IN RE: DEVELOPMENT PLAN HEARING and VARIANCE - NEGOTIANT DEPUTY ZONING COMMISSIONER PETITION FOR VARIABLE
Liberty Road & Old Court Road
(8538 Liberty Road)
2nd Ricction District · OF BALTIMORE COUNTY . Case No. 11-524 and 94-306-A Exxon Corporation - Owner/Developer

.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Bearing Officer for consideration of a development plan and Petition for Variance filed by the owner of the subject property, Exxon Corporation, and the Contract Purchaser/Lessee, C.H.K.L., L.P. for the proposed development of the subject property as a Checker's restaurant. The development plan for this project was prepared by William P. Monk, Inc. and was entered into evidence as Developer's Exhibit 1. In addition to development plan approval, the Developer filed a Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 409.8 to permit parking spaces a distance of 5 feet from the street right-of-way in lieu of the required 10 feet; from Section 413.2(F) to permit 15 business signs of 303.4 sq.ft. total in lieu of the permitted 3 signs of 100 sq.ft. for 1 freestanding, 10 directional, 2 speaker posts, and 2 menu board signs); and. (rom Section 413.1(E)(3) to permit internally illuminated directional signs with advertising aspects (logo) in lieu of the permitted non-illumisated directional signs with no advertising aspects. The subject property and relief sought are more particularly described on the development plan and site plan submitted into evidence as Developer's Exhibit 1 and Petitioner's Exhibit 1, respectively.

ject site on certain conditions. I have included those conditions as restrictions upon the relief granted

An area variance may be granted where strict application of tl; 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:

- whether strict compliance with requirement wo reasonably prevent the use of the property for permitted purpose or render conformance
- 2) whether the grant would do substantial injustice to applicant as well as other property owners i district or whether a lesser relaxation than applied for would give substantial relief; and
- 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 Hd. App. 28 (1974).

It is clear from the testimony that if the requested variances, as modified herein, are granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public

at the on and Petition for Variance filed to request a modified relief from Section 413.2(f) of the B.C.Z.R. The Developer has reduced the number of signs and the total square footage of signage proposed for this site. Specifically, the Developer now seeks approval for 12 business signs of 208.4 sq.ft. total in lieu of the maximum permitted 3 signs of 100 sq.ft. total for 1 freestanding, 7 directional, 2 speaker posts and 2 menu board signs. The Petition and site plan were amenord accordingly and the hearing on the

Appearing at the public hearing required for this project were Keith Martin on behalf of C.H.K.L., L.P., Contract Purchaser/Lessee, and William P. Monk, Expert Land Planner. Numerous representatives of the various Baltimore County reviewing agencies appeared at the hearing. None of the residents from the surrounding community appeared to voice any opposition, however, Paula Saltzman with the Liberty Corridor Development Corporation (L.C.D.C.) appeared as an interested party and offered a few comments at the close of the hearing

as to the procedural history of this project, a concept plan conference was conducted on March 21, 1994. As required, a community input meeting was held on April 25, 1994 at the Randellstown Library. quently, a development plan was submit ed and a conference thereon was conducted on July 20, 1994. Following the submission of that plan, comments were submitted by the appropriate agencies of Baltimore County; and a revised development plan incorporating these comments and bearing a revision date of May 11, 1994 was submitted at the hearing held before me on humset 19 1994.

At the public hearing before me. I am required to determine what if any, agency comments remain unresolved. On behalf of the Developer Mr. Monk stated that he was not aware of any unresolved issues. Furthermore, the representatives in attendance on behalf of the Baltimore County reviewing agencies indicated that all issues raised within their respective comments had been resolved and incorporated onto the revised development plan. Finally, none of the community members in attendance state any opposition nor raised any concerns in connection with the propose development of this site. Inasmuch as there were no unresolved issue relative to the development plan, the revised plan as submitted shall be

As noted earlier, the Developer also filed a Patition for Variance

wherein relief was requested from certain parking and sign regulations. On behalf of the Developer. Mr. Monk identified the type of signage proposed for this sit; and stated that the proposed signeds is consistent with many of the other Checkers restaurants being developed throughout Baltimore County and the metropolitan area. He testified that inasmich as Checker has two drive-thry facilities, it is necessary to have two speaker posts and two many board signs, one for each drive thru. Purthermore, there are other directional and identification signs situated on the property which are necessary for the smooth flow of traffic through the site. Mr. Moni testified that the double drive-thru facility is new to Baltimore County and was recently incorporated into the R.C.Z.R. However, the legislat'o relative to the signage applicable to these double drive-thru restaurants has not yet been passed by the County Council. Mr. Monk offered as Petitioner's Exhibit 2, a staff report of the Baltimore County Office of Planming and Zoning which contained the proposed sign regulations applicable

restaurants. Mr. Monk testified that the signed proposed for the subject site is below that which will be committed by the new sign regulations. There'ore, Mr. Monk stated that the signage proposed for this restaurant will be in compliance with the new regulations

Purthermore, Mr. Monk testified that extensive landscaping to proposed for this site and submitted into evidence as Petitioner's Exhibit 3, a schematic landscape plan which has been reviewed and approved by Avery Harden, the Baltimore County Landscape Architect. Mr. Monk testified that the base of the signs proposed for this site will be landscaped to add to the attractiveness of the property overall. Purthermore, the Developer has agreed to maintain all landscaping installed in perpetuity.

In addition to the sign variances requested, the Developer also seeks a parking variance to permit a distance of 5 feet from the etree right-of-way in lieu of the required 10 feet. This request would appear to infringe upon the landscape buffer to be provided along Liberty Road However, Mr. Monk noted that while the Developer has a distance on their property of 5 feet within which to provide landscaping, there is an additional 5 feet within the State's right-of-way which can be landscaped. Therefore, in essence, the full 10-foot wide landscape buffer required will be provided. However, because only 5 feet of this buffer is on the Developer's property with the other 5 feet being on State-owned land the relief requested is necessary

As noted earlier, Ms. Paula daltzmen appeared and offered com ments concerning the proposed project. Ms. Saltzman testified that he organization supports the proposed restaurant and development of the sub-

health, safety or general welfare and is in strict harmony with the spirit

Therefore, pursuant to the zoning and development plan regula tions of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be approved and the Petition for Variance granted consistent with the comments contained herein and the restrictions set forth hereinafter.

and intent of the B.C.Z.R.

THEREPORE, IT IS ORDERED by the Deputy Zoning Commissioner and Hearing Officer for Baltimore County this 13" day of August, 1994 that the development plan for Exxon Company, USA, identified herein as Developer's Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the amended Petition for Variance seeking relief from the B.C.Z.R. as follows: From Section 409.8 to permit parking spaces a distance of 5 feet from the street right-of-way in lieu of the required 10 feet; from Section 413.2(f) to permit 12 business signs of 208.4 sq.ft. total in lieu of the maximum permitted three signs of 100 sq.ft. total (1 freestanding, 7 directional, 2 speaker posts and 2 menu boards); and from Section 413.1(E)(3) to permit internally illuminated directional signs with advertising aspects (logo) in lieu of the permitted non-illuminated directional signs with no advertising aspects, in accordance with Petitioner's Exhibit 1, be and is hereby GPANTED, subject to the following restrictions:

The Developer may apply for its building permit and be granted same upon receipt of this Order; however, the Developer is hereby made searc that proceeding at this time is at its own risk until such time as the Jo-day appellate process from this Order has eagered. If, for whatever reason, this Order is reversed, the realist granted herein shall be reactined.

2) The Developer is prohibited from execting any temporary signs on the subject property. Only the signage depicted on Fettlioner's Ball, he not temporary banners, atreasers, or any other signs exected on this site; however, the Developer shall be required to install "Me Loitering" signs on and about the pressure of the Company of the State of the State of the Company of the State of the State of the State of the State of the control of the State of the

There shall be no outside pay phones installed on subject site.

Landscaping shall be in accordance with the approved iandscape plan submitted into evidence as Petitioner's Exhibit 3. The Developer shall be responsible for smintaining all landscaping in perpetuity.

5) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision must be taken in accordance with

Section 26-209 of the Baltimore County Code.

THEY H. KOTROCO Hearing Officer

Petition for Variance

	to the Zoning	Comm	issioner	oſ	Baltimore	County
	for the property la	to Isolan	0530 111			

Britis	for the property located at	8538 Liberty Road			
		which is presently zoned	BR-CS		

section 60.4: To prest suching spaces distance of 5' from the right-of-way in lies of the required process (see of business signs in lies of meeting \$13.2(7); To prest) ZOG_4(signati test of business signs in lies of Freestanding, 10 directions). Z speaker potes and 2 monu boards in lies (Freestanding, 10 directions). Z speaker potes and 2 monu boards in lies section 413.4(9)(3); To prest interestly illumanted directions signate with Advertising sepects (1000) in lies of permitted non-liminated with Advertising sepects (1000) in lies of permitted non-liminated

SEE ATTACHED FOR HARDSHIP AND PRACTICAL DIFFICULTY

	Who do extremely decime and office, under the presenting of perjuty, that You goe began among at the property which is the subject of the Festion.			
n Postanni (essee	Engil Decembl			
K LuP.	C/O EXXON COMPANY USA			
	Name -			
O Clark Road	J. A. Hicks - Agent			
sup. MD 20794				
State Petition	lyan .			
Ann (60 more)	601 Jefferson Suite 3506			
Markey	Address Francisco			
	Houston IX 77002			
	Figure, Address and phase number of legal somer, control purchasts as agree and to be contacted.			

Hilliam Monk, Inc 222 Bosley Ave., Suite B-7 494-8931

3

REVISED

HARDSHIP AND PRACTICAL DIFFICULTY AS FOLLOWS:

The small lot area (.687 acres) and shallow depth of the site (max. 162') requires additional paved area for improved on-site traffic maneuverability and parking.

REVISED

receipt

Number 2/10/94

1 MIN RES KAR. CADE 020 \$250.00

YOTAL 320.00

Please Make Checks Payable To: Baltimore County

2 SIEN POSTINS CODE 080

Charle EXXON CERP. LOC: 8538 LIBERT RD. - 24 JLL # 311

Increased signage is needed to allow for conventional menu boards and on-site directional signage.

COLBERT ENGINEERING, INC.

3723 OLD COURT ROAD • SUITE 206
BALTIMORE, MARYLAND 21208
PHONE: (410) 653-3638
FAX: (410) 653-7953 94-306-A ZONING DESCRIPTION 8538 LIBERTY ROAD SECOND DISTRICT BALTIMORE COUNTY, MARYLAND

CONTAINING 29862 SQ. FT. OF LAND MORE OR LESS.

DESCRISSISTIRE ZON

CIVIL FACINFERS & LAND SURVEYORS

94-306-1 CENTRICATE OF POSTING STANSOT OR BALL THROOM COLUMN Date of Posting 2/25/94

Protect for Verience Politicour Exxen Corp. CH KL, LA Location of property 3538 Liberty Bd. NE/or of Ald Good R. . Location of Storag Fordery AN Property being Zond Date of return: 3/1/94

> CERTIFICATE OF PUBLICATION TOWSON, MD., Ser. 24 1994 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successive reeks, the first publication appearing on Jul. 24., 1994.

> > THE JEFFERSONIAN a. Henrikson LEGAL AD. - TOWSON

Petitioner Exxon Corp Location of property NE/Cor Link Rd +OH Cort A & Location of Same Facing Took way on property being town & Date of return: ... 7/ 5/97

STMENT OF BALTIMORS COUNTY 94-301-A

Date of Posting 7/-/14

receipt

STUA/GS

CERTIFICATE OF POSTING

Posted by Millerly Pumber of Signer __/

District 2xd

Posted for Verience

CH.K.L. L.P. (c/o Bill Monk) 110- Revision Fee. OSC SIGN.

5-20-94

35 TOTAL

This petition has been accepted for filing, after an initial review, and has been pixed on the spends for the noning advisory committee. However, the following acceptance of the pixel of

DUE DATE: CLOSING DATE OF HEARING DATE

CASE NUMBER/PROJECT NAME: 94-306-A (1) Zoning Notice Sign and Post Set(s) @ \$60.00/set = \$60.00 Due*

(In lieu of payment, we ask that you make use of the following waiver) INVOICE MAIVER

CASE NUMBER/PROJECT NAME: 94-306-A Returned _____ Zoning Notice Sign and Post Set(s).

for ZADM

Amount Due waived upon return of the COMPLETE sign and post set(s).

When you return same, bring this form with you.

cc: William Honk, Inc

6

(410) 887-3353

111 West Chesapeake Avenue Towson, MD 21204

94-306-A

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

<u>Ballisors County Zoning Resolutions</u> require that notice be given to the general public/neighboring property owners relative to property which is the sub-public hearing, the process of the property and public periods of the property as aign on the property and placement of a notice in at least one enverpage of general circulation in the County.

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

Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for logal advertising, doe upon receipt, will come from and should be resitted directly to the newspaper. RCH-MATMENT OF ADVENTISING FEES WILL STAY ISSUANCE OF DOING ORDER.

ANOLID NALOW, DESERTOR

PHONE NUMBER: NA

For newspaper advertising:

Petitioner: EXXON CORPORATION

Location: 8538 LIBERTY ROAD

Item No.: 311

HARE: MR GKIP LAZIMORE /MAR-CHEK, INC. ADDRESS: 1410 N CRAIN HW SUITE O-A QUEN BURNIE MD 21041

(410) 887-3353

PETITION PROCESSING PLAG

Plenner: 94.3Ab-A (REV)
Planner: JRA
Dato Filed: 5-20-94

Need an attorney

The following information is missing:

Descriptions, including accurate beginning point

Accumal address of reports

Accumal address of reports

Plats (need 12, only submitted)

Election district

Concellment district

Conce

printed name and/or title of person signing for legal owner/contret purchaser Dower of attorney or authorization for person signing for legal owner and/or sontenet purchaser legal owner and/or sontenet produced and signature. Attorney's signature (need minimum loriginal signature) and/or printed name and/or address and/or telephone number Notary hublic's section is incomplete and/or incorrect and/or commission has supprised.

111 West Chesapeake Avenue Towson, MD 21204 PETITION PROCESSING FLAG

This petition has been accepted for tiling after an initial review, and has been placed on the description of the maning advisory committee. However, the following the maning advisory committee. However, the following committee to the spends by Sephis. A copy of this "liqu's the petition was fined file for the spends by Sephis. A copy of this "liqu's the petition for filing has a fined file of the spends of the petitions of the spends of the petitions of the petition of

311

Applicant advised read Lener of atterney to the sale as agent from Extens. for the feet . No der process delimination made applicant activated of proceed problems Baltimore County Government Office of Zoning Administration and Development Management

TET 25, 1994

(410) 887-3353

NOTICE OF HEARING The Zoning Commissioner of Saltimore County, by authority of "he Zoning Act and Regulations of Saltimore County, will hold a public bearing on the preparty identified bareins in Room 118, Old Courthonne, 400 inshiption A

Development Flam Rearing PROJECT SMRC: CHECKES, Project Samber: LI-TAN Location: SISS Liberty Rood, NIC Liberty Road and Old Court Roads Acres: 1939 Liberty Road, NIC. Expiser: William Nock, Inc. Proposal: Fast Tood, Assis drive-through only restructurent

Sanchart-lad from March 16, 1994

cass NUMBER: 94-305-1 (Item 311) 8538 Liberty Road and Old Court Roads 2nd Election District - 2nd Councilments Logal Owner: Enome Corporation Contract Purchaser: C N K L, L.P. Teriann to provide process a direction of 5 feet from the right of may be like of the respired 105 feet, to provide 105 square feet of bandson signs in line of the antices practited 100 square feet of bandson signs in line of the manuscapetited 100 square feet of the provide 15 square feet of 15 squ

MRING: FRIDAY, AGGEST 19, 1994 at 2:00 p.m. in Room 106 County Office Building soldst blosts

NOTES: (1) EXPLUS SIGN & FORT MOST AN RETURNED TO RM. 104, 111 W. CREADMANN AVERNOR ON THE MERADING DATE.
(2) PREMIUMS AND REMODICAPION DECESSIONS FOR SPECIAL ACCOMPOSATIONS PLEASE CALL 887-3353.
(3) INTO DEPOSATIONS CONTEXENDS THE PLANTAM REMAIN, CONTEXT THIS OFFICE AT SET-3391.

Annea and September

Baltimore County Governme Office of Zoning Administrati and Development Manageme



(410) 887-3353

Wareh 4 1994

J.A. Hicks, Esquire C/O Exxon Corporation Suite 3506 601 Jefferson Houston, Texas 77002

RE: Case No. 94-306-A, Item No. 311
Petitioner: Exxon Corporation, et al
Petition for Variance

Dear Mr. Hicks:

111 West Chesapeake Avenue Towson, MD 21204

The 2021ng Plans Advisory Committee (2AC) has reviewed the plans and the 2AC in the Advisory to the 2AC in the 2A

Enclosed are all comments submitted thus far from the sembers of 100-than offer or request information on year per submitted and the sembers of the semble of the semble

The following comments are related only to the filing of future <u>soning petitions</u> and are aimed at expediting the petition filing process with this office.

The director of Zoning Administration and Development. Recognized has instituted a system whereby the property of the control of the complex of the complex with for the zoning requisitions and spettines fully requirements can file their petitions with this property of zerolimater, order by remining personnel.

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

DATE: February 28, 1994 TO: Arnold Jablon, Director DATE: February 28, Zoning Administration and Development Management

Zoning Advisory Committee Meeting for February 28, 1994 Item No. 311

The Bevelopers Engineering Section has reviewed unject soning tiem. All improvements and construction affecting the State Boad right-of-way are sent Maryland State standards, specification, and the section of the State Sta

The site is also subject to the Landscape Manual

Please found billing to:

94-306-A

NOTICE OF HEARING

The Soming Commissioner of Bmillsorer County, by methority of the Zoming Act and Begulations of Bmillsorer County, will hold a public bearing on the property Identified barels in Soon 106 of the County Office Bmilling, 111 W. Champeelle Svenne in Towner, Baryland 21294 or

from 118, 014 Courthease, 400 Shebinston Pressus, Transa, Maryland 21206 on Colleges

CASE MUNICE: 94-306-A (Item 311) 8538 Liberty Road MEC Liberty Road and Old Court Roads Logal Owner: Exem Corporation Contract Purchaser: C N K L, L.P.

Nations to provid parking apones a distance of 5 fost from the sight-of-way in line of the regalized 10 featy to person's 2014 square fast of business signs in line of the medium parallel 100 squares fast and to persuit 151 signs (of 1 free-viending, 2 squares) (of feethers), 2 squares person, 2 of 2 monomic in 151 ord to maximum parallel 2 squares and to persuit intermally illimitated directional signapse with solutionistic composition (clop) in line of speciation on 110 standard directional signapse with solutionistic composition (clop) in line of speciation on 110 standard directional signapse with so solventiating appears (clop) in line of speciation on 110 standard directional signapse with so observables).

MINETES: MINESPAY, MACH 16, 1994 at 9:00 a.s., In. 118 034 Courthouse

TO: Arnold Jablon, Director Zoning Administration &

INFORMATION

Item Number:

Petitioner:

PROM: Pat Keller, Deputy Director Office of Planning and Zoni

311

HOTES: (1) MERCHON AND MADICIAPUD ECCENTRIA; FOR SPECIAL ECCENTRIATED MERCH CALL 007-3353.
(2) FOR INFORMATION CONCRETO THE FILE MODICE MERCHON, PLENER CALL 007-3391.

BALTINORE COUNTY, MARYLAND INTER-OFFICE CORRESPON

massd upon a review of the information provided, staff recommends that any con-eration quiwn to be subject verticenes be completed as part of the development review process. Due to community interest and design considerations respecting this relatively me - for Balliance County - drive-thru concept, the development process of the contract of the county of the county of the pro-perty of the county of the county of the county of the county Further, if a limited complete is represented by the applicant, the Office of Planning and County will make likely oppose any such action.

94-3064

(410) 887-3353

Baltimore County Government Office of Zoning Administration

The Soning Commissioner of Ballinore County, by setherity of the Soning Set and Sepaintions of Ballinore County, will shad a sphile Senting on the property (Sentified Service in Sons 156 of the County Office Ballino, 118 C. Assessment Senteron, September 2009 or County Office Ballinor County (Sentence of Sentence County) (Sentence Cou

CASE HYMNER: 94-306-A (Item 311) 8530 Liberty Road MEC Liberty Road and Old Court Roads 2nd Election District - 2nd Councilments Legal Owner: Boxen Corporation Contract Purchasser: C H K L, L.P. Variance to penult packing apones a distance of 5 feet from the right-of-way in lies of the required 10 feet; to pecult 30% agains feet of bestimes signs in lies of the maxima possition 100 papers feet and penult 15 signs (of 1 free-vietning), of identicated, 2 supanise post, and 2 sees horsely in lies of the maxima possition of 1 free-vietning, 100 feet colors, 2 supanise post, and 2 sees horsely in lies of the maxima possition of 2 sees of the penult 10 feet colors along with the observiction appears with the color (large penult feet colors) in lies of possition described directional supany with no observiction appears with the colors of the penults of the colors and described described appears with no observiction appears with no observiction appears with the colors of the

track John

C.R.E.L.P, L.P

03

700 East Joppa Road Suite 901 Townon MD 21286-5500

(410) 887-4500

DATE: 02/15/96

Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105 RE: Property Owner: EXXON CORPORATION

LOCATION: NEC LIBERTY AND OLD COURT RD. (8538 LIBERTY RD.)

Item No.: 311 Zoning Agenda: VARIANCE

Arnold Jablon Zoning Administration and

Pursuant to your request, the referenced property has been surveyed this Bureau and the comments below are applicable and required to corrected or incorporated into the final plans for the property.

The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

PB 10 MM ZADM

REVIEWER: LT. ROBERT P. SAUERWALD Fire Provention, PHONE 887-4881, MS-1102F cc: File

83

ZAC.311/PZONE/ZAC1

84-306-A 3/16

N FEB 28 1994

ZONING COMMISSIONER



O. James Lightnize Hai Kassoff

February 23, 1994

M. Charlotte Minton Zoning Administration and Development Management County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Re: Baltimore Counts Item No.:+311 (JLL) MD 26 Evvon Corporation Proposed Checkers Restaurant Variance Request Mile Post 6.30

Dear Ms. Minton

This office has reviewed the plan for the referenced item and we offer the

We have no opecium to approval for the variance request to permit parking sparies a docume of 5 from the right-of-way line in line of the required 1% to permit sparies a docume of 5 from the right-of-way line in line of the required 10% square feet and to permit 15 signs (one free-standing, 10 directions), 2 speaker posts and bow menu beards), in lice of the maximum permitted three signs an any permisse, and to permit internally alturnated directional signage with a develoring spaces (as a proposal permitted one-diminated directional signage with an advertising appears). In the of

The proposed modifications to the existing entrances located on MD 26 are generally acceptable to the State Highway Administration GH 2018 and the state as reviews of the contract of the state of the parking spaces for the convenience store.

Since the proposed use for this development is for a fast food restaurant, which should spinficantly increase the amount of traffic generated to the site, we request the county require the developer solution at Tarffic impact, Analysis for our receives so we can determine what impact this development would have on turning meacements from MD 26 and to and out of the sit, as, well as its impact to traffic at the intersection of MD 26 and to and out of the sit, as well as its impact to traffic at the intersection of MD 26 and

My telephone number is 410-333-1350 (Fax# 333-1041) Maryland Relay Service for Impaired Hearing or Speech 1:800-735-2258 Statewide Toli Free Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

	COURTHOUSE COMMINS SUITE (6.) 220 BOSLEY AVENUE TOWSON MD 21754			5/20 93-107 94-306A 20M II-254 PRICED VARIANCE		
D Sh	E SENDINI	, Prints IZ	ole cover via	the following items:		
DRAWING NO.	FILE NO.			ACTION		
12		DENUTS OF REVISED	MAN			
1		CK # 820 (SWA) for				
		PEVISION FEE -	100			
		POSTING OF SKINS	35			
			135			

LETTER OF TRANSMITTAL

WILLIAM MORK, INC.

PLANNING - LANDSCAPE DESIGN ENVIRONMENTAL RESOURCE MANAGEMENT

Submit ____ copies for distribution Ti As requested ☐ For your use ☐ Resultent ____copies for approval ☐ Return ___ corrected prints C) For review and comment

19 _____ IP PRINTS RETURNED AFTER LOAN TO US T FOR BIDS DUE

BEHADYS

SIGNED Larah allay

Ms Charlotte Minto Page Two February 23, 1994

Upon having an opportunity to review the requested traffic study, it can be determined what modifications if any, to the entrance design would be required for the proposed development as a condition of plan approval.

Entrance construction shall be subject to the terms and conditions of an access ermit issued by this office, with the following submittals required:

Eight (8) copies of the site plan showing the SHA requirements

Completed application.

Performance bond, letter of credit, or certified check (include Federal ID berlemanes bond, letter of credit, or certified check (include Federal ID number or vocal in security number on certified checks only) in the amount of 150% of the actual entrance construction cost (to include the cost of coloniang any affected utilities) and in an even thousand other incremental expension of the coloniang any affected utilities and in an even thousand other incremental completion and SHA final inspection). An engineering fee check in the amount of 550.00 for each point of access, made pupilse to the SHA final inspection). An engineering fee check in the amount of 550.00 for each point of access, made pupilse to the SHA final inspection. Or, a consider of the SHA final inspection of any utilities which may be recessitated by this construction. Or, a letter from the developer acknowledging and apprecia to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permat.

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

Ms. Charlotte Mintor Page Two February 23, 1994

Should you have any questions, or require additional information, please on Bob Small at (410) 333-1350. Thank you for the opportunity to review this plan.

simply saking a equal treatment and given the fact that the property of the pr

high to right, we believe that this is resonable compromise an signes for-ches grace if the aforesection of the compromise and the compromise and

concerns.

"According to the control of the control

as not to alarm anyone, we will be submitting a revised

Very truly yours. Daird Hamm

David Ramsey, Acting Chief Engineering Access Permits Division

Mr. Darrell Wiles

Mar-Chek very such wants to be a good neighbor and looks forward to a long and prosperous existence in the liberty hoad community. In the liberty hoad community of the community organizations who are working hard to force to the community growth along the Liberty Road corridor and they look forward to a youd working relationship with them.

No hearing date has been set as of this date and we ask that both organizations respond to us at their earliest convenience.

site plan at the time of the hearing which clearly indicates that the joint use driveway between the two sites will be closed.

Per our conversations, Mar-Chek agrees to the sign limitations as noted above and in return simply is smith that both organizations turn exiting movement from our diviews you not bilerty Road. We have already eliminated one driveway on Liberty Road and it is important that free movement be permitted to and from our one remaining

PETITION FOR VARIANCE

PETITIONER

EVVOV CORROBATTON

NEC Liberty and Old Court Rd. (8538 Liberty Road)

REFORE THE

.

Please enter the appearance of the People's Counsel in the above

I HEREBY CERTIFY THAT on this 10 day of Mante, 1994, a copy of the foregoing Entry of Appearance was mailed to J. A. Hicks, Esquire

Exxon Corporation, Suite 3506, 601 Jefferson, Houston, Texas 77002.

captioned matter. Notice should be sent of any hearing dates or other

proceedings in this matter and of the passage of any preliminary or

ENTRY OF APPEARANCE

ZONTNO COMMISSIONED

OF BALTIMORE COUNTY

CASE NO: 94-306-A

Peter Max Janone

368D.

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

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TOWEON HD 212

WILLIAM MONK. INC.

PLANNING • LANDSCAPE DESIGN • ENVIRONMENTAL RESOURCE MANAGEMENT

Ms. Emily Wolfson c/o Liberty Corridor Development Corp. 9960 Liberty Road Randallstown, MD 21133

Ms. Vivian Noonan President Liberty Road Community Corporation 1674 Clifar Road Baltimore, HU 21244

Re: Proposed Checkers Restaurant, Liberty Road @ old Court Road Baltimore County, Maryland

Dear Ms. Wolfson and Ms. Noonan:

In follow up to the community input meeting and subsequent conversations with Mr. wolfson and Elia White-Campbell, my client, Mar-Chek, Inc., Wiebe to respond to both organization's recommended changes to our site plan and variance application.

commended changes to our cite plan and variance applications of the content of th

Additionally, we measured the Household Bank sign which has even better visibility than us in that they are on the forward side of the knoll and their sign is 20 feet high. We are

defference in 12th only because

WILLIAM MONK, INC. PLANNING . LANDSCAPE DESIGN . ENVIRONMENTAL RESOURCE MANAGEMEN

March 2, 1994

Mr. Arnold Jablon Director of Zoning Administration and Development Management 111 W. Chesspeaks Avenue

Room 102 Towson, ND 21204 Re: Case # 94-306-A (Item 311), 8538 Liberty Road

The above referenced case has been scheduled for a veriance hearing on Barch 16, 1994; he are respectfully respectfully represented the strength of the streng

cc: Keith Martin Skip Larimore



3801 Lochearn Drive Baltimore, Maryland 21207-6363 July 18, 1994

Hon. Lawrence B. Schmidt Zoning Commissioner, Baltimore County

111 West Chesapeake Avenue Towson, Maryland 21204

Dear Commissioner Schmidt. In reference to Davelopment Plan Hearing, case 11-524, also

known as 8538 Liberty Road at Old Court Road. The request to develop this .929 acre former gas station, into a fast-food double drive through, as described on the hearing

notice for July, part two, to be heard on July 26th at 10:00 A.M., Pirst, Checker's encourage crowds to congregate at their out-

door tables, Knowing who eats that type of junk food, will give you an idea that this is an inappropriate use for this corner. There are only five police cars assigned to this corridor at any given time, and I fear that the increase in pedestrian and automotive traffic will add to law enforcement problems.

Second, the gateway to Randallstown should not be defaced with this garish, circus-like establishment. We need something sedate and tasteful. A Checker's-type junk food place should be well-hidden in minterior of a block.

Could we save this corner for something fine and necessary? Will taste ever provail? We have an overabundance of cheap, greasy

spoons, but NO PINE DINING PACILITIES AT ALL!

Please have pity on Liberty Road and its much abused residents!

Juith Buger Judith Berger (Mrs. M.) 3801 Lochearn Drive Baltimore, Maryland 21207-6363

to ple Hon. Lawrence E. Schmidt Zoning Commissioner, Baltimore County 111 West Chesapeake Avenue Towson, Maryland 21204

Re: Case 94-306-A (Item 311)

3670-94

7/20/44

Dear Commissioner Schmidt,

I will be unable to testify in person on July 26, regarding the special exceptions requested by Mar-Chek, Inc., for a Checker's, (somehow, I just can't put restaurant next to the name) If these variances are granted, they will nullify the need for

any sign regulation revisions. This, if granted, will set Liberty road apart as an area where anything goes, allowing a permanent circus at the gateway to Randallstown. Despite the fact that I am an officer of the Liberty Road

Community Council, Inc., I deplore the attempt at rapprochaent with Mar-Chek, Inc., and do believe they were planning to ask for the maximum number of signs at the outset, only holding meetings to appear to satisfy the communities.

The traffic patterns at Old Court and Liberty Roads are now a death trans, when this junk food establishment is in place, even heavier traffic, automotive and pedestrian than were generated by the former Exxon Station, another degradation. Mar-Chek owns and operates two Checker's in northern Anne

Arundel County, near my husband's office. I pass the one at the confluence of routes 2 and 3 , every few days, and it is not kept as meticulously as they say they do. There is always trash on the The most several soming rulings have left the communities

with all of the problems that we feared and anticipated. I have had to make numerous calls to our soning inspector, and health officer since these establishments have generated illegal flags, banners,

Please spare us, the unpaid, overworked community residents from further insults. Our Master Plan seems to be one of destruction. BM - CCC PAR KING D.R. 5.5 0 D.R. 16 ZONING MAP APPLICANT 7810 CLARK ROAD SOLD COURT ROAD

311 NW 64 93-107

Proposed Amendments To The Baltimore County Zoning Regulations Regarding

SIGNS

PETITIONER'S EXHIBIT NO. 2

A Staff Report of the Baltimore County Office of Planning & Zoning

August 24, 1993





