

IN RE: PETITION FOR SPECIAL
HEARING

2nd Election District
4th Councilmanic District
(8227 Liberty Road)
McDonald's Corporation
Petitioner

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* CASE NO. 2013-0006-SPHA

* * * * *

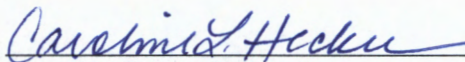
NOTICE OF DISMISSAL

McDonald's Corporation, by and through its undersigned counsel, hereby requests that
this matter be DISMISSED without prejudice.

RECEIVED

FEB 11 2013

Respectfully submitted,



Caroline L. Hecker
Rosenberg Martin Greenberg, LLP
25 S. Charles Street, 21st Floor
Baltimore, Maryland 21201
(410) 727-6600

Attorney for Petitioner McDonald's Corporation

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of February, 2013, this Notice of Dismissal was sent via first class mail, postage prepaid to:

Peter Max Zimmerman, Esquire
People's Counsel for Baltimore County
Jefferson Building, Room 204
105 W. Chesapeake Ave.
Towson, MD 21204



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 8227 Liberty Road which is presently zoned BL-AS, DR5.5, DR16
Deed References: 5588/660 & 6387/189 10 Digit Tax Account # 0219581040 & 1900006557
Property Owner(s) Printed Name(s) McDonald's Corporation

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. **X** a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

PLEASE SEE ATTACHED.

2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. **X** a **Variance** from Section(s)

PLEASE SEE ATTACHED.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code / Telephone # / Email Address

Attorney for Petitioner:

Stanley S. Fine, Esq. / Rosenberg Martin Greenberg, LLP

Name- Type or Print

Signature

25 S. Charles Street, 21st Floor, Baltimore, MD

Mailing Address City State

21201 / 410-727-6600 / sfine@rosenbergmartingreenberg.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

McDonald's Corporation

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

6930 Rockledge Drive, Ste. 1100, Bethesda, MD

Mailing Address City State

20817 / 301-651-9998 / lee.may@us.mcd.com
Zip Code Telephone # Email Address

Representative to be contacted:

Lee May, Area Construction Manager

Name - Type or Print

Signature

6930 Rockledge Drive, Ste. 1100, Bethesda, MD

Mailing Address City State

20817 / 301-651-9998 / lee.may@us.mcd.com
Zip Code Telephone # Email Address

CASE NUMBER 2013-0006-SPHA Filing Date 7/13/12

Do Not Schedule Dates:

Reviewer LM

McDonald's Corporation
8227 Liberty Road
Zoned B.L. – A.S., DR 5.5, and DR 16
Deed Reference: 5588/660 & 6387/189
Tax Acct. # 0219581040 & 1900006557

Special Hearing Relief Is Requested As Follows:

1. To verify that approval for off-street parking in residential zones granted in Special Hearing Zoning Case #73-28 SPH is still valid.
2. To verify that the existing parking lot located within the 100-foot residential transition area (RTA) is grandfathered under Zoning Case #73-28 SPH as it is existing and was lawfully established.
3. To amend the previously approved zoning authorization in Case #73-28 SPH to permit drive-thru lanes, dumpster, and ESD practices where only passenger vehicles are allowed, per BCZR Section 409.8.B.2(b) and (c).
4. To substitute this plat for the plat incorporated by reference as Exhibit 'A' in Case #73-28 SPH.

Variance Relief Is Requested From The Following Sections:

1. Off-Street Parking

- 1.1 Variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations to allow 49 spaces in lieu of the required 68 spaces.
- 1.2 Variance from Section 409.8.A (1) of the Baltimore County Zoning Regulations to allow modifications to landscape manual standards outlined below.
- 1.3 A petition for special hearing has been filed, separately from this petition, to allow off-street parking, drive-thru lanes, dumpster, and ESD practices in residential zones.

2. BL-AS Zone Area Regulations

- 2.1 Variance from Section 303.2 of the Baltimore County Zoning Regulations to allow 43.50 ft. front yard depth in lieu of the required 58.9 ft. (average of the front yard depths of the adjacent lots). Existing average setback is 57.8 ft.

3. Signage Regulations

- 3.1 Section 450.4 Attachment 1, 5(a)(VI) to permit 6 wall mounted enterprise signs on building facades in lieu of the permitted 3 signs. (Signs #4 & #5)
- 3.2 Section 450.4 Attachment 1, 3(b)(VII) to permit a directional sign of 10.7 ft. in height in lieu of the permitted 6 ft. (Sign #1)
- 3.3 Section 450.4 Attachment 1, 3(b)(VII) to permit a directional sign of 9.71 ft. in height in lieu of the permitted 6 ft. (Two signs, Sign #2)

- 3.4 Section 450.4 Attachment 1, 3(II) to permit a canopy-type directional sign in lieu of the permitted wall-mounted or free-standing sign. (Two signs, Sign #3)
- 3.5 Section 450.5.B.3.b to permit erection of the sign above the face of the canopy in lieu of its erection on the face of the canopy. (Two signs, Sign #3)
- 3.6 Section 450.4 Attachment 1, 5(b)(V) to permit a free-standing enterprise sign having a face of 93 sf in lieu of the permitted 75 ft. (Sign #6)
- 3.7 Section 450.4 Attachment 1, 5(f)(VII) to permit an order board of 6.75 ft. in height in lieu of the permitted 6 ft. (Two Signs, Sign #7)

4. Landscape Manual Standards

- 4.1 Part III (Requirements for Project Conditions), Condition B (Parking Lots), Standard 1(b) to permit a 4 ft. landscape strip in lieu of the required 6 ft.
- 4.2 Part III (Requirements for Project Conditions), Condition B (Parking Lots), Standard #1(c)(2) to permit the exclusion of required 10 ft. minimum landscape strip or a brick or split face block wall where the minimum 10 ft. landscape strip is not feasible.
- 4.3 Part III (Requirements for Project Conditions), Condition F (Service Lanes), Standard #2 to permit a 3.7 ft. landscape strip in lieu of the required 6 ft.
- 4.4 Part III (Requirements for Project Conditions), Condition F (Services Lanes), Standard #3(b) to permit the exclusion of required 10 ft. minimum landscape strip or a brick or split face block wall where the minimum 10 ft. landscape strip is not feasible.

These variances to the zoning law of Baltimore County are requested for the following reasons:

The irregular shape and location of this lot are unique and create practical difficulties in the layout of the site. Specifically, the site is a narrow, T-shape with very little frontage along Liberty Road. These features of the site create substantial practical difficulties in laying out the site in a manner that meets each of the requirements of the Zoning Regulations. The stormwater management requirements for the site limit the size of the parking lot, and the narrow frontage on Liberty Road necessitates the front yard setback variance and signage variance in order to make the restaurant visible to passing motorists and to direct circulation safely within the site. In addition, this McDonald's would differ from McDonald's standard signage plan that has been implemented on other restaurants in Baltimore County if the requested variances were not permitted.

**DESCRIPTION TO ACCOMPANY PETITION
FOR SPECIAL HEARING
8227 LIBERTY ROAD
BALTIMORE COUNTY, MARYLAND
2ND ELECTION DISTRICT; 4TH COUNCILMANIC DISTRICT**

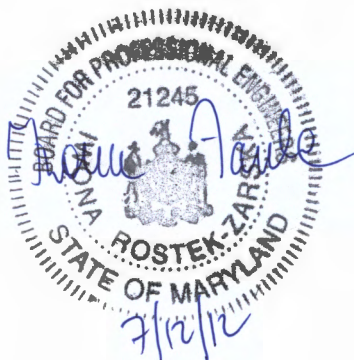
July 11, 2012

Beginning at the point located on the east side of Rolling Road having the variable width of the right-of-way, said point being located southwesterly 220 feet, more or less, from the intersection of centerlines of Rolling Road with Liberty Road, thence running the following courses and distances:

1. South 65° 32' 49" East, 159.18 feet; thence,
2. North 25° 46' 26" East, 180.89 feet; thence,
3. Along the curve to the right having a radius of 11,499.16 feet, 128.00 feet; thence,
4. South 25° 08' 10" West, 178.62 feet; thence,
5. South 65° 32' 49" East, 104.53 feet; thence,
6. South 29° 41' 59" West, 70.45 feet; thence,
7. North 65° 32' 49" West, 394.90 feet; thence,
8. North 30° 39' 07" East, 70.57 feet; thence, to the point of beginning.

Containing 50,836 square feet or 1.167 acres, more or less.

This description is intended for zoning purposes only and shall not be used for conveyance of land.



2013-0006-SPHA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 85579

Date: 7/13/12

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
7/13/2012 7/13/2012 10:08:22 6

REG MSD6 WALKIN TTAY TST
>RECEIPT # 668907 7/13/2012 UFLN

Dept 5 528 ZONING VERIFICATION
CR NO. 085579

Recpt Tot \$770.00
\$770.00 CK \$1.00 CA
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				770.00

Total: 770.00

Rec
From:

For

McDONALD'S
8277 LIBERTY ROAD

2013-0006-SHA

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!

CASHIER'S
VALIDATION

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:

Item Number or Case Number: 2013-0006-SPHA
Petitioner: McDonald's Corporation
Address or Location: 8227 Liberty Rd

PLEASE FORWARD ADVERTISING BILL TO:

Name: STANLEY FINE
Address: 25 S. CHARLES STREET 21st FL.
BALTIMORE MD, 21201
Telephone Number: 410-727-6600

RE: PETITION FOR SPECIAL HEARING
AND VARIANCE
8227 Liberty Road; E/S Rolling Road, 220'
of the c/line of Liberty Road
2nd Election & 4th Councilmanic Districts
Legal Owner(s): McDonald's Corporation
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2013-006-SPHA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

AUG 03 2012

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of August, 2012, a copy of the foregoing Entry of Appearance was mailed to Lee May, Area Construction Manager, 6903 Rockledge Drive, Suite 1100, Bethesda, MD 20817 and Stanley Fine, Esquire, 25 S. Charles Street, 21st Floor, Baltimore Maryland 21201, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



Rosenberg
Martin
Greenberg^{LLP}

Caroline L. Hecker
Direct Dial: (410) 727-6676
checker@rosenbergmartin.com

February 11, 2013

VIA HAND DELIVERY

Ms. Kristin Lewis
Baltimore County Zoning Review Office
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: 8227 Liberty Road – Petition for Variance and Special Hearing
Case No. 2013-0006

Dear Ms. Lewis:

This firm represents McDonald's USA, LLC in connection with the Petition for Variance and Special Hearing filed in the above-referenced matter. In accordance with the decision of Judge Beverungen in Case No. 2013-113, I enclose a Notice of Dismissal for filing in Case No. 2013-0006. An additional copy is enclosed to be date-stamped and returned to the waiting messenger.

Very truly yours,

Caroline L. Hecker

Enclosure

cc: The Honorable John E. Beverungen (via first class mail w/enclosure)
Peter Max Zimmerman, Esq. (via first class mail w/enclosure)
Mr. Lee May, McDonald's USA, LLC (via electronic mail w/enclosure)
Mr. Valek Zarski (via electronic mail w/enclosure)
Stanley S. Fine, Esq. (via electronic mail w/enclosure)
4831-2345-1154, v. 1

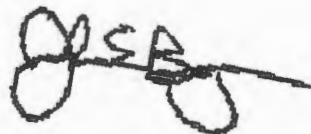
MEMORANDUM

TO: Kristen Lewis
Office of Zoning Review

FROM: John E. Beverungen, Administrative Law Judge
Office of Administrative Hearings

DATE: October 1, 2012

SUBJECT: Case No. 2013-0006-SPHA (Scheduled for October 1, 2012)



As you are aware, the above-referenced case was scheduled before the undersigned on October 1, 2012 at 1:30 PM in Room 205 of the Jefferson Building. On Thursday, September 27, 2012, Caroline Hecker with Rosenberg Martin Greenberg, LLP, the firm representing McDonald's Corporation, requested a postponement in order to revise and re-file the petitions. The postponement request was granted (via email) the same day, and the file was kept in the event anyone appeared for the scheduled hearing.

This matter is now being returned to you for rescheduling and processing. Thanks.

JEB:dlw

✓ c: File

Administrative Hearings - Re: Case No. 2013-0006 - Postponement Request

From: Administrative Hearings
To: Hecker, Caroline
Date: 9/27/2012 4:16 PM
Subject: Re: Case No. 2013-0006 - Postponement Request
CC: 'izarska@bldginc.com'; Fine, Stanley; Lee, May; Zimmerman, Peter; vz...

