

IN RE: PETITIONS FOR SPECIAL HEARING &
ZONING VARIANCE
SM/S Liberty Road, 200 ft. E of
Tulsa Road
6005 Liberty Road - McDonald's
4th Election District
3rd Councilmanic District
McDonald's Corporation
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-5-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Hearing and Variance for the property located at 6005 Liberty Road, near the Baltimore City/Baltimore County line. The Petitions are filed by the property owner, McDonald's Corporation. As to the Petition for Special Hearing, relief is sought pursuant to Section 409.8.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit existing business parking to continue in a residential zone. As to the Petition for Zoning Variance, relief is requested from 9 different sections of the B.C.Z.R. These include:

1. From Section 1B01.1.B.1.c to permit less than the required residential transition area (R.T.A.) setbacks and buffers, as shown on the site plan;
2. From Sections 238.1 and 303.2 to permit a front yard average building setback of 27.5 ft. in lieu of the required 43 ft.;
3. From Section 409.4.C. to permit a parking aisle width of 20 ft. in lieu of the required 22 ft.;
4. From Section 409.6.A.2 to permit 47 parking spaces in lieu of the required 56 spaces;
5. From Section 409.8 to permit a modification from the Landscape Manual to allow a 4 ft. wide strip along the adjacent residentially zoned

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Date 8/10/93
By Sh. Hank

property, in lieu of the required 10 ft., and to permit a modification of the Landscape Manual requirements to allow a 3% (+/-) landscape preservation area in lieu of the required 7%;

6. From Section 409.8.A.5 to permit a dead end aisle without a back-up area;
7. From Section 409.10.A. to permit 4 stacking spaces behind the order board in lieu of the required 5 stacking spaces;
8. From Section 409.10.B. to permit the drive-thru lane to cross the principal pedestrian access; and
9. From Section 413.2 to permit 3 existing free-standing business signs with a total area of 266 sq. ft. in lieu of the required total area not to exceed 100 sq. ft. All of the relief requested and the proposed improvements on the site are more particularly shown on Petitioner's Exhibit No. 1, an amended site plan which was submitted at the public hearing held for this case.

Appearing at the hearing was Cynthia Brown, the owner of the McDonald's Restaurant franchise which operates at the subject location. Also appearing was Anthony J. Cortale, Jr., of STV Group, Inc., the engineer who prepared the site plan. Further, Jeffrey J. Bartko, a representative of McDonald's Corporation was present and testified. Also present was Tony Swinney. The Petitioner was represented by Stanley S. Fine, Esquire. There were no Protestants present.

Counsel for the Petitioner made an excellent presentation in support of the requested relief. The testimony and evidence presented was that the subject site is .6728 acres in net area and is split zoned B.R.-C.N.S. and D.R.5.5. The commercial zoning encompasses a majority of the property, particularly the front portion thereof, which is immediately adjacent to

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Liberty Road. The smaller D.R.5.5 zoned portion of the property includes a part of the rear parking lot and is adjacent to the residential community known as Robin Hills. As noted above, the site immediately abuts Liberty Road near the Baltimore County/Baltimore City line. That stretch of Liberty Road where this property is located is highly developed and commercial in nature. In addition to the McDonald's property, there are gasoline stations, retail shops and auto repair businesses located nearby. Moreover, towards and beyond the rear of the site are a number of long established residential communities.

Testimony and evidence offered was that the site has been in use as a McDonald's Restaurant since 1974. At that time, a McDonald's building, complete with golden arches, was constructed. Further, a macadam parking lot was built to provide necessary vehicular parking. The McDonald's use has been in place for 19 years and continues today. However, recently, Ms. Cynthia Brown acquired the franchise which operates at this location. She and the McDonald's Corporation had decided to extensively renovate the property. After considering all of the options, it was determined that the best choice would be to raze the existing building and construct a 1993 McDonald's style building in place of the existing structure. The new building will be slightly smaller than the existing facility. It will feature less interior seating. However, recognizing that approximately 50% of the restaurant's business is drive-thru, a newer and more efficient drive-thru lane and order/pick up windows will be installed. The changes are more particularly shown on Petitioner's Exhibit No.1, the site plan showing the proposed improvements, and can be compared to Petitioner's Exhibit No. 4, which depicts the existing facility and parking arrange-

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ment. Further, numerous photographs of the present use and the surrounding neighborhood were submitted and examined.

Due to the proposed new construction, the Petitioner must comply with all current zoning regulations or obtain the requested variances and relief within the Petition for Special Hearing. This requirement is appropriate in view of the new construction, but seems somewhat unfair to the Petitioner in that the McDonald's Restaurant has been at this site for nearly 20 years. However, the prior track history of this use as it relates on the impact of same on the surrounding locale was helpful in considering the variances.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

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

In considering each of the variances, relief is first requested from the strict adherence from the R.T.A. setback requirements. As noted above, the rear of this irregularly shaped parcel adjoins residential

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homes in the Robin Hill community. These houses generate certain R.T.A. buffers which cannot be maintained. As shown on the site plan, the setbacks do not extend into the building envelope but do reach into the significant part of the parking area. If strict adherence with the R.T.A. requirements was mandated, the Petitioner would lose a great amount of parking. Due to the irregular shape of the lot and the site constraints imposed thereby, I am persuaded that this variance should be granted.

As to variance No. 2, relief is requested to permit a 27.5 ft. setback from Liberty Road to the front of the building envelope. This represents a minor change (2.7 ft.) from existing conditions. Currently, there is a 30.2 ft. setback. In order to promote proper traffic flow and place the building closer to Liberty Road and away from the residences in the rear, this variance should also be granted.

Variance No. 3 is to permit a parking aisle with 20 ft., in lieu of the required 22 ft., and impacts only 3 spaces located to the rear of the site. This section of the property is narrow and the Petitioner can obviously not comply with the regulation due to the configuration of the lot at this point. Thus, the variance should be granted.

Variance No. 4 relates to the number of parking spaces needed. As noted above, the Petitioner's marketing surveys have disclosed that approximately 50% of the business is drive-thru. The Petitioner indicates that the 47 spaces proposed are more than sufficient to accommodate parking needs for both customers and employees. Based on the Petitioner's experience at this location, I am persuaded that 47 spaces is indeed sufficient and that the variance should be granted in that limited area is available for more parking. Further, it is to be noted under Bill 110-93, which has recently been enacted by the Baltimore County Council, but is not, as yet,

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effective, that the parking requirements have been reconfigured and that this variance would not be needed.

Next, the Petitioner requests variance relief from several sections of the Landscape Manual. Photographs of the site show that it is fairly well landscaped at this time and the site plan indicates that additional landscaping is contemplated. Based upon the presentation made, I am convinced that the Petitioner intends and will run an attractive and community oriented business from this site. The Zoning Plans Committee comment offered by the Department of Public Works addressed this variance. This department supports the variance if the Petitioner agrees to additional landscaping. Owing to the site constraints caused by the lot configuration and limited area of the site, I am persuaded to grant this variance. The Petitioner will be required to continue to work with the Department of Public Works so that suitable landscaping will be maintained on the property.

Variance No. 6 requested relates to the deadend parking area in the rear of the site which contains no backup space. Testimony and evidence presented was that this parking area is rarely used and that the absence of the turn around area would not be detrimental to those employees and/or customers who utilize this space. Again, the site tapers to a narrow point in the rear, necessitating this variance. This variance shall also be granted.

Next, the Petitioner proposes 4 stacking spaces, in lieu of 5, at the drive-thru facility. Examination of the site plan shows that slightly more than 4 spaces are provided. Also, the Petitioner proposes a 3 drive-thru booth alignment, one both to take orders, another booth where payment will be made, and a third for food pick-up. This system is designed to

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speed the drive-thru process and eliminate stacking. In view of the overall scheme of this plan, I am persuaded that this variance should be granted.

Variance No. 8, permitting the drive-thru lane to cross a pedestrian access, will also be approved. In this regard, the entire drive-thru layout justifies the variance. That is, the entire drive-thru scheme appears appropriate and workable and this variance should be granted.

Last, a sign variance is requested in that total signage exceeds the 100 ft. maximum amount allowable under the regulations. In support of this variance, the Petitioner cites several factors. First, the menu boards are computed as part of the sign area, notwithstanding the fact that they are located behind the building and cannot be seen from Liberty Road. Further, under the proposed sign regulation, these boards would not be counted, recognizing that the menu boards are not true outdoor advertising. Further, the site is located on a down grade of Liberty Road when approaching from the north. Due to the significant grade, signage must be large enough to attract attention and advise motorists of the McDonald's location. Third, all of the signage which is the subject of this variance, is existing. That is, there are no changes in this respect from what is presently on site and has been there for 19 years. Based on all of these reasons, I am persuaded that the variance should be granted.

Lastly, the Petitioner seeks a special hearing to permit parking in a residential zone. As noted above, the site is split zoned, and a portion of the parking lot is in that part of the parcel zoned D.R.5.5. To eliminate this area as parking space would cause significant practical difficulty on the Petitioner and would eliminate a large portion of parking available on site. Further, the site plan shows that these spaces are buffered

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from the surrounding residences by way of fencing and landscaping. Therefore, this variance shall be granted.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 10th day of August, 1993, that a Petition for Zoning Variance from Section 1B01.1.B.1.c to permit less than the required residential transition area (R.T.A.) setbacks and buffers, as shown on the site plan, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Sections 238.1 and 303.2 to permit a front yard average building setback of 27.5 ft. in lieu of the required 43 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.4.C. to permit a parking aisle width of 20 ft. in lieu of the required 22 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.6.A.2 to permit 47 parking spaces in lieu of the required 56 spaces, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.8 to permit a modification from the Landscape Manual to allow a 4 ft. wide strip along the adjacent residentially zoned property, in lieu of the required 10 ft., and to permit a modification of the Landscape Manual requirements to allow a 3% (+/-) landscape preservation area in lieu of the required 7%, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.8.A.5 to permit a dead end aisle without a back-up area, be and is hereby GRANTED; and,

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The entire building design and the mansard roof design often with those drawings are saving marks of M. Besant's Corporation in Copenhagen.

22

17

11

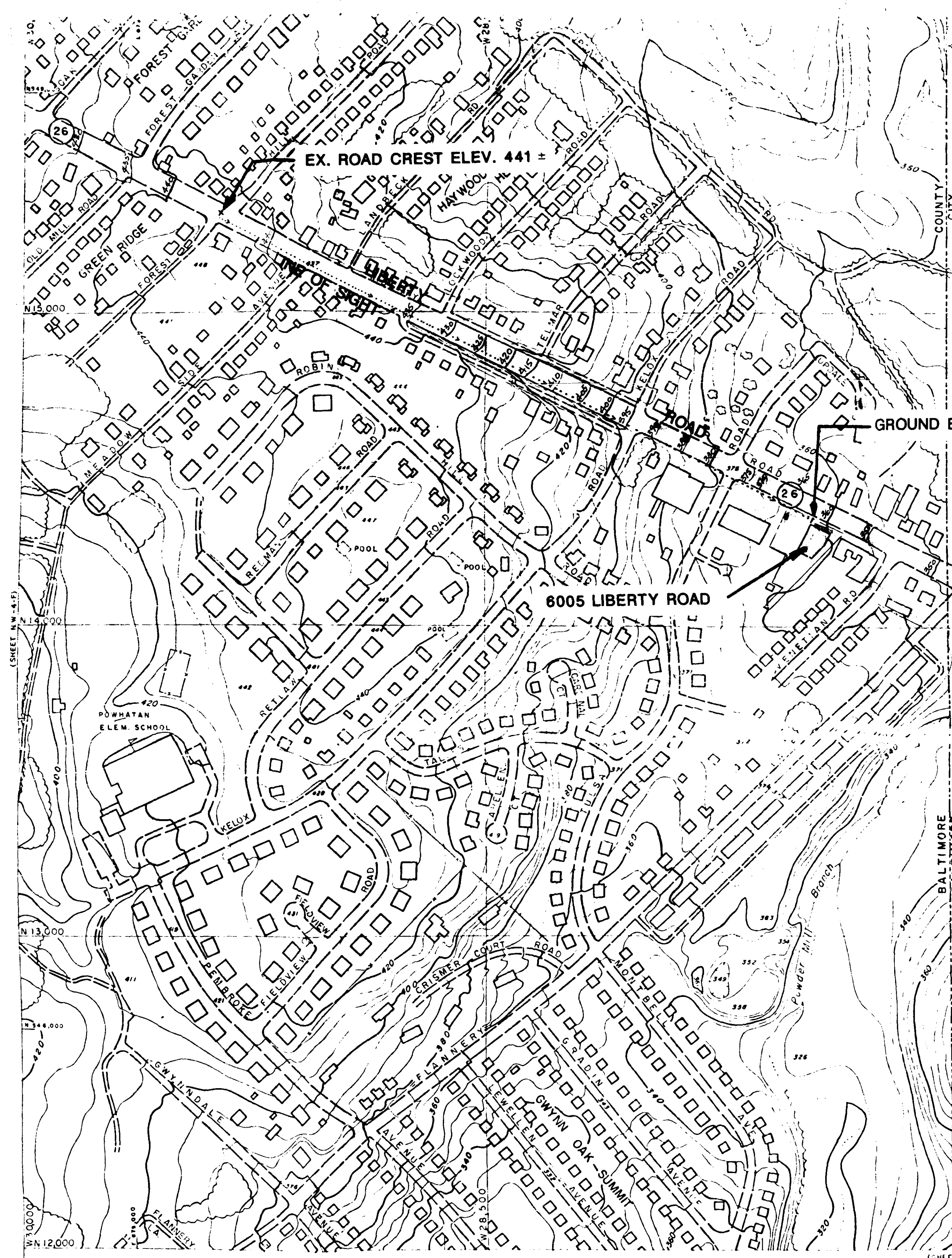
8.5

8.5

11

17

22



K-NW

(SHEET NW-3 E)

PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

REVISION		SCALE	LOCATION	SHEET
Topographic	BY DATE Maps, 4-11-70 Inc	1" = 200'	LOCHEARN	N.W.
Topography Compiled by Photogrammetric Methods AERO SERVICE CORPORATION - PHILADELPHIA, PA		DATE OF PHOTOGRAPHY APRIL 1993		4-E

McDonald's
6005 LIBERTY RD.

MICROFILMED

8909

receipt

Date: 7/1/93

Account: R001-6190
Number: 6
JLL

COMM. VAR. FILING FEE CODE 020 \$250.00
COMM. SPECIAL HEARING FILING FEE CODE 040 250.00
(3) SIGNS. CODE 080 105.00
TOTAL 605.00

APP MCDONALDS CORP.
LOC 6005 LIBERTY RD.

01A01R0274WICHRC \$605.00
68 C002751FM07-01-93
Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

JULY 9, 1993

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-5-SPHA (Item 6)
6005 Liberty Road - McDonald's
50/5 Liberty Road, 200' E of Palisades Road
4th Election District - 3rd Councilmanic
Petitioner(s): McDonald's Corporation
HEARING: THURSDAY, AUGUST 5, 1993 at 9:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to permit business parking in a residential zone (as already existing).
Variance to permit less than the required Residential Transition Area setbacks and buffers as shown on the site plan; to permit a front yard average building setback of 27.5 feet in lieu of the required 43 feet; to permit parking aisle width of 20 feet in lieu of the required 22 feet; to permit 47 parking spaces in lieu of the required 56 parking spaces; to permit a modification from the Landscape Manual to permit a 4 foot wide area along adjacent residentially zoned properties in lieu of the required 10 feet; to permit a modification from the Landscape Manual to permit a 38 plus or minus landscape preservation area in lieu of the required 74; to permit a dead-end aisle without a back-up area; to permit 4 stacking spaces behind the order board in lieu of the required 5 stacking spaces; to permit the drive-thru lane to cross the principal pedestrian access; and to permit three existing free-standing business signs with a total area of 266 square feet in lieu of the permitted total area of 100 square feet.

Arnold Jablon
Director

cc: Peter Freitag/McDonald's Corporation/8850 Stanford Blvd/Columbia MD 21045
Stanley S. Fine, Esq./20 S. Charles Street/10th Floor/Baltimore MD 21201

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

July 28, 1993

Stanley S. Fine, Esquire
20 S. Charles Street, 10th Floor
Baltimore, MD 21201

RE: Case No. 94-5-SPHA, Item No. 6
Petitioner: McDonald's Corporation
Petition for Special Hearing and Variance

Dear Mr. Fine:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on July 28, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Helene Kehring
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: BAL E. CO.
Item No: +6 (JLL)

7-7-93

Dear Ms. Kehring:

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

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
for Bob Small
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

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

DATE: July 21, 1993

SUBJECT: 6005 Liberty Road - McDonalds Restaurant (Addendum)

INFORMATION:

Item Number: 6

Petitioner: McDonald's Corporation

Property Size:

Zoning: BR-CNS/DR 5.5

Requested Action:

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

The Office of Planning and Zoning recommends approval of all requested variances and approval of the petitioner's request for special hearing to permit business parking in a residential zone.

