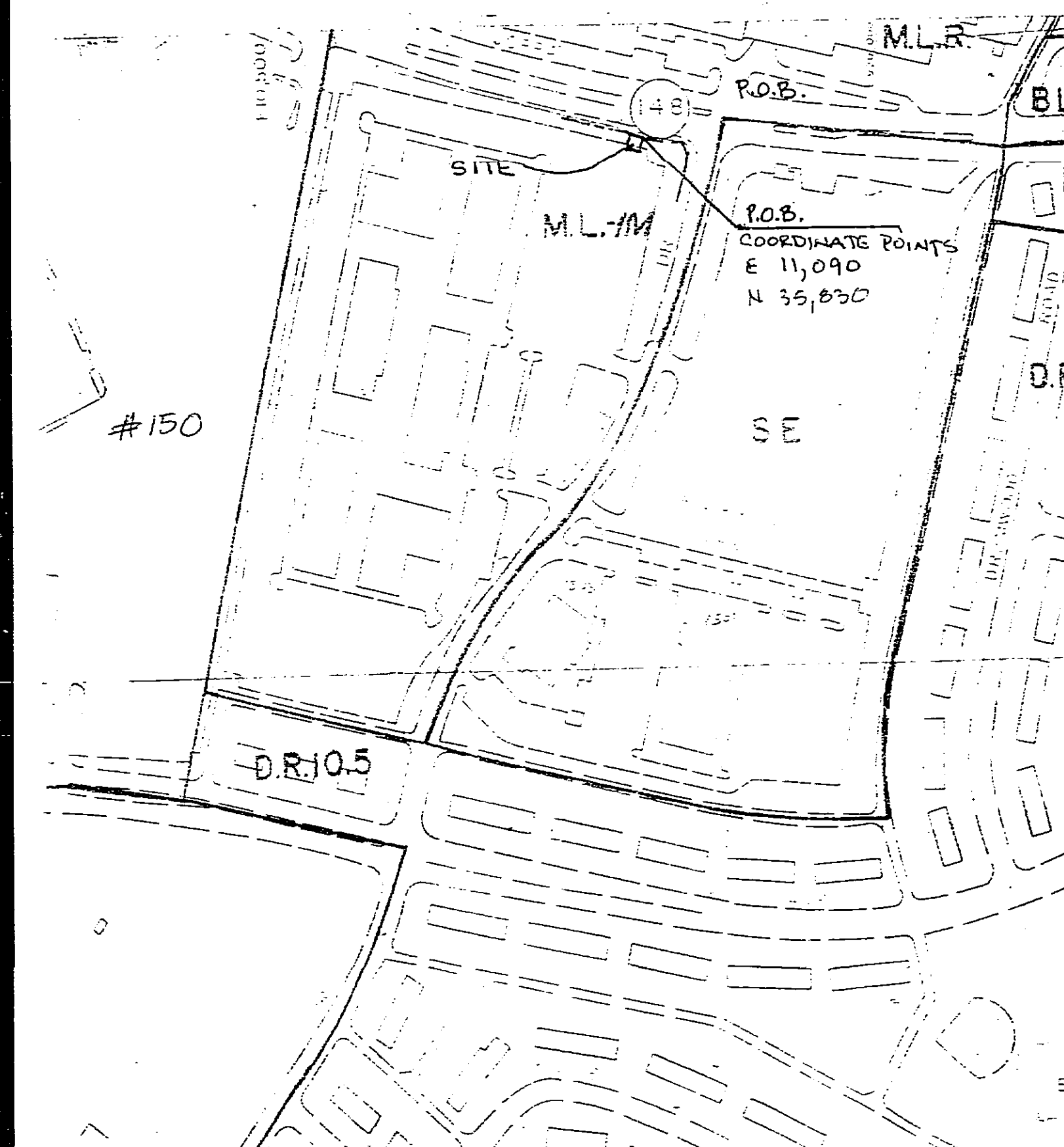
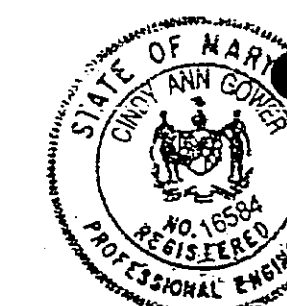
NAME	ADDRESS
Margaret H. Davis	6708 Chesapeake Lane 21234
Julian D. Smith Jr.	6708 Chesapeake Lane 21234
Kim Lewman	1122 Egmont Ct 21234

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
FRED THOMPSON	ROSE THOMPSON INC. 4075 CAMEL AVE 21212
JOHN F. GABURICK	ROSE CASUAL DINING INC. - APPLEBEE'S 581 WYOMING RD. TIMONUM, MD 21093
Howard L. Alderman Jr.	315 W. Chesapeake Lane 21234

ZONING MAP NE 8
SCALE: 1" = 200'
APPLEBEE'S SIGN VARIANCE
8800 LA SALLE ROAD



NOV 13 1996 14:04 110-337-9959 PAGE 1

THE ASSOCIATES OF LOCH RAVEN VILLAGE
EUDOWOOD P.O. BOX 9721
TOWSON, MARYLAND 21204-9721

November 1, 1996

Mr. Lawrence Schmidt
Zoning Commissioner
400 Washington Avenue
Courthouse - Room 112
Towson, Maryland 21204

Dear Mr. Schmidt,

The Associates of Loch Raven Village invited interested parties to attend a meeting held October 28, 1996 at Loch Raven Academy. The subject was the request by Applebee's for a zoning variant on their sign.

At the meeting the principals of Applebees presented architectural drawings of a brick based monument style sign. Our members, from Drumwood Rd. & Putty Hill Ave. addresses, found the sign acceptable and voted 15 to 0 to approve the sign as presented. Based on this, the Association does not offer any objection.

Thank you,
Robert M. Cook, Jr.
Robert M. Cook, Jr.
President

cc: Howard Alderman
Levin & Gann, PA

PETITIONER'S
EXHIBIT *No 2*

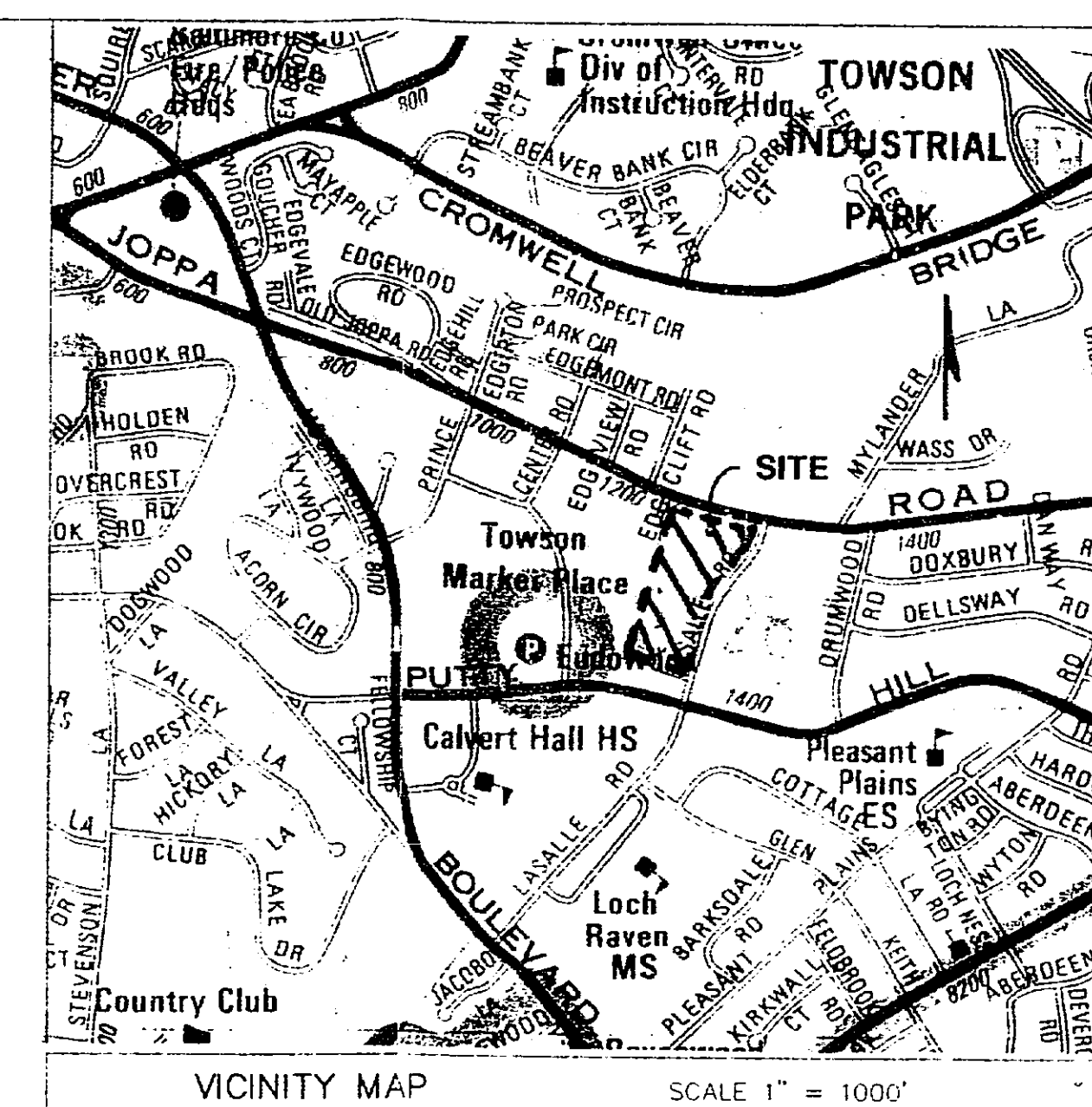


PHOTOGRAPH A

Pet No 3

501:2

NOTES



BENCH MARK
BALTIMORE COUNTY TRAVERSE HUB 14556
SOUTHWEST CORNER JOPPA ROAD AND LASALLE ROAD
ELEV. 478.531

ARCADE PARTNERSHIP
5543/228
TAX ACCOUNT #17-00-003320

EXISTING TWO STORY
OFFICE BUILDING

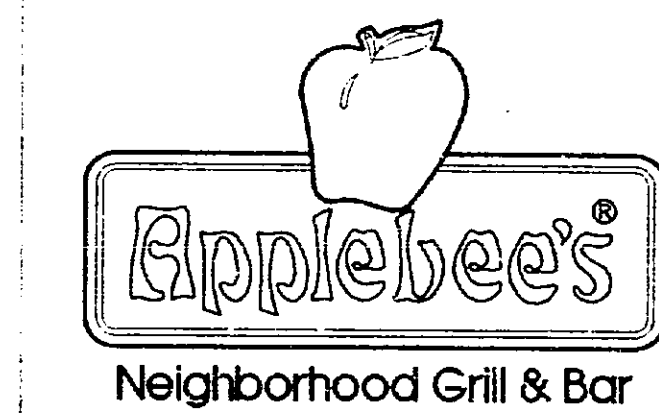
PROPOSED SIGN (REASON FOR ZONING
VARIANCE) SEE DETAIL THIS SHEET

P.O.B.
S 13°56'50" W 23.04'
EXIST. SIGN TO REMAIN
SEE DETAIL THIS SHEET

S 32°46'31" E
26.56'

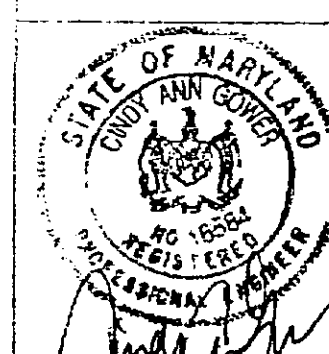
150

G.T.
GOWER THOMPSON, INC.
CIVIL ENGINEERING - SITE PLANNING
429 E. Lake Avenue
Baltimore, Maryland 21204
Phone 410-532-0101
Fax 410-532-0104



This document, and all plans, specifications and other information contained herein, are the exclusive property of APPLEBEE'S INTERNATIONAL, INC. ("Applebee's") and are to be used solely for the project and location identified herein. No part of this document may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written consent of APPLEBEE'S INTERNATIONAL, INC. The design represented by these documents is the property of APPLEBEE'S INTERNATIONAL, INC. and may not be used or copied without the prior written consent of APPLEBEE'S INTERNATIONAL, INC. These documents and all copies will be returned to APPLEBEE'S INTERNATIONAL, INC. upon the request.

APPLEBEE'S INTERNATIONAL, INC.
© 1994



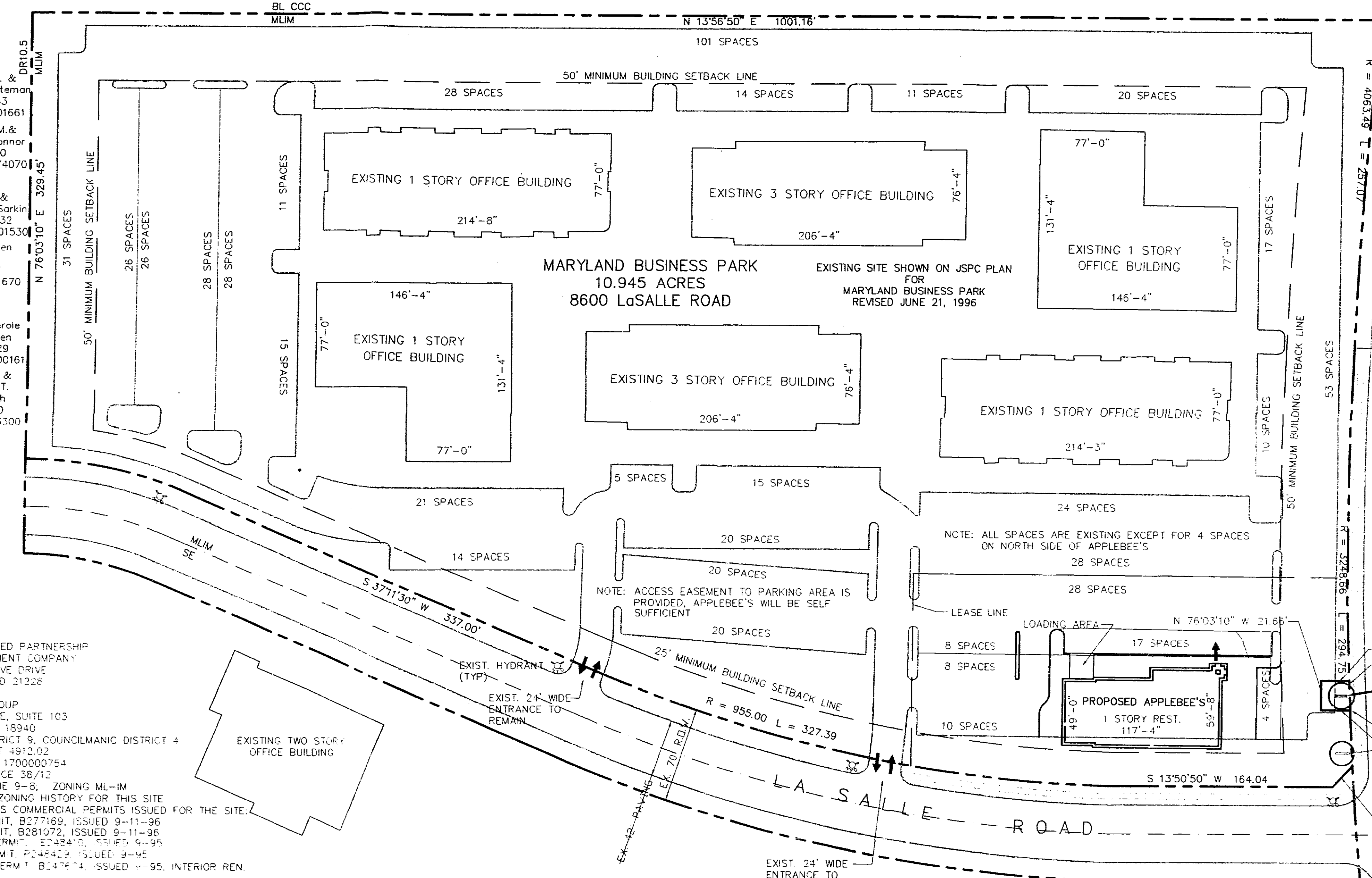
C-1

SEPT. 27, 1996

FILE NO. 96053201 PLOI DATE 9-27-95

NO BUILDINGS WITHIN
200' OF THIS PROPERTY LINE

TOWSON MARKET PLACE
LIMITED PARTNERSHIP
959/472
TAX ACCOUNT #09-05-840080



- Robert L. & Ruth T. Boleman
5018/153
#09-02-001661
- Theresa M. & Marie T. Connor
7146/30
#09-03-474070
- Michael & Gretchen Sarkin
8425/232
#09-10-001530
- John & Ellen Creek
3377/57
#09-03-231670
- Gary & Carole Harthausen
7932/628
#09-03-200161
- Bernard F. & Geraldine T. Cavanaugh
9196/320
#09-03-003300

PERMIT NOTES

1. OWNER: LASALLE LIMITED PARTNERSHIP, MIC DEVELOPMENT COMPANY, 5720 EXECUTIVE DRIVE, BALTIMORE, MD 21228
2. DEVELOPER: THE ROSE GROUP, 3 TERRY DRIVE, SUITE 103, NEWTOWN, PA 18940
3. ELECTION DISTRICT 9, COUNCILMANIC DISTRICT 4
4. CENSUS TRACT 4310.02
5. TAX ACCOUNT 1700000754
6. DEED REFERENCE 38/12
7. ZONING MAP NE 9-8, ZONING ML-IM
8. THERE IS NO ZONING HISTORY FOR THIS SITE
9. SOME PREVIOUS COMMERCIAL PERMITS ISSUED FOR THE SITE: BUILDING PERMIT, B277169, ISSUED 9-11-96; GRADING PERMIT, B281672, ISSUED 9-11-96; ELECTRICAL PERMIT, B249413, ISSUED 9-24-96; PLUMBING PERMIT, B249429, ISSUED 9-24-96; COMMERCIAL PERMIT, B249474, ISSUED 9-25-96; INTERIOR REN.
10. EXISTING LAND USE: OFFICE PARK
11. PROPOSED BUILDING: SIGN FOR NEW APPLEBEE'S RESTAURANT
12. SITE IS SERVED BY PUBLIC WATER AND SEWER
13. ALL PROPOSED PARKING AISLES WILL COMPLY WITH SECTION 409.4 (BCZR)
14. ALL PROPOSED PARKING, MANEUVERING AND AISLE AREAS SHALL BE CURBED, PAVED WITH BITUMINOUS CONCRETE AND SHALL BE PERMANENTLY STRIPED
15. BASED ON BALTIMORE COUNTY BILL NO. 16393 (THE MASON BILL) THIS PROJECT IS EXEMPT FROM FOREST CONSERVATION REQUIREMENTS DRC # 10305F, DIST 9C4
16. EXISTING SITE SHOWN ON JSPC PLAN FOR MARYLAND BUSINESS PARK, REVISED JUNE 21, 1996

PARKING DATA (ALL USES ON SITE EXCEPT FOR THE PROPOSED RESTAURANT WERE APPROVED FOR PARKING PRIOR TO MAY 25, 1988)

Ex. Medical Office (First Floor)	23
Ex. Day Care (First Floor)	10
Ex. Carryout (First Floor)	4
Ex. General Office (First Floor)	254
Ex. General Office (Second Floor)	60
Ex. General Office (Third Floor)	60
Ex. Restaurant	87
TOTAL REQUIRED	498
TOTAL PROVIDED	620

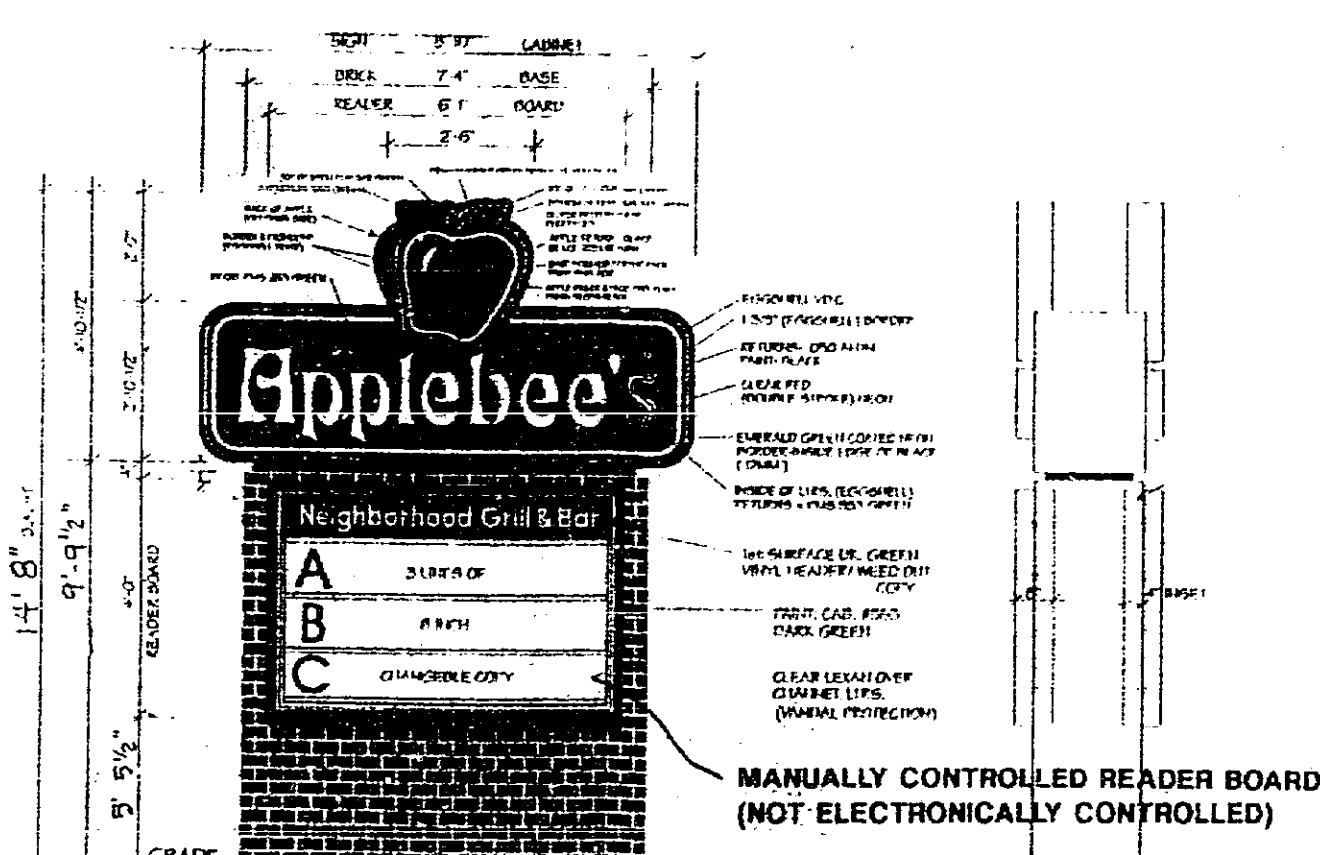
NOTE: ALL SPACES ARE EXISTING EXCEPT FOR 4 SPACES ON NORTH SIDE OF APPLEBEE'S

STANDARD PARKING SPACES

MARYLAND EXECUTIVE PARK
8600 La Salle Road

EXISTING SIGN

EXISTING SIGN TO REMAIN

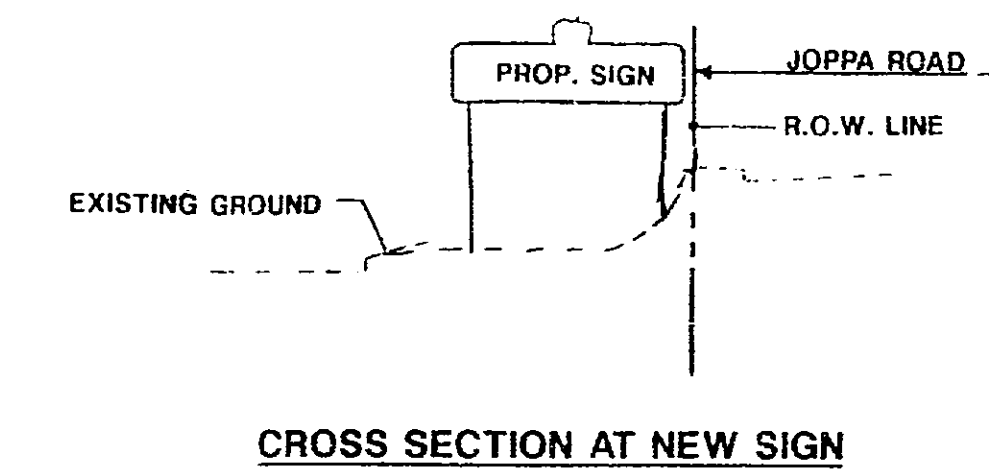


PROPOSED SIGN

SIGN SHALL BE DOUBLE SIDED AND LIGHTED.

TOTAL AREA OF SIGN = 196 SQ. FT. (98 SQ. FT. PER SIDE)

PLAN TO ACCOMPANY ZONING VARIANCE HEARING
FOR NEW APPLEBEE'S SIGN



CROSS SECTION AT NEW SIGN