Good Afternoon Ms. Hecker,

Your correspondence has been given to Judge Beverungen and he has granted your postponement. He will hold onto the file until Monday afternoon in the event anyone appears for the hearing.

Thank you.

>>> "Hecker, Caroline" <checker@rosenbergmartin.com> 9/27/2012 3:21 PM >>>
Judge Beverungen:

Please see the attached postponement request regarding the McDonald's at 8227 Liberty Road (Case No. 2013-0006), which is scheduled for a hearing on Monday, October 1, 2012.

Thank you.

Caroline L. Hecker



**Rosenberg
Martin
Greenberg** LLP

25
Extraordinary Years

Rosenberg Martin Greenberg, LLP
25 South Charles Street, 21st Floor
Baltimore, Maryland 21201
410.727.6600 p
410.727.1115 f
www.rosenbergmartin.com

Subject: Re: Case No. 2013-0006 - Postponement Request
Created By: administrativehearings@baltimorecountymd.gov
Scheduled Date:
Creation Date: 9/27/2012 4:16 PM
From: Administrative Hearings

Recipient	Action	Date & Time	Comment
To: Caroline Hecker (checker@rosenbergmartin.com)	Pending		
CC: 'izarska@bldginc.com' (izarska@bldginc.com)	Pending		
BC: John Beverungen (jbeverungen@baltimorecountymd.gov)	Delivered	9/27/2012 4:16 PM	
BC: Kristen Lewis (klewis@baltimorecountymd.gov)	Pending		
CC: May Lee (Lee.May@us.mcd.com)	Pending		
CC: Peter Zimmerman (pzimmerman@baltimorecountymd.gov)	Delivered	9/27/2012 4:16 PM	
BC: Sarah Adams (sadams@baltimorecountymd.gov)	Pending		
CC: Stanley Fine (SFine@rosenbergmartin.com)	Pending		
CC: vzarski@bldginc.com (vzarski@bldginc.com)	Pending		

Administrative Hearings - Case No. 2013-0006 - Postponement Request

From: "Hecker, Caroline" <checker@rosenbergmartin.com>
To: "administrativehearings@baltimorecountymd.gov" <administrativehearings@b...>
Date: 9/27/2012 3:16 PM
Subject: Case No. 2013-0006 - Postponement Request
CC: Peter Zimmerman <pzimmerman@baltimorecountymd.gov>, "izarska@bldginc.co..."
Attachments: CASE NO. 2013-0006 - POSTPONEMENT REQUEST.pdf

Judge Beverungen:

Please see the attached postponement request regarding the McDonald's at 8227 Liberty Road (Case No. 2013-0006), which is scheduled for a hearing on Monday, October 1, 2012.

Thank you.

Caroline L. Hecker



**Rosenberg
Martin
Greenberg** LLP



Rosenberg Martin Greenberg, LLP
25 South Charles Street, 21st Floor
Baltimore, Maryland 21201
410.727.6600 p
410.727.1115 f
www.rosenbergmartin.com

RECEIVED

SEP 27 2012

OFFICE OF ADMINISTRATIVE HEARINGS



Rosenberg
Martin
Greenberg LLP

25
Extraordinary Years

Caroline L. Hecker
Direct Dial: (410) 727-6676
checker@rosenbergmartin.com

September 27, 2012

VIA EMAIL TO:
administrativehearings@baltimorecountymd.gov

RECEIVED

SEP 27 2012

OFFICE OF ADMINISTRATIVE HEARINGS

John Beverungen, Administrative Law Judge
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Room 103
Towson, Maryland 21204

Re: 8227 Liberty Road – Petitions for Special Hearing and Variance
Case No. 2013-0006-SPA

Dear Judge Beverungen:

This firm represents McDonald's Corporation in connection with the Petitions for Special Hearing and Variance filed in the above-referenced matter, which are scheduled for a hearing on Monday, October 1, 2012 at 1:30 p.m. As a result of discussions with the People's Counsel, we would like to withdraw these Petitions and cancel Monday's hearing in order to revise and re-file the Petitions to incorporate additional variance requests that may be required for this site. Mr. Zimmerman has confirmed that the People's Counsel has no objection to this request.

Please confirm that the hearing has been cancelled and removed from Monday's docket. Thank you for your prompt attention to this matter.

Very truly yours,

Caroline L. Hecker

cc: McDonald's Corporation (via electronic mail)
Baltimore Land Design Group, Inc. (via electronic mail)
Peter Max Zimmerman (via electronic mail)
Stanley S. Fine, Esq.
RMG# 4813-7740-105

CHECKLISTSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment8-8DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

DEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

9-5PLANNING
(if not received, date e-mail sent _____)8-2

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: _____

SIGN POSTING

Date: _____ by _____

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☒

No

☐9/20/12

Comments, if any: _____



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

September 20, 2012

HAND DELIVERED

John Beverungen, Administrative Law Judge/Hearing Officer
The Jefferson Building
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

Re: McDonald's Corporation
8227 Liberty Road
Case No.: 2013-006-SPHA

RECEIVED

SEP 20 2012

OFFICE OF ADMINISTRATIVE HEARINGS

Dear Judge Beverungen,

The present hybrid zoning petition involves a new or rebuilt McDonald's restaurant at Liberty and Rolling Roads. McDonald's asks, by way of special hearing, for grandfathering of its off-street parking in a residential zone and its parking lot location in the residential transition area based on Case No. 73-28-SPH. McDonald's also asks for a modification of the 1973 relief to allow a drive-thru lane, dumpster, and ESD practices in residential zones, where passenger parking only was previously allowed. At the same time, McDonald's asks for variances relating to the number of parking spaces, landscape manual modifications, front yard depth, and numerous sign standards.

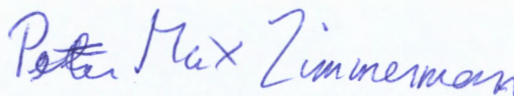
Upon review of the present petition and new site plan (sheets 1 and 2), and corresponding documentation in the history of earlier case No. 73-28-SPH (earlier petition and site plan, attached), and after communication with the present attorneys, we must still express our view that the present requests are not allowed under any "grandfather" theory. The earlier case, almost 40 years ago, involved a fairly skeletal site plan. The current plan appears to be different in many respects; the neighborhood has undoubtedly changed in some respects; and the zoning law has changed significantly, especially with fairly comprehensive amendments in Bill 36-88.

Under these circumstances, this follows up and elaborates upon the opinion I have expressed informally. Our office's position is that McDonald's must demonstrate satisfaction with the current legal standards applicable to the use permit for business parking in a residential zone and to the several variances pertinent to parking in a residential zone and in a residential transition area, number of parking spaces, landscape manual standards, front yard depth and signage (including BCZR Section 450.8.A.1 as well as the basic 307.1 for the signage). This is to say that the present petition must be treated as an entirely new petition, as if there were no 1973 case.

Given that, in our view, the appropriate relief applicable to the case is different from the relief requested, the question arises as to whether the petition should be amended and the property reposted for notice purposes? We shall, at this point, bring the issue to your attention. The main thing is that each deviation from current standards be treated as such, in the context of the use permit (special exception) requirements for off-street parking in the residential zone, the specific standards for such off-street parking, the residential transition area requirements, the quantitative requirements for off-street parking, the landscape manual standards, the front yard depth minimum setback, and various signage criteria.

Thank you in advance for your attention.

Sincerely,



Peter Max Zimmerman

People's Counsel for Baltimore County

cc: Stanley Fine, Esquire
Caroline Hecker, Esquire

PETITION FOR SPECIAL HEARING

73-28-SPH
(dim 16.8)

#73-28-SPH

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Rolph Lampher

I, or we, RALPH LAMPHAR legal owner, 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 Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning

Commissioner should approve off-street parking in a residential zone pursuant to Section 409.4

FILE	28
DATE	6-14
SECTION	
DISTRICT	2
DATE	7/17/72
TYPE	
HEARING	SP
BY	MS
FINAL	10-7-72
BY	AN

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing 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.

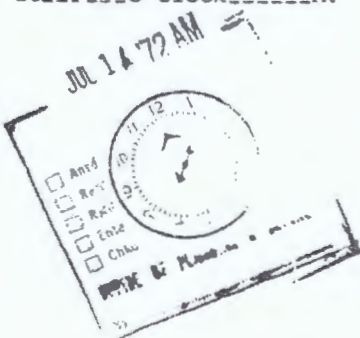
ORDERED BY COMMISSIONER FOR FILING

DATE 6-14-72

Contract Purchaser	
Address	
Petitioner's Attorney	
Address	

<u>Rolph Lampher</u>	Legal Owner
Address <u>8227 LIBERTY ROAD</u>	
<u>BALTIMORE, MD 21207</u>	
	Protestant's Attorney

ORDERED By the Zoning Commissioner of Baltimore County, this 11th day of July, 1972, 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 Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of August, 1972, at 10:00 o'clock A. M.



Eric Di Zeno
Zoning Commissioner of Baltimore County

(over)

10:00A
8/14/72



SPH -8

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts that the public health, safety and general welfare of the locality involved not being adversely affected.

the above Special Hearing for Off-street Parking in a Residential Zone in accordance with the plat dated April 28, 1972; revised May 24, 1972, ~~by reason of June 27, 1972, and August 11, 1972; and approved August 21, 1972~~ by Albert V. Quimby, Acting Director of the Office of Planning and Zoning for Baltimore County, said plat having been filed as Exhibit "A" in this proceeding and which is incorporated by reference hereto as a part of this Order, should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 10 day of September, 1972, that the herein Petition for Special Hearing should be and the same is granted, from and after the date of this Order, to permit Off-street Parking in a Residential Zone, subject to the approval of a site plan by the State Highway Administration, the Bureau of Public Services and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above Special Hearing should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10 day of September, 1972, that the above Special Hearing be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

ORDER OF THE ZONING COMMISSIONER

September 6, 1972
Hull on P. Jones

NY 27702

Case 17-00081

Exhibit 1



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections*

September 12, 2012

McDonalds Corporation
6930 Rockledge Drive
Suite 1100
Bethesda MD 20817

RE: Case Number: 2013-0006 SPHA, Address: 8227 Liberty Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 13, 2012. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:jaf

Enclosures

c: People's Counsel
Stanley S. Fine, Esquire, 25 S. Charles Street, 21st Floor, Baltimore MD 21201

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 8-2-12

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2013-0006-SPHA
Special Hearing Variance
McDonald Corporation
8227 Liberty Road
MD 26

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 7-30-12. A field inspection and internal review reveals that an entrance onto MD26 consistent with current State Highway Administration guidelines is required. As a condition of approval for Variance, Case Number 2013-0006-SPHA the applicant must contact the State Highway Administration to obtain an entrance permit.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven D. Foster".
Steven D. Foster, Chief
Access Management Division

SDF/raz

\cc: Mr. Michael Pasquariello, Utility Engineer, SHA
Mr. David Peake, District Engineer, SHA

★ See SHA comment letter dated 7-5-12 to Ms. Colleen Kelly.

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For August 13, 2012
Item No. 2013-0006

DATE: August 08, 2012

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

. Requested variances:

- 4.1 To permit a 4 ft. landscape strip in lieu of the required 6 ft.

Comment: This would occur adjacent to 8235 Liberty Road. Condition B.1.b, page 19 of the Landscape Manual, requires a six foot landscape strip between paved surfaces or lot lines for parking lots. This reflects an existing condition and planting island on the adjacent property appears somewhat fulfill the intent of the regulation. The planting units required per the manual shall be required and McDonalds shall plant all open areas along this strip with Class B screening.

- 4.3 To permit a 3.7 ft landscape strip in lieu of the required 6 ft.

Comment: This would occur adjacent to 8229 Liberty Road, Condition F.1 requires a six foot landscape space between paved surfaces and lot lines for service lanes. Since the paving and lot lines are not parallel, it appears that the landscape strip actually would pare down to two feet wide. This again is an existing condition that the proposed change will not exacerbate. The request can be approved, however the plants required per the planting unit calculation associated with Condition F shall be required to be installed on site.

- 4.2 and 4.4 To permit the exclusion of the required 10 ft minimum landscape strip or a brick or split face block wall where the minimum 10 ft landscape strip is not feasible.

Comment: These two requests are redundant. Condition B.1.c(2) states that, "For redevelopment in commercial corridors, a brick or split-face block wall may be considered as an alternative where the minimum 10-foot landscape strip is not feasible" adjacent to residential and institutional properties. Although the proposed parking along the rear of this site is adjacent to residentially zoned property, the proposal increases the parking setback from its existing essentially zero line setback. Therefore, the request for a six-foot in lieu of a ten-foot setback is acceptable, however, planting units required under this condition shall be calculated and Class A planting or a brick or split face block wall supplied.

