86-122-A PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 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 409.2 h(1) to permit 53 parking spaces instead of the required 62 and Section 413.2.f to permit a total of 230.2 sq. footage of signs instead of the required 100 sq. ft. also section 238.2 to permit a sideyard setback of 28 instead of the required 30 rt. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) (a) the requirement of 57 parking spaces would unduly restrict petitioner's use of the land for the intended permitted spaces would unduly restrict petitioner's use of the land for the intended periotted purpose of adding a drive—through facility to increase business, and if such requirement were enforced, conformance would be unduly burdensome; (b) if the drive-through was to be added, there would need to be a sign notifying the public of the facility and the need to add a "menu" sign as well and if variance were not granted, it would cause petitioner a practical difficulty and/or an unreasonable hardship of operating BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE without adequate notice of such drive-through to the public. TOWSON MARYLAND 21204 September 17, 1985 Case No. 86-122-A Property is to be posted and advertised as prescribed by Zoning Regulations. HARRY I PISTEL P. E. DIRECTOR Robert W. Cannon, Esquire COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 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. July 15, 1985 100 South Charles Street BALTIMORE COUNTY OFFICE OF PLANNING & ZONING Baltimore, Maryland 21201 County Office Building I/We do solemnly declare and affirm. 1942. 4A under the penalties of perjury, that I/we re 3-6 111 W. Chesapeake Avenue Towson, Maryland 21204 RE: Item No. 405 - Case No. 86-122-A Mr. Arnold Jabion are the legal owner(s) of the property Petitioner - McDonald's Corporation Zoning Commissioner **ECTION** which is the subject of this Petition. Variance Petition County Office Building 19th Your petition has been received and accepted for filing this dispusion 15 Towson, Maryland 21204 2412 2/25/AC MEMBERS Legal Owner(s): Dear Mr. Cannon: Bureau of McDonald's Corporation R. Rodman Mann Re: Item #405 (1984-1985) Engineering (Type or Print Name) Property Owners McDonald's Corporation The Zoning Plans Advisory Committee has reviewed the plans sub-Department of NE/Cor. North Pt. Blvd. & Old Battle R. Rodenger Dawn mitted with the above-referenced petition. The following comments Grove Road are not intended to indicate the appropriateness of the zoning action State Roads Commiss Signature By: Peter Freitag, Signature G&M Food Corporation District 15th requested, but to assure that all parties are made aware of plans or Bureau of Fire Prevention Construction Engineer 21 Pocono Drive problems with regard to the development plans that may have a bearing (Type or Print Name) 3015 Williams Drive Zoning Commissioner on this case. The Director of Planning may file a written report with Health Department Dear Mr. Jablon: Fairfax, VA 22031 the Zoning Commissioner with recommendations as to the suitability of McDonald's Corporation Petitioner Project Pl nning the requested zoning. The following comments are furnished in regard to the plat submitted to this Petitioner's Robert W. Cannon, Esquire City and State Building Department office for review by the Zoning Advisory Committee in connection with the subject Zoning Plans Advisory Committee Enclosed are all comments submitted from the members of the Attorney Board of Education Attorney for Petitioner: Committee at this time that offer or request information on your Zoning Administration 21 Pocono Drive petition. If similar comments from the remaining members are received, General Comments: Industrial I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted The Petitioner must provide necessary drainage facilities (temporary or Arnold, Maryland 21012 for filing on the date of the enclosed filing certificate and a hearing permanent) to prevent creating any nuisances or damages to adjacent properties, City and State especially by the concentration of surface waters. Correction of any problem scheduled accordingly. which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner. 100 South Charles Street Name, address and phone number of legal owner, con-Very truly yours, tract purchaser or representative to be contacted James E. Dejer. Development of this property inrough stripping, grading and stabilization Robert W. Cannon Baltimore, Maryland 21201 could result in a sediment pollution problem, damaging private and public holdings 100 South Charles Street City and State downstream of the property. A grading permit is, therefore, necessary for all Baltimore, Maryland 21201 Attorney's Telephone No.: 332-8816 grading, including the stripping of top soil. Chairman Phone No. 332-8816 Address Zoning Plans Advisory Committee ORDERED By The Zoning Commissioner of Baltimore County, this ______ 19th ____ day Very truly yours, JED:nr am I Marke of August, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Complessioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore Enclosures JAMES A. MARKLE, P.E., Chief Bureau of Public Services JAM: PMO:blp County con the 24th day of September cc: File Zoning Commissioner of Baltimore County. The Born would be the same the thing of the time ووالمكافئة والمنافرة والمراش الكرانية فيدان فالمدافية والكوافية والمنافرة والمادان والمادان والمعاد BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550 Maryland Department of Transportation William K. Hellmann BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING OFFICE OF PLANNING AND ZI TOWSON, MARYLAND 21204 STEPHEN E. COLLINS DIRECTOR NORMAN E. GERBER DRECTOR August 2, 1985 July 18, 1985 Mr. A. Jablon Re: Item #405 Property Owner: McDonalds Mr. Arnold Jablon Zoning Commissioner Zoning Commissioner County Office Building Corproation Mr. Armold Jablon County Office Building Location; NE/cor. Towson, Maryland 21204 AUGUST 29, 1985 Zoning Commissioner Towson, Maryland 21204 County Office Building Towson, Maryland 21204 North Point Blvd. (Route 151) and Old Battle Grove Road Re: Zoning Advisory Meeting of JULY 2, 1985

Item # 405 (CRITICAL AREA)

Property Owner: McDONALDS CORPORATION -ZAC- Meeting of July 2, 1985 Existing Zoning: Att: N. Commodari McDonald's Corporation B.R. CS-1 (Possible Location: NE/COR. HONTH POINT BLUD. + NE/Cor. North Point Blvd. and Old Battle Grove Road Critical Area) Existing Zoning: B.R.-CS-1 (Possible Critical Area) Proposed Zoning: Var. OLD BOTTLE GROVE RO. Proposed Zoning: Variance to permit 53 parking spaces in lieu of the to permit 53 parking The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are required 57 spaces and to permit a total of 136 sq.ft. spaces in lieu of the required 57 spaces and of signs in lieu of the required 100 sq.ft. (X)There are no site planning factors requiring comment. to permit a total of 136 (a) A County Review Group Mee ing is required.
(b) A County Review Group Mee ing is required.
(c) A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.
(d) This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.
(e) A record plat will be required and must be recorded prior to issuance of a building normal. sq. ft. of signs in lieu of the required 100 sq. 2876 sq.ft. Acres: District: 15:5 Acres; 2876 sq. ft. District: 15th to issuance of a building permit. The access is not satisfactory. Dear Mr. Jablon: Dear Mr. Commodari: The circulation on this site is not satisfactory. The parking arrangement is not satisfactory.

Parking calculations must be shown on the plan.

This property contains soils which are defined as wetlands, and On review of the submittal of 4/25/85, and a field The requested variance to parking can be expected to cause some parking problems in the area. inspection, the State Highway Administration will require development on these soils is prohibited.

)Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development the site plan to be revised. The revised plan must show a 20' egress only entrance Development of this site may constitute a potential conflict with the Baltimore County Master Plan.

The amended Development Plan was approved by the Planning Board at North Point Blvd. (Route 151). A "ONE WAY" sign and "DO NOT ENTER" sign must be)Landscaping: Must comply with Baltimore County Landscape Manual. installed at the 20 egress of Route 151. The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Traffic Engineering Assoc. II Capacity Use Certificate has been issued. The deficient service We find the variance for parking generally acceptable, The property is located in a traffic area controlled by a "D" leve? intersection as defined by 5ill 178-79, and as conditions change MSF/ccm in addition to the Logo sign located outside the State Highway Administration right of way. traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council. (X) Additional comments:

THIS SITE IS LOCATED IN THE CHESOPERE BAY
CRITICAL AREA ADDITIONAL COMMENTS WILL BE
PROVIDED BY THE COMPREHENSIVE PERMING DIVISIONS Very truly yours, Oben OK Char es Lee, Chief Bureau of Engr. Access Fermits

by: George Wittman

My telephone number is 301-659-1360

OSUTE Teletypewriter for Impaired Hearing or Speech

383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5082 Statewide Toll Free

P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

CL-GW:es

Eugene A. Boher

Chief, Current Planning and Development

APR 1 4 1980

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 86-132-14 Towson, Maryland

District 15T4	Date of Posting 9/5/85
Posted for: <u>Vanance</u>	**************************************
Petitioner: ME Ponald's Carretion	?
Location of property: NELOUY N. Pt. Blud, F.	Old Bottle Grete Adi
3945 N. Pl. Plud.	·
Location of Signs: Factory intersection of	N.P.1. Blud. +0/1/Bottle
Grove Re, Appres. ID' Fr. roadway on	erepety of lettiener
Remarks:	********************************
Posted by Market Date	of return: 9/6/85
Number of Signat	

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19-, that the herein Petition for Variance(s) to permit

the community, the variance(s) should /should not be granted.

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

July 19, 1985

Mr. Arnold Jablon, Zoning Commissioner Office of Planning and Zoning

TED ZALESKI, JR.

DIRECTOR

Comments on Item # 405 Zoning Advisory Committee Meeting are as follows: McDonald's Corporation NE/Cor. North Point Blvd. and Old Battle Grove Road

All structures shall conform to the Baltimore County Building Code am adopted by Council Bill 417-85, the Maryland Code for the Handicapped and Aged (A.H.S.I. #117-1 - 1980) and other applicable Codes and Standards. (B.) A building and other miscellaneous permits shall be required before the start of any construction.

C. Residentials Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

E. All Use Groups except R-4 Single Family Deteched Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0 of an interior lot line.

F. The structure does not appear to comply with Table 505 for permissable height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) _____, of the Baltimore County Building Code.

H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use to Use, or See Section 312 of the Building Code. I. The proposed project appears to be located in a Plood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

Comments: When the floor area of a structure is increased the Handicapped Code becomes effective on existing building. This includes parking, signs, curb cuts, building access and useability. See State Handicapped Code and A.N.S.I. Standard #All7.1 - 1980. Signs shall comply to Article 19.

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Misches F. Sumbon BY: C. E. Burnham, Chief Building Plans Review

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon TO Zoning Commissioner Septmeber 16, 1985 Norman E. Gerber, Director

SURJECT Zoning Petition No. 86-122-A

FROM Office of Planning and Zoning

Assuming compliance with the Critical Area comments dated Septmeber 12, 1985 (Gerber to Jablon), this office is not opposed to the granting of the subject request.

Office of Planning and Zoning

NEG:JGH:slm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

MR. ARNOLD JABLON TO Zoning Commissioner

> NORMAN E. GERBER, Director FROM Office of Planning and Zoning

SUBJECT Critical Area Comments —
G. C. McCann, et ux (86-115-A; 417)
Lisa Rae Mintz (66-116-A; 5) and McDonald's Corp. (86-122-A; 405)

The McCann petition consists of a variance request involving a front setback for an industrial type building of 1,200 square feet. The tract of land subject to this request consists of 1.26 acres which has recently been cleared of virtually all trees. The soils on the site consist of Mattapex silt loam as indicated by the Baltimore County Soil Survey. These soils are generally level (less than 5% slope) and are well drained.

In order to satisfy the requirements of the Chesapeake Bay Critical Area Statute, it is recommended that:

(1) Except for the building, single parking space and access drive (approximately 2,500 square feet), the remainder of the tract should be retained in a natural state; and

(2) 4 major deciduous or 12 conifer or 24 minor deciduous trees be planted and maintained on the site;

(3) the downspouts serving the building should be dis-charged into an infiltration field consisting of a suitably-sized tile pipe placed in a gravel bed. An overland surcharge device should be included either on the downspout or the end of the tile field. The flow of stormwater from the access drive and parking area should be directed overland to encourage

Petition #86-116-A (Lisa Rae Mintz) involves an addition to an existing residential lot in a large, small-lot subdivision. Petitioner's lot is 60' X 90' or 5,400 square feet. The addition is 20' X 30' or 600 square feet. The addition is the basis for a rear yard setback variance request.

In order to satisfy the requirements of the Chesapeake Bay Critical Area Statute, it is recommended that:

(1) 3 conifers or 6 minor deciduous trees or one major deciduous tree be planted on the lot, and

MR. APNOLD JABLON

September 12, 1985

(2) overland flow of stormwater runoff from the addition be directed overland towards a suitable outfall.

In regard to the McDonald's Corporation petition (86-122-A), it is recommended that no additional parking space be required as this would result in an increase in the impervious surface of the site. This recommendation is based solely on Critical Area consis-

Should any petitioners have questions regarding these recommendations, please have them contact Paul Solomon at Ext. 3521.

NEG:PJS:vh

Director of Planning and Zoning

cy: James G. Hoswell

People's Counsel

Susan S. Carrell, Acting Chief Current Planning & Development Div.

June 24, 1985

a

Office of the Baltimore County Zoning Commissioner County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

> Re: McDonald's - 3945 North Point Blvd. W&G 14855.9

Gentlemen:

On behalf of McDonald's Corporation, I support R. Rodman Mann's Petition for a parking and sign zoning variance for the above in order to facilitate the operation of a new Drive-Thru addition.

> Very truly yours,
> Mgp@NALD'S CGRPORATION Peter A. Freitag Construction Engineer

/cdw

ROBERT L YVEINEERG
JACK C. MERRIMAN
WINGTON T. BRUNDOGE
WILLIAM W. CAHILL. IR
MARK D. CODJIL.
IR
MARK D. CODJIL.
IR
MERBERT M. HUBBARD
BONALD E CREAMER
DAVID M. BLUM
J. EDWARD DAVIS
ROGER K. CARPINK
WILLEIR, JR
EARL F. LEITEBS
HOWARD E MILLER
GARTY C. BERMAN
ROBERT W. CAMPON
SHELDOM S. BATISHY
BYANLEY J. NEUNAUSER
THOUGHE F. SMITH
JACKS J. MAHMS, JR.
WILLIAM E. SCHOLTES
JOHN J. GHINGHER, III
STANFORD D. MESS
HOWARD LEWINTON
JAMES E. CARRINE
LOUIS JAT VIL MAN
ALLEN POPPLETON
W. TAYLOR SROWN
ROBERT A. SIMSBURG DEBORAH HUNT DEVAN DE BORAM HUMT DEVAN
JUDITH D'INGLIL
WALTER'S LEVIN
MICHAEL C MODES
J CALVIN JERNINS JR
THOMAS C MORROW
GLIBERT & WEINER
ROBERT W BAKER, JR.
STEPHEN L MARKER
CARLA STONE WITZEL
VICTORIA SMOUSE GERGHEL
J CLINTON KELLY
HOWARD R MAJEY
ALAM M FOREMAN ZANYVL KRIEGER ROBERT M. HOWINE MILTON'S SCHILLER
Z. PRUL SCHMIDT
ZOHN R. ROYSTEN

HAND DELIVERY

Dear Carl:

zoning variance.

Mr. Carl Richards

Office Building

Baltimore County Zoning Office

First Floor Baltimore County

111 West Chesapeake Avenue

Towson, Maryland 21204

WEINBERG AND GREEN ATTORNEYS AT LAW 100 SOUTH CHARLES STREET BALTIMORE, MD. 21201 FIRM TELEPHONES

WASHINGTON AREA: TELECOPIER: WRITER'S DIRECT DIAL NUMBER (301) 332-8816

June 25, 1985

Re: McDonald's - 3945 North Point Blvd.

tative of McDonald's Corporation consenting to the petition for

the petition should be changed to reflect the requested frontage

of 145 square feet rather than the 136 feet which were contained

in the original petition. Please make that change on the petition.

Please let me know if you have any questions.

information requested to which is attached detailed drawings

As a follow-up to our meeting on Thursday, June 20,

-1. Three copies of a letter executed by a represen-

2. Ten copies of the revised plat containing the

Upon review of this detail, I have concluded that

Item Number 405

W&G 14855.9

1985, you will find enclosed the following:

containing the calculations of the signs.

SHIROW A. MODUL
LINDA A. MODUL
WILLIAM K. MEYER
SUSHN J. PLATY
DESCRAN G. SHORTRIDGE
WILL AM A. AGEE
STAN. EV. D. PROWSE
EARAH MICLAPPERTY
MICHAEL P. SHITH
HEMRY R. ABRIANS
SHERRY HAMBURG FLAX

T COMMAY MATTHEWS
THISODORE R MINISLDIM, JR
REVING GRALLEY
DAMA N PESCOSOLIDO
RY HARD & RANSOM
SUBAN Y RELLEY
ROBERT & SHYDER, JR
JUDITH C LEVINGON
DE BORAN WILLIAMS STEELE
RRUCE H SAUL,
DESMOND D COMMALL, JR
MARJORIE & CORNIN
MONICA L MEUMAN
ELLER N CORNIN
MONICA L MEUMAN
RUSERL
JAYSON L SPIEGEL
BUSAN W RUSELL
JAMES R. WHATTAM
JALI BOOMSTEIN
STEVEN M CAPLAN
TETRA H COTONCEANU
MATTAMAH M GENN
JARON A. RROUNS
UARD A. BROUNS
UARD A. BROUNS
W J. PLATT
RAN B. SHORTRIGGE
MI A. AGGE

MI A. AGGE

RICHARD D SUSSMAN
ELLER G BARTWCE
ELLER G BARTSM
EVHORE
ELLER G BARTSM
ELLER

Baltimore, Maryland 21201

PETITION FOR VARIANCE NE/corner of North Point Blvd. and Old Battle Grove Road, (3945 North Point Boulevard) -15th Election District McDonald's Corporation, Petitioner Case No. 86-122-A

JEAN M. H. JUNG

DEPUTY ZONING COMMISSIONER

I have this date passed my Order in the above captioned matter in accord-

October 4, 1985

JEAN M. H. JUNG Beputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

Ms. Mary Ginn 606 Horncrest Road Towson, Maryland 21204

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING

TOWSON, MARYLAND 21204 494-3353

ARNOLD JABLON ZONING COMMISSIONER

Robert W. Cannon, Esquire

100 South Charles Street

Mr. Stoney Fraley
Department of State Planning 301 West Freston Street Baltimore, Maryland 21201

Robert W. Cannon

Sincerely yours,

081/thk Enclosures

'n

PETITION FOR VARIANCE There were no protestants. IN RE: PETITION FOR VARIANCE 15tH Election District NE/corner of North Point Blvd. Mary Ginn entered her appearance on behalf of the Association of Baltimore and Old Battle Grove Road, DEPUTY ZONING COMMISSIONER (3945 North Point Boulevard) -ZONING DESCRIPTION County Community Councils. 15th Election District OF BALTIMORE COUNTY LOCATION: Northeast corner of North Point Boulevard and Old Battle Grove Road (3945 North Point Boulevard) Pursuant to the advertisement, posting of property, and public hearing on McDonald's Corporation, Case No. 86-122-A Beginning on the NE/corner of North Point Boulevard and Old Battle Grove the Petition; it appearing that strict compliance with the Baltimore County Zon-Petitioner * DATE AND TIME: Tuesday, September 24, 1985 at 10:00 a.m. Road. Thence N. 29°06'20" West 92.39 ft., N. 42°35'22" East 190.00 ft., * * * * * * * * * * ing Regulations (BCZR) would result in practical difficulty and unreasonable PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake S. 41°31'10" East 243.73 ft., S. 42°37'28" West 38.43 ft. Thence by (1) by Avenue, Towson, Maryland The Petitioner herein requests variances to permit 53 parking spaces in hardship upon the Petitioner; Baltimore County having reviewed the application line curving the the right with a radius of 108.5 feet the distance of 96.27 feet The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and lieu of the required 62, a total of 230.2 square feet of signs in lieu of the involving property located in the Maryland Chesapeake Bay Critical Areas and Regulations of Baltimore County, will hold a public hearing: which are is subtended by a cord bearing south 67°-50'-40" west to a pipe and having determined that it is consistent with the requirements of the State of required 100 square feet, and a side yard setback of 28 feet in lieu of the re-(2) North 86°-34'-25" West 102.12 feet, North 32°-20'-16" West 36.25 ft. to the Petition for Zoning Variances from Section 409.2.b(3) to permit Maryland to minimize adverse impacts on water quality and fish, wildlife, and quired 30 feet for existing freezer. 53 parking spaces in lieu of the required 62 and Section 413.2.f place of beginning. to permit a total of 230.2 square footage of signs in lieu of the At the onset of the hearing, Counsel for the Petitioner indicated that the plant habitat; and the granting of the requested variances not adversely affectrequired 100 square feet, also Section 238.2 to permit a side yard setback of 28 feet in lieu of the required 30 feet. menu board would be affixed to the wall of the building, thus, he moved to amend ing the health, safety, and general welfare of the community, the variances the Petition to request a total of 190.52 square feet of signs in lieu of the should be granted. Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore permitted 100 square feet. The motion was granted. day of October, 1985, that the herein Petition for The existing fast food business has been located on the site, owned and Being the property of McDonald's Corporation the plat filed with the Zoning Office. operated under the original franchise, since 1974. The freezer and screened Variance to permit 53 parking spaces in lieu of the required 62, a total of In the event that this Petition is granted, a building permit may be issued within trash area have been located in their present position for many years without 190.52 square feet of signs in lieu of the required 100 square feet, and a side the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for either the County or the Petitioner realizing that the freezer required a variyard setback of 28 feet in lieu of the required 30 feet, in accordance with the good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing. site plan submitted, revised July 10, 1985, marked Petitioner's Exhibit 1, is ance for that location. In recent years the fast food business has changed in BY ORDER OF heret GRANTED, from and after the date of this Order, subject, however, to the that now drive-through facilities have to be provided to retain existing busi-ARNOLD JABLON ZONING COMMISSIONER following restrictions: ness and remain competitive. Such a change in business operations require addi-OF BALTIMORE COUNTY CERTIFICATE OF PUBLICATION 1. The menu board shall be affixed to the wall of the tibnal square footage of signs for notification to the public. The parking layout has to be completely redrawn; the site does not provide any space for addi-2. The striped areas may be modified to include landscaping. idnal parking. Statistics for the fast food business would indicate that 35 to TOWSON, MD., September 5 At any such time as the site ceases to be utilized as a PETITION FOR VARIANCE
15th Election District of the total business will be drive-through. A recent survey of parking on McDonald's Restaurant, the total square feet of signange THIS IS TO CERTIFY, that the annexed advertisement was LOCATION: Nursheast corner of North Point Boulevard and Old Bettle Gewn Road (3945 North Point Boulevard)
DATE AND TIME: Tuesday, September 24, 1945 at 10:00 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland RECEIVED shall conform to the requirements of the BCZR. site as it now exists without drive-through service indicated, at peak perpublished in THE JEFFERSONIAN, a weekly newspaper printed i.e. lunch time, an average parking utilization of 52% with a range of 32 and published in Towson, Baltimore County, Md., appearing on to 174%. No parking is allowed on North Point Boulevard adjacent to the site. //of Baltimore County The Zoning Commissioner of Saki-mage County, by authority of the Zon-ing Act and Regulations of Balumore DAT County, will hold a public hearing: Petition for Zoning Variances from Section 409.2.b(3) to permit 53 park-THE JEFFERSONIAN, Section 409.2.16(3) to permit 53 parking spaces in him of the required 62 and Section 413.2.f to permit a cutal of 239.2 square footage of signs in him of the required 100 square font, also Section 236.2 so permit a side yard actually of 28 sect in hers of the required 30 feet. Being the property of McDonnic's Corporation as shown on the plat filed with the Zoning Office.

In the event, that this Petition is granted, a building permit may be insued within the thirty (36) day appeal period. The Zoning Commissioner will, however, assertion any required for a stay of the issuement of said permit during this period for good cause down. Such request meant be received in writing by the date of the hearing set shows or made at the hearing. V 42 Cost of Advertising BALTIMORE COUNTY OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204 494-3353 Robert W. Cannon, Esquire August 23, 1985 100 South Charles Street Baltimore, Maryland 21201 24:75 RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER NE Corner of North Point Blvd. & Old Battle Grove OF BALITIMORE COUNTY ARNOLD JABLON ZONING COMMISSIONER Rd. (3945 North Point Blvd.), 15th District NOTICE OF HEARING By Order Of ARNOLD JABLON, Zoning Commissioner of Beltimore County September 19, 1985 RE: PETITION FOR VARIANCE McDONALD'S CORPORATION, : Case No. 86-122-A NE cor. North Pt. Blvd. & Old Petitioner Battle Grove Rd. (3945 North Pt. Blvd.) ::::::: 15th Election District Robert W. Cannon, Esquire 100 South Charles Street McDonald's Corporation, Petitioner ENTRY OF APPEARANCE Case No. 86-122-A Baltimore, Maryland 21201 Please enter the appearance of the People's Counsel in the 10:00 a.m. CERTIFICATO OF PUBLICATION above-captioned matter. Notices should be sent of any hearing dates Tuesday, September 24, 1985 Re: Petition for Variance PETITION FOR WHILANCE NE corner North Point Blvd. & Old or other proceedings in this matter and of the rassage of any preliminary 15th Election District PLACE: Room 106. County Office Building, 111 West Chesapeake Battle Grove Rd. (3945 North Pt. Blvd.) LOCATION: Northeast corner of North Point Boulevers and Old Battle 864122-A 15th Election District or final Order. Gross Road (3945 North Point Boule-McDonald's Corporation, Petitioner OFFICE OF Avenue, Towson, Marvland Case No. 86-122-A DATE AND TIME: Tuesday, Septem-Dundalk Eagle ber 24, 1985 at 10:00 a.m. PUBLIC HEARING ACOM 106. County Office Building, 111 West Chesapanhe -women, Yourne, Maryland 38 N. Dundalk Ave. The Zoning Commissioner of Balti-People's Counsel for Baltimore County This is to advise you that \$62.95 is due for advertising and posting of the above property. This fee must be paid before Dundalk, Md. 21222 September 9, 1985 more County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: an Order is issued. Peter Max Zumenna Petition for Zoning Variances from Section 409.2.b(3) to permit 53 parts THIS IS TO CERTIFY, that the annexed advertisement of This fee must be paid and the zoning sign and post returned on the day of the hearing. Description e sign until day of the is special in few of the required 62 Peter Max Zimmerman rnoid Jablon in the matter of P.O. #69027 - Req. #L and Section 41524 to moret a total of 230.2 square foots, of signs in a Deputy People's Counsel hearing. 78366 - Pet. for var. - 83 lines @\$33.20. how of the required 19 square feet BALTIMORE COUNTY, MARYLAND No. 012538 Rm. 223, Court House was inserted in The Dundaik Eagle a weekly news-BALTIMORE COUNTY, MARYLAND - nino Section 238.2 to permit a side OFFICE OF FINANCE - REVENUE DIVISION Towson, MD 21204 yard methods of 28 test in fiew of the ... timore County, Maryland, inty Office Building, OFFICE OF FINANCE - REVENUE DIVISION nmissioner MISCELLANEOUS CASH RECEIPT 494-2188 paper published in Baltimore County, Maryland, once a week MISCELLANEOUS CASH RECEIPT Burne the property of McDreaki's Fe County D 01-615-000 Carposited as shown as the plat filed NHEON TWEEWEEKS before the I HEREBY CERTIFY that on this 28th day of August, 1985, a copy mit the Zonane Office. in the most that this Petition is puried, a building permit may be in-1985; that is to say, AMOLINT \$ 100.00 of the foregoing Entry of Appearance was mailed to Robert W. Cannon, sund within the thirty (30) day appeal period. The Zoning Commencioner will, the same was inserted in the issues of sept. 5, 1985 houseur, entortain any request for a Esquire, 100 S. Charles St., Baltimore, MD 21201, Attorney for Petitioner; Wry bug I Couran stay of the issuance of said portest. dring his period for good cause and R. Rodman Mann, G&M Food Corporation, 21 Pocono Drive, Arnold, MD Commissioner Vancuors # 405 cented in entered by the date of the FOR: Advertising and Posting 86-122-A

B 853*******\$ \$2240\$

....emen

Peter Max Zimmerman

BONSeammeloupsia Szoaf

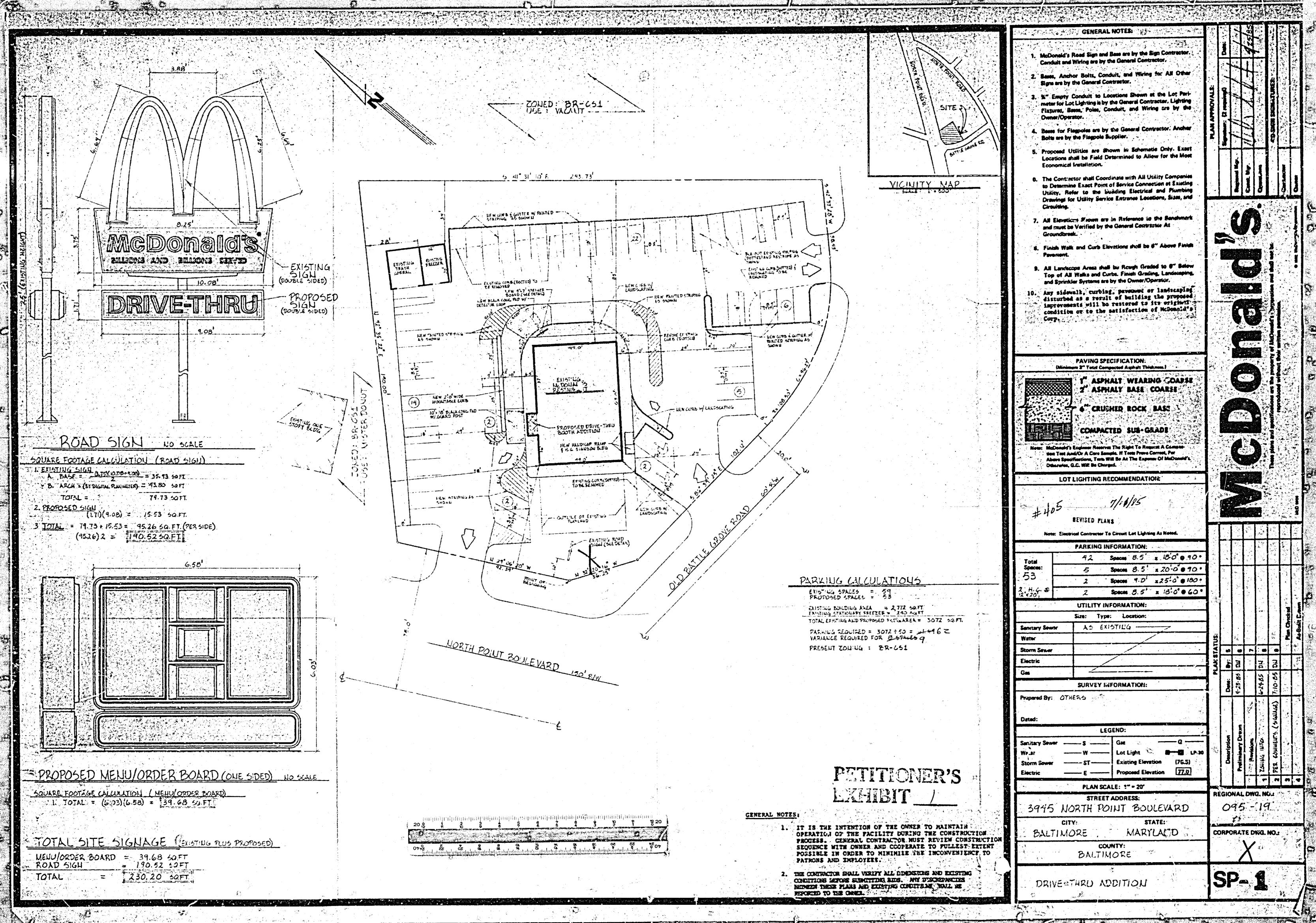
VALIDATION OR SIGNATURE OF CASHIER

James 1

Kimbel Publication, Inc.

per Publisher.

20



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 86-132-14 Towson, Maryland

District 15T4	Date of Posting 9/5/85
Posted for: <u>Vanance</u>	**************************************
Petitioner: ME Ponald's Carretion	?
Location of property: NELOUY N. Pt. Blud, F.	Old Bottle Grete Adi
3945 N. Pl. Plud.	·
Location of Signs: Factory intersection of	N.P.1. Blud. +0/1/Bottle
Grove Re, Appres. ID' Fr. roadway on	erepety of lettiener
Remarks:	********************************
Posted by Market Date	of return: 9/6/85
Number of Signat	

86-122-A PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 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 409.2 h(1) to permit 53 parking spaces instead of the required 62 and Section 413.2.f to permit a total of 230.2 sq. footage of signs instead of the required 100 sq. ft. also section 238.2 to permit a sideyard setback of 28 instead of the required 30 rt. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) (a) the requirement of 57 parking spaces would unduly restrict petitioner's use of the land for the intended permitted spaces would unduly restrict petitioner's use of the land for the intended periotted purpose of adding a drive—through facility to increase business, and if such requirement were enforced, conformance would be unduly burdensome; (b) if the drive-through was to be added, there would need to be a sign notifying the public of the facility and the need to add a "menu" sign as well and if variance were not granted, it would cause petitioner a practical difficulty and/or an unreasonable hardship of operating BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE without adequate notice of such drive-through to the public. TOWSON MARYLAND 21204 September 17, 1985 Case No. 86-122-A Property is to be posted and advertised as prescribed by Zoning Regulations. HARRY I PISTEL P. E. DIRECTOR Robert W. Cannon, Esquire COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 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. July 15, 1985 100 South Charles Street BALTIMORE COUNTY OFFICE OF PLANNING & ZONING Baltimore, Maryland 21201 County Office Building I/We do solemnly declare and affirm. 1942. 4A under the penalties of perjury, that I/we re 3-6 111 W. Chesapeake Avenue Towson, Maryland 21204 RE: Item No. 405 - Case No. 86-122-A Mr. Arnold Jabion are the legal owner(s) of the property Petitioner - McDonald's Corporation Zoning Commissioner **ECTION** which is the subject of this Petition. Variance Petition County Office Building 19th Your petition has been received and accepted for filing this dispusion 15 Towson, Maryland 21204 2412 2/25/AC MEMBERS Legal Owner(s): Dear Mr. Cannon: Bureau of McDonald's Corporation R. Rodman Mann Re: Item #405 (1984-1985) Engineering (Type or Print Name) Property Owners McDonald's Corporation The Zoning Plans Advisory Committee has reviewed the plans sub-Department of NE/Cor. North Pt. Blvd. & Old Battle R. Rodenger Dawn mitted with the above-referenced petition. The following comments Grove Road are not intended to indicate the appropriateness of the zoning action State Roads Commiss Signature By: Peter Freitag, Signature G&M Food Corporation District 15th requested, but to assure that all parties are made aware of plans or Bureau of Fire Prevention Construction Engineer 21 Pocono Drive problems with regard to the development plans that may have a bearing (Type or Print Name) 3015 Williams Drive Zoning Commissioner on this case. The Director of Planning may file a written report with Health Department Dear Mr. Jablon: Fairfax, VA 22031 the Zoning Commissioner with recommendations as to the suitability of McDonald's Corporation Petitioner Project Pl nning the requested zoning. The following comments are furnished in regard to the plat submitted to this Petitioner's Robert W. Cannon, Esquire City and State Building Department office for review by the Zoning Advisory Committee in connection with the subject Zoning Plans Advisory Committee Enclosed are all comments submitted from the members of the Attorney Board of Education Attorney for Petitioner: Committee at this time that offer or request information on your Zoning Administration 21 Pocono Drive petition. If similar comments from the remaining members are received, General Comments: Industrial I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted The Petitioner must provide necessary drainage facilities (temporary or Arnold, Maryland 21012 for filing on the date of the enclosed filing certificate and a hearing permanent) to prevent creating any nuisances or damages to adjacent properties, City and State especially by the concentration of surface waters. Correction of any problem scheduled accordingly. which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner. 100 South Charles Street Name, address and phone number of legal owner, con-Very truly yours, tract purchaser or representative to be contacted James E. Dejer. Development of this property inrough stripping, grading and stabilization Robert W. Cannon Baltimore, Maryland 21201 could result in a sediment pollution problem, damaging private and public holdings 100 South Charles Street City and State downstream of the property. A grading permit is, therefore, necessary for all Baltimore, Maryland 21201 Attorney's Telephone No.: 332-8816 grading, including the stripping of top soil. Chairman Phone No. 332-8816 Address Zoning Plans Advisory Committee ORDERED By The Zoning Commissioner of Baltimore County, this ______ 19th ____ day Very truly yours, JED:nr am I Marke of August, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Complessioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore Enclosures JAMES A. MARKLE, P.E., Chief Bureau of Public Services JAM: PMO:blp County con the 24th day of September cc: File Zoning Commissioner of Baltimore County. The Born would be the same the thing of the time ووالمكافئة والمنافرة والمراش الكرانية فيدان فالمدافية والكوافية والمنافرة والمادان والمادان والمعاد BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550 Maryland Department of Transportation William K. Hellmann BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING OFFICE OF PLANNING AND ZI TOWSON, MARYLAND 21204 STEPHEN E. COLLINS DIRECTOR NORMAN E. GERBER DRECTOR August 2, 1985 July 18, 1985 Mr. A. Jablon Re: Item #405 Property Owner: McDonalds Mr. Arnold Jablon Zoning Commissioner Zoning Commissioner County Office Building Corproation Mr. Armold Jablon County Office Building Location; NE/cor. Towson, Maryland 21204 AUGUST 29, 1985 Zoning Commissioner Towson, Maryland 21204 County Office Building Towson, Maryland 21204 North Point Blvd. (Route 151) and Old Battle Grove Road Re: Zoning Advisory Meeting of JULY 2, 1985

Item # 405 (CRITICAL AREA)

Property Owner: McDONALDS CORPORATION -ZAC- Meeting of July 2, 1985 Existing Zoning: Att: N. Commodari McDonald's Corporation B.R. CS-1 (Possible Location: NE/COR. HONTH POINT BLUD. + NE/Cor. North Point Blvd. and Old Battle Grove Road Critical Area) Existing Zoning: B.R.-CS-1 (Possible Critical Area) Proposed Zoning: Var. OLD BOTTLE GROVE RO. Proposed Zoning: Variance to permit 53 parking spaces in lieu of the to permit 53 parking The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are required 57 spaces and to permit a total of 136 sq.ft. spaces in lieu of the required 57 spaces and of signs in lieu of the required 100 sq.ft. (X)There are no site planning factors requiring comment. to permit a total of 136 (a) A County Review Group Mee ing is required.
(b) A County Review Group Mee ing is required.
(c) A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.
(d) This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.
(e) A record plat will be required and must be recorded prior to issuance of a building normal. sq. ft. of signs in lieu of the required 100 sq. 2876 sq.ft. Acres: District: 15:5 Acres; 2876 sq. ft. District: 15th to issuance of a building permit. The access is not satisfactory. Dear Mr. Jablon: Dear Mr. Commodari: The circulation on this site is not satisfactory. The parking arrangement is not satisfactory.

Parking calculations must be shown on the plan.

This property contains soils which are defined as wetlands, and On review of the submittal of 4/25/85, and a field The requested variance to parking can be expected to cause some parking problems in the area. inspection, the State Highway Administration will require development on these soils is prohibited.

)Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development the site plan to be revised. The revised plan must show a 20' egress only entrance Development of this site may constitute a potential conflict with the Baltimore County Master Plan.

The amended Development Plan was approved by the Planning Board at North Point Blvd. (Route 151). A "ONE WAY" sign and "DO NOT ENTER" sign must be)Landscaping: Must comply with Baltimore County Landscape Manual. installed at the 20 egress of Route 151. The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Traffic Engineering Assoc. II Capacity Use Certificate has been issued. The deficient service We find the variance for parking generally acceptable, The property is located in a traffic area controlled by a "D" leve? intersection as defined by 5ill 178-79, and as conditions change MSF/ccm in addition to the Logo sign located outside the State Highway Administration right of way. traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council. (X) Additional comments:

THIS SITE IS LOCATED IN THE CHESOPERE BAY
CRITICAL AREA ADDITIONAL COMMENTS WILL BE
PROVIDED BY THE COMPREHENSIVE PERMING DIVISIONS Very truly yours, Oben OK Char es Lee, Chief Bureau of Engr. Access Fermits

by: George Wittman

My telephone number is 301-659-1360

OSUTE Teletypewriter for Impaired Hearing or Speech

383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5082 Statewide Toll Free

P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

CL-GW:es

Eugene A. Boher

Chief, Current Planning and Development

APR 1 4 1980

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19-, that the herein Petition for Variance(s) to permit

the community, the variance(s) should /should not be granted.

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

July 19, 1985

Mr. Arnold Jablon, Zoning Commissioner Office of Planning and Zoning

TED ZALESKI, JR.

DIRECTOR

Comments on Item # 405 Zoning Advisory Committee Meeting are as follows: McDonald's Corporation NE/Cor. North Point Blvd. and Old Battle Grove Road

All structures shall conform to the Baltimore County Building Code am adopted by Council Bill 417-85, the Maryland Code for the Handicapped and Aged (A.H.S.I. #117-1 - 1980) and other applicable Codes and Standards. (B.) A building and other miscellaneous permits shall be required before the start of any construction.

C. Residentials Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

E. All Use Groups except R-4 Single Family Deteched Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0 of an interior lot line.

F. The structure does not appear to comply with Table 505 for permissable height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) _____, of the Baltimore County Building Code.

H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use to Use, or See Section 312 of the Building Code. I. The proposed project appears to be located in a Plood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

Comments: When the floor area of a structure is increased the Handicapped Code becomes effective on existing building. This includes parking, signs, curb cuts, building access and useability. See State Handicapped Code and A.N.S.I. Standard #All7.1 - 1980. Signs shall comply to Article 19.

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Misches F. Sumbon BY: C. E. Burnham, Chief Building Plans Review

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon TO Zoning Commissioner Septmeber 16, 1985 Norman E. Gerber, Director

SURJECT Zoning Petition No. 86-122-A

FROM Office of Planning and Zoning

Assuming compliance with the Critical Area comments dated Septmeber 12, 1985 (Gerber to Jablon), this office is not opposed to the granting of the subject request.

Office of Planning and Zoning

NEG:JGH:slm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

MR. ARNOLD JABLON TO Zoning Commissioner

> NORMAN E. GERBER, Director FROM Office of Planning and Zoning

SUBJECT Critical Area Comments —
G. C. McCann, et ux (86-115-A; 417)
Lisa Rae Mintz (66-116-A; 5) and McDonald's Corp. (86-122-A; 405)

The McCann petition consists of a variance request involving a front setback for an industrial type building of 1,200 square feet. The tract of land subject to this request consists of 1.26 acres which has recently been cleared of virtually all trees. The soils on the site consist of Mattapex silt loam as indicated by the Baltimore County Soil Survey. These soils are generally level (less than 5% slope) and are well drained.

In order to satisfy the requirements of the Chesapeake Bay Critical Area Statute, it is recommended that:

(1) Except for the building, single parking space and access drive (approximately 2,500 square feet), the remainder of the tract should be retained in a natural state; and

(2) 4 major deciduous or 12 conifer or 24 minor deciduous trees be planted and maintained on the site;

(3) the downspouts serving the building should be dis-charged into an infiltration field consisting of a suitably-sized tile pipe placed in a gravel bed. An overland surcharge device should be included either on the downspout or the end of the tile field. The flow of stormwater from the access drive and parking area should be directed overland to encourage

Petition #86-116-A (Lisa Rae Mintz) involves an addition to an existing residential lot in a large, small-lot subdivision. Petitioner's lot is 60' X 90' or 5,400 square feet. The addition is 20' X 30' or 600 square feet. The addition is the basis for a rear yard setback variance request.

In order to satisfy the requirements of the Chesapeake Bay Critical Area Statute, it is recommended that:

(1) 3 conifers or 6 minor deciduous trees or one major deciduous tree be planted on the lot, and

MR. APNOLD JABLON

September 12, 1985

(2) overland flow of stormwater runoff from the addition be directed overland towards a suitable outfall.

In regard to the McDonald's Corporation petition (86-122-A), it is recommended that no additional parking space be required as this would result in an increase in the impervious surface of the site. This recommendation is based solely on Critical Area consis-

Should any petitioners have questions regarding these recommendations, please have them contact Paul Solomon at Ext. 3521.

NEG:PJS:vh

Director of Planning and Zoning

cy: James G. Hoswell

People's Counsel

Susan S. Carrell, Acting Chief Current Planning & Development Div.

June 24, 1985

a

Office of the Baltimore County Zoning Commissioner County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

> Re: McDonald's - 3945 North Point Blvd. W&G 14855.9

Gentlemen:

On behalf of McDonald's Corporation, I support R. Rodman Mann's Petition for a parking and sign zoning variance for the above in order to facilitate the operation of a new Drive-Thru addition.

> Very truly yours,
> Mgp@NALD'S CGRPORATION Peter A. Freitag Construction Engineer

/cdw

ROBERT L YVEINEERG
JACK C. MERRIMAN
WINGTON T. BRUNDOGE
WILLIAM W. CAHILL. IR
MARK D. CODJIL.
IR
MARK D. CODJIL.
IR
MERBERT M. HUBBARD
BONALD E CREAMER
DAVID M. BLUM
J. EDWARD DAVIS
ROGER K. CARPINK
WILLEIR, JR
EARL F. LEITEBS
HOWARD E MILLER
GARTY C. BERMAN
ROBERT W. CAMPON
SHELDOM S. BATISHY
BYANLEY J. NEUNAUSER
THOUGHE F. SMITH
JACKS J. MAHMS, JR.
WILLIAM E. SCHOLTES
JOHN J. GHINGHER, III
STANFORD D. MESS
HOWARD LEWINTON
JAMES E. CARRINE
LOUIS JAT VIL MAN
ALLEN POPPLETON
W. TAYLOR SROWN
ROBERT A. SIMSBURG DEBORAH HUNT DEVAN DE BORAM HUMT DEVAN
JUDITH D'INGLIL
WALTER'S LEVIN
MICHAEL C MODES
J CALVIN JERNINS JR
THOMAS C MORROW
GLIBERT & WEINER
ROBERT W BAKER, JR.
STEPHEN L MARKER
CARLA STONE WITZEL
VICTORIA SMOUSE GERGHEL
J CLINTON KELLY
HOWARD R MAJEY
ALAM M FOREMAN ZANYVL KRIEGER ROBERT M. HOWINE MILTON'S SCHILLER
Z. PRUL SCHMIDT
ZOHN R. ROYSTEN

HAND DELIVERY

Dear Carl:

zoning variance.

Mr. Carl Richards

Office Building

Baltimore County Zoning Office

First Floor Baltimore County

111 West Chesapeake Avenue

Towson, Maryland 21204

WEINBERG AND GREEN ATTORNEYS AT LAW 100 SOUTH CHARLES STREET BALTIMORE, MD. 21201 FIRM TELEPHONES

WASHINGTON AREA: TELECOPIER: WRITER'S DIRECT DIAL NUMBER (301) 332-8816

June 25, 1985

Re: McDonald's - 3945 North Point Blvd.

tative of McDonald's Corporation consenting to the petition for

the petition should be changed to reflect the requested frontage

of 145 square feet rather than the 136 feet which were contained

in the original petition. Please make that change on the petition.

Please let me know if you have any questions.

information requested to which is attached detailed drawings

As a follow-up to our meeting on Thursday, June 20,

-1. Three copies of a letter executed by a represen-

2. Ten copies of the revised plat containing the

Upon review of this detail, I have concluded that

Item Number 405

W&G 14855.9

1985, you will find enclosed the following:

containing the calculations of the signs.

SHIROW A. MODUL
LINDA A. MODUL
WILLIAM K. MEYER
SUSHN J. PLATY
DESCRAN G. SHORTRIDGE
WILL AM A. AGEE
STAN. EV. D. PROWSE
EARAH MICLAPPERTY
MICHAEL P. SHITH
HEMRY R. ABRIANS
SHERRY HAMBURG FLAX

T COMMAY MATTHEWS
THISODORE R MINISLDIM, JR
REVING GRALLEY
DAMA N PESCOSOLIDO
RY HARD & RANSOM
SUBAN Y RELLEY
ROBERT & SHYDER, JR
JUDITH C LEVINGON
DE BORAN WILLIAMS STEELE
RRUCE H SAUL,
DESMOND D COMMALL, JR
MARJORIE & CORNIN
MONICA L MEUMAN
ELLER N CORNIN
MONICA L MEUMAN
RUSERL
JAYSON L SPIEGEL
BUSAN W RUSELL
JAMES R. WHATTAM
JALI BOOMSTEIN
STEVEN M CAPLAN
TETRA H COTONCEANU
MATTAMAH M GENN
JARON A. RROUNS
UARD A. BROUNS
UARD A. BROUNS
W J. PLATT
RAN B. SHORTRIGGE
MI A. AGGE

MI A. AGGE

RICHARD D SUSSMAN
ELLER G BARTWCE
ELLER G BARTSM
EVHORE
ELLER G BARTSM
ELLER

Baltimore, Maryland 21201

PETITION FOR VARIANCE NE/corner of North Point Blvd. and Old Battle Grove Road, (3945 North Point Boulevard) -15th Election District McDonald's Corporation, Petitioner Case No. 86-122-A

JEAN M. H. JUNG

DEPUTY ZONING COMMISSIONER

I have this date passed my Order in the above captioned matter in accord-

October 4, 1985

JEAN M. H. JUNG Beputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

Ms. Mary Ginn 606 Horncrest Road Towson, Maryland 21204

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING

TOWSON, MARYLAND 21204 494-3353

ARNOLD JABLON ZONING COMMISSIONER

Robert W. Cannon, Esquire

100 South Charles Street

Mr. Stoney Fraley
Department of State Planning 301 West Freston Street Baltimore, Maryland 21201

Robert W. Cannon

Sincerely yours,

081/thk Enclosures

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PETITION FOR VARIANCE There were no protestants. IN RE: PETITION FOR VARIANCE 15tH Election District NE/corner of North Point Blvd. Mary Ginn entered her appearance on behalf of the Association of Baltimore and Old Battle Grove Road, DEPUTY ZONING COMMISSIONER (3945 North Point Boulevard) -ZONING DESCRIPTION County Community Councils. 15th Election District OF BALTIMORE COUNTY LOCATION: Northeast corner of North Point Boulevard and Old Battle Grove Road (3945 North Point Boulevard) Pursuant to the advertisement, posting of property, and public hearing on McDonald's Corporation, Case No. 86-122-A Beginning on the NE/corner of North Point Boulevard and Old Battle Grove the Petition; it appearing that strict compliance with the Baltimore County Zon-Petitioner * DATE AND TIME: Tuesday, September 24, 1985 at 10:00 a.m. Road. Thence N. 29°06'20" West 92.39 ft., N. 42°35'22" East 190.00 ft., * * * * * * * * * * ing Regulations (BCZR) would result in practical difficulty and unreasonable PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake S. 41°31'10" East 243.73 ft., S. 42°37'28" West 38.43 ft. Thence by (1) by Avenue, Towson, Maryland The Petitioner herein requests variances to permit 53 parking spaces in hardship upon the Petitioner; Baltimore County having reviewed the application line curving the the right with a radius of 108.5 feet the distance of 96.27 feet The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and lieu of the required 62, a total of 230.2 square feet of signs in lieu of the involving property located in the Maryland Chesapeake Bay Critical Areas and Regulations of Baltimore County, will hold a public hearing: which are is subtended by a cord bearing south 67°-50'-40" west to a pipe and having determined that it is consistent with the requirements of the State of required 100 square feet, and a side yard setback of 28 feet in lieu of the re-(2) North 86°-34'-25" West 102.12 feet, North 32°-20'-16" West 36.25 ft. to the Petition for Zoning Variances from Section 409.2.b(3) to permit Maryland to minimize adverse impacts on water quality and fish, wildlife, and quired 30 feet for existing freezer. 53 parking spaces in lieu of the required 62 and Section 413.2.f place of beginning. to permit a total of 230.2 square footage of signs in lieu of the At the onset of the hearing, Counsel for the Petitioner indicated that the plant habitat; and the granting of the requested variances not adversely affectrequired 100 square feet, also Section 238.2 to permit a side yard setback of 28 feet in lieu of the required 30 feet. menu board would be affixed to the wall of the building, thus, he moved to amend ing the health, safety, and general welfare of the community, the variances the Petition to request a total of 190.52 square feet of signs in lieu of the should be granted. Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore permitted 100 square feet. The motion was granted. day of October, 1985, that the herein Petition for The existing fast food business has been located on the site, owned and Being the property of McDonald's Corporation the plat filed with the Zoning Office. operated under the original franchise, since 1974. The freezer and screened Variance to permit 53 parking spaces in lieu of the required 62, a total of In the event that this Petition is granted, a building permit may be issued within trash area have been located in their present position for many years without 190.52 square feet of signs in lieu of the required 100 square feet, and a side the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for either the County or the Petitioner realizing that the freezer required a variyard setback of 28 feet in lieu of the required 30 feet, in accordance with the good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing. site plan submitted, revised July 10, 1985, marked Petitioner's Exhibit 1, is ance for that location. In recent years the fast food business has changed in BY ORDER OF heret GRANTED, from and after the date of this Order, subject, however, to the that now drive-through facilities have to be provided to retain existing busi-ARNOLD JABLON ZONING COMMISSIONER following restrictions: ness and remain competitive. Such a change in business operations require addi-OF BALTIMORE COUNTY CERTIFICATE OF PUBLICATION 1. The menu board shall be affixed to the wall of the tibnal square footage of signs for notification to the public. The parking layout has to be completely redrawn; the site does not provide any space for addi-2. The striped areas may be modified to include landscaping. idnal parking. Statistics for the fast food business would indicate that 35 to TOWSON, MD., September 5 At any such time as the site ceases to be utilized as a PETITION FOR VARIANCE
15th Election District of the total business will be drive-through. A recent survey of parking on McDonald's Restaurant, the total square feet of signange THIS IS TO CERTIFY, that the annexed advertisement was LOCATION: Nursheast corner of North Point Boulevard and Old Bettle Gewn Road (3945 North Point Boulevard)
DATE AND TIME: Tuesday, September 24, 1945 at 10:00 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland RECEIVED shall conform to the requirements of the BCZR. site as it now exists without drive-through service indicated, at peak perpublished in THE JEFFERSONIAN, a weekly newspaper printed i.e. lunch time, an average parking utilization of 52% with a range of 32 and published in Towson, Baltimore County, Md., appearing on to 174%. No parking is allowed on North Point Boulevard adjacent to the site. //of Baltimore County The Zoning Commissioner of Saki-mage County, by authority of the Zon-ing Act and Regulations of Balumore DAT County, will hold a public hearing: Petition for Zoning Variances from Section 409.2.b(3) to permit 53 park-THE JEFFERSONIAN, Section 409.2.16(3) to permit 53 parking spaces in him of the required 62 and Section 413.2.f to permit a cutal of 239.2 square footage of signs in him of the required 100 square font, also Section 236.2 so permit a side yard actually of 28 sect in hers of the required 30 feet. Being the property of McDonnic's Corporation as shown on the plat filed with the Zoning Office.

In the event, that this Petition is granted, a building permit may be insued within the thirty (36) day appeal period. The Zoning Commissioner will, however, assertion any required for a stay of the issuement of said permit during this period for good cause down. Such request meant be received in writing by the date of the hearing set shows or made at the hearing. V 42 Cost of Advertising BALTIMORE COUNTY OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204 494-3353 Robert W. Cannon, Esquire August 23, 1985 100 South Charles Street Baltimore, Maryland 21201 24:75 RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER NE Corner of North Point Blvd. & Old Battle Grove OF BALITIMORE COUNTY ARNOLD JABLON ZONING COMMISSIONER Rd. (3945 North Point Blvd.), 15th District NOTICE OF HEARING By Order Of ARNOLD JABLON, Zoning Commissioner of Beltimore County September 19, 1985 RE: PETITION FOR VARIANCE McDONALD'S CORPORATION, : Case No. 86-122-A NE cor. North Pt. Blvd. & Old Petitioner Battle Grove Rd. (3945 North Pt. Blvd.) ::::::: 15th Election District Robert W. Cannon, Esquire 100 South Charles Street McDonald's Corporation, Petitioner ENTRY OF APPEARANCE Case No. 86-122-A Baltimore, Maryland 21201 Please enter the appearance of the People's Counsel in the 10:00 a.m. CERTIFICATO OF PUBLICATION above-captioned matter. Notices should be sent of any hearing dates Tuesday, September 24, 1985 Re: Petition for Variance PETITION FOR WHILANCE NE corner North Point Blvd. & Old or other proceedings in this matter and of the rassage of any preliminary 15th Election District PLACE: Room 106. County Office Building, 111 West Chesapeake Battle Grove Rd. (3945 North Pt. Blvd.) LOCATION: Northeast corner of North Point Boulevers and Old Battle 864122-A 15th Election District or final Order. Gross Road (3945 North Point Boule-McDonald's Corporation, Petitioner OFFICE OF Avenue, Towson, Marvland Case No. 86-122-A DATE AND TIME: Tuesday, Septem-Dundalk Eagle ber 24, 1985 at 10:00 a.m. PUBLIC HEARING: ACOM 106, County Office Building, 111 West Chesapanhe -women, Yourne, Maryland 38 N. Dundalk Ave. The Zoning Commissioner of Balti-People's Counsel for Baltimore County This is to advise you that \$62.95 is due for advertising and posting of the above property. This fee must be paid before Dundalk, Md. 21222 September 9, 1985 more County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: an Order is issued. Peter Max Zumenna Petition for Zoning Variances from Section 409.2.b(3) to permit 53 parts THIS IS TO CERTIFY, that the annexed advertisement of This fee must be paid and the zoning sign and post returned on the day of the hearing. Description e sign until day of the is special in few of the required 62 Peter Max Zimmerman rnoid Jablon in the matter of P.O. #69027 - Req. #L and Section 41524 to moret a total of 230.2 square foots, of signs in a Deputy People's Counsel hearing. 78366 - Pet. for var. - 83 lines @\$33.20. how of the required 19 square feet BALTIMORE COUNTY, MARYLAND No. 012538 Rm. 223, Court House was inserted in The Dundaik Eagle a weekly news-BALTIMORE COUNTY, MARYLAND - nino Section 238.2 to permit a side OFFICE OF FINANCE - REVENUE DIVISION Towson, MD 21204 yard methods of 28 test in fiew of the ... timore County, Maryland, inty Office Building, OFFICE OF FINANCE - REVENUE DIVISION nmissioner MISCELLANEOUS CASH RECEIPT 494-2188 paper published in Baltimore County, Maryland, once a week MISCELLANEOUS CASH RECEIPT Burne the property of McDreaki's Fe County D 01-615-000 Carposited as shown as the plat filed NHEON TWEEWEEKS before the I HEREBY CERTIFY that on this 28th day of August, 1985, a copy mit the Zonane Office. in the most that this Petition is puried, a building permit may be in-1985; that is to say, AMOLINT \$ 100.00 of the foregoing Entry of Appearance was mailed to Robert W. Cannon, sund within the thirty (30) day appeal period. The Zoning Commencioner will, the same was inserted in the issues of sept. 5, 1985 houseur, entortain any request for a Esquire, 100 S. Charles St., Baltimore, MD 21201, Attorney for Petitioner; Wry bug I Couran stay of the issuance of said portest. dring his period for good cause and R. Rodman Mann, G&M Food Corporation, 21 Pocono Drive, Arnold, MD Commissioner Vancuors # 405 cented in entered by the date of the FOR: Advertising and Posting 86-122-A

B 853*******\$ \$2240\$

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Peter Max Zimmerman

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VALIDATION OR SIGNATURE OF CASHIER

James 1

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per Publisher.

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