

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(6820 Loch Raven Blvd.)		
9 th Election District	*	OFFICE OF
5 th Councilmanic District		
Loch Raven Improvements, LLC	*	ADMINISTRATIVE HEARINGS
<i>Legal Owner</i>		
Harvest Towson, Inc.	*	FOR BALTIMORE COUNTY
<i>Lessee</i>		
Petitioners	*	Case No. 2015-0062-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Loch Raven Improvements, LLC, Legal Owner, and Harvest Towson, Inc., Lessee (“Petitioners”). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) to approve an existing freestanding enterprise sign on a pad site; or in the alternative to approve an existing freestanding enterprise sign on a shopping center lot in addition to the existing free standing joint identification sign on the same frontage for reasons to be presented at a hearing.

Appearing at the public hearing in support of the requests was Sattar Shaik and Matt Bishop, professional landscape architect, whose firm prepared the plan. C. William Clark, Esquire, represented the Petitioners. There were no protestants in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) dated October 14, 2014, which did not oppose the requests.

The subject property is approximately 10.27 acres and is zoned BL-CCC. The property contains an IHOP restaurant that is situated on a “pad site” within the Loch Raven Shopping Center. Petitioners would like to install modern signage at the restaurant, but as Mr. Wasilewski

notes in his memo (which was admitted as Exhibit 7) the pad site definition was removed some years ago from the B.C.Z.R. As such, special hearing relief is now required for a freestanding sign at this location. In other respects, the signage would comply with the sign face area and height limitations in the B.C.Z.R.

As shown on the photos admitted at the hearing (Exhibit 11A-11H) the IHOP restaurant is located on the periphery of the shopping center and is not listed on the joint identification sign at the entrance drive. Without a freestanding enterprise sign (which has existed at the site for 20+ years) the Petitioners would not be able to properly identify their location to potential customers. Petitioners noted that existing roof-mounted signage would be removed, and thus there will be less visual clutter at the site, which is the goal of the sign regulations (B.C.Z.R. §450).

THEREFORE, IT IS ORDERED this 6th day of November, 2014, by this Administrative Law Judge, that the Petition for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations (“B.C.Z.R”) to approve an existing freestanding enterprise sign on a “pad site,” be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for appropriate permits 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

____Signed_____
JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sln