A 10-foot setback is required for parking adjacent to a public right-of-way, and this site conforms to that requirement as well.

DAK:CEN
cc: File
ZAC-ITEM NO 13-0006-08132012.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: September 5, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 8227 Liberty Road
Item Number: 13-006
Petitioner: McDonald's Inc.
Zoning: DR 2
Requested Action: Special Hearing and Variance

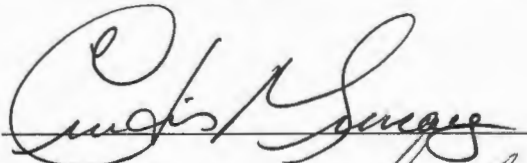
SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The Department of Planning does not oppose the petitioner's requests for a special hearing and multiple variances to construct a restaurant in approximately the same location as the existing restaurant on a small and irregularly shaped lot. However, the following comments are offered:

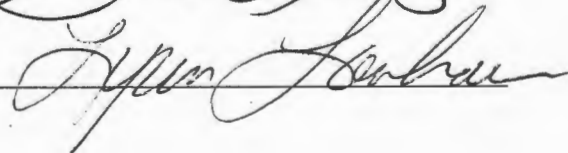
1. The Department of Planning supports the requested modifications to the Landscape Manual subject to review comments of the Baltimore County Landscape Architect.
2. The Department of Planning supports the other requested sign variances and special hearing subject to the following:
 - a. The dumpster surround shall be constructed of masonry materials to match the building.
 - b. Sidewalk connections are made to the sidewalk in the public right-of-way and sidewalks in the public right-of-way are replaced.

For further information concerning the matters stated here in, please contact Donnell Zeigler at 410-887-3480.

Prepared by:



Division Chief:
AVA/LL: CM





KEVIN KAMENETZ
County Executive

September 4, 2012

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

NEW NOTICE OF ZONING HEARING

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

CASE NUMBER: 2013-0006-SPHA

8227 Liberty Road

E/s Rolling Road, 220 feet of the centerline of Liberty Road

2nd Election District – 4th Councilmanic District

Legal Owners: McDonald's Corporation

Special Hearing to verify that approval for off-street parking in residential zones granted in Special Hearing Zoning Case # 73-28 SPH is still valid; to verify that the existing parking lot located within the 100 ft. residential transition area (RTA) is grandfathered under Zoning Case #73-28 SPH as it is existing and was lawfully established; to amend the previously approved zoning authorization in Case #73-28 SPH to permit drive-thru lanes, dumpster, and ESD practices where only passenger vehicles are allowed; to substitute this plat for the plat incorporated by reference as Exhibit 'A' in Case #73-28 SPH. Variance for off street parking; to allow 49 spaces in lieu of the required 68 spaces; to allow modifications to landscape manual standards outlined below; to allow off-street parking, drive-thru lanes, dumpster, and ESD practices in residential zones; to allow 43.50 ft. front yard depth in lieu of the required 58.9 ft. (average of the front yard depths of the adjacent lots). Existing average setback is 57.8 ft. Signage Regulations: to permit 6 wall mounted enterprise signs on building facades in lieu of the permitted 3 signs (Signs #4 & #5); to permit a directional sign of 10.7 ft. in height in lieu of the permitted 6 ft. (Sign #1); to permit a directional sign of 9.71 ft. in height in lieu of the permitted 6 ft. (Two Signs, Sign #2); to permit a canopy-type directional sign in lieu of the permitted wall-mounted or free-standing sign (Two signs, Sign #3); to permit erection of the sign above the face of the canopy in lieu of its erection on the face of the canopy. (Two signs, Sign #3); to permit a free-standing enterprise sign having a face of 93 sq. ft. in lieu of the permitted 75 sq. ft. (Sign #6); to permit an order board of 6.75 ft. in height in lieu of the permitted 6 ft. (Two Signs, Sign #7); Landscape Manual Standards: To permit a 4 ft. landscape strip in lieu of the required 6 ft.; to permit the exclusion of the required 10 ft. minimum landscape strip or a brick or split face block wall where the minimum 10 ft. landscape strip is not feasible; to permit a 3.7 ft. landscape strip in lieu of the required 6 ft.; to permit the exclusion of the required 10 ft. minimum landscape strip or a brick or split face block wall where the minimum 10 ft. landscape strip is not feasible..

Hearing: Monday, October 1, 2012 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon, Director

AJ:kl

C: Stanley Fine, 25 S. Charles St., 21st Fl., Baltimore 21201
Lee May, McDonald's Corp., 6930 Rockledge Dr., Ste. 1100, Bethesda 20817

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, SEPTEMBER 11, 2012.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391

Zoning Review | County Office Building
111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048

www.baltimorecountymd.gov

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 11, 2012 Issue - Jeffersonian

Please forward billing to:
Stanley Fine
25 S. Charles Street, 21st Fl
Baltimore, MD 21204

410-727-6600

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2013-0006-SPHA

8227 Liberty Road

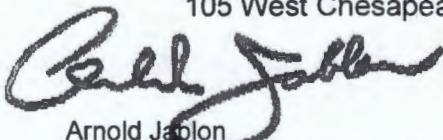
E/s Rolling Road, 220 feet of the centerline of Liberty Road

2nd Election District – 4th Councilmanic District

Legal Owners: McDonald's Corporation

Special Hearing to verify that approval for off-street parking in residential zones granted in Special Hearing Zoning Case # 73-28 SPH is still valid; to verify that the existing parking lot located within the 100 ft. residential transition area (RTA) is grandfathered under Zoning Case #73-28 SPH as it is existing and was lawfully established; to amend the previously approved zoning authorization in Case #73-28 SPH to permit drive-thru lanes, dumpster, and ESD practices where only passenger vehicles are allowed; to substitute this plat for the plat incorporated by reference as Exhibit 'A' in Case #73-28 SPH. Variance for off street parking; to allow 49 spaces in lieu of the required 68 spaces; to allow modifications to landscape manual standards outlined below; to allow off-street parking, drive-thru lanes, dumpster, and ESD practices in residential zones; to allow 43.50 ft. front yard depth in lieu of the required 58.9 ft. (average of the front yard depths of the adjacent lots). Existing average setback is 57.8 ft. Signage Regulations: to permit 6 wall mounted enterprise signs on building facades in lieu of the permitted 3 signs (Signs #4 & #5); to permit a directional sign of 10.7 ft. in height in lieu of the permitted 6 ft. (Sign #1); to permit a directional sign of 9.71 ft. in height in lieu of the permitted 6 ft. (Two Signs, Sign #2); to permit a canopy-type directional sign in lieu of the permitted wall-mounted or free-standing sign (Two signs, Sign #3); to permit erection of the sign above the face of the canopy in lieu of its erection on the face of the canopy. (Two signs, Sign #3); to permit a free-standing enterprise sign having a face of 93 sq. ft. in lieu of the permitted 75 sq. ft. (Sign #6); to permit an order board of 6.75 ft. in height in lieu of the permitted 6 ft. (Two Signs, Sign #7); Landscape Manual Standards: To permit a 4 ft. landscape strip in lieu of the required 6 ft.; to permit the exclusion of the required 10 ft. minimum landscape strip or a brick or split face block wall where the minimum 10 ft. landscape strip is not feasible; to permit a 3.7 ft. landscape strip in lieu of the required 6 ft.; to permit the exclusion of the required 10 ft. minimum landscape strip or a brick or split face block wall where the minimum 10 ft. landscape strip is not feasible..

Hearing: Monday, October 1, 2012 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

August 8, 2012

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2013-0006-SPHA

8227 Liberty Road

E/s Rolling Road, 220 feet of the centerline of Liberty Road

2nd Election District – 4th Councilmanic District

Legal Owners: McDonald's Corporation

Special Hearing to verify that approval for off-street parking in residential zones granted in Special Hearing Zoning Case # 73-28 SPH is still valid; to verify that the existing parking lot located within the 100 ft. residential transition area (RTA) is grandfathered under Zoning Case #73-28 SPH as it is existing and was lawfully established; to amend the previously approved zoning authorization in Case #73-28 SPH to permit drive-thru lanes, dumpster, and ESD practices where only passenger vehicles are allowed; to substitute this plat for the plat incorporated by reference as Exhibit 'A' in Case #73-28 SPH. Variance for off street parking; to allow 49 spaces in lieu of the required 68 spaces; to allow modifications to landscape manual standards outlined below; to allow off-street parking, drive-thru lanes, dumpster, and ESD practices in residential zones; to allow 43.50 ft. front yard depth in lieu of the required 58.9 ft. (average of the front yard depths of the adjacent lots). Existing average setback is 57.8 ft. Signage Regulations: to permit 6 wall mounted enterprise signs on building facades in lieu of the permitted 3 signs (Signs #4 & #5); to permit a directional sign of 10.7 ft. in height in lieu of the permitted 6 ft. (Sign #1); to permit a directional sign of 9.71 ft. in height in lieu of the permitted 6 ft. (Two Signs, Sign #2); to permit a canopy-type directional sign in lieu of the permitted wall-mounted or free-standing sign (Two signs, Sign #3); to permit erection of the sign above the face of the canopy in lieu of its erection on the face of the canopy. (Two signs, Sign #3); to permit a free-standing enterprise sign having a face of 93 sq. ft. in lieu of the permitted 75 sq. ft. (Sign #6); to permit an order board of 6.75 ft. in height in lieu of the permitted 6 ft. (Two Signs, Sign #7); Landscape Manual Standards: To permit a 4 ft. landscape strip in lieu of the required 6 ft.; to permit the exclusion of the required 10 ft. minimum landscape strip or a brick or split face block wall where the minimum 10 ft. landscape strip is not feasible; to permit a 3.7 ft. landscape strip in lieu of the required 6 ft.; to permit the exclusion of the required 10 ft. minimum landscape strip or a brick or split face block wall where the minimum 10 ft. landscape strip is not feasible..

Hearing: Monday, September 17, 2012 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

AJ:kl

C: Stanley Fine, 25 S. Charles St., 21st Fl., Baltimore 21201
Lee May, McDonald's Corp., 6930 Rockledge Dr., Ste. 1100, Bethesda 20817

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 28, 2012.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391

Zoning Review | County Office Building
111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048
www.baltimorecountymd.gov

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 28, 2012 Issue - Jeffersonian

Please forward billing to:
Stanley Fine
25 S. Charles Street, 21st Fl
Baltimore, MD 21204

410-727-6600

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2013-0006-SPHA

8227 Liberty Road

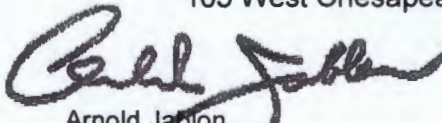
E/s Rolling Road, 220 feet of the centerline of Liberty Road

2nd Election District – 4th Councilmanic District

Legal Owners: McDonald's Corporation

Special Hearing to verify that approval for off-street parking in residential zones granted in Special Hearing Zoning Case # 73-28 SPH is still valid; to verify that the existing parking lot located within the 100 ft. residential transition area (RTA) is grandfathered under Zoning Case #73-28 SPH as it is existing and was lawfully established; to amend the previously approved zoning authorization in Case #73-28 SPH to permit drive-thru lanes, dumpster, and ESD practices where only passenger vehicles are allowed; to substitute this plat for the plat incorporated by reference as Exhibit 'A' in Case #73-28 SPH. Variance for off street parking; to allow 49 spaces in lieu of the required 68 spaces; to allow modifications to landscape manual standards outlined below; to allow off-street parking, drive-thru lanes, dumpster, and ESD practices in residential zones; to allow 43.50 ft. front yard depth in lieu of the required 58.9 ft. (average of the front yard depths of the adjacent lots). Existing average setback is 57.8 ft. Signage Regulations: to permit 6 wall mounted enterprise signs on building facades in lieu of the permitted 3 signs (Signs #4 & #5); to permit a directional sign of 10.7 ft. in height in lieu of the permitted 6 ft. (Sign #1); to permit a directional sign of 9.71 ft. in height in lieu of the permitted 6 ft. (Two Signs, Sign #2); to permit a canopy-type directional sign in lieu of the permitted wall-mounted or free-standing sign (Two signs, Sign #3); to permit erection of the sign above the face of the canopy in lieu of its erection on the face of the canopy. (Two signs, Sign #3); to permit a free-standing enterprise sign having a face of 93 sq. ft. in lieu of the permitted 75 sq. ft. (Sign #6); to permit an order board of 6.75 ft. in height in lieu of the permitted 6 ft. (Two Signs, Sign #7); Landscape Manual Standards: To permit a 4 ft. landscape strip in lieu of the required 6 ft.; to permit the exclusion of the required 10 ft. minimum landscape strip or a brick or split face block wall where the minimum 10 ft. landscape strip is not feasible; to permit a 3.7 ft. landscape strip in lieu of the required 6 ft.; to permit the exclusion of the required 10 ft. minimum landscape strip or a brick or split face block wall where the minimum 10 ft. landscape strip is not feasible..

Hearing: Monday, September 17, 2012 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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



**Rosentberg
Martin
Greenberg_{LLP}**

25 South Charles Street, 21st Floor
Baltimore, Maryland 21201
P: (410) 727-6600/F: (410) 727-1115

From: Caroline L. Hecker

Date: August 22, 2012

Number of Pages: 2 (including cover sheet)

Please deliver this FAX to the following person(s) immediately:

NAME	FAX NO.
Ms. Kristin Lewis	410-887-3048

If you do not receive all pages, please telephone Sharon Cosentino at 410-727-6600 immediately.

Message:

This facsimile transmission contains legally privileged confidential information belonging to the sender. The information is intended only for the use of the addressee(s) named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of the facsimile documents is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for the return of the original facsimile documents to us.

ND: 4839-0732-8784, v. 1



**Rosenberg
Martin
Greenberg
LLP**

25
Ext. ordinary Years

Caroline L. Hecker
Direct Dial: (410) 727-6676
checker@rosenbergmartin.com

August 22, 2012

VIA FACSIMILE (410) 887-3048

Ms. Kristin Lewis
Baltimore County Zoning Review Office
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: *8227 Liberty Road – Petitions for Special Hearing and Variance*
Case No. 2013-0006-SPA

Dear Ms. Lewis:

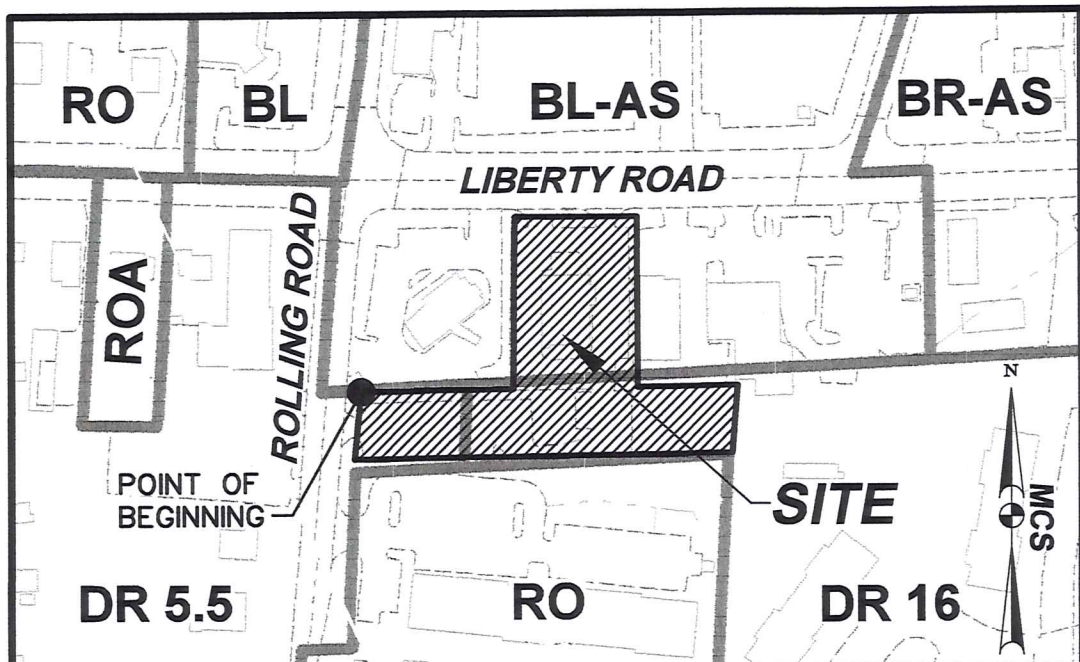
This firm represents McDonald's Corporation in connection with the Petitions for Special Hearing and Variance filed in the above-referenced matter. We recently received notice that this matter has been scheduled for a hearing on Monday, September 17, 2012 at 10:00 a.m. As that date is the first day of the Jewish holiday Rosh Hashanah, we request that the hearing be rescheduled to the next available hearing date in order to accommodate the religious obligations of one of our attorneys.

Please confirm that the hearing has been rescheduled and advise us as to the new date and time at your earliest convenience. Thank you for your prompt attention to this matter.

Very truly yours,

Caroline L. Hecker

cc: McDonald's Corporation (via electronic mail)
Baltimore Land Design Group, Inc. (via electronic mail)
Stanley S. Fine, Esq.
RMG# 4831-5687-5024



ZONING MAP

SCALE: 1" = 200'
(MAP: 77 C3)

LEGEND

RIGHT-OF-WAY LINE

PROPERTY LINE

EX. EASEMENT

ZONING LINE

EX. CONCRETE CURB AND GUTTER

EX./PR. CONCRETE

TO BE REMOVED DESIGNATION

EX. WOOD FENCE

EX. STORM DRAIN, MANHOLE & INLET

EX. SANITARY SEWER, MANHOLE & CLEANOUT

EX. WATER MAIN, VALVE & FIRE HYDRANT

EX. ELECTRIC LINE

EX. GAS LINE

EX. TELEPHONE LINE, POLE & BOX

EX. POLE WITH LIGHT

EX. OVERHEAD LINE

EX. INDEX COUNTOURS

EX. INTERMEDIATE COUNTOURS

EX. TREE

"EXISTING" DESIGNATION

PR. CONCRETE CURB & GUTTER

PR. STORM DRAIN, MANHOLE & INLET

PR. SANITARY SEWER & CLEANOUT

PR. WATER MAIN, VALVE & FIRE HYDRANT

PR. INDEX COUNTOURS

PR. INTERMEDIATE COUNTOURS

PR. PARKING COUNT

"PROPOSED" DESIGNATION

ZONING HEARING REQUESTS

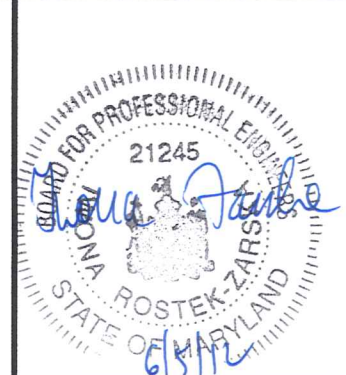
1. SPECIAL HEARING:

- TO VERIFY THAT APPROVAL FOR OFF-STREET PARKING IN RESIDENTIAL ZONES GRANTED IN SPECIAL HEARING ZONING CASE *73-28 SPH IS STILL VALID.
- TO VERIFY THAT THE EXISTING PARKING LOT LOCATED WITHIN THE 100-FOOT RESIDENTIAL TRANSITION AREA (RTA) IS GRANDFATHERED UNDER ZONING CASE *73-28 SPH AS IT IS EXISTING AND WAS LAWFULLY ESTABLISHED.
- TO AMEND THE PREVIOUSLY APPROVED ZONING AUTHORIZATION IN CASE *73-28 SPH TO PERMIT DRIVE-THRU LINES, DUMPSTER AND ESD PRACTICES WHERE ONLY PASSENGER VEHICLES ARE ALLOWED, PER BCZR SECTION 409.8.B.2(b) AND (c).
- TO SUBSTITUTE THIS PLAT FOR THE PLAT INCORPORATED BY REFERENCE AS EXHIBIT 'A' IN CASE *73-28 SPH.

BLDG

Baltimore Land Design Group Inc.
Consulting Engineers

230 SCHILLING CIRCLE, SUITE 364 • HUNT VALLEY, MARYLAND 21031
PHONE: 410.229.9851 • FAX: 410.229.9865 • BLDG@BLDGINC.COM



NOTE:
THIS PLAN IS INTENDED FOR ZONING PURPOSES ONLY
AND SHALL NOT BE USED FOR ANY OTHER PURPOSE.

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21245, EXPIRATION DATE: JUNE 9, 2014.

OWNER

McDONALD'S CORPORATION
BALTIMORE - WASHINGTON REGION
6903 ROCKLEDGE DRIVE, SUITE 1100
BETHESDA, MARYLAND 20817
PHONE (240) 497-3626

DEVELOPER / APPLICANT

McDONALD'S USA, LLC
BALTIMORE - WASHINGTON REGION
6903 ROCKLEDGE DRIVE, SUITE 1100
BETHESDA, MARYLAND 20817
PHONE (240) 497-3626

REVISIONS				
DATE	NO.	DESCRIPTION	BY	

PLAN TO ACCOMPANY ZONING PETITION FOR SPECIAL HEARING

McDONALD'S RESTAURANT

8227 LIBERTY ROAD
BALTIMORE, MARYLAND 21244

BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 20'

ELECTION DISTRICT 2, C4
DATE: JUNE, 2012

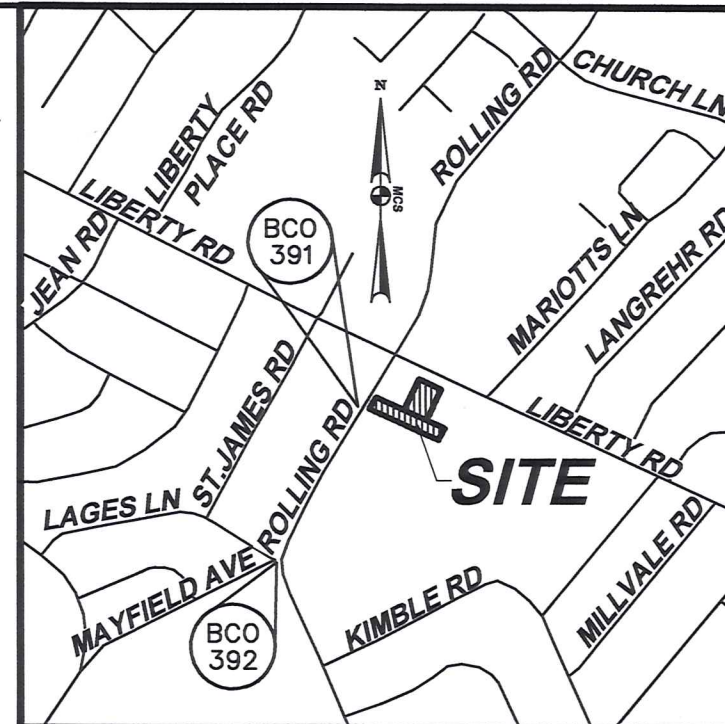
DRAWING NO.

SH-1

SHEET 1 OF 1

ZONING HISTORY

A REQUEST, VIA A SPECIAL HEARING, FOR APPROVAL OF OFF-STREET PARKING IN A RESIDENTIAL ZONE SHOWN ON A PLAN FILED AS EXHIBIT 'A' WAS GRANTED ON 9/6/72. (CASE *73-28-SPH).



VICINITY MAP

SCALE: 1" = 1,000'

BENCH MARK

ELEVATIONS ARE BASED ON NAVD 88 DATUM PER BALTIMORE COUNTY CONTROL POINTS:

CONTROL POINT 391: N 615,194.65; E 1,378,430.37; EL. 518.80
DESCRIPTION: SPIKE IN ASPHALT PARKING LOT ON WEST SIDE OF ROLLING RD. 31.77' NORTH WEST OF WATER VALVE IN ROLLING ROAD, 922.09' SOUTH TO BCO*392.

CONTROL POINT 392: N 614,376.57; E 1,378,005.05; EL. 522.29
DESCRIPTION: SPIKE IN PAVING AT INTERSECTION OF ROLLING ROAD, LAGES LANE AND MAYFIELD AVENUE. 35.35' SOUTHEAST OF WATER VALVE IN LAGES LANE. 922.09' NORTH TO BCO*391.

SITE DATA

- AREA OF TRACT:
PARCEL 833: 23,173 SF OR .532 AC.
PARCEL 538: 27,663 SF OR .635 AC.
TOTAL: 50,836 SF OR 1.167 AC.
- OWNER:
McDONALD'S CORPORATION
BALTIMORE - WASHINGTON REGION
6903 ROCKLEDGE DRIVE, SUITE 1100
BETHESDA, MARYLAND 20817
PHONE (240) 497-3626
- TAX MAP REFERENCES:
T.M. 77: G. 23: P. 633: TAX ID. *0219581040 &
T.M. 77: G. 23: P. 538: TAX ID. *1900008557
- DEED REFERENCES: L. 5588: F. 660 & L. 6387 F. 189
- PLAT REFERENCE: NONE
- ELECTION DISTRICT: 2; COUNCILMANIC DISTRICT: 4
- EXISTING ZONING: BL AS, DR 5.5 & DR 16, MAP *077 C3
- EXISTING USE: EX. McDONALD'S TO BE RAZED
PROPOSED USE: NEW McDONALD'S
- MINIMUM SETBACK REQUIREMENT:
FRONT: 10 FEET FROM PROPERTY LINE; 40 FEET FROM STREET CENTERLINE AND AVERAGE FRONT YARDS OF ADJACENT LOTS, PER SECTION 232.1 & 303.2 OF BCZR
SIDE: NONE, OR AS PER SECTION 232.2 OF BCZR
REAR: NONE, OR AS PER SECTION 232.3 OF BCZR
- F.A.R. ALLOWED - 3.0 MAX.
PROPOSED F.A.R. FOR LEASE AREA 4,215 / 50,836 - 0.08
- BUILDING HEIGHT:
PERMITTED: 40 FEET
PROPOSED: 23.3 FEET
- ADT:
(550 X 4,215 SF) / 1,000 = 2,318 DAILY TRIPS
- CENSUS TRACT: 402303
REGIONAL PLANNING DISTRICT: 319
TRANSPORTATION ZONE: 0635
ZIP CODE: 21244
WATERSHED: GWYNNS FALLS
- LANDSCAPE REQUIREMENTS:
LANDSCAPING WILL BE PROVIDED AS PER THE MOST RECENT BALTIMORE COUNTY LANDSCAPE MANUAL, OR AS APPROVED OTHERWISE BY BALTIMORE COUNTY.
- STORM WATER MANAGEMENT (SWM):
THIS SITE IS A RE-DEVELOPMENT. SWM SHALL BE ADDRESSED IN ACCORDANCE WITH THE FOLLOWING CRITERIA:
- REDUCTION OF EX. IMPERVIOUS AREAS WITHIN LIMIT OF DISTURBANCE (LOD) BY 50%
- IMPLEMENTATION OF ESD PRACTICES TO MINIMIZE WATER QUALITY TREATMENT FOR AT LEAST 50% OF EX. IMPERVIOUS AREA WITHIN LOD OR
- USE OF COMBINATION OF IMPERVIOUS AREA REDUCTION AND ESD IMPLEMENTATION FOR AT LEAST 50% OF EX. IMPERVIOUS AREAS
- USE OF ALTERNATIVE SWM MEASURES
SINCE THE FULL REDUCTION OF EXISTING IMPERVIOUS AREA COULD NOT BE ACHIEVED FOR PROPOSED DEVELOPMENT, THEREFORE ESD PRACTICES, MICRO BIOTRETION OR EQUIVALENT, WILL BE PROVIDED TO MEET SWM REQUIREMENTS.
- THERE ARE NO EXISTING OR PROPOSED WELL OR SEPTIC AREAS.
- PUBLIC WATER AND SANITARY SEWER FACILITIES EXIST.
- THERE ARE NO KNOWN WETLANDS REQUIRING REGULATION, 100YR. FLOODPLAINS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS, OR HAZARDOUS MATERIALS ON SITE.
- THE DEVELOPER IS REQUESTING A VARIANCE TO SECTION 33-6-109 (IN PART) OF BALTIMORE COUNTY CODE TO RESTRICT APPLICABILITY OF THE FOREST CONSERVATION REGULATIONS TO THE PROPOSED LIMIT OF DISTURBANCE. THE RESULTING 0.2 ACRE AFFORESTATION OBLIGATION WILL BE MET BY PURCHASE OF CREDIT IN A COUNTY APPROVED FOREST RETENTION BANK.
- ANY SIGNS SHALL COMPLY WITH SECTION 450 OF THE B.C.Z.R. AND ALL SIGN POLICIES OR AS APPROVED OTHERWISE BY BALTIMORE COUNTY.
- THERE ARE NO HISTORIC BUILDINGS ON THIS PROPERTY.
- FLOOD MAP INFORMATION:
PREMISES IS SHOWN ON MAP ENTITLED "FIRM FLOOD INSURANCE RATE MAP, BALTIMORE COUNTY, MARYLAND, UNINCORPORATED AREAS, PANEL 360 OF 580, MAP NUMBER 2400100360 F. MAP REVISED SEPTEMBER 28, 2008" AND IS LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).
- THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- LIGHTING SHALL BE ERRECTED AS NOT TO REFLECT INTO ANY ADJOINING RESIDENTIAL AREAS AND PUBLIC ROADS.
- THE BOUNDARY SHOWN HEREON WAS TAKEN FROM ALTA/ACSM LAND TITLE SURVEY PREPARED BY BOHLER ENGINEERING MD, DATED FEBRUARY 9, 2012.

PARKING REQUIREMENTS

EXISTING PARKING SPACES: 61 PS

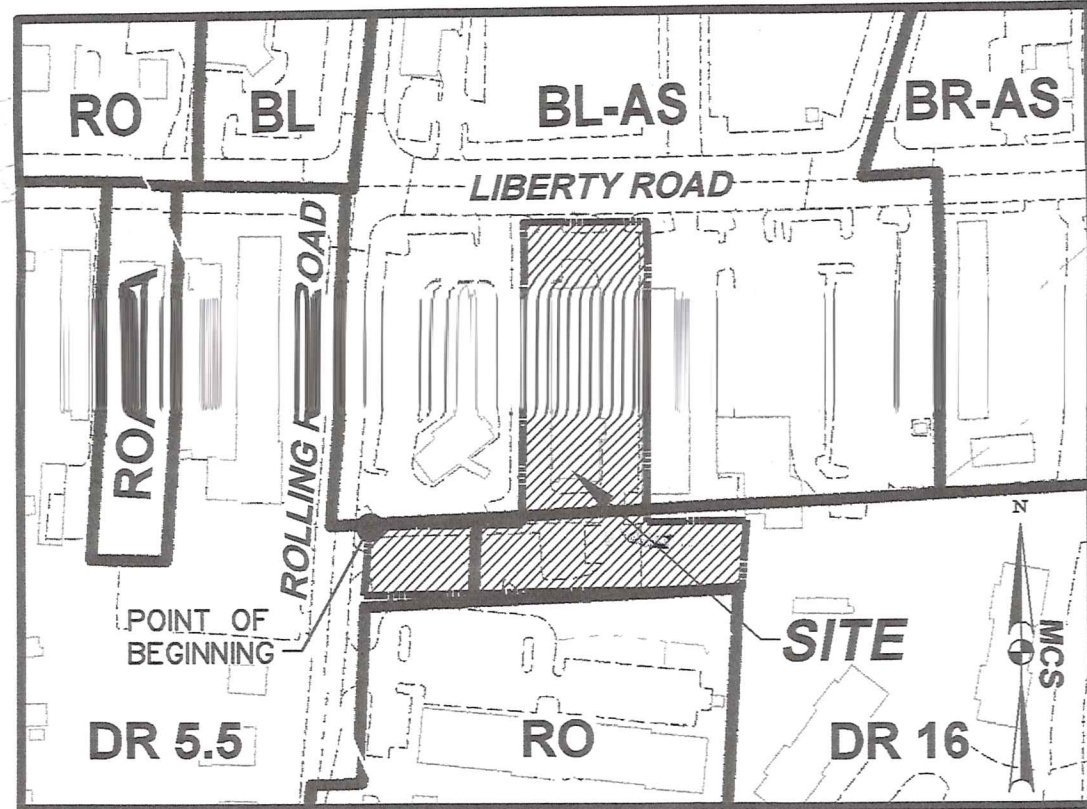
PARKING SPACES REQUIRED: 4,215 SF @ 16 PS / 1000 SF = 68 PS

PARKING SPACES PROVIDED: 49 PS (INCL. 2 HDOP)

PETITIONS FOR ZONING HEARINGS / VARIANCES HAVE BEEN FILED WITH BALTIMORE COUNTY.

THE COORDINATE SYSTEM OF ALL DRAWINGS IS BASED ON THE NORTH AMERICAN DATUM OF 1983. THE ELEVATION SYSTEM OF ALL DRAWINGS IS BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988.
HORZ: NAD 83/91; VERT: NAVD 88

2013-0006-SPHA



ZONING MAP

SCALE: 1" = 200'
(MAP: 77 C3)

LEGEND

RIGHT-OF-WAY LINE	---
PROPERTY LINE	---
EX. EASEMENT	---
ZONING LINE	---
EX. CONCRETE CURB & GUTTER	---
EX./PR. CONCRETE	---
TO BE REMOVED DESIGNATION	(TBR)
EX. WOOD FENCE	---
EX. STORM DRAIN, MANHOLE & INLET	---
EX. SANITARY SEWER, MANHOLE & CLEANOUT	---
EX. WATER MAIN, VALVE & FIRE HYDRANT	---
EX. ELECTRIC LINE	---
EX. GAS LINE	---
EX. TELEPHONE LINE, POLE & BOX	---
EX. POLE WITH LIGHT	---
EX. OVERHEAD LINE	---
EX. INDEX COUNTERS	---
EX. INTERMEDIATE COUNTERS	---
EX. TREE	---
"EXISTING" DESIGNATION	EX.
PR. CONCRETE CURB & GUTTER	PR.C&G
PR. STORM DRAIN, MANHOLE & INLET	PR.15"D
PR. SANITARY SEWER & CLEANOUT	PR.6"S
PR. WATER MAIN, VALVE & FIRE HYDRANT	PR.8"W
PR. INDEX COUNTERS	510
PR. INTERMEDIATE COUNTERS	512
PR. PARKING COUNT	(18)
"PROPOSED" DESIGNATION	PR.

ZONING VARIANCE REQUESTS

1. HEARING FOR ZONING VARIANCES:

1. VARIANCE FOR PARKING REGULATIONS:

- VARIANCE FROM SECTION 409.6.A.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW 49 SPACES IN LIEU OF THE REQUIRED 66 SPACES.
- VARIANCE FROM SECTION 409.8.A (1) OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW MODIFICATIONS TO LANDSCAPE MANUAL STANDARDS OUTLINED BELOW.
- A PETITION FOR SPECIAL HEARING HAS BEEN FILED, SEPARATELY FROM THIS PETITION, TO ALLOW OFF-STREET PARKING, DRIVE-THRU LANES, DUMPSTER, AND ESD PRACTICES IN RESIDENTIAL ZONES.

2. VARIANCE FOR BL-AS ZONE AREA REGULATIONS:

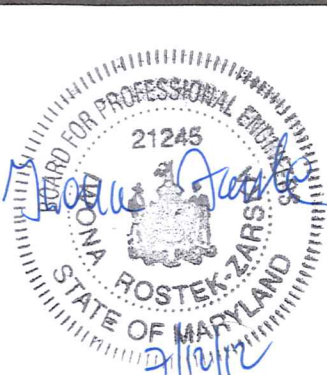
- VARIANCE FROM SECTION 303.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW 43.50 FT. FRONT YARD DEPTH IN LIEU OF THE REQUIRED 58.9 FT. (AVERAGE OF THE FRONT YARD DEPTHS OF THE ADJACENT LOTS). EXISTING AVERAGE SETBACK IS 57.8 FT.

3. VARIANCE FOR SIGN REGULATIONS:

- SECTION 450.4 ATTACHMENT 1.5 (a)(vi) TO PERMIT 6 WALL MOUNTED ENTERPRISE SIGNS ON BUILDING FACADES IN LIEU OF THE PERMITTED 3 SIGNS. (SIGNS #4 & #5)
- SECTION 450.4 ATTACHMENT 1.3 (b)(vi) TO PERMIT A DIRECTIONAL SIGN OF 10.7 FT. IN HEIGHT IN LIEU OF THE PERMITTED 6 FT. (SIGN #1)
- SECTION 450.4 ATTACHMENT 1.3 (b)(vii) TO PERMIT A DIRECTIONAL SIGN OF 9.71 FT. IN HEIGHT IN LIEU OF THE PERMITTED 6 FT. (TWO SIGNS, SIGN #2)
- SECTION 450.4 ATTACHMENT 1.3 (i) TO PERMIT A CANOPY-TYPE DIRECTIONAL SIGN IN LIEU OF THE PERMITTED WALL-MOUNTED OR FREE-STANDING SIGN. (TWO SIGNS, SIGN #3)
- SECTION 450.5.B.3.b TO PERMIT ERECTION OF THE SIGN ABOVE THE FACE OF THE CANOPY IN LIEU OF ITS ERECTION ON THE FACE OF THE CANOPY. (TWO SIGNS, SIGN #3)
- SECTION 450.4 ATTACHMENT 1.5 (b)(vi) TO PERMIT A FREE-STANDING ENTERPRISE SIGN HAVING A FACE OF 93 SF IN LIEU OF THE PERMITTED 75 SF. (SIGN #6)
- SECTION 450.4 ATTACHMENT 1.5 (f)(vii) TO PERMIT AN ORDER BOARD OF 6.75 FT. IN HEIGHT IN LIEU OF THE PERMITTED 6 FT. (TWO SIGNS, SIGN #7)

4. MODIFICATIONS TO LANDSCAPE MANUAL STANDARDS:

- PART III (REQUIREMENTS FOR PROJECT CONDITIONS), CONDITION B (PARKING LOTS), STANDARD 1(b) TO PERMIT A 4 FT. LANDSCAPE STRIP IN LIEU OF THE REQUIRED 6 FT.
- PART III (REQUIREMENTS FOR PROJECT CONDITIONS), CONDITION B (PARKING LOTS), STANDARD 1(c)(2) TO PERMIT THE EXCLUSION OF REQUIRED 10 FT. MINIMUM LANDSCAPE STRIP OR A BRICK OR SPLIT FACE BLOCK WALL WHERE THE MINIMUM 10 FT. LANDSCAPE STRIP IS NOT FEASIBLE.
- PART III (REQUIREMENTS FOR PROJECT CONDITIONS), CONDITION F (SERVICE LANES), STANDARD #2 TO PERMIT A 3.7 FT. LANDSCAPE STRIP IN LIEU OF THE REQUIRED 6 FT.
- PART III (REQUIREMENTS FOR PROJECT CONDITIONS), CONDITION F (SERVICE LANES), STANDARD #3(b) TO PERMIT THE EXCLUSION OF REQUIRED 10 FT. MINIMUM LANDSCAPE STRIP OR A BRICK OR SPLIT FACE BLOCK WALL WHERE THE MINIMUM 10 FT. LANDSCAPE STRIP IS NOT FEASIBLE.



NOTE: THIS PLAN IS INTENDED FOR ZONING PURPOSES ONLY AND SHALL NOT BE USED FOR ANY OTHER PURPOSE.

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21245, EXPIRATION DATE: JUNE 9, 2014.

OWNER

McDONALD'S CORPORATION
BALTIMORE - WASHINGTON REGION
6903 ROCKLEDGE DRIVE, SUITE 1100
BETHESDA, MARYLAND 20817
PHONE (240) 497-3626

DEVELOPER / APPLICANT

McDONALD'S USA, LLC
BALTIMORE - WASHINGTON REGION
6903 ROCKLEDGE DRIVE, SUITE 1100
BETHESDA, MARYLAND 20817
PHONE (240) 497-3626

REVISIONS			
DATE	NO.	DESCRIPTION	BY

PLAN TO ACCOMPANY ZONING PETITION FOR ZONING VARIANCES

McDONALD'S RESTAURANT

8227 LIBERTY ROAD
BALTIMORE, MARYLAND 21244

BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 20'

ELECTION DISTRICT 2, C4
DATE: JULY, 2012

DRAWING NO.

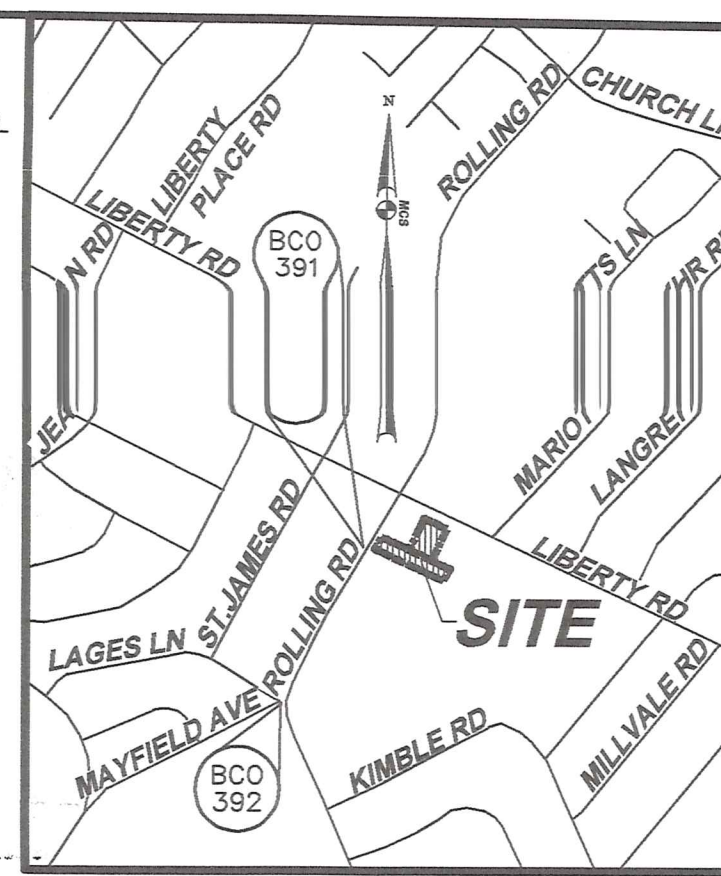
V-1

SHEET 1 OF 2

ZONING HISTORY

VEST, VIA A SPECIAL HEARING, FOR APPROVAL OF A F-STREET PARKING IN A RESIDENTIAL ZONE ON A PLAN FILED AS EXHIBIT 'A' WAS ED ON 9/6/72. (CASE #73-28-SPH).

A RECORD OF OFF SHOWN GRANTEE



VICINITY MAP

SCALE: 1" = 1,000'

BENCH MARK

ELEVATIONS ARE BASED ON NAVD 88 DATUM PER BALTIMORE COUNTY CONTROL POINTS:

CONTROL POINT 391: N 615,194.65; E 1,378,430.37; EL 518.90
DESCRIPTION: SPIKE IN ASPHALT PARKING LOT ON WEST SIDE OF ROLLING RD, 31.77' NORTH WEST OF WATER VALVE IN ROLLING ROAD, 922.09' SOUTH TO BCO*392.

CONTROL POINT 392: N 614,376.57; E 1,378,005.05; EL 522.29
DESCRIPTION: SPIKE IN PAVING AT INTERSECTION OF ROLLING ROAD, LAGES LANE AND MAYFIELD AVENUE, 35.35' SOUTHEAST OF WATER VALVE IN LAGES LANE, 922.09' NORTH TO BCO*391.

SITE DATA

- AREA OF TRACT:
PARCEL 633: 23,173 SF OR .532 AC.
PARCEL 538: 27,683 SF OR .638 AC.
TOTAL: 50,836 SF OR 1.167 AC.
- OWNER:
McDONALD'S CORPORATION
BALTIMORE - WASHINGTON REGION
6903 ROCKLEDGE DRIVE, SUITE 1100
BETHESDA, MARYLAND 20817
PHONE (240) 497-3626
- TAX MAP REFERENCES:
T.M. 77: G. 23: P. 533; TAX ID: *0219581040 &
T.M. 77: G. 23: P. 538; TAX ID: *1900006557
- DEED REFERENCES: L. 5588; F. 660 & L. 6387 F. 189
- PLAT REFERENCE: NONE
- ELECTION DISTRICT: 2; COUNCILMANIC DISTRICT: 4
- EXISTING ZONING: BL AS, DR 5.5 & DR 16, MAP *077 C3
- EXISTING USE: EX. McDONALD'S TO BE RAZED
PROPOSED USE: NEW McDONALD'S
- MINIMUM SETBACK REQUIREMENT:
FRONT: 10 FEET FROM PROPERTY LINE; 40 FEET FROM STREET CENTERLINE AND AVERAGE FRONT YARDS OF ADJACENT LOTS, PER SECTION 232.1 & 303.2 OF BCZR
SIDE: NONE OR AS PER SECTION 232.2 OF BCZR
REAR: NONE OR AS PER SECTION 232.3 OF BCZR
- F.A.R. ALLOWED = 3.0 MAX.
PROPOSED F.A.R. FOR LEASE AREA 4,215 / 50,836 = 0.08
- BUILDING HEIGHT:
PERMITTED: 40 FEET
PROPOSED: 23.5 FEET
- ADT:
(550 X 4,215 SF) / 1,000 = 2,318 DAILY TRIPS
- CENSUS TRACT: 402303
REGIONAL PLANNING DISTRICT: 319
TRANSPORTATION ZONE: 0635
ZIP CODE: 21244
WATERSHED: GWYNNS FALLS
- LANDSCAPE REQUIREMENTS:
LANDSCAPING WILL BE PROVIDED AS PER THE MOST RECENT BALTIMORE COUNTY LANDSCAPE MANUAL, OR AS APPROVED OTHERWISE BY BALTIMORE COUNTY.
- STORM WATER MANAGEMENT (SWM):
THIS SITE IS A RE-DEVELOPMENT. SWM SHALL BE ADDRESSED IN ACCORDANCE WITH THE FOLLOWING CRITERIA:
- REDUCTION OF EX. IMPERVIOUS AREAS WITHIN LIMIT OF DISTURBANCE (LOD) BY 50%
- IMPLEMENTATION OF ESD PRACTICES TO MEET TO PROVIDE WATER QUALITY TREATMENT FOR AT LEAST 50% OF EX. IMPERVIOUS AREA WITHIN LOD OR
- USE A COMBINATION OF IMPERVIOUS AREA REDUCTION AND ESD IMPLEMENTATION FOR AT LEAST 50% OF EX. IMPERVIOUS AREAS
- USE OF ALTERNATIVE SWM MEASURES
SINCE THE FULL REDUCTION OF EXISTING IMPERVIOUS AREA COULD NOT BE ACHIEVED FOR PROPOSED DEVELOPMENT, THEREFORE ESD PRACTICES MICRO BIORETENTION OR EQUIVALENT, WILL BE PROVIDED TO MEET SWM REQUIREMENTS.

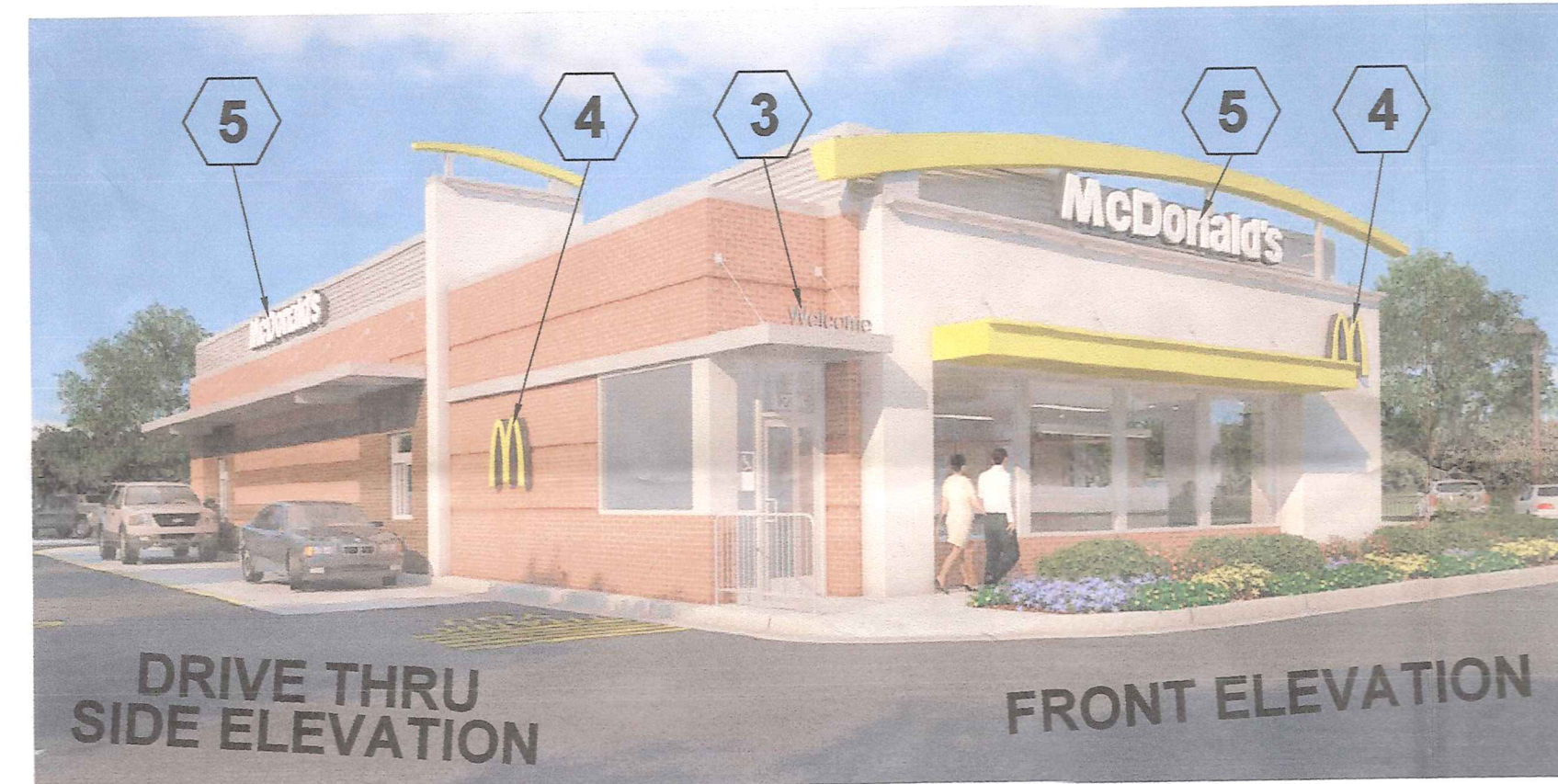
- THERE ARE NO EXISTING OR PROPOSED WELL OR SEPTIC AREAS.
- PUBLIC WATER AND SANITARY SEWER FACILITIES EXIST.
- THERE ARE NO KNOWN WETLANDS REQUIRING REGULATION, 100YR. FLOODPLAINS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS, OR HAZARDOUS MATERIALS ON SITE.
- THE DEVELOPER IS REQUESTING A VARIANCE TO SECTION 33-6-109 (IN PART) OF THE BALTIMORE COUNTY CODE TO RESTRICT APPLICABILITY OF THE FOREST CONSERVATION REGULATIONS TO THE PROPOSED LIMIT OF DISTURBANCE. THE RESULTING 0.2 ACRE AFForestation OBLIGATION WILL BE MET BY PURCHASE OF CREDIT IN A COUNTY APPROVED FOREST RETENTION BANK.
- ANY SIGNS SHALL COMPLY WITH SECTION 450 OF THE B.C.Z.R. AND ALL SIGN POLICIES OR AS APPROVED OTHERWISE BY BALTIMORE COUNTY.
- THERE ARE NO HISTORIC BUILDINGS ON THIS PROPERTY.
- FLOOD MAP INFORMATION:
PREMISES IS SHOWN ON MAP ENTITLED "FIRM FLOOD INSURANCE RATE MAP, BALTIMORE COUNTY, MARYLAND, UNINCORPORATED AREAS, PANEL 350 OF 580, MAP NUMBER 2400100360 F, MAP REVISED SEPTEMBER 26, 2008" (IN PART) AND IS LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).
- THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- LIGHTING SHALL BE ERECTED AS NOT TO REFLECT INTO ANY ADJOINING RESIDENTIAL AREAS AND PUBLIC ROADS.
- THE BOUNDARY SHOWN HEREON WAS TAKEN FROM ALTA/ACSM LAND TITLE SURVEY PREPARED BY BOHLER ENGINEERING MD, DATED FEBRUARY 9, 2012.

PARKING REQUIREMENTS

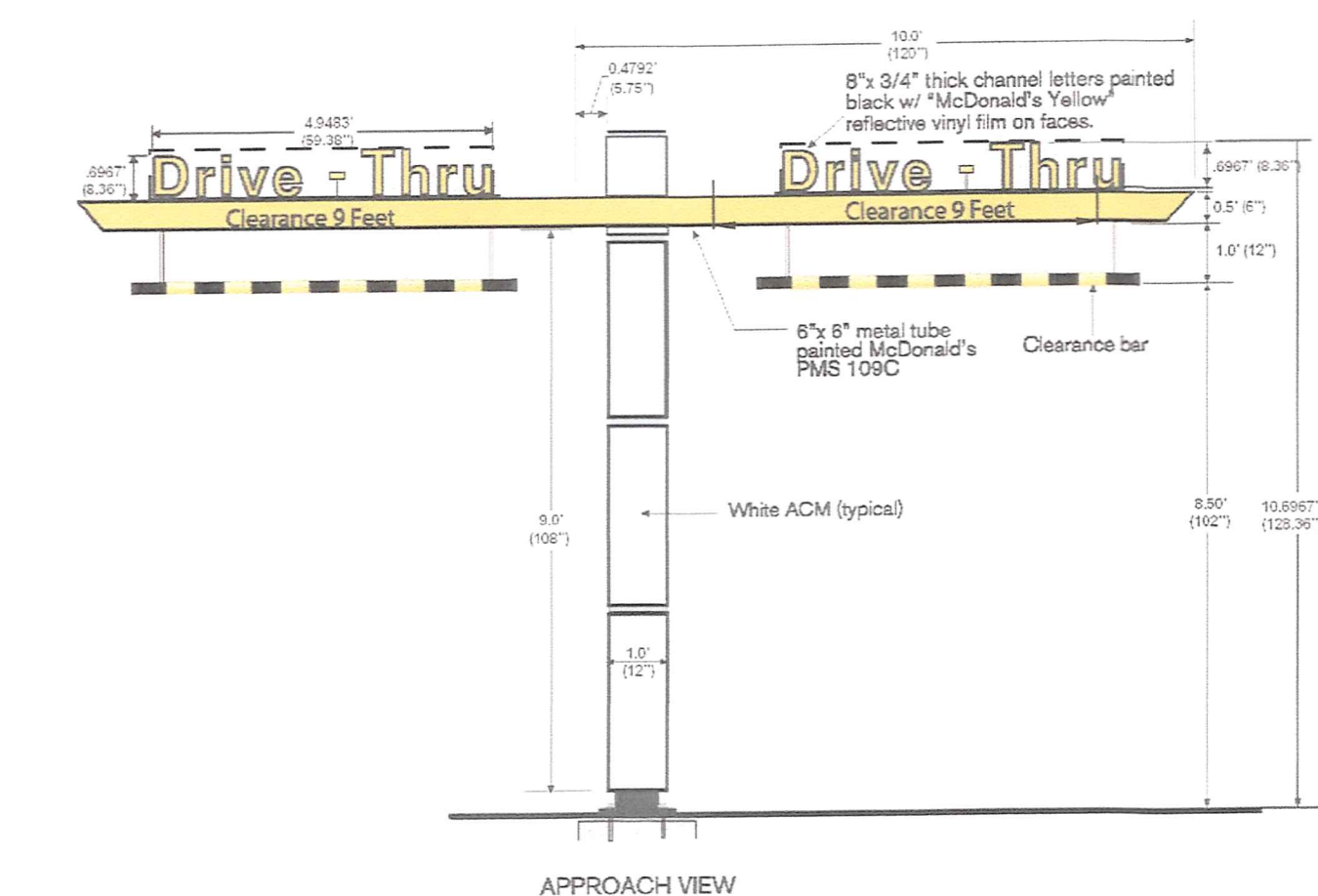
EXISTING PARKING SPACES: 61 PS
PARKING SPACES REQUIRED: 4,215 SF @ 16 PS / 1000 SF = 68 PS
PARKING SPACES PROVIDED: 49 PS (INCL. 2 HDOP)
PETITIONS FOR ZONING HEARINGS / VARIANCES HAVE BEEN FILED WITH BALTIMORE COUNTY.

THE COORDINATE SYSTEM OF ALL DRAWINGS IS BASED ON THE NORTH AMERICAN DATUM OF 1983. THE ELEVATION SYSTEM OF ALL DRAWINGS IS BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988.
HORIZ: NAD 83/91; VERT: NAVD 88

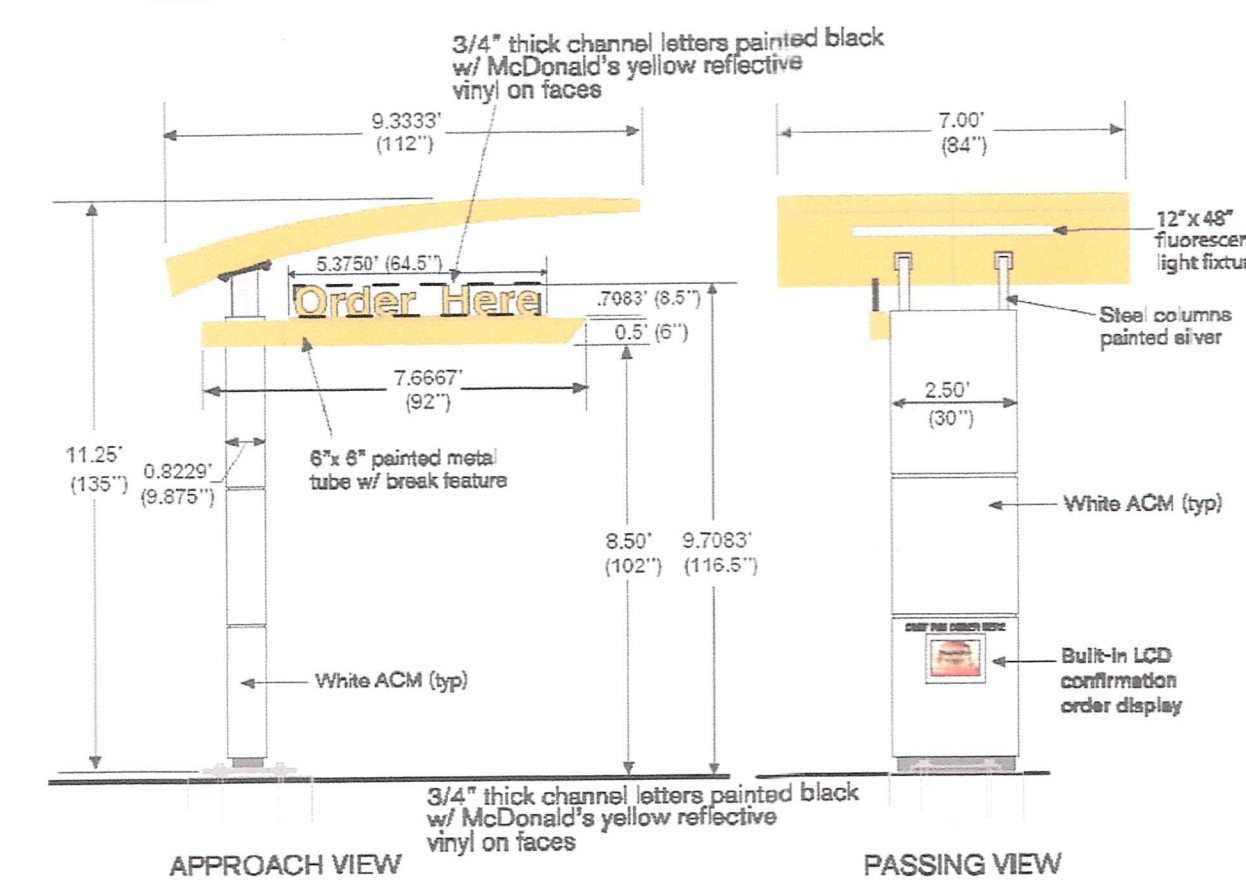
2013-0006-SPH



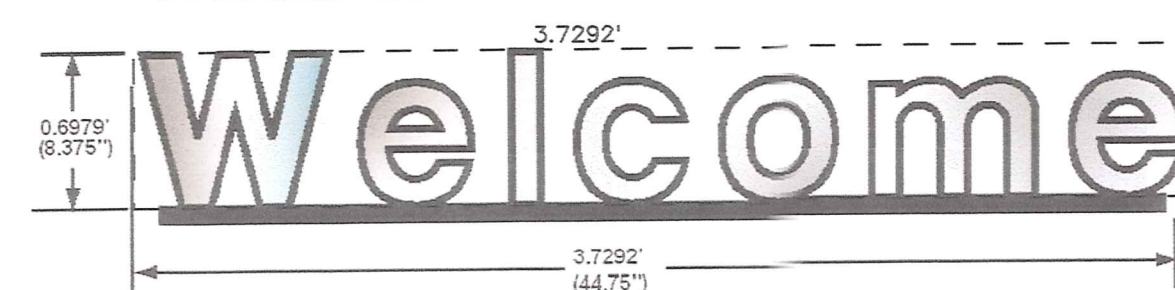
1	WELCOME POINT GATEWAY
CLASS:	DIRECTIONAL
STRUCTURAL TYPE:	FREESTANDING
FACE AREA:	2 x 0.6987' x 4.9483' = 6.8950 SF
QUANTITY:	1
HEIGHT:	10.6987 FT.
ILLUMINATION:	NO



2	DRIVE-THRU SINGLE POLE CANOPY
CLASS:	DIRECTIONAL
STRUCTURAL TYPE:	FREESTANDING
FACE AREA:	5.3750' x 0.7083' = 3.8000 SF
QUANTITY:	2
HEIGHT:	9.7083 FT.
ILLUMINATION:	NO



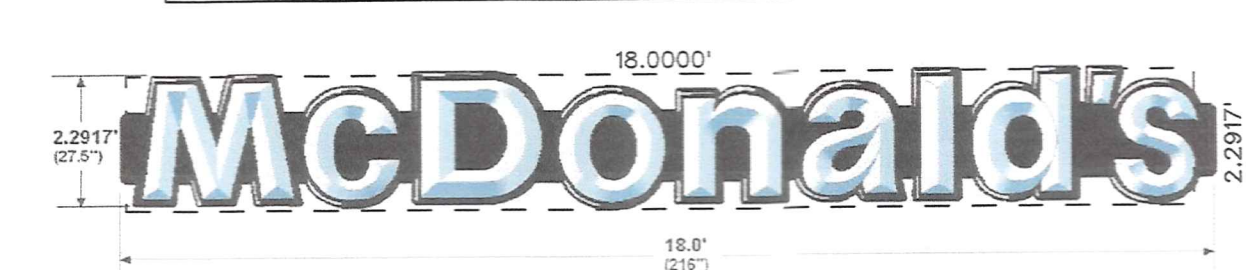
3	WELCOME LETTERS
CLASS:	DIRECTIONAL
STRUCTURAL TYPE:	CANOPY
FACE AREA:	3.7292' x 0.6979' = 2.6026 SF
QUANTITY:	2
HEIGHT:	N/A
ILLUMINATION:	NO



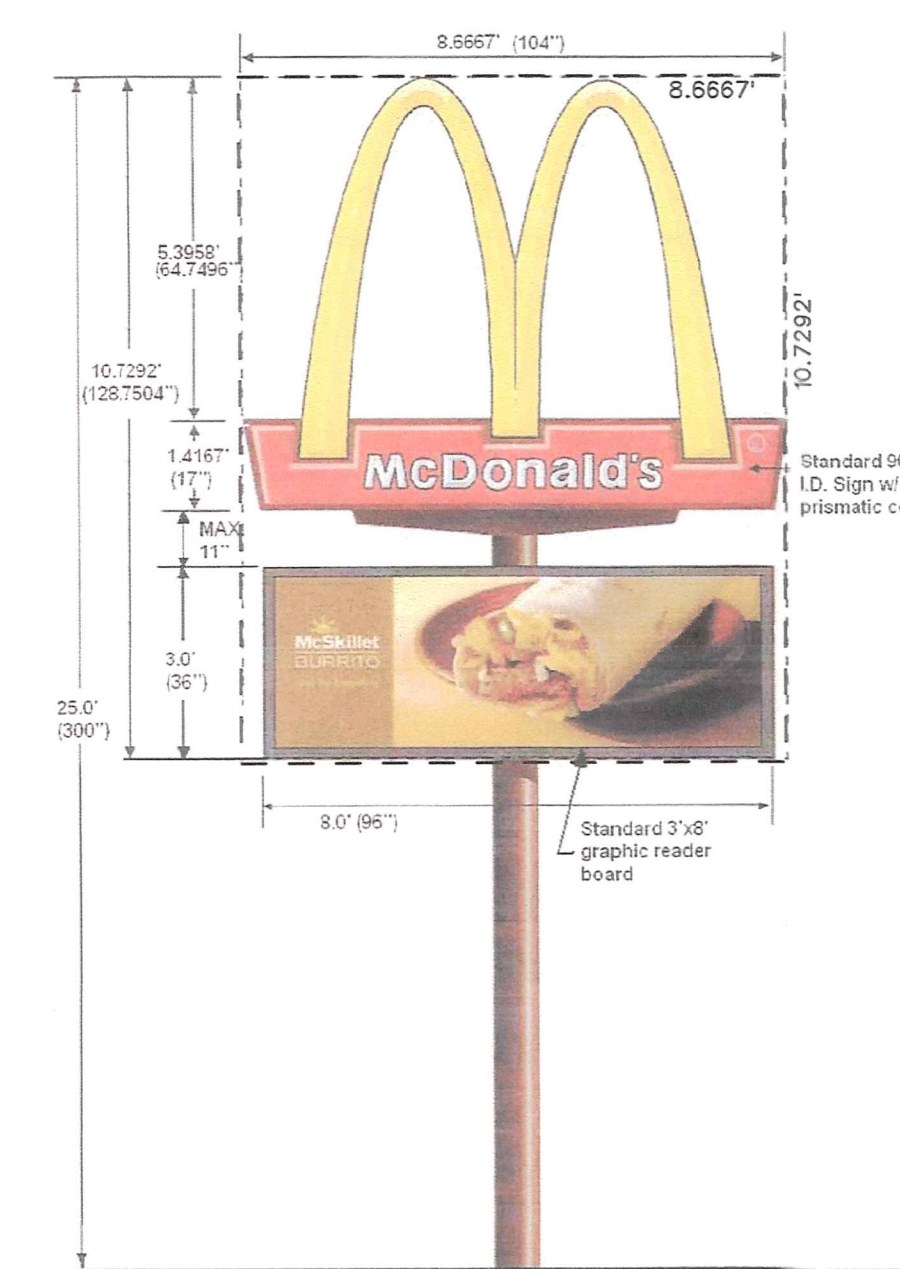
4	42" ILLUMINATED ARCH LOGO
CLASS:	ENTERPRISE
STRUCTURAL TYPE:	WALL-MOUNTED
FACE AREA (BOXED):	4.0000' x 3.5000' = 14.0000 SF
QUANTITY:	4
HEIGHT:	N/A
ILLUMINATION:	YES



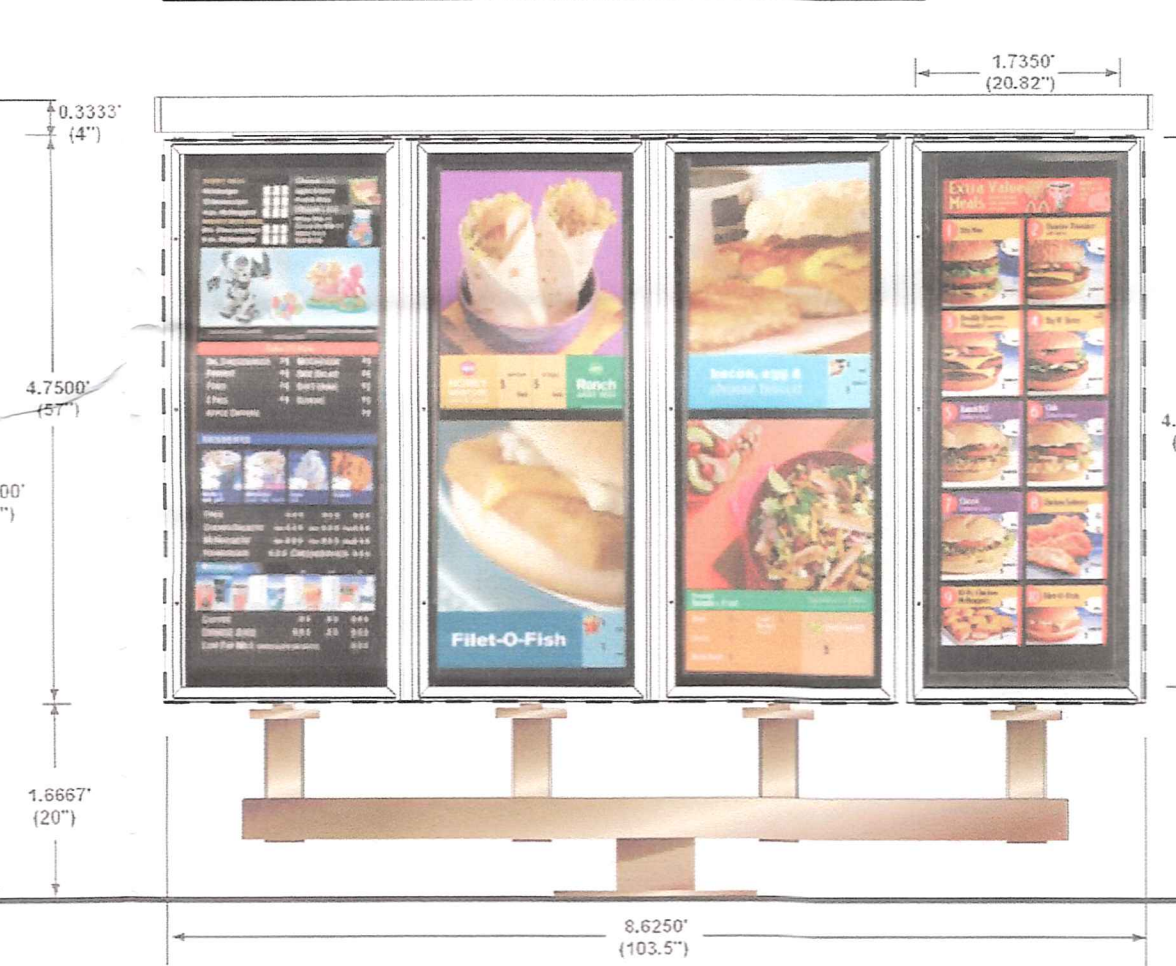
5	UNIBODY ELEMENT
CLASS:	ENTERPRISE
STRUCTURAL TYPE:	WALL-MOUNTED
FACE AREA:	18.0000' x 2.2917' = 41.2506 SF
QUANTITY:	2
HEIGHT:	N/A
ILLUMINATION:	YES



6	90-40 PYLON ROAD SIGN
CLASS:	ENTERPRISE
STRUCTURAL TYPE:	FREESTANDING
FACE AREA:	10.7292' x 8.6667' = 92.9868 SF
QUANTITY:	1
HEIGHT:	25 FT.
ILLUMINATION:	YES



7	MENU BOARD
CLASS:	ENTERPRISE
STRUCTURAL TYPE:	FREESTANDING
FACE AREA (BOXED):	8.6250' x 4.7500' = 40.9688 SF
QUANTITY:	2
HEIGHT:	6.75 FT.
ILLUMINATION:	YES



I. ENTERPRISE SIGN ON THE BUILDING FACADES

- AREA / FACE OF THE ENTERPRISE SIGNS ON THE SINGLE FACADE:
 - FRONT FACADE (LENGTH = 38.8')
 - MAXIMUM AREA / FACE ALLOWED: 2 x 38.8' = 77.6 SF
 - AREA / FACE PROPOSED: SIGN #3 = 41.2506 SF
 - SIGN #4 = 14.0000 SF
 - TOTAL = 55.2506 SF < 77.6 SF
 - NON-DRIVE-THRU FACADE (LENGTH = 111.0')
 - MAXIMUM AREA / FACE ALLOWED: 2 x 111.0' = 222.00 SF
 - AREA / FACE PROPOSED: SIGN #4 = 14.0000 SF
 - TOTAL = 14.0000 SF < 222.00 SF
 - DRIVE-THRU FACADE (LENGTH = 111.00')
 - MAXIMUM AREA / FACE ALLOWED: 2 x 111.00' = 222.00 SF
 - AREA / FACE PROPOSED: SIGN #5 = 41.2506 SF
 - SIGN #2 = 14.0000 SF
 - TOTAL = 55.2506 SF < 222.00 SF
 - REAR FACADE (LENGTH = 38.8')
 - MAXIMUM AREA / FACE ALLOWED: 2 x 38.8' = 77.6 SF
 - SIGN #4 = 14.0000 SF
 - TOTAL = 14.0000 < 77.6 SF
- NUMBER OF ENTERPRISE SIGNS:
 - NUMBER OF SIGNS PERMITTED: THREE (3) ON PREMISES. NO MORE THAN TWO ON EACH FACADE.
 - NUMBER OF ENTERPRISE SIGNS PROPOSED:
 - SIGNