

IN RE: PETITION FOR VARIANCE

E/S of Harford Road, 180' NE

centerline of North Wind Road

11th Election District

6th Councilmanic District

(10037, 10039, 10101 & 10105 Harford Rd).

Bateman & Loundas, LLC

Petitioners

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 01-202-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Bateman & Loundas, LLC. The Petitioners are requesting a variance from Section 450.4.I.5(a) of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a total of 7 wall mounted signs on the west and north facades in lieu of the permitted 3 and to allow 5 of the 7 wall mounted signs to be located on the west façade. In addition, a variance to permit a landscape screening strip of 7 feet in lieu of the required 15 ft. is requested. It should be noted that the Petitioners originally requested a parking variance to allow 211 parking spaces in lieu of the required 261. However, it was clarified at the hearing that the parking requirement for the restaurant and office use proposed for the site requires a total of 210 parking spaces. The Petitioners are providing 211 parking spaces and accordingly, the variance request is no longer necessary. Therefore, as noted on the Petition, the variance from the parking requirements was dismissed as no longer being necessary.

Appearing at the hearing on behalf of the variance requests were Mark Loundas, partner and owner of the subject property. The Petitioners were represented by Michael Davis, Rob Hoffman and David Karceski, attorneys at law. Also appearing on behalf of the Petitioners was Fred Thompson, representing Gower & Thompson, Inc., the engineering firm who prepared the site plan of the property. Appearing in opposition to the Petitioners' request were many residents from

3/1/01
R. Thompson

the surrounding neighborhood, all of whom signed in on the protestants' Sign-In Sheet. The protestants were represented by Ronald A. Decker, attorney at law.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 5.6 acres of gross area and is split-zoned BL, RO and DR 3.5. The subject property is located on the east side of Harford Road just opposite the intersection of Cub Hill and Harford Road. The subject property is currently improved with an existing restaurant known as "Bill Bateman's". The restaurant at this time is closed and the Petitioners are proposing to construct a new 12,300 sq. ft. restaurant in place of the old facility. The details of the restaurant to be constructed, as well as the parking lot for the subject property, are more particularly shown on Petitioners' Exhibit No. 1, the site plan submitted at the hearing.

Mr. Loundas, owner and operator of Bill Bateman's restaurants, testified regarding the new facility to be constructed on this property. As shown on the plan, the Petitioners propose to construct a 12,300 sq. ft. restaurant facility with an additional 4,000 sq. ft. of office space located on the second floor. The office space will be used as the corporate headquarters of Bill Bateman's restaurants. The bottom floor of the restaurant building is proposed to be used as a sit down restaurant, a small game room, a billiard room and a bar area where patrons will wait to be seated. The Petitioners also propose a small outdoor seating area as shown on the north face of the restaurant.

The restaurant use is a permitted use in the BR zone portion of this property. Bill Bateman has operated a restaurant at this location since 1987 up until the present date. Prior to that, the property was the home of the Cub Hill Inn, another bar and restaurant facility. The building wherein the previous restaurant uses were located has become antiquated and no longer is suitable for the type of dining establishment the Petitioners wish to locate on this property. Therefore, they

3/1/01
R. L. Loundas

propose to tear down the old restaurant and proceed with the construction of this new facility. In addition, the Petitioners were able to purchase the property which up until this time they leased from the previous owner. They are now in a position to move forward with their plans to upgrade and replace the old restaurant with a state of the art Bill Bateman's restaurant. In order to proceed with their plans two variances are necessary.

The first variance involves a landscape buffer setback of 7 ft. in lieu of the minimum requirement of 15 ft. This occurs on the southern edge of the Petitioners' property, along the area where 14 parking spaces are provided. That particular area is bordered by the homeowner's association property of the North Winds Residential Community. That area is unimproved at this time and is basically a grassy field with a bermed area containing vegetation. The Petitioners would have gladly provided the full 15 ft. landscape buffer, however, as a result of a 40-60 ft. wide strip of RO zoning, which transects the subject property, the Petitioners are restricted in the area wherein they can locate their restaurant building. No portion of the restaurant building is permitted to extend into the RO zone. Therefore, the Petitioners are forced to locate their proposed restaurant facility in the southern quadrant of the property which causes the aforementioned parking spaces to be situated 7 ft. from the property line. This has no detrimental impact on the adjacent property, inasmuch as the property affected by the 7 ft. landscape buffer is unimproved and is open space. In addition, the Petitioners have offered to install additional landscaping not only along the edge of their property, but also on the lands owned by the North Winds Homeowner's Association, if permission is granted to them by that property owner. This is more than adequate to properly screen and landscape the southern edge of their property and, therefore, the variance requested should be granted.

Testimony was next offered as to the second variance requested by the Petitioners. The property owners have decided to provide signage on the facades of the building to be constructed.

The variance request is not to exceed the amount of square footage for signage to be installed on the property. However, the Petitioners have chosen to break down the signage into 7 separate wall mounted signs in lieu of the permitted 3, 5 of which are proposed to be located on the western façade of the building. The Petitioners believe that this is a more attractive method of disbursing the signage about the building, as opposed to clustering all the signage on one large sign. They also propose a pole mounted sign which is to be located along Harford Road. However, at the hearing, they agreed to eliminate the pole mounted sign and replace same with a ground mounted monumental sign. This change was brought about by comments issued by the Planning Office, as well as the community. Therefore, the Petitioners propose to install a ground mounted monumental sign in lieu of the pole mounted sign.

The sign package proposed by the Petitioners has been reviewed by the Planning Office. The Planning Office does not oppose the signage as presented, so long as the Petitioners utilize changeable letters on their marquee as opposed to electronically scrolling letters. In addition, as stated previously, the Planning Office has asked for a ground mounted monumental sign. The Petitioners have agreed to those conditions which shall be incorporated as a restriction of approval.

As stated previously, many residents of the adjacent residential community appeared in opposition to the Petitioners' request. The homeowners association was represented by Ronald A. Decker, attorney at law. Mr. Glen Gischel, the president of the North Winds Homeowner's Association appeared and testified. The position of the association was that they were not against the expansion of the Bill Bateman's restaurant, but wanted to preserve the residential character of their neighborhood to the greatest extent possible through this redevelopment of the site. The community has experienced problems with the previous operation, such as odor emanating from the trash dumpster, the noise generated by patrons coming and going to the bar and restaurant in the late hours of the evening, particularly in the summer months when residents have their

windows open, and trash and debris which have cluttered the property on occasions. The neighbors are concerned that enlarging the restaurant use to almost 4 times that which currently exists on the property will exacerbate the problems they have previously experienced on the property. They have asked for appropriate conditions and restrictions to help to eliminate the problems that they anticipate once the new restaurant is open for business.

Mr. Loundas gave many assurances at the hearing to the members of the adjacent community. In addition, the Petitioners, on their own accord, had meetings with representatives of the adjacent community in an attempt to provide assurances that they will use their best management practices to alleviate the fears and concerns raised by their neighbors. Mr. Loundas again gave assurances at the hearing that he would continue to work with the community once the restaurant is open for business. In addition, Mr. Loundas indicated that he would provide the name and telephone number of the general manager of the restaurant who will be available on site should a problem arise.

Many of the concerns raised by the citizens in attendance had no correlation whatsoever to the sign variance or the landscape buffer variance that is being requested by the Petitioners. However, the Petitioners, in a show of good faith and demonstrating their desire to work with their neighbors, have agreed to the imposition of certain conditions and restrictions on this approval which should help to alleviate the concerns and fears that were expressed at the hearing.

As to the variance request for the sign package and the landscape strip, the testimony and evidence clearly demonstrated that the granting of those variances will have no detrimental impact on any surrounding property.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners 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 a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

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

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 1st day of March, 2001, by this Deputy Zoning Commissioner, that the Petitioners' requests for variance to permit 7 wall mounted signs on the west and north facades in lieu of the permitted 3 and to allow 5 of the 7 wall mounted signs to be located on the west façade and the variance to permit a landscape screening strip of 7 ft. in lieu of the required 15 ft., be and are hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

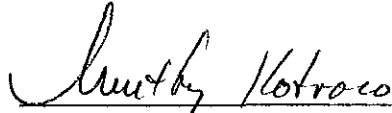
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has

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. The Petitioners shall be required to submit a landscape and a lighting plan to Mr. Avery Harden, Landscape Architect for Baltimore County, for review and approval. In addition, the Petitioners shall be required to provide additional landscaping off-site and on the properties owned by the North Winds Homeowner's Association, which is located to the south of the Petitioners' property. This additional off-site landscaping shall only be permitted in the event the North Wind Homeowner's Association permits it. If so, the Petitioners shall work with representatives of the homeowner's association to determine the amount and location of the landscaping to be installed. In the event the parties are unable to agree on the particulars of this landscaping, then the matters shall be submitted to Mr. Avery Harden for his review and approval, who shall have the final discretion to determine this issue.
3. The Petitioners shall be required to provide a ground mounted monumental sign on the property in lieu of the pole mounted sign shown on the plan. In addition, no signage on the property shall contain electronically scrolling messages or letters. All letters utilized on the proposed signage shall be hand changeable type of lettering.
4. The Petitioners shall be required to empty the trash dumpster a minimum of 3 times per week in an effort to control any odors that may emanate from the dumpster itself. All servicing or emptying of the dumpster shall occur between the hours of 8:00 a.m. and 6:00 p.m., Monday thru Saturday.
5. The Petitioners shall be required to install the fencing as shown on the site plan. Said wood fence shall be regularly maintained by the Petitioners and kept in good order and repair.
6. The last seating for the outdoor patio dining area shall occur no later than 11:00 p.m. on any given evening. The outdoor dining area shall be free of all patrons by 12:00 midnight on any given night. The Petitioners shall utilize the services of a sound engineer, in order to mitigate the affects of the noise generated by either the patrons seated at the outdoor tables or the music to be played on the deck, so as to have the least affect on those residents living to the east of the subject property. In any event, the Petitioners shall be required to comply with all laws pertaining to noise and the amount of decibel levels that are permitted on the boundary of their property.
7. The 7 parking spaces located directly behind the restaurant building along the eastern boundary of the property shall be utilized as employee parking. These spaces are in close proximity to the residential homes and, therefore, shall be utilized by employees and not by regular customers who may come and go on a more frequent basis.
8. The Petitioners shall provide to the homeowner's association president the name and telephone number of the manager of the new restaurant to be constructed on the property.

9. The second floor of the new building shall only be used as office space and office storage for Bill Bateman's Restaurants.

IT IS FURTHER ORDERED, that the Petitioners' request for a variance to allow 211 parking spaces in lieu of the required 261 parking spaces is no longer needed and shall be DISMISSED AS MOOT.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

FILED FOR FILING
3/1/01
R. P. Jensen



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

March 1, 2001

Michael Davis, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

Re: Petition for Variance
Case No. 01-202-A
Property: 10037, 10039, 10101 & 10105 Harford Road

Dear Mr. Davis:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been granted in accordance with the enclosed 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 from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

Copies to:

Ronald A. Decker, Esquire
4111 E. Joppa Road, Suite 201
Baltimore, MD 21236

Mr. Glen Gischel, President
North Winds Homeowner's Association
3012 Northbranch Lane
Baltimore, MD 21234



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10037, 10039, 10101, 10105 Harford

which is presently zoned BL and DR 3.5 + R.O.

This Petition shall be filed with the Department of Permits and 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

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 the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

TIMMY F. RUPPERSBERGER

Name - Type or Print

Signature

VENABLE, BAETJER and HOWARD, LLP

Company

210 ALLEGHENY AVENUE 410-494-6353

Address Telephone No.

TOWSON, MARYLAND 21204

City State Zip Code

Legal Owner(s):

BATEMAN & LOUNDAS, LLC

Name - Type or Print

By:

Signature

MARC J. LOUNDAS, Partner

Name - Type or Print

Signature

13126 Long Green Pike 410-592-6211

Address Telephone No.

Hydes, Maryland 21082

City State Zip Code

Representative to be Contacted:

TIMMY F. RUPPERSBERGER

VENABLE, BAETJER and HOWARD, LLP

Name

210 ALLEGHENY AVENUE 410-494-6353

Address Telephone No.

TOWSON, MARYLAND 21204

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By BR Date 11/14/00

COPIES RECEIVED FOR FILING

Date 3/1/01

Case No. 01-202-A

REV 9/15/98

Variances Requested for
10037, 10039, 10101 and 10105 Harford Road

Variance from Section 450.4.I.5(a) of the Baltimore County Zoning Regulations (BCZR) to allow a total of seven (7) wall-mounted signs on the west and north façades in lieu of the permitted three (3), and to allow five (5) of the seven (7) wall-mounted signs to be located on the west façade.

Variance from BCZR Section 409.6.A.2 to allow 211 parking spaces in lieu of the required 261 parking spaces.

Variance from BCZR Section 409.8.A.1 to permit a landscape screening strip of 7 feet in lieu of the required 10 feet.

*Dismissed as
no longer
needed
TMR*

ZONING DESCRIPTION
BILL BATEMAN'S
10101 HARFORD ROAD

BEGINNING AT A POINT ON THE EAST SIDE OF HARFORD ROAD (50 FEET WIDE) LOCATED 180 FEET NORTHEAST OF THE CENTERLINE OF NORTH WIND ROAD. THENCE EXTENDING ALONG THE HARFORD ROAD FOR THE FOLLOWING 13 COURSES AND DISTANCES:

1. NORTH 30 DEGREES 43 MINUTES 58 SECONDS EAST, 90.45 FEET;
2. SOUTH 59 DEGREES 16 MINUTES 02 SECONDS EAST, 5.00 FEET;
3. NORTH 30 DEGREES 43 MINUTES 58 SECONDS EAST, 5.72 FEET;
4. NORTH 53 DEGREES 14 MINUTES 48 SECONDS WEST, 5.03 FEET;
5. NORTH 30 DEGREES 43 MINUTES 58 SECONDS EAST, 131.61 FEET;
6. SOUTH 59 DEGREES 16 MINUTES 02 SECONDS EAST, 3.00 FEET;
7. NORTH 30 DEGREES 43 MINUTES 58 SECONDS EAST, 10.00 FEET;
8. NORTH 59 DEGREES 16 MINUTES 02 SECONDS WEST, 3.00 FEET;
9. NORTH 30 DEGREES 43 MINUTES 58 SECONDS EAST, 137.94 FEET;
10. SOUTH 59 DEGREES 16 MINUTES 02 SECONDS EAST, 5.00 FEET;
11. NORTH 30 DEGREES 43 MINUTES 58 SECONDS EAST, 10.00 FEET;
12. NORTH 59 DEGREES 16 MINUTES 02 SECONDS WEST, 5.00 FEET, AND;
13. NORTH 30 DEGREES 43 MINUTES 58 SECONDS EAST, 83.29 FEET;

THENCE EXTENDING THE FOLLOWING 7 COURSES AND DISTANCES TO THE PLACE OF BEGINNING:

1. NORTH 55 DEGREES 02 MINUTES 24 SECONDS EAST, 107.14 FEET;
2. SOUTH 73 DEGREES 26 MINUTES 38 SECONDS EAST, 103.20 FEET;
3. SOUTH 70 DEGREES 25 MINUTES 04 SECONDS EAST, 334.19 FEET;
4. SOUTH 29 DEGREES 34 MINUTES 24 SECONDS WEST, 400.93 FEET;
5. NORTH 54 DEGREES 22 MINUTES 35 SECONDS WEST, 193.21 FEET;
6. SOUTH 35 DEGREES 23 MINUTES 42 SECONDS WEST, 267.89 FEET, AND;
7. NORTH 60 DEGREES 29 MINUTES 48 SECONDS WEST, 265.93 FEET TO THE POINT AND PLACE OF BEGINNING.

CONSISTING OF FIVE PARCELS BEING OWNED BY BATEMAN AND LOUNDAS LLC AND RECORDED IN LIBER 14240 FOLIO 295, LIBER 14240 FOLIO 303, LIBER 14080 FOLIO 124, AND LIBER 14240, FOLIO 311.

CONTAINING 5.3862 ACRES MORE OR LESS SUBJECT TO WIDENING OF HARFORD ROAD.

ALSO KNOWN AS 10037 THROUGH 10105 HARFORD ROAD AND LOCATED IN THE 11TH ELECTION DISTRICT.



Andy Ann Gower

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

5636

DATE 11/29/00 ACCOUNT KCC 16150

AMOUNT \$ 100.00

RECEIVED FROM: Penelope, Frutiger + Howard

FOR: Variance - CI-202A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

26761

DATE 11/14/00 ACCOUNT KCC 16150

AMOUNT \$ 250.00

RECEIVED FROM: Green, Thompson

FOR: ...

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #01-202-A

10037, 10039, 10101, 10105 Harford Road
E/S Harford Road, 200' N of centerline Wind Road (Bill Bateman's)

11th Election District - 6th Councilmanic District

Legal Owner(s): Bateman & Loundas, LLC

Variance: to allow a total of seven, wall-mounted signs on the west & north facades in lieu of the permitted three; and to allow five of the seven wall-mounted signs to be located on the west façade; to allow 211 parking spaces in lieu of the required 261 parking spaces; and to permit a landscape screening strip of 7 feet in lieu of the required 10 feet.

Hearing: Tuesday, January 9, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

12/145 Dec. 21

C440507

CERTIFICATE OF PUBLICATION

TOWSON, MD, 12/21, 2000

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 1 successive weeks, the first publication appearing on 12/21, 2000.

J. Wilkinson
THE JEFFERSONIAN,

LEGAL ADVERTISING

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #01-2002-A

10037, 10039, 10101, 10105 Harford Road
E/S Harford Road, 200' N of centerline Wind Road
(Bill Bateman's)

11th Election District - 6th Councilmanic District
Legal Owner(s): Bateman & Loundas, LLC

Variance: to allow a total of seven wall-mounted signs on the west & north facades in lieu of the permitted three, and to allow five of the seven wall-mounted signs to be located on the west facade; to allow 211 parking spaces in lieu of the required 261 parking spaces; and to permit a landscape screening strip of 7 feet in lieu of the required 10 feet.

Hearing: Thursday, February 1, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391

1/19/01 Jan. 18

C445285

CERTIFICATE OF PUBLICATION

TOWSON, MD, 1/18, 2001

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 1 successive weeks, the first publication appearing on 1/18, 2001.

THE JEFFERSONIAN,
J. Wilkinson

LEGAL ADVERTISING

FOR
AMY

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #01-202-A

10037, 10039, 10101, 10105 Harford Road,
E/S Harford Road, 200' N of centerline Wind Road (Bill Bateman's)

11th Election District - 6th Councilmanic District
Legal Owner(s): Bateman & Loundas, LLC

Variance: to allow a total of seven wall-mounted signs on the west & north facades in lieu of the permitted three, and to allow five of the seven wall-mounted signs to be located on the west façade; to allow 211 parking spaces in lieu of the required 261 parking spaces; and to permit a landscape screening strip of 7 feet in lieu of the required 10 feet.
Hearing: Thursday, February 22, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
C448845
JT/2/614 Feb. 6

CERTIFICATE OF PUBLICATION

TOWSON, MD, 2/9/, 2001

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 1 successive weeks, the first publication appearing on 2/6/, 2001.

THE JEFFERSONIAN,
J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.:

01-202-A

Petitioner/Developer:

B. BATTEMAN, ETAL

% VENABLE, AMY

Date of Hearing/Closing:

1/9/01 - RESCH.

NEW CLOSING
DATE: 1/24/01
@ 9 AM

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

Attention: Ms. Gwendolyn Stephens

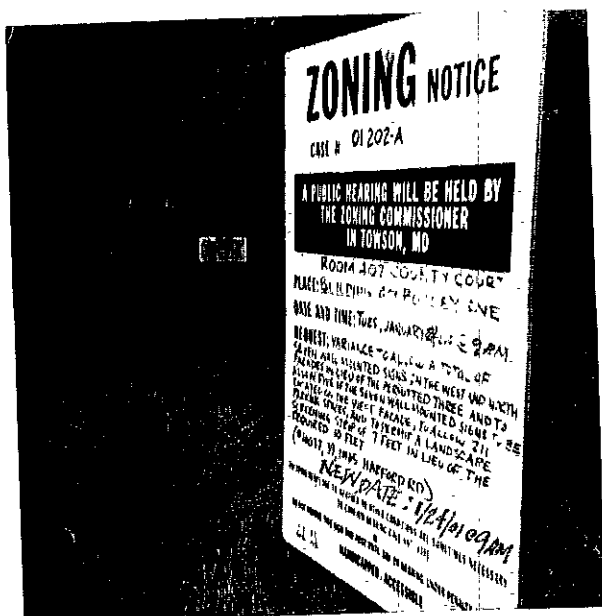
Ladies and Gentlemen:

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 #10037 HARFORD RD.

§ 10101 HARFORD RD

The sign(s) were posted on

12/18/00 - RESCH. % 12/26/00
(Month, Day, Year)



Sincerely,

Patrick M. O'Keefe 12/27/00
12/22/00
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

(Telephone Number)

01-202-A

NEW DATE 1/24/01
1/9/01

CERTIFICATE OF POSTING

NEW DATE

RE: Case No.: 01-202-A

Petitioner/Developer: BATEMAN, ETAL
% MR. DECKER, ESQ.

Date of Hearing/Closing: 2/12/01

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

2-SIGNS
REPOSTED
410-529-6146 (F)

22 @ 9⁰⁰ AM.

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 #10101 & #10037

HARFORD RD.

The sign(s) were posted on

1/15/01 - REV. - 1/30/01 CORRECT
(Month, Day, Year)

Sincerely,

Patrick M O'Keefe 1/16/01
(Signature of Sign Poster and Date) 1/30/01

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

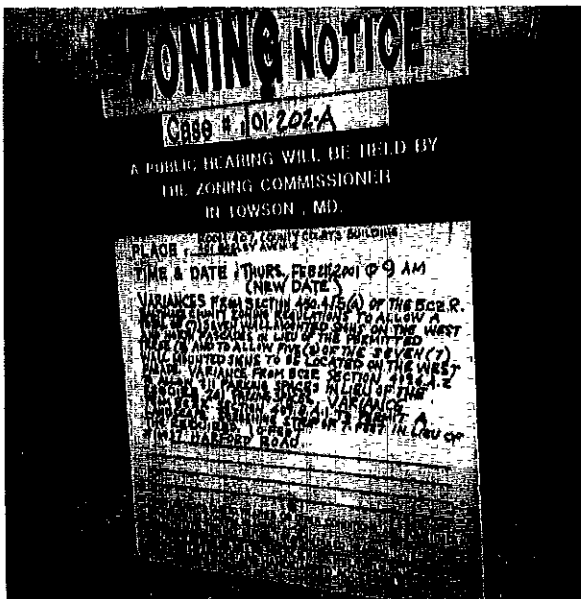
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

(Telephone Number)



01-202-A (M.C. & R.D.)
#10037 etc HARFORD RD. (2 SIGNS)
DATE 1/15/01
2/20/01

RE: PETITION FOR VARIANCE
10037, 10039, 10101, 10105 Harford Road (Bill
Bateman's), E/S Harford Rd, 200' N of c/l Wind Rd
11th Election District, 6th Councilmanic

Legal Owner: Bateman & Loundas, LLC
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-202-A

* * * * *

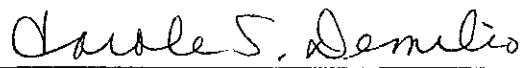
ENTRY OF APPEARANCE

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.

All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of November, 2000 a copy of the foregoing Entry of Appearance was mailed to Timmy F. Ruppertsberger, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, P.O. Box 5517, Towson, MD 21204, attorney for Petitioner(s).



PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

January 23, 2001

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-202-A
10037, 10039, 10101, 10105 Harford Road
E/S Harford Road, 200' N of centerline Wind Road (Bill Bateman's)
11th Election District – 6th Councilmanic District
Legal Owner: Bateman & Loundas, LLC

Variance to allow a total of seven wall-mounted signs on the west & north facades in lieu of the permitted three, and to allow five of the seven wall-mounted signs to be located on the west façade; to allow 211 parking spaces in lieu of the required 261 parking spaces; and to permit a landscape screening strip of 7 feet in lieu of the required 10 feet.