The property is located in the Liberty Road Revitalization Area and is subject to the recommendations of the 1990 Liberty Action Plan Update (a document adopted by the Baltimore County Council).

The 1990 Liberty Action Plan Update focuses on retention and expansion of the local business community. The replacement of the existing McDonald's building with a new improved building, which happens to be smaller than the original building, will enhance the ability of McDonald's to serve their customers, improve the appearance of this section of Liberty Road, and hopefully increase enthusiasm among neighborhood businesses.

006.ZAC/ZAC1 Pg. 1

The applicant should contact the Office of Planning and Zoning to discuss compliance with the Liberty Road Action Plan.

A six foot board on board privacy fence should be installed to replace the existing chain link fence.

Prepared by: Jeffrey M. Long
Division Chief: Gary L. Kerns
PK/JL:lw

006.ZAC/ZAC1 Pg. 2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

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

DATE: July 16, 1993

SUBJECT: 6005 Liberty Road - McDonalds Restaurant

INFORMATION:

Item Number: 6

Petitioner: McDonald's Corporation

Property Size:

Zoning: BR-CNS/DR 5.5

Requested Action:

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The Office of Planning and Zoning recommends approval of all requested variances and approval of the petitioner's request for special hearing to permit business parking in a residential zone.

The property is located in the Liberty Road Revitalization Area and is subject to the recommendations of the 1990 Liberty Action Plan Update (a document adopted by the Baltimore County Council).

The 1990 Liberty Action Plan Update focuses on retention and expansion of the local business community. The replacement of the existing McDonald's building with a new improved building, which happens to be smaller than the original building, will enhance the ability of McDonald's to serve their customers, improve the appearance of this section of Liberty Road, and hopefully increase enthusiasm among neighborhood businesses.

The applicant should contact the Office of Planning and Zoning to discuss compliance with the Liberty Road Action Plan.

Prepared by: Jeffrey M. Long
Division Chief: Gary L. Kerns
PK/JL:lw

006.ZAC/ZAC1 Pg. 1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: July 9, 1993

FROM: Jerry L. Pfeiffer, Captain
Fire Department

SUBJECT: July 19, 1993 Meeting

RECEIVED
JUL 12 1993
ZADM

#473 - No comments
#474 - No comments
#475 - No comments
#476 - No comments
#477 - Building shall be built in compliance with the 1991 Life Safety Code.
#1 - No comments
#2 - No comments
#3 - No comments
#4 - No comments
#5 - No comments
#6 - A fire hydrant is required at the entrance to the site.
- Building shall be built in compliance with the 1991 Life Safety Code.
#7 - No comments

JLP/dal
cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: July 19, 1993
Zoning Administration and Development Management
FROM: Robert M. Bowling, P.E., Senior Engineer
Development Plan Review
RE: Zoning Advisory Committee Meeting
for July 19, 1993
Item No. 5

The Development Plan Review Division has reviewed the subject zoning item and we offer the following landscape comments:

1. Remove the notes on the plan titled "Existing Credit" and "Proposed Landscape".

The planting unit credit for retaining existing vegetation is still undetermined. The information required at the development plan stage has not been provided. A determination regarding this credit will be made when this information is provided and the quality and location of the existing vegetation in relation to the "net buildable area" is determined.

This amount of required "proposed landscape" cannot be determined until the Landscape Manual comments given previously have been addressed.

2. This office will support granting the two requested variances to the Landscape Manual if a landscape amenity area is provided in the large excess pavement area on the west side of the building. Details are to be spelled out on the final landscape plan.
3. Various trees labeled to be removed appear to be retainable or transplantable. Remove the note to remove these trees.
4. Additional large growing evergreen shrubs will be required along the eastern property line to ensure a dense buffer.