HEARING: Thursday, February 22, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


CJZ

Arnold Jablon
Director

C: Timmy F Ruppertsberger, Venable Baetjer & Howard LLP, 210 Allegheny Avenue
Towson 21204
Marc J. Loundas Partner, Bateman & Loundas, LLC, 13126 Long Green Pike,
Hydes 21083
Steve Shatzer, 14 Northford Way, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, FEBRUARY 7, 2001.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

December 4, 2000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-202-A

10037, 10039, 10101, 10105 Harford Road

E/S Harford Road, 200' N of centerline Wind Road (Bill Bateman's)

11th Election District – 6th Councilmanic District

Legal Owner: Bateman & Loundas, LLC

Variance to allow 8 wall-mounted signs of 192 square feet in lieu of the permitted 2 wall-mounted signs of 224 square feet on the west façade; to allow 211 parking spaces in lieu of the required 261 parking spaces; and to permit a landscape screening strip of 7 feet in lieu of the required 10 feet.

HEARING: Tuesday, January 9, 2001 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue

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

Arnold Jablon
Director

C: Timmy F. Ruppersberger, Venable, Baetjer & Howard, LLP, 210 Allegheny Avenue
Towson 21204
Marc J. Loundas, Partner, Bateman & Loundas, LLC, 13126 Long Green Pike,
Hydes 21083
Steve Shatzer, 14 Northford Way, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, DECEMBER 22, 2000.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

December 11, 2000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-202-A
10037, 10039, 10101, 10105 Harford Road
E/S Harford Road, 200' N of centerline Wind Road (Bill Bateman's)
11th Election District – 6th Councilmanic District
Legal Owner: Bateman & Loundas, LLC

Variance to allow a total of seven wall-mounted signs on the west & north facades in lieu of the permitted three, and to allow five of the seven wall-mounted signs to be located on the west facade; to allow 211 parking spaces in lieu of the required 261 parking spaces; and to permit a landscape screening strip of 7 feet in lieu of the required 10 feet.

HEARING: Tuesday, January 9, 2001 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".
GDZ

Arnold Jablon
Director

C: Timmy F. Ruppertsberger, Venable, Baetjer & Howard, LLP, 210 Allegheny Avenue
Towson 21204
Marc J. Loundas, Partner, Bateman & Loundas, LLC, 13126 Long Green Pike,
Hydes 21083
Steve Shatzer, 14 Northford Way, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, DECEMBER 22, 2000.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
Thursday, December 21, 2000 Issue – Jeffersonian

Please forward billing to:
Cindy Grower
Grower Thompson, Inc.
429 East Lake Avenue
Baltimore, MD 21212

410 532-0101

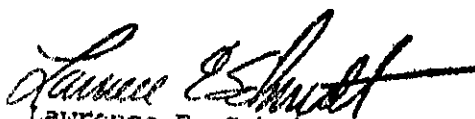
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HEARING: Tuesday, January 9, 2001 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue


Lawrence E. Schmidt

GDZ

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
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TO: PATUXENT PUBLISHING COMPANY
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Cindy Grower
Grower Thompson, Inc.
429 East Lake Avenue
Baltimore, MD 21212

410 532-0101

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E/S Harford Road, 200' N of centerline Wind Road (Bill Bateman's)
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Legal Owner: Bateman & Loundas, LLC

Variance to allow 8 wall-mounted signs of 192 square feet in lieu of the permitted 2 wall-mounted signs of 224 square feet on the west façade; to allow 211 parking spaces in lieu of the required 261 parking spaces; and to permit a landscape screening strip of 7 feet in lieu of the required 10 feet.

THURSDAY FEBRUARY 1, 2001 AT 9:00AM

HEARING: ~~Tuesday, January 9, 2001 at 2:00 p.m.~~ in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt
602

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday February 6, 2001 Issue – Jeffersonian

Please forward billing to:

Cindy Grower
Grower Thompson Inc
429 East Lake Avenue
Baltimore MD 21212

410 532-0101

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-202-A

10037, 10039, 10101, 10105 Harford Road

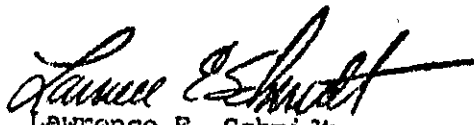
E/S Harford Road, 200' N of centerline Wind Road (Bill Bateman's)

11th Election District – 6th Councilmanic District

Legal Owner: Bateman & Loundas, LLC

Variance to allow a total of seven wall-mounted signs on the west & north facades in lieu of the permitted three, and to allow five of the seven wall-mounted signs to be located on the west façade; to allow 211 parking spaces in lieu of the required 261 parking spaces; and to permit a landscape screening strip of 7 feet in lieu of the required 10 feet.

HEARING: Thursday, February 22, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt
G.D.Z

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 01- 202- A

Petitioner: Bateman & Loundas, LLC

Address or Location: 10037, 10039, 10101, 10105 Harford Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Cindy Gower - Gower Thompson Inc.

Address: 429 East Lake Avenue

BALTIMORE MD 21212

Telephone Number: 410. 532. 0101



Baltimore County
Department of Permits and
Development Management

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

February 16, 2001

Timmy F. Ruppertsberger
Venable Baetjer & Howard LLP
210 Allegheny Avenue
Towson MD 21204

Dear Mr. Ruppertsberger:

RE: Case Number: 01-202-A, 10037, 10039, 10101, 10105 Harford Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 14, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. G D Z
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Marc J. Loundas Partner, Bateman & Loundas, LLC, 13126 Long Green Pike,
Hydes 21083
David Karceski, Venable Baetjer & Howard LLP, 210 Allegheny Avenue,
Towson 21204
Steve Shatzer, 14 Northford Way, Baltimore 21234
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: November 29, 2000

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 27, 2000
Item Nos. 178 (5113 Old Court Road), 180,
181, 182, 183, 184, 185, 186, 187, 188, 189,
191, 192, 193, 194, 195, 196, 198, 199, 201,
and 202

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

November 27, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF November 20, 2000

Item No.: See Below

Dear Ms. Stephens:

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:

179, 180, 182, 183, 184, 185, 186, 187, 188, 189, 190, 192, 193,
194, 195, 196, 197, 198, 200, 201, 202, and 203

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley

DATE: December 1, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of November 20, 2000

DEPRM has no comments for the following zoning petitions (page 2 of 2):

197	1812 Cottage Lane
198	2923 Illinois Avenue
199	6422 Baltimore National Pike
200	Fields of Stevenson
202	10037, 10039, 10101, 10105 Harford Road
203	1005 Handy Avenue

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 13, 2000

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

SUBJECT: Bill Bateman's Restaurant, 10101 Harford Road

Item Number: 01-202-A

Petitioner: Bateman & Loundas, LLC

Property Size: 5.3 acres (net)

Zoning: BL and DR 3.5

Requested Action: Variances to allow for additional signage, reduced parking, and a reduced landscape buffer.

SUMMARY OF RECOMMENDATIONS:

The subject property is located in a small commercial node in what is otherwise a suburban residential area. The site is improved with a restaurant building and a gravel parking area. A stockade fence, much of which is falling down, surrounds the parking area. The petitioner intends to demolish the existing structure and construct a larger eatery and paved parking on the site.

The petitioner has requested a variance to allow 8 wall mounted signs in lieu of the permitted 2 wall mounted signs on the west façade of the restaurant building. Staff has no objections to the "Wings", "Ribs", "Burgers", and "Spirits" signs, provided they are **not** internally illuminated. Staff also has no objections to the "Bill Bateman's Bistro" logo sign. The marque signs and the "BB" sign separating them are, however, problematic. Staff is of the opinion that the marque signs, which feature changeable copy and bare bulbs, are excessive and inappropriate for a predominately residential area. The "BB" sign is redundant and unnecessary.

Also regarding signage, staff is of the opinion that the proposed pole-mounted sign, while legally permitted, is not in keeping with the character of the community. Staff suggests that the petitioner be required to install a ground-mounted monument style sign, rather than a pole-mounted sign, if any of the requested relief pertaining to signage is granted.

The petitioner has requested a variance to allow 211 parking spaces in lieu of the required 261 spaces. The 261 space requirement is based upon 16 parking spaces for every 1,000 square

feet of gross floor area for restaurants. The proposed structure has a gross floor area of 16,300 square feet, however the petitioner has indicated that the 4,000 square foot second floor will be used exclusively as the corporate office for Bill Bateman's restaurants. For office space, 3.3 parking spaces are required for every 1,000 square feet of gross floor area. The petitioner has provided the 197 parking spaces warranted by 12,300 square feet of gross floor area for the restaurant, and the 14 parking spaces warranted by the 4,000 square feet of gross floor area for the office space. Thus, provided a condition of the order limits the use of the second floor to office, staff has no objections to the variance.

The petitioner has last requested a variance to permit a landscape screening strip of 7 feet in lieu of the required 10 feet. The Baltimore County Landscape Manual, as adopted on August 7, 2000, requires a **15-foot** landscape strip between commercial sites one acre or greater in size and residential properties [see Condition B.1.c.(1)]. Staff is of the opinion that the dense landscaping needed to screen the proposed structure and the parking area cannot be achieved in an area with a width of 7 feet, and does not support the requested variance.

Further, staff requests that the petitioner be required to relocate the dumpster if any of the requested relief is granted. The site plan dated November 10, 2000, depicts the dumpsters in the southeast corner of the property, which abuts the North Winds residential community. At a community meeting held on November 20, 2000, residents of this neighborhood expressed concerns with rodents and the noise associated with the emptying of the dumpsters.

Attendees of the community meeting were also concerned with noise from the parking area, noise associated with live or recorded music played in the patio dining area, and lighting. Residents of the area suggested that the petitioner be required to install a masonry wall along the eastern boundary of the parking area to abate noise. Staff supports this request. Regarding lighting, staff suggests that the petitioner be required to submit a lighting plan, with the locations and details of the proposed lighting and a computerized lighting design with point-by-point calculations that conform with the *Illuminating Engineering Society of North America* (IESNA) standards, for review and approval by the Office of Planning.

In conclusion, staff requests that the petitioner reconsider the color scheme for the proposed structure. Staff is of the opinion that the abundant use of bright yellow in particular is not appropriate for a suburban residential community. Staff suggests that the petitioner explore the use of more subdued colors.

Prepared by: Kimberly M. Elden

Section Chief: Jeffrey W. Long

AFK: KG



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 11.27.00

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

RE: Baltimore County
Item No. 202 (BR)

Dear Ms. Jackson:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 147 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

December 19, 2000

David H. Karceski
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

Dear Mr. Karceski:

RE: Case Number, 01-202-A, 10101 Harford Road

The above matter, previously scheduled for Tuesday, January 9, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, has been postponed at your request. The hearing has been **rescheduled for Wednesday, January 24, 2001 at 9:00 a.m. in room 407, County Courts Building, 401 Bosley Avenue.**

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lie with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s), the sign must be posted on the property by Monday, January 8, 2001.

If you need further information or have any questions, please do not hesitate to contact George Zahner at 410-887-3391.

Very truly yours,

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

Arnold Jablon
Director

GDZ

AJ: gdz

C: Timmy F. Ruppertsberger, Venable, Baetjer & Howard, LLP, 210 Allegheny Avenue, Towson 21204
Marc J. Loundas, Partner, Bateman & Loundas, LLC, 13126 Long Green Pike Hydes 21082





Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

January 12, 2001

David H Karceski
Venable Baetjer & Howard LLP
210 Allegheny Avenue
Towson MD 21204

Dear Mr. Karceski:

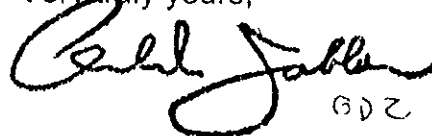
RE: Case Number 01-202-A, 10101 Harford Road

The above matter, previously scheduled for Wednesday, January 24, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, has been postponed at your request. The hearing has been **rescheduled for Thursday, February 1, 2001 at 9:00 a.m. in room 407, County Courts Building, 401 Bosley Avenue.**

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s) and should be posted no later than Wednesday, January 18, 2001.

If you need further information or have any questions, please do not hesitate to contact George Zahner at 410-887-3391.

Very truly yours,



Arnold Jablon
Director

AJ: gdz

C: Timmy F Ruppertsberger, Venable Baetjer & Howard LLP, 210 Allegheny Avenue, Towson 21204
Marc June Loundas Partner, Bateman & Loundas, LLC, 13126 Long Green Pike, Hydes 21082





Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

January 23, 2001

David H Karceski
Venable Baetjer & Howard LLP
210 Allegheny Avenue
Towson MD 21204

Dear Mr. Karceski:

RE: Case Number 01-202-A, 10101 Harford Road

The above matter, previously scheduled for Thursday, February 1, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, has been postponed at your request. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

Very truly yours,

A handwritten signature in black ink, appearing to read "Arnold Jablon". To the right of the signature, the initials "GDZ" are handwritten.

Arnold Jablon
Director

AJ: gdz

C: Timmy F. Ruppertsberger, Venable, Baetjer & Howard, LLP, 210 Allegheny Avenue, Towson 21204
Marc June Loundas, Partner, Bateman & Loundas, LLC, 13126 Long Green Pike, Hydes 21082





Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

January 23, 2001

David H Karceski
Venable Baetjer & Howard LLP
210 Allegheny Avenue
Towson MD 21204

Dear Mr. Karceski:

RE: Case Number 01-202-A, 10101 Harford Road

The above matter, previously scheduled for Thursday, February 1, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, has been postponed at the request of Glen Gischel, President and Representative of the Northwinds Homeowners Association per your letter dated January 17, 2001. Once the hearing has been rescheduled you will be notified by mail.

This paragraph is for Mr. Glen Gischel; please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s), and the sign should be posted on the property by Wednesday, February 7, 2001, also enclosed is what should be posted on the sign.

Very truly yours,

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

Arnold Jablon
Director

GDZ

AJ: gdz

C: Timmy F. Ruppertsberger, Venable, Baetjer & Howard, LLP, 210 Allegheny Avenue, Towson 21204
Marc June Loundas, Partner, Bateman & Loundas, LLC, 13126 Long Green Pike, Hydes 21082
Glen Gischel, President, Northwinds Homeowners Association, 3012 North Branch Lane, Baltimore 21234



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

DATE: November 21, 2000

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 202 (01-202-A)
Legal Owner/Petitioner: Bateman & Loundas, LLC
Contract Purchaser: N/A
Property Address: 10037, 10039, 10101, 10105 Harford Road
Location Description: E/S Harford Road, 200' N of centerline Wind Road (Bill Bateman's)

VIOLATION INFORMATION: Case No.: 00-8254 (for 10101 Harford Road)
Defendants: Bateman & Loundas LLC

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME	ADDRESS
Steve Shatzer	14 Northford Way, Baltimore, MD 21234

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

Complaint Intake Form/Code Enforcement Officer's report and notes
State Tax Assessment printout
Correction Notice (dated 11/14/00)
Memo from Joseph Bartenfelder, Councilman, Sixth District (dated 11/9/00)

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/scj

C: Code Enforcement Officer Rioux

DATE: 11 / 13 / 00 INTAKE: HU CASE #: 00-54 INSPEC: 2

COMPLAINT

LOCATION: BILL BATEMAN'S BAR & RESTAURANT HARTFORD RD.

10101 Hartford Rd ZIP CODE: 21234 DIST:

COMPLAINANT

NAME: STEVE SHATZER

882-4261
PHONE #: (H) 410-887-5223 (W)

ADDRESS: 141 NORTHFORD WAY ZIP CODE: 21234

PROBLEM: BOTTLES & OTHER TRASH IN REAR OF PROPERTY

"FIND CORRECT ADDRESS AND THEN OPEN CASE"

IS THIS A RENTAL UNIT? YES NO

IF YES, IS THIS SECTION 8? YES NO

OWNER/TENANT
INFORMATION:

TAX ACCOUNT #: ZONING:

INSPECTION: 11-14-00 inspected above property
observed a large amount of trash & debris
at rear of property, plastic bottles, beer cans
plastic bags, paper, plastic cups, cardboard

REINSPECTION: also dumpster was full and lids were
not closed, issued violation, could not
detect any foul odor at time of this inspection
posted site, mailed copy, reinspect on

REINSPECTION: 11-22-00 for compliance, faxed copy
of violation notice to Council office
called and spoke to complainant D. RIOUX

REINSPECTION:

RA1001B

DATE: 11/14/2000

STANDARD ASSESSMENT INQUIRY (1)

TIME: 10:30:36

PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL LOAD DATE
 11 13 025110 11 1-3 23-00 N NO 09/07/00
 BATEMAN & LOUNDAS LLC

DESC-1.. IMPS.648 AC

DESC-2.. 500 FT N NORTHWIND RD

PREMISE. 10101 HARFORD

RD

C/O ERIN MURPHY MUTH,ESQ

25 S CHARLES ST

00000-0000

BALTIMORE

MD 21201-3330 FORMER OWNER: CHERRY BENJAMIN F

FCV		PHASED IN			
PRIOR	PROPOSED	CURR	CURR	PRIOR	
		FCV	ASSESS	ASSESS	
LAND: 100,650	105,650				
IMPV: 156,180	161,970	TOTAL.. 267,620	107,040	105,600	
TOTL: 256,830	267,620	PREF... 0	0	0	
PREF: 0	0	CURT... 0	0	0	
CURT: 0	0	EXEMPT. 0	0	0	
DATE: 07/94	02/97				

TAXABLE BASIS		FM DATE
00/01 ASSESS:	107,040	08/03/00
99/00 ASSESS:	105,600	06/04/99
98/99 ASSESS:	104,170	06/05/98

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF



Baltimore City
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement: 410-887-3351
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 00-8254	Property No. 11-13-025110	Zoning: B L
-------------------------------------	-------------------------------------	-----------------------

Name(s): **Boteman & Lowndes LLC, C/O
Erin Murphy Muth, Esq.**

Address: **255 Charles St Balto Md 21201**

Violation Location: **10101 Harford Rd Balto Md 21234**

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

**BCC 32-36(b) all trash must be
stored in approved containers
with tight fitting at all times
BCCR 101; 102.1, remove all trash and
debris from rear of property, beer cans
plastic bottles, paper**

200.00 a day fine

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before: **11-22-00**

Date Issued: **11-14-00**

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: **Dennis Rioux**

INSPECTOR: **Dennis Rioux**

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

Not Later Than:

Date Issued:

INSPECTOR:

AGENCY



**BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE**

TO: Mr. Rick Wisnom, Chief
Code Enforcement

FROM: Joseph Bartenfelder
Councilman, Sixth District

SUBJECT: Report of possible code violations:
Mr. & Mrs. Steve Shatzer
14 Northford Way 21234
Telephone: 410-882-4261

DATE: November 9, 2000

Mr. Shatzer reports that the property belonging to Bill Bateman's Bar and Restaurant on Harford Road just north of Northwind may reflect a variety of code violations. Mr. Shatzer points to bottles and other trash in the rear of the bar; he also mentioned an obnoxious odor emanating from the property.

Please inspect and advise Mr. Shatzer of your conclusions. Let me know the outcome (telephone: 410-887-5223; fax 410-887-5410).

Joe
Joe Bartenfelder
Councilman, Sixth District

JB:bs

CC: Mr. Shatzer



Northwinds of Cub Hill Homeowners Association

January 17, 2001

Mr. Arnold Jablon
Director
Baltimore County Office Building
111 Chesapeake Ave
Room 111
Towson, MD 21204

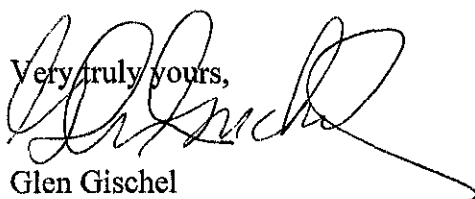
Re: Zoning Hearing
Case: 01-202-A 10101 Hartford Road
Bill Batemans

Dear Mr. Jablon,

I am the president and representative of the Northwinds Homeowners Association, and plan to attend the zoning meeting. I understand that it has again been postponed to Feb. 1st. I will be out of town until Feb. 9th, and I am requesting a postponement until Feb 12th, so I may attend this important meeting.

Thank you for your help.

Very truly yours,


Glen Gischel

cc: Mr. Ronald A. Decker Esq.
Northwinds HOA

Glen Gischel
President

Northwinds Homeowners Association
3012 North Branch Lane
Baltimore, MD 21234
410-661-0429 Home
410-583-6874 Office

1/18/01

of George -
to 04 - to
continue but
all parties must
agree to new
date. Last of

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

VENABLE
ATTORNEYS AT LAW

Writer's Direct Number:
(410) 494-6285

December 18, 2000

HAND DELIVERED

Arnold Jablon, Director
Department of Permits
and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Bill Bateman's
10101 Harford Road
Case No. 01-202-A

Dear Mr. Jablon:

Our client, Marc J. Loundas, is unable to attend the hearing in the above-referenced matter scheduled for January 9, 2001. George Vahner of the Office of Zoning Review indicated to me that January 24, 2001, is the next available hearing date. By way of this letter, I am respectfully asking that the Department of Permits and Development Management postpone the hearing to January 24, 2001, so that Mr. Loundas can be present to testify.

I appreciate your consideration of this request.

Very truly yours,



David H. Karceski

DHK

cc: Marc J. Loundas
Michael H. Davis

MOORE, CARNEY, RYAN AND LATTANZI, L.L.C.

ATTORNEYS AT LAW

4111 E. JOPPA ROAD, SUITE 201

BALTIMORE, MARYLAND 21236

(410) 529-4600

FAX (410) 529-6146

ROBERT B. CARNEY, JR.

RICHARDE LATTANZI

RONALD A. DECKER

ROBERT J. BRANNAN

JUDITH L. HARCLERODE

LISAM L. EISEMANN

E. SCOTT MOORE
(1926-1992)

PARALEGAL STAFF

SHARON L. WARDROPE
SALI Y. J. DRIBNACK

1/17/01
of
to George

January 15, 2001

Arnold Jablon, Director
Baltimore County Dept. of Permits & Development
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Item No. 01-202-A
Petitioner: Bateman & Loundas, LLC

Dear Mr. Jablon:

Please enter my appearance in the captioned proceeding on behalf of North Winds Homeowner's Association, Inc. I have been advised that a hearing is currently set for February 1, 2001 at 9:00 a.m. Please send copies of items that are docketed in the future.

Thank you for your assistance.

Very truly yours,


Ronald A. Decker

RAD/sm

cc: Mr. Glen Gischel, President

North Winds Homeowner's Association, Inc.

David H. Karceski, Esquire

#01-202-A

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Michael Davis

210 Allegha Ave Town 21207
910 294-6284



Greater Parkville Community Council

Approved by the Board of Directors - January 3, 2001

Approved by the General Membership - January 10, 2001

Resolution

The Greater Parkville Community Council (GPCC) is an umbrella organization consisting of community associations, civic groups, and residents living in the Parkville, Carney, and Cub Hill area of Baltimore County. A goal and purpose of the GPCC is to preserve and improve the quality of life in our residential neighborhoods so that our community remains a desirable place to live, shop, and raise a family. As such, the GPCC has been charged by the community to review proposed land-use changes and make recommendations based on the good of the community.

Resolved: that the position of the GPCC as adopted by the Board of Directors and general membership is as follows:

- The purpose of zoning regulations and land-use planning is to protect property values and quality of life of the surrounding property owners and community. We are a Baltimore County Community Conservation Area in which these minimum standards are critical to keeping our community viable and shall be upheld. The GPCC does not support any variances, special exceptions, use permits, or deviations from county code regulations, unless specifically voted acceptable.
- The Parkville, Carney, Cub Hill area is severely deficient of open space by the State of Maryland and Baltimore County regulation standards. Therefore, GPCC does not support any waivers of open space regulations, or any modifications of landscape buffers or RTA buffers.
- The Board of Directors and/or Zoning Committee will review proposed development plans to ensure that proposed developments do not have an adverse impact to surrounding and nearby residents or the character of the neighborhood.

As part of GPCC review and position, the community concerns that need to be addressed will involve (but not limited to) the following:

- There shall be no visual impacts from the proposed development.
- The proposed development shall have landscape and fence design that provides privacy and screening to surrounding residential properties. Maintenance requirements of buffer areas shall be stated in zoning order and development/site plan.
- A lighting plan shall be submitted and approved by the county prior to approval of a development /site plan. Light from the development shall not reflect on to residential property or surrounding roads.
- All signage shall be conducive to the surrounding residential community. New businesses shall use a joint sign, instead of separate signs for each business. This will eliminate excess sign clutter.

- All rooftop equipment shall be screened so that this equipment is not visible from the ground floor window level of adjacent residents.
- The proposed streets shall be connected with the existing neighborhood road network wherever possible and the sidewalks are located to support the functional patterns of the neighborhood.
- The arrangement and orientation of proposed buildings and development/site improvements are patterned in a similar manner to those in the neighborhood.
- The scale, height, proportions, massing and detailing of the buildings shall be in proportion to those existing in the existing neighborhood.
- Any proposed business use shall architecturally blend in with the surrounding residential community. Architectural elements shall be submitted and review by the Office of Planning and the GPCC designated representatives prior to approval of site plan and permits.
- The building and parking lot layouts reinforce existing building and streetscape patterns and assure that placement of buildings and parking lots have no adverse impact on the neighborhood.
- Commercial and employee parking shall not be allowed on residentially zoned property or over flow on to residential streets.
- Where development will add more than 30 vehicles trips a day, a traffic impact study shall be required prior to the approval of development.
- Ensure that storm water drainage does not impact surrounding property owners, and nearby streams. No storm water management waivers shall be granted
- Excess noise shall be controlled and hours of truck deliveries shall be limited and not use residential streets or accept deliveries at night.
- Trash dumpsters shall not be near residential property. Maintenance requirements for picking up trash and emptying dumpsters shall be stated in zoning order and development/site plan.

As witness this day of January 10, 2001.

Arrest:

Greater Parkville Community Council

Ruth Baisden *Ernest M Baisden*

Secretary

President

Dannie Connor
Board Witness

Greater Parkville Community Council

Help Unite Northeast Baltimore County - For A Better Community

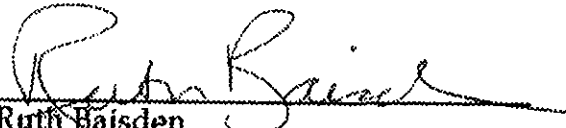
AFFIDAVIT

STATE OF MARYLAND
BALTIMORE COUNTY

TO WIT:

I hereby swear upon penalty of perjury that I am currently a duly elected member of the Board of Directors of the Greater Parkville Community Council.

ATTEST:


Ruth Haisden
Greater Parkville Community Council


Secretary


President


Board Member Witness
August 1, 2000

Greater Parkville Community Council

Help Unite Northeast Baltimore County - For A Better Community

RESOLUTION

Resolved: That at the meeting of the Greater Parkville Community Council (GPCC) held June 7, 2000 it was decided by the Council that responsibility for review and action on all zoning and development related matters be the responsibility of the Board of Directors consisting of the following members:

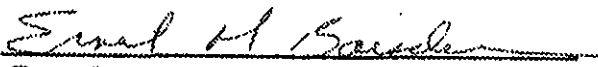
Ernest Baisden, President
Robert Carpenter, Vice President
Jana Leonard, Treasurer
Ruth Baisden, Secretary
Alice Baker, Director
Phil Lee, Director
Ed Messier, Director
Rannie Connor, Director

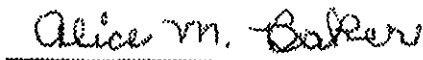
As witness this day of August 1, 2000.

ATTEST:

Greater Parkville Community Council


Secretary


President


Board Member Witness

During our meeting on November 20, 2000 at Pine Grove Elementary school with representatives of the Bill Bateman's Bar/Restaurant expansion proposal, a number of very important issues were discussed. During this meeting there were no resolutions to any of our concerns.

We have several categories of concern.

A. With the existing establishment:

1. Rodent infestation
2. Late night fights and or very loud yelling
3. Excessive car and motorcycle noise
4. Trash blown over our community
5. Beer bottles thrown over our property.
6. Early trash removal noise

B. With the expansion we expect problems with:

1. A major increase in the existing problems
2. A decrease in our property value
3. Safety of our children
4. Increase in crime
5. Disruption of the environment
6. Traffic congestion
7. Noise pollution
8. Storm water run off
9. Reflected lighting

C. During the meeting we were told that nothing was planned for the wooded area behind the bar. Then we were told that three homes were planned for that lot.

1. Our concern is the storm water run off. Our homes are at a lower level and we already have storm water flooding in the back yards.

D. During the meeting we were told the storm water run off from the expanded building and parking lot would be removed strictly using the 24-in. municipal storm pipe via a Water Management Program. Then after the meeting we told that some of the water could be filtered back into the ground, that could add to the flooding problem for the homes in back of their property.

1. Excess storm water run off the and flooding of our homes
2. Standing water in the Water Management Program as a breeding ground for misquitoes and increased potential of lime disease.
3. Trash and debris clogging the drainage system causing overflows.
4. Item C and D are two occasions where we feel that we were mislead. Are there any others?

E The claim that this is to be "family" style restaurant.

1. There appears to be a restaurant area, however with a doubling of the BAR area, an outside deck adject to the bar, room for pool tables and the reality that "families" will normally be out by 10 to 11:00p.m. this will only leave room for the younger, more unruly and, in some cases, less desirable people causing commotion to closing time and beyond.

F. We were told that there would be NO live bands in the establishment nor music on the outside deck.

Our goal is to preserve the safety and well being of our community our families our young children and the surrounding area. We are requesting that this be maintained.



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

January 25, 2001

Robert A. Hoffman, Esq.
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517

Dear Mr. Hoffman:

RE: Case 01-202-A, Bateman and Loundas, LLC, Spirit and Intent, 11th Election District.

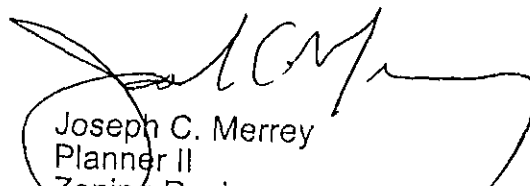
Upon review of your correspondence of January 16, 2001, Mr. Carl Richards, Zoning Supervisor, has requested that I send the following response pertaining to the calculation of parking regarding the above referenced property. He would like the proposed note to be amended as follows:

"12,300 square foot restaurant on the first floor. 4,000 square foot second floor shall be used for private business office and office storage only and therefore shall be parked at 3.3 spaces per 1,000 square feet of gross floor area. No restaurant storage or public access shall be permitted to this office area."

With this change to the note, he has agreed to reduce the required parking to 210 spaces, thereby avoiding the need for a parking variance.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,


Joseph C. Merrey
Planner II
Zoning Review

JCM:

Enclosure

C:

Pet Ex #2

SHEET

N.E.

11-E

202



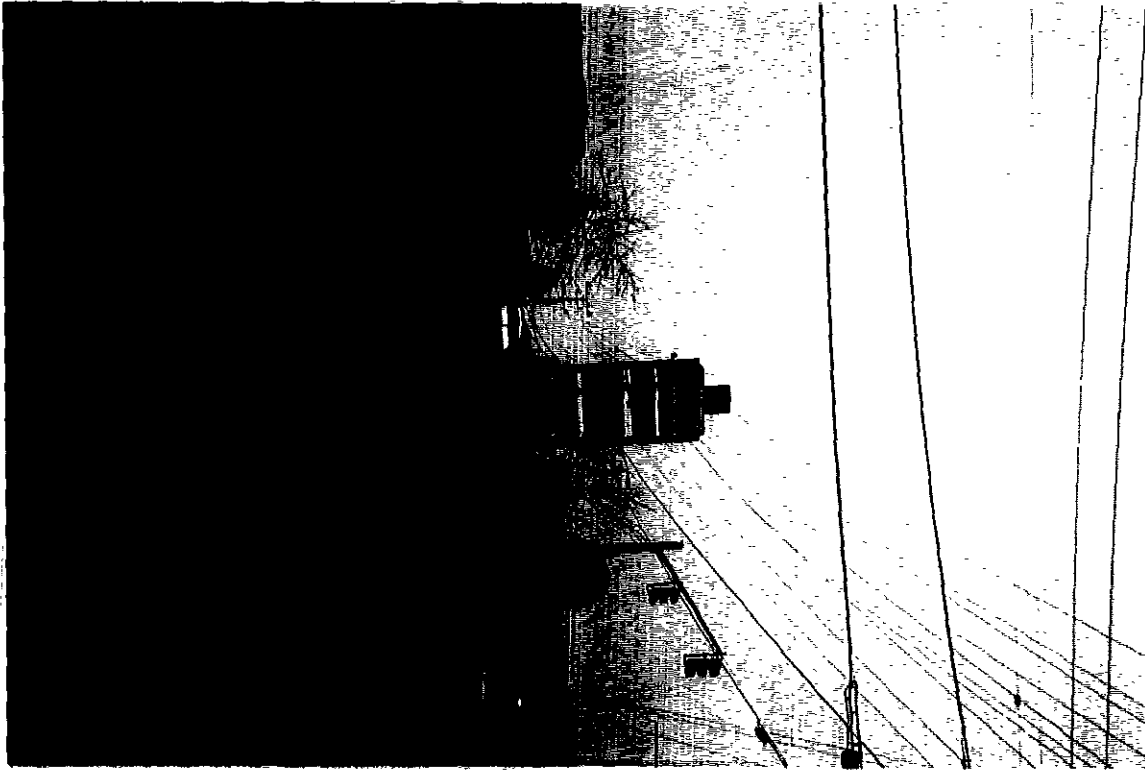
Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

Photographs
EX-3A-L
#01-202-A



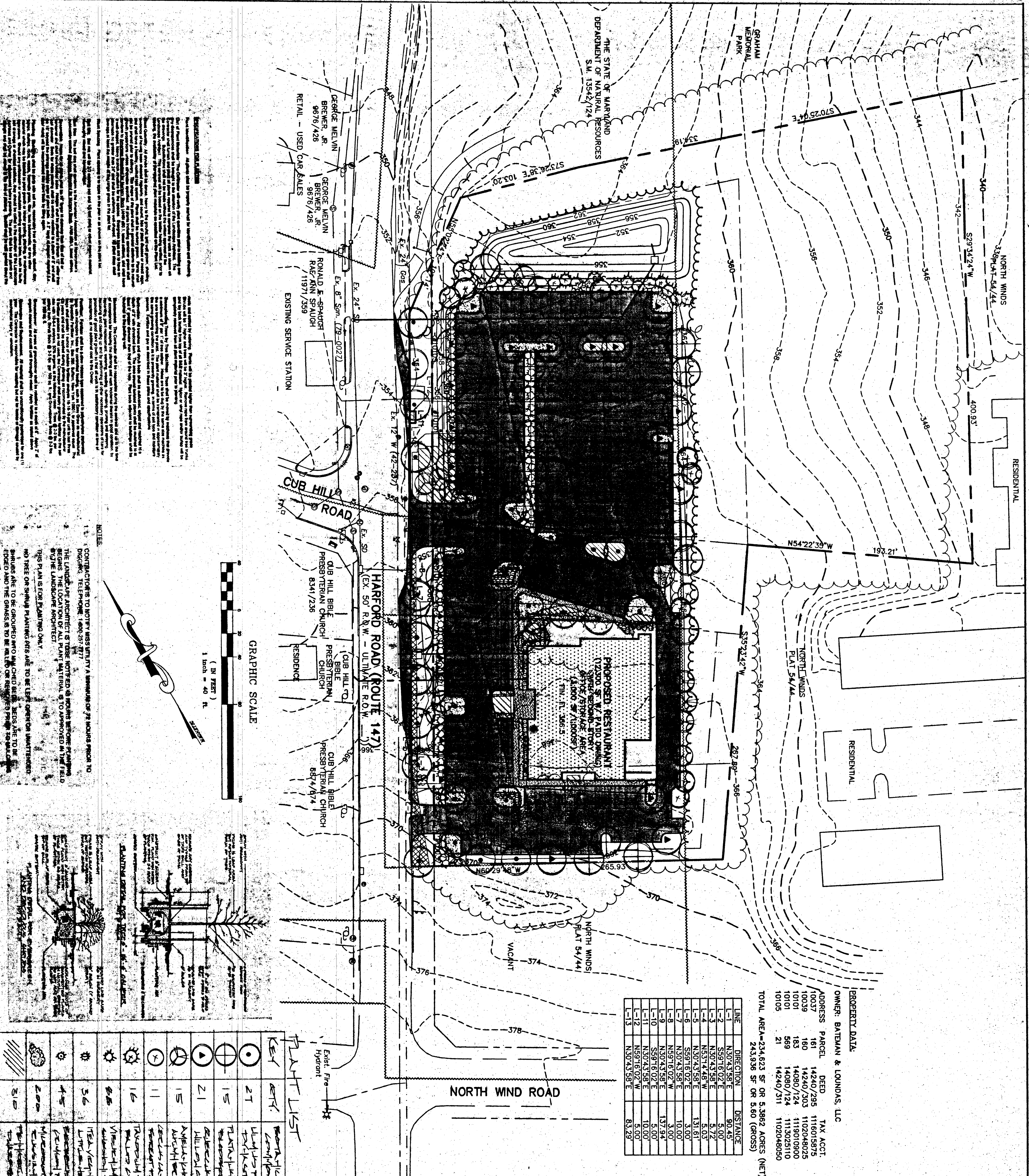












LINE	DIRECTION	DISTANCE
1-1	N50°43'58"E	90.45'
1-2	S59°16'02"E	5.00'
1-3	N50°43'58"E	5.72'
1-4	N53°14'48"W	5.03'
1-5	N50°43'58"E	131.61'
1-6	S59°16'02"E	10.00'
1-7	N50°43'58"E	10.00'
1-8	N50°43'58"E	137.94'
1-9	S59°16'02"E	5.00'
1-10	N50°43'58"E	10.00'
1-11	S59°16'02"E	5.00'
1-12	N50°43'58"E	5.00'
1-13	N50°43'58"E	83.29'

OWNER: BATEMAN & LOUNDAS, LLC
PROPERTY DATA
ADDRESS: 10101 HARFORD ROAD, BALTIMORE, MD 21286
DEED: 14240/295
TAX ACCT: 116015875
PARCEL: 181
10037
10039
180
14240/293
1102048025
10101
183
14080/124
1119010900
10101
569
14080/124
1113025110
10105
21
14240/311
1102048050
TOTAL AREA=234,623 SF OR 5.382 ACRES (NET)
243,936 SF OR 5.60 ACRES (GROSS)

KEY	SYM	DESCRIPTION	SIZE	LOCATION	REMARKS
1	1	PLANTING	20' x 20'	PLANTING	PLANTING
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99	99	PLANTING	20' x 20'	PLANTING	PLANTING
100	100	PLANTING	20' x 20'	PLANTING	PLANTING

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100	11/9/00	100

THE STATE OF MARYLAND
DEPARTMENT OF NATURAL RESOURCES
S.M. 13542/124

GRAHAM MEMORIAL PARK

NORTH WINDS
13542/54/44

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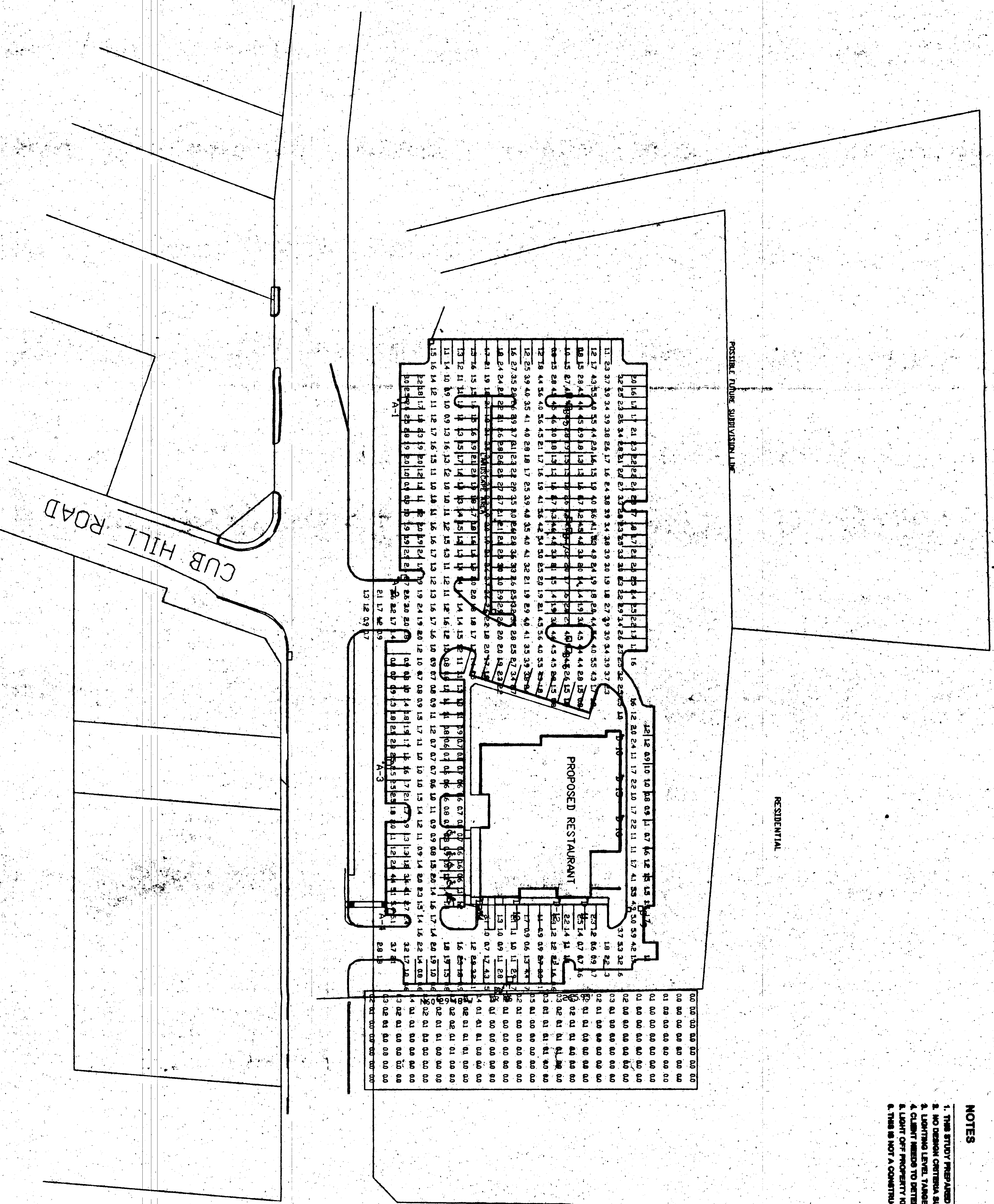
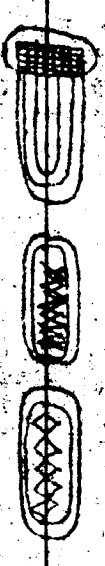
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NOTES

- 1. THIS STUDY PREPARED FOR REVIEW AND APPROVAL.
- 2. NO DESIGN CRITERIA SUPPLIED.
- 3. LIGHTING LEVELS TRANSMITTED IN 2' IS AVG. TRANSMITTED @ GRADE WITH A 4' AVG. IRR. RATIO.
- 4. LIGHTING LEVELS TRANSMITTED IN 2' IS AVG. TRANSMITTED @ GRADE WITH A 4' AVG. IRR. RATIO.
- 5. LIGHT OFF PROPERTY DEPT. TO REMAIN AT RISK OF PROPERTY.
- 6. THIS IS NOT A CONSTRUCTION DRAWING.

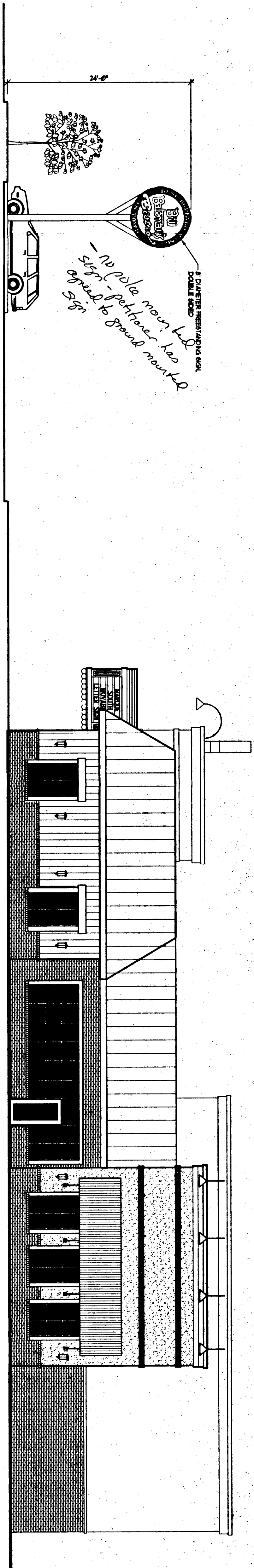
STATISTICS						
Description	Avg	Max	Min	Max/Min	Avg/Min	
Footcandle @ Grade	2.1% 159%	0.6%	0.6%	0.6%	0.6%	0.6%
Footcandle @	0.1%	0.6%	0.0%	N/A	N/A	N/A

LUMINAIRE LOCATIONS											
No.	Label	X	Y	Z	Height	Orientation	Type	X	Y	Z	
1	A	5004.0	-402.0	30.0	30.0	0.0	0.0	5004.0	-47.0	0.0	0.0
2	A	5017.8	-401.0	30.0	30.0	0.0	0.0	5017.8	-47.0	0.0	0.0
3	A	5034.0	-113.0	30.0	30.0	0.0	0.0	5034.0	-108.0	0.0	0.0
4	A	5023.9	-111.7	30.0	30.0	0.0	0.0	5023.9	-107.4	-10.0	0.0
5	B	5054.0	20.0	30.0	30.0	0.0	0.0	5054.0	20.0	0.0	0.0
6	B	5027.0	20.0	30.0	30.0	0.0	0.0	5027.0	20.0	0.0	0.0
7	B	5019.0	20.0	30.0	30.0	0.0	0.0	5019.0	20.0	0.0	0.0
8	E	5018.7	-44.0	20.0	20.0	0.0	0.0	5018.7	-44.0	0.0	0.0
9	C	5042.2	83.0	20.0	20.0	0.0	0.0	5042.2	79.7	-10.0	0.0
10	D	5024.0	80.0	15.0	15.0	0.0	0.0	5024.0	80.0	0.0	0.0
11	D	5016.0	40.0	15.0	15.0	0.0	0.0	5016.0	40.0	0.0	0.0
12	D	5016.0	15.0	15.0	15.0	0.0	0.0	5016.0	15.0	0.0	0.0
13	D	5015.0	-11.0	15.0	15.0	0.0	0.0	5015.0	-11.0	0.0	0.0
14	D	5015.0	-38.1	15.0	15.0	0.0	0.0	5015.0	-38.1	0.0	0.0
15	D	5024.0	80.0	15.0	15.0	0.0	0.0	5024.0	80.0	0.0	0.0
16	D	5024.0	80.0	15.0	15.0	0.0	0.0	5024.0	80.0	0.0	0.0

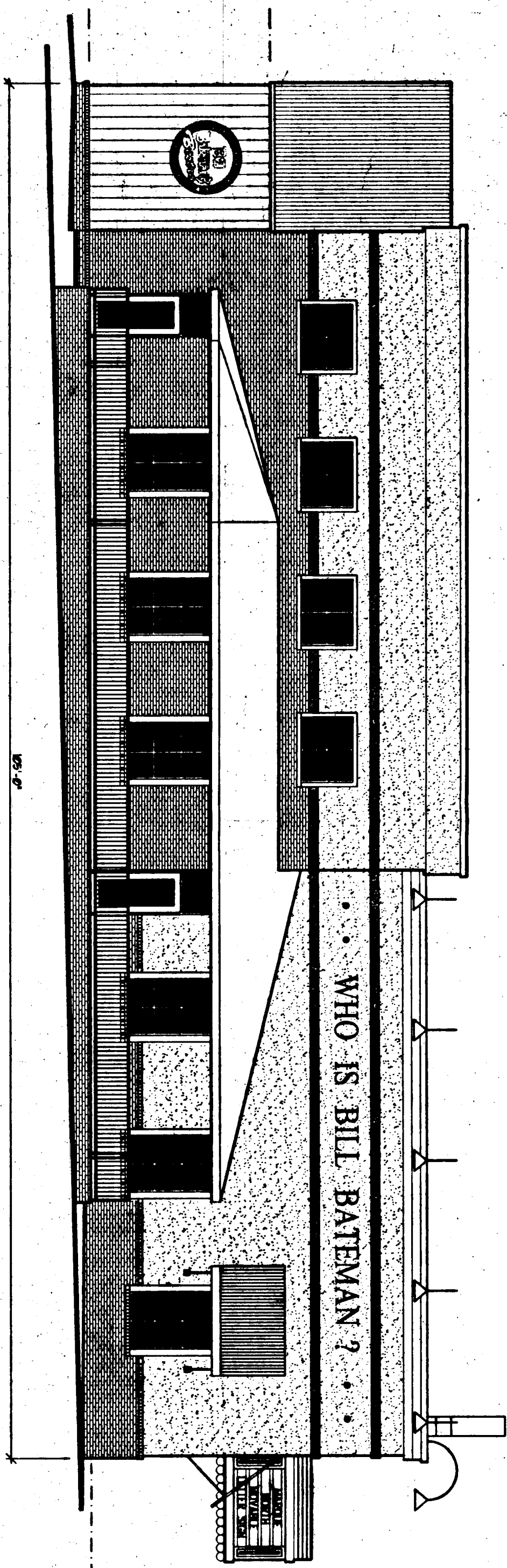
LUMINAIRE SCHEDULE									
Symbol	Label	Qty	Color	Number	Description	Lamp	Phi	Lumens	LLF
A	4	KPS 4000 MW			ARMORATED PRESUM. CLEAR W/WHY REFL. CLEAR GLASS PLAT. HORIZONTAL POE	ONE 40WATT CLEAR ED-28 BENT. W/WHY REFL. HORIZONTAL POE	80000lm	2000	0.72
B	3	KPS 4000 RS			PRESUM. CUT-OFF RECYCLED REFLECTOR	ARMORATED PRESUM. ED-28 BENT. W/WHY REFL. HORIZONTAL POE	80000lm	2000	0.72
C	1	KPS 4000 RS			RECYCLED REFLECTOR	ARMORATED PRESUM. ED-28 BENT. W/WHY REFL. HORIZONTAL POE	80000lm	2000	0.72
D	7	THAC 70M			WALL PACK RECYCLED REFLECTOR	ARMORATED PRESUM. ED-28 BENT. W/WHY REFL. HORIZONTAL POE	80000lm	2000	0.72
E	1	KPS 2000 RS			TYPE 1, SHORT, HOUSEHOLD W/WHY REFL. HORIZONTAL POE	ARMORATED PRESUM. ED-28 BENT. W/WHY REFL. HORIZONTAL POE	80000lm	2000	0.72

BATEMAN'S RESTAURANT
BALTIMORE CO., MD.
PREPARED FOR REVIEW AND COMMENT
FOR THOMAS FITCH

Calculated by
John Settle
Date
Jan 2 2001
Scale
1" = 50'
Drawing No.
BATEMAN'S VSL
1 of 1

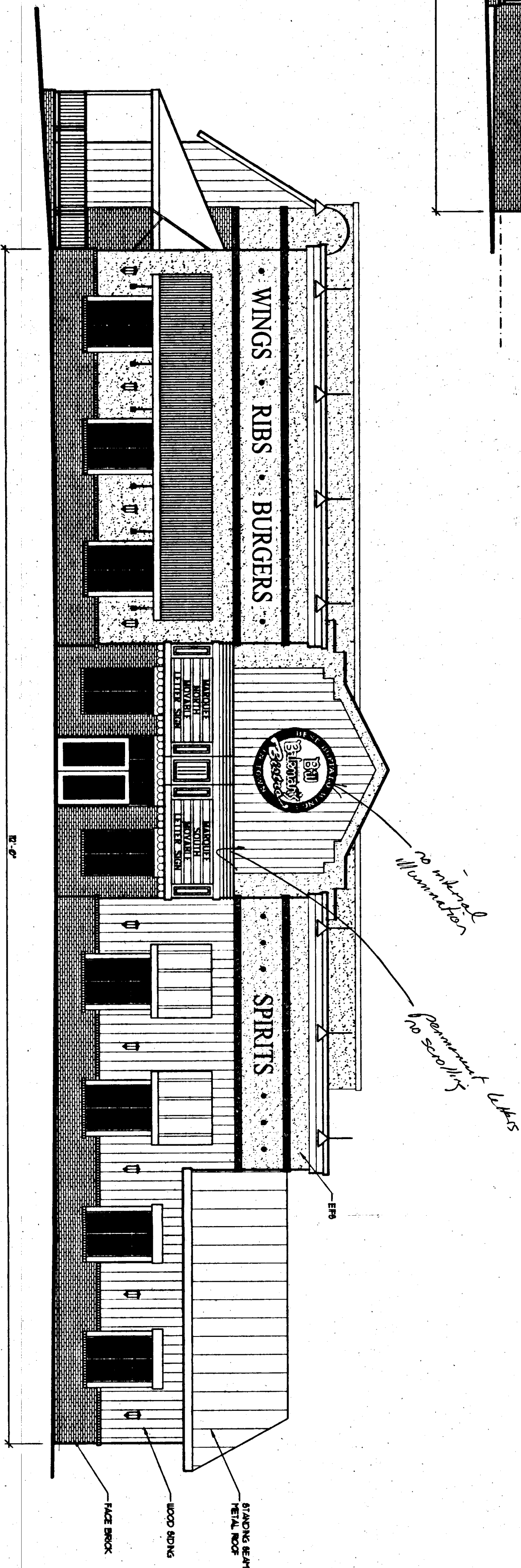


SOUTH ELEVATION



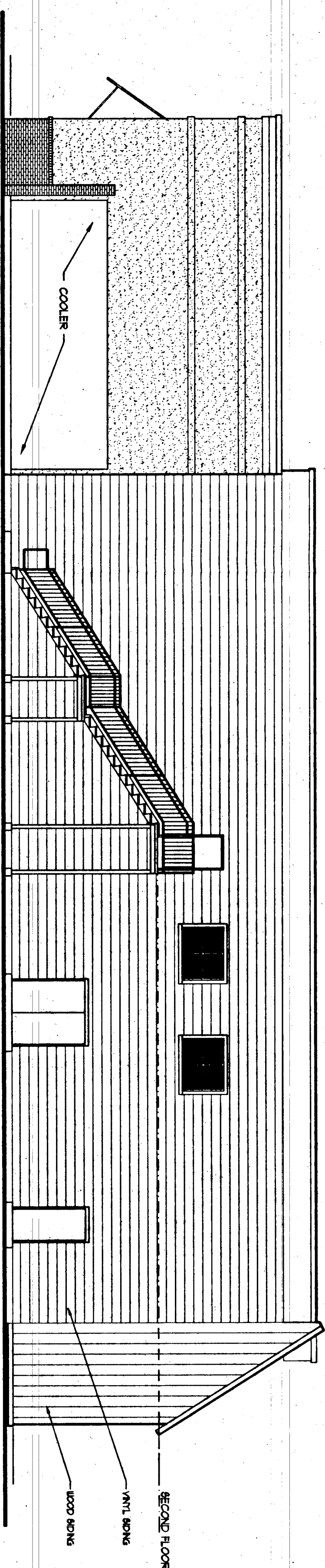
NORTH ELEVATION

SIGN 1 LOGO-----238 SQFT.
SIGN 2 "WHO IS BILL BATEMAN?"-----536 SQFT.
TOTAL SIGN AREA-----774 SQFT.
ALLOWABLE SIGN AREA 2 X 105'-----2100 SQFT.
PROPOSED NUMBER OF SIGNS-----2



WEST ELEVATION

SIGN 1 "WINGS" "RIBS" "BURGERS"-----560 SQFT.
SIGN 2 "SPIRITS"-----146 SQFT.
SIGN 3 LOGO-----503 SQFT.
SIGN 4 MARQUEE SOUTH-----400 SQFT.
SIGN 5 MARQUEE NORTH-----400 SQFT.
TOTAL SIGN AREA-----2011 SQFT.
ALLOWABLE SIGN AREA (2X1100 FT)-----2200 SQFT.
PROPOSED NUMBER OF SIGNS-----5
ALLOWABLE NUMBER OF SIGNS-----2



EAST ELEVATION

REVISIONS

NO.	DATE	ITEM
1		
2		
3		
4		
5		
6		
7		
8		
9		

1001 CROMWELL BRIDGE ROAD
SUITE 200
BALTIMORE, MD 21286
PHONE (410) 321-6760

BROSSO, WILHELM & McWILLIAMS, INC.
ARCHITECTS ■ CONSULTANTS ■ SPACE PLANNING ■ INTERIORS

BILL BATEMAN'S
10101 HARFORD ROAD
CUB HILL, MARYLAND

DATE	BY	SCALE
DESIGNED BY		
DRAWN BY		
CHECKED BY		
APPROVED		

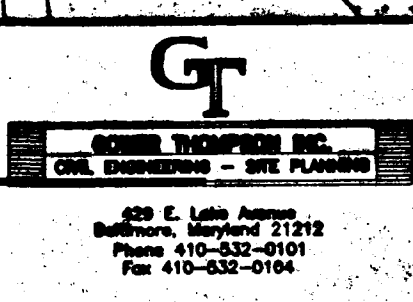
ELEVATIONS

JOB NO.	AS NOTED
SCALE	11-10-00
DATE	11-27-00
LAST REV.	

A-3

REVISIONS

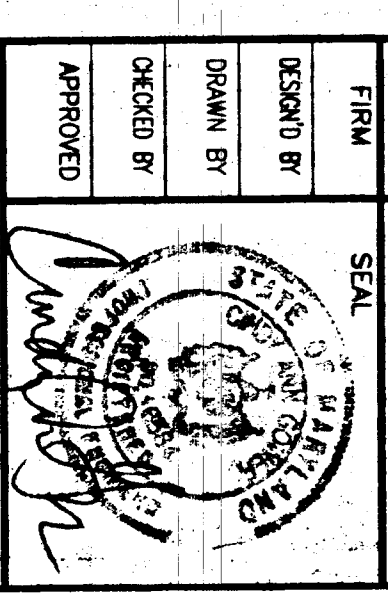
NO.	DATE	ITEM
1	1/27/90	ISSUED FOR REVIEW
2	1/27/90	REVISIONS
3	1/27/90	REVISIONS
4	1/27/90	REVISIONS
5	1/27/90	REVISIONS
6	1/27/90	REVISIONS
7	1/27/90	REVISIONS
8	1/27/90	REVISIONS
9	1/27/90	REVISIONS
10	1/27/90	REVISIONS



1001 CROMWELL BRIDGE ROAD
SUITE 200
BALTIMORE, MD 21286
PHONE (410) 321-6766

BROSSO, WILHELM & McWILLIAMS, INC.
ARCHITECTS ■ CONSULTANTS ■ SPACE PLANNING ■ INTERIORS

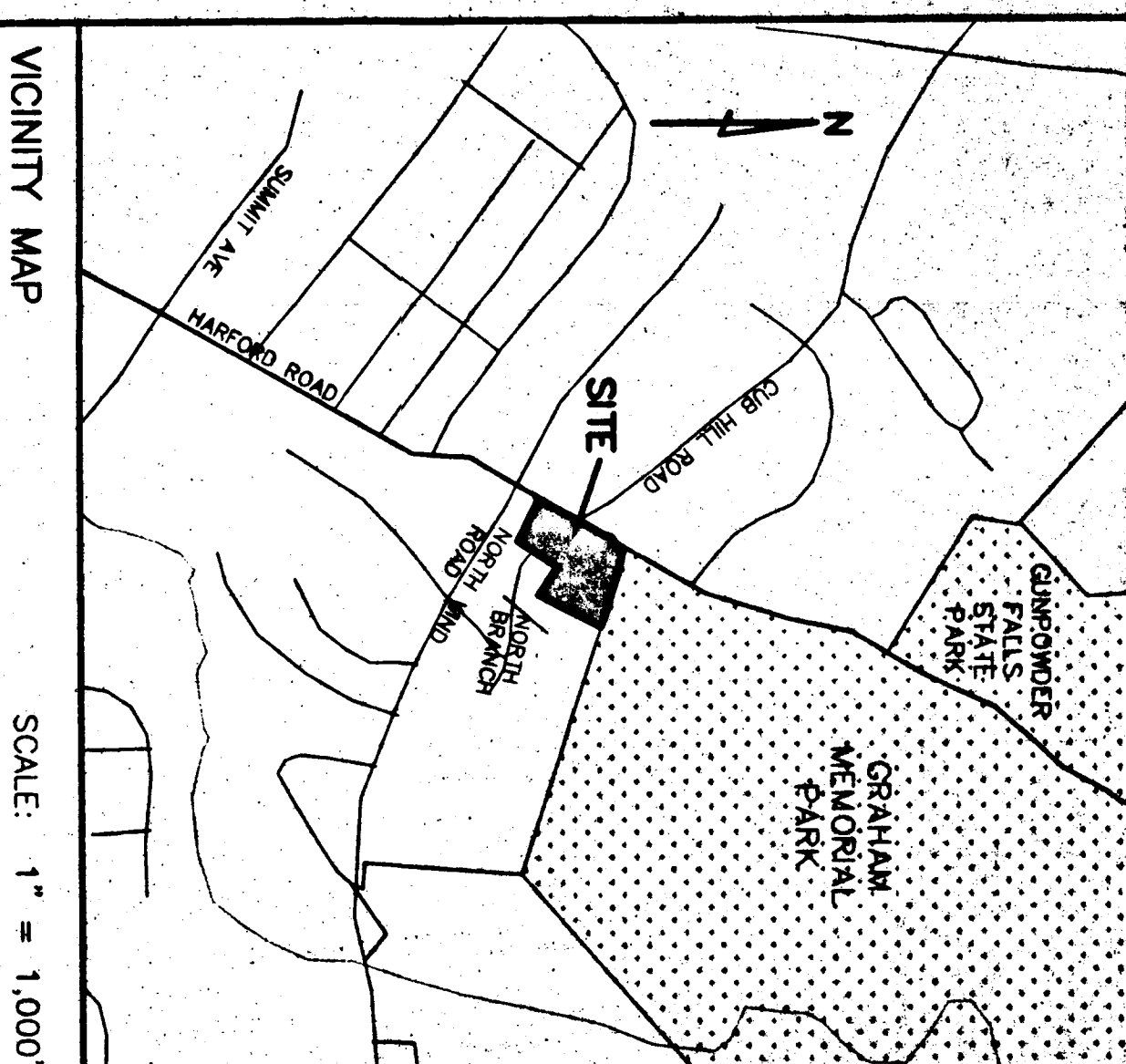
BILL BATEMAN'S
10101 HARFORD ROAD
CUB HILL, MARYLAND



**SITE PLAN
TO ACCOMPANY
ZONING VARIANCE**

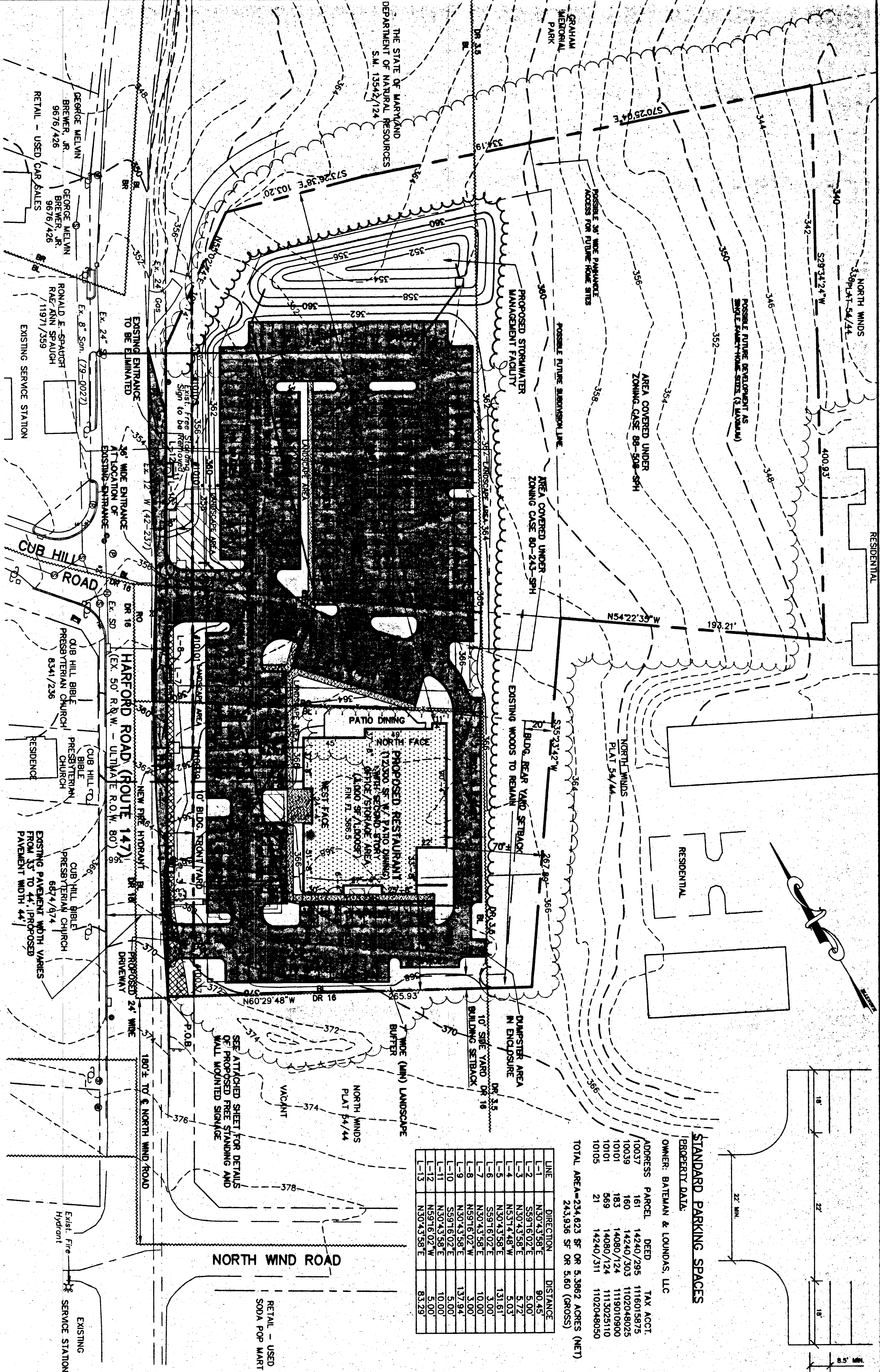
JOB NO.	1-401
SCALE	1"=40'
DATE	11/14/90
LAST REV.	

C-1



LINE	DIRECTION	DISTANCE
L-1	N30°43'58"E	80.45'
L-2	S59°16'02"E	5.00'
L-3	N30°43'58"E	5.00'
L-4	N37°14'48"W	5.03'
L-5	N30°43'58"E	131.61'
L-6	S59°16'02"E	10.00'
L-7	N30°43'58"E	10.00'
L-8	N30°43'58"E	137.94'
L-9	S59°16'02"E	5.00'
L-10	N30°43'58"E	10.00'
L-11	N30°43'58"E	10.00'
L-12	N59°16'02"W	5.00'
L-13	N30°43'58"E	83.29'

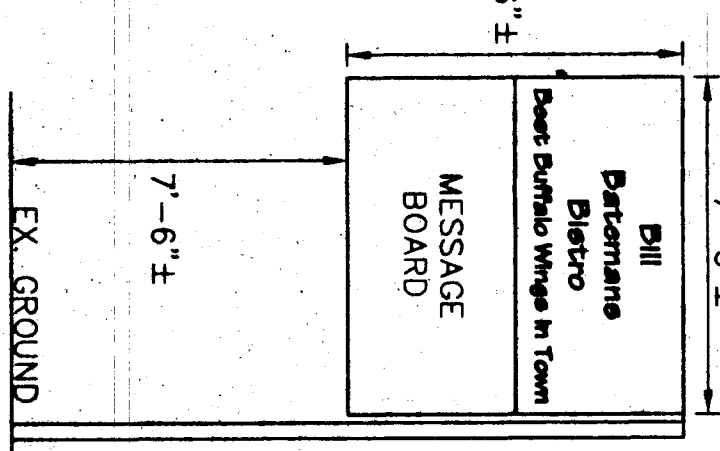
STANDARD PARKING SPACES
OWNER: BATEMAN & LOUNDAS, LLC
ADDRESS: PARCEL DEED TAX ACCT.
10037 1661 14240/295 118015875
10038 180 14240/303 1102048025
10039 180 14240/303 1102048025
10101 582 14080/124 1113029310
10105 21 14240/311 1102048050
TOTAL AREA=234,623 SF OR 5.3862 ACRES (NET)
243,936 SF OR 5.60 (GROSS)



GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft

ZONING HISTORY:
CASE NO. 88-508-SH
ON MAY 5, 1990, THE ZONING COMMISSIONER OF BALTIMORE COUNTY, THIS 22ND DAY OF MAY, 1990, THAT A USE PERMIT IN THE D-16 ZONE FOR BUSINESS PARKING, NOT TO EXCEED THIRTY-EIGHT (38) IN ACCORDANCE WITH THE SITE REQUESTED IN THE APPLICATION FOR SPECIAL HEARING, SHOULD BE AND THE SAME IS GRANTED FROM AND AFTER THE DATE OF THIS ORDER, SUBJECT, HOWEVER, TO THE FOLLOWING RESTRICTIONS:
RETAIN AND MAINTAIN THE NATURAL SCREENING (WOODS AND VEGETATION) ALONG THE REAR PROPERTY LINE.
COMPLY WITH SECTIONS 409.28 AND C AND 409.4 OF SAID REGULATIONS.
DATED MAY 5, 1990.

EXISTING FREE STANDING SIGN
DOUBLE FACED, ILLUMINATED
SHEET FOR NEW FREE STANDING SIGN



EXISTING FREE STANDING SIGN
DOUBLE FACED, ILLUMINATED
SHEET FOR NEW FREE STANDING SIGN

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CASE NO. 88-508-SH
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RETAIN AND MAINTAIN THE NATURAL SCREENING (WOODS AND VEGETATION) ALONG THE REAR PROPERTY LINE.
COMPLY WITH SECTIONS 409.28 AND C AND 409.4 OF SAID REGULATIONS.
DATED MAY 5, 1990.

ZONING HISTORY:
CASE NO. 88-508-SH (FILE NO. 80-00-1248)
IT IS THEREFORE THIS 27TH DAY OF AUGUST, 1990 BY THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY ORDERED THAT THE CASE NO. 80-00-1248 EDNH 88-508-SH-X BE AND IS THE SAME DISMISSED WITH PREJUDICE.
THIS CASE INVOLVED A SPECIAL VARIANCE FOR A SERVICE STATION AND A SPECIAL VARIANCE TO CHANGE A USE FROM COMMERCIAL AND BUSINESS TO RESIDENTIAL. THERE IS NO SERVICE STATION OR PARKING IN A RESIDENTIAL ZONE PROPOSED IN THIS AREA.