Zoning Advisory Committee Meeting for July 19, 1993

5. A final landscape plan is required prior to release of permits.

RWB:s

Limited Exemption
Plan Date: ??
Plan Received: 3/23/93
Comments Due: 4/12/93
Comments Date: 3/26/93
Comments Completed: 3/29/93

The plan has been reviewed by the staff at this level of detail and with the exception of comment #2, has been found to be in general compliance with the Baltimore County Zoning Regulations. The following additional advisory comments are generalized for the development plan and they do not identify all details and inherent technical zoning requirements necessary in order to determine final compliance with these regulations. To avoid any possible delays in the development review and zoning approval process, when these details and final technical information are identified or changed, this office should be contacted and it should be the responsibility of the owner, developer or developer's engineer to rectify any zoning conflicts well in advance of any expected final approvals. The intent of the developer must be clear on the plan, including any previous and proposed zoning hearing requests. Only if necessary, will the following comments be up-dated and/or supplemented during review of the building permit.

1. Date all future plans and revisions. Note any zoning item or case numbers on the plan if the listed zoning hearings have been filed. Be aware that all zoning hearing and development plans must agree. If a zoning case has been held, state so on the plan and comply with the following note: Provide a zoning history by case number on the plan including the date of the last Order, what was requested, granted or denied and listing and indicating compliance with any restrictions including, but not necessarily limited to, case number ?.
2. For business parking in a residential zone: Indicate compliance with Section 409.3.B.2 requirements and include all restriction notes under this section.

(Over)

McDONALD'S
#93-021-Z
Page 2

3. Correct sign variance note #9 to read "free-standing", not "front standard" as shown. Also add "or will be variances as noted" to the end of plan note #14. Provide an engineering scale elevation on the plan of all existing and proposed free-standing signs clearly indicating type, height, illumination, dimensions, square footage, and single or double faced. Key all signs to their location and their zoning sign variance note requests.

Final zoning approval is contingent first, upon all plan comments being addressed on the development plan; and secondly, upon the final resolution of all comments, the outcome of any requested zoning hearings and finally, the inclusion of the blue commercial checklist information being included on the building permit site plans.

Any requests for further information from the Zoning Office must include a reference to the limited exemption file #93-021-Z and written correspondence or revised plans must be accompanied by a copy of these comments.

JOHN L. LEWIS
Planner II

JLL:scj

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
SW/S Liberty Rd., 200' E of : OF BALTIMORE COUNTY
Tulsa Rd. (6005 Liberty Rd. - :
McDonald's), 4th Election Dist., : Case No. 94-5-SPHA
3rd Councilmanic Dist. :
McDONALD'S CORPORATION, :
Petitioner :

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Dowling
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2188

I HEREBY CERTIFY that on this 22nd day of July, 1993, a copy of the foregoing Entry of Appearance was mailed to Stanley S. Fine, Esquire, 20 S. Charles St., 10th Floor, Baltimore, MD 21201, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

August 2, 1993

Mr. Lawrence Schmidt
Baltimore County Office of
Zoning
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Schmidt:

Regarding the case number 94-5-SPHA (Item 6) Mc Donald's 6005 Liberty Road. The Liberty Road Community Council only took a vote on the Mc Donald's sign. The local community organizations were informed and they appeared at the first hearing.

The Liberty Road Community Council was in favor of Mc Donald's exception regarding their sign.

If you have any questions please call me at phone numbers listed below.

Sincerely,
Vivian Noonan
Vivian Noonan
President
Liberty Road Community Council
3674 Clifmar Road
Baltimore, Maryland 21244
Office 521-5977
Home 922-8122

RECEIVED
AUG 3 1993
ZADM

STV/LYON ASSOCIATES
ENGINEERS ARCHITECTS PLANNERS
21 Governor's Court
Baltimore, MD 21244-2722
410/944-9112, FAX 410/298-2794

LETTER OF TRANSMITTAL

DATE 7-26-93	OUR JOB NO. 61-8989
FILE NO.	YOUR JOB NO.
ATTENTION: JOHN LEWIS	
RE: McDONALD'S	
6005 LIBERTY RD.	

TO BALTIMORE COUNTY
ZONING OFFICE

WE ARE SENDING YOU ☐ Attached ☐ Under separate cover via _____ the following items:

- ☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐

DRAWING NO.	FILE NO.	DESCRIPTION	ACTION
1		DEVELOPMENT PLAN	1 PRINT
2		PLAN TO ACCOMPANY VARIANCE	"
3		COUNTY COMMENTS	"

THESE ARE TRANSMITTED as checked below:

- ☐ For approval ☐ As requested ☐ Submit _____ copies for distribution
☒ For your use ☐ Resubmit _____ copies for approval ☐ Return _____ corrected prints
☐ For review and comment ☐
☐ FOR BIDS DUE _____ 19____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS: LIMITED EXEMPTION FILE # 93-021-Z
Hearing scheduled Aug. 5th 1993
CASE NO. 94-5-SPHA ITEM 6

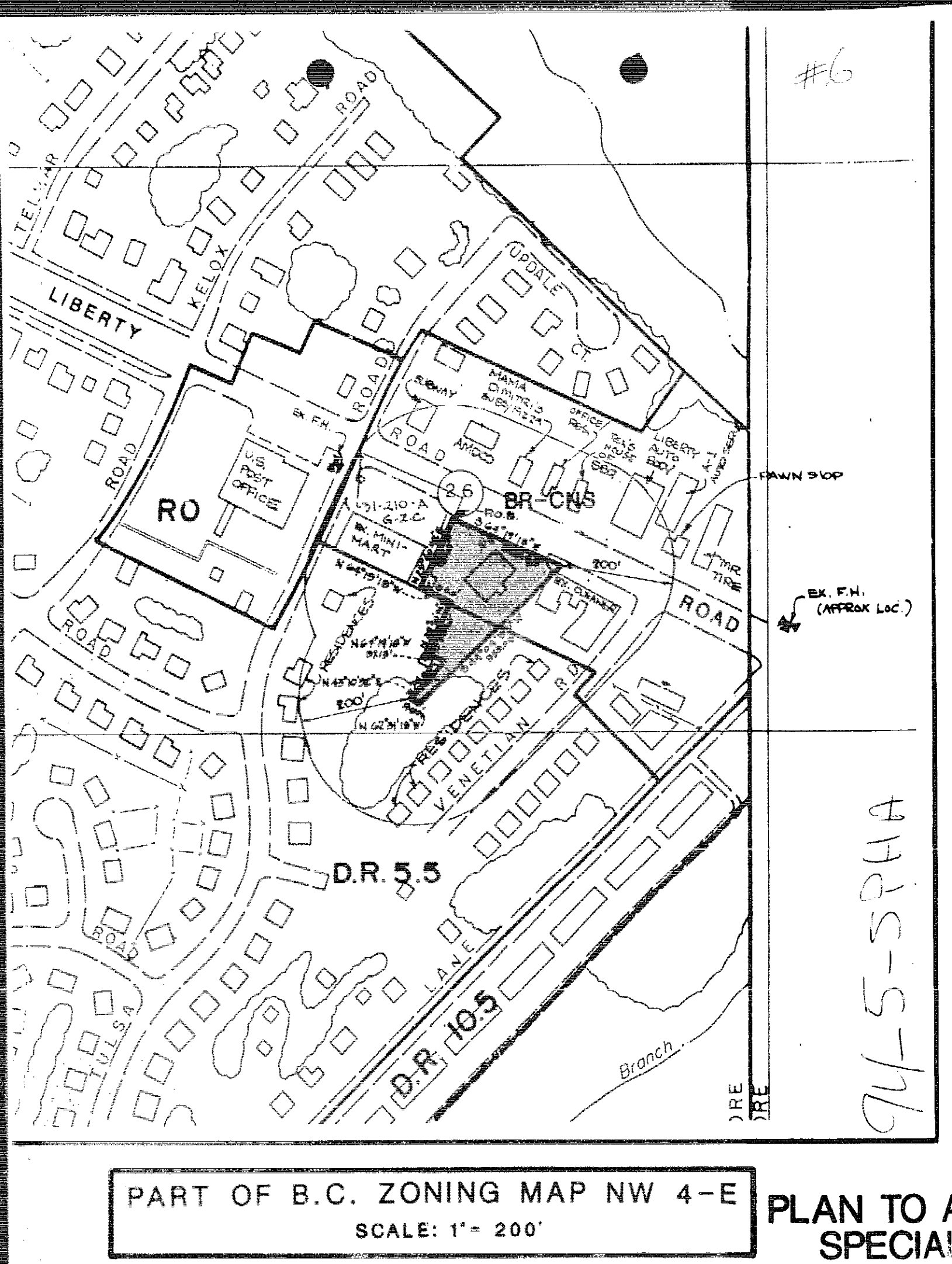
COPY TO: _____ SIGNED: JERRY ZELLERS

If enclosures are not as noted, kindly notify us at once.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Cynthia Brown	6005 Liberty
ANTHONY J. CORTEAL JR	21 GVERNOR'S CT.
JEFFREY J. BARTO	8850 STARROAD BLVD
Tony Manning	6005 Liberty Rd.



PETITIONER'S
EXHIBIT No 6

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
LEGISLATIVE SESSION 1993, LEGISLATIVE DAY NO. 14
BILL NO. 110-93

MR. C. A. DUTCH RUPPERSBERGER, COUNCILMAN
By Request of the County Executive

BY THE COUNTY COUNCIL, JULY 6, 1993

A BILL
ENTITLED

AN ACT concerning
Restaurants

FOR the purpose of amending the Baltimore County Zoning Regulations in order to define various types of restaurants and other food or entertainment facilities; authorizing certain types of restaurants and other food or entertainment facilities to be located in certain zones of the County, either by right or by Special Exception; specifying the parking requirements for restaurants and other food or entertainment facilities; and generally relating to zoning requirements for restaurants and other food or entertainment facilities in Baltimore County.

adding

Section 101 - Definitions, the definitions of Catering Hall, Standard Restaurant, Fast Food Restaurant, Fast Food, Drive-Through Only Restaurant, Carry-Out Restaurant, Nightclub, and Tavern, alphabetically. Baltimore County Zoning Regulations, as amended.

BY repealing and re-enacting, with amendments

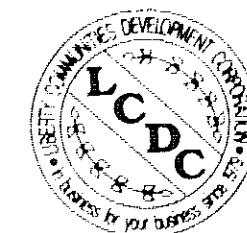
EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
Strike-out indicates matter stricken from bill.
Underlining indicates amendments to bill.

Business Signs - 6005 Liberty Road

- 1 free standing business identification sign, double faced, 94.12 square feet/side, total - 188.24 square feet
- 2 menu boards - single faced, 38.80 square feet/board, total - 77.60 square feet

Total - 265.84 square feet

PETITIONER'S
EXHIBIT No 7



LIBERTY COMMUNITIES
DEVELOPMENT CORPORATION, INC.
9960 Liberty Road • Randallstown, Maryland 21133
(410) 655-7766

July 15, 1993

Mr. Larry Schmidt
Zoning Commissioner of Baltimore County
Office of the Zoning Commissioner
Old Court House
Towson, MD 21204

Dear Mr. Schmidt,

This is to confirm Liberty Communities Development Corporation's support for the proposed new McDonald's restaurant at 6005 Liberty Road. The variances and special exception for this project were submitted to and approved by LCDC.

McDonald's application is Item No. 6.

Sincerely,

Lucille Whittingham

Lucille Whittingham
President

PETITIONER'S
EXHIBIT No 9

July 27, 1993

Mr. Lawrence S. Schmidt
Zoning Commissioner
Baltimore County Office
Of Planning and Zoning
Suite 113 Courthouse
408 Washington Avenue
Towson, Maryland 21204

Dear Commissioner Schmidt,

This communication from the Robin Hill Community Association is to fully endorse and demonstrate complete support for the proposed new McDonald's restaurant which will be located at 6005 Liberty Road. The McDonald's application, Item Number 6, was presented to the Robin Hill Community Association at its meeting in March, 1993. The Variances and Special exception were fully reviewed and approved by the Robin Hill Community Association during its April, 1993 meeting.

As spokesperson for this association, I am pleased to report that our community views this proposed endeavor as a positive business venture that will be beneficial to our community.

Most Sincerely,
E. Ray Staggers
E. Ray Staggers
President, Robin Hill
Community Association

cc: Stanley S. Fine Esq.

PETITIONER'S
EXHIBIT No 10

McDonald's Corporation
McDonald's Plaza
Oak Brook, IL 60521

Bulk Rate
U.S. Postage PAID
McDonald's Corporation

McDONALD'S '92

FOURTH QUARTER REPORT



- Net income up 12 percent for year, 14 percent for quarter
- McDonald's expands into Morocco, Brunei and Monaco
- Common share buyback announced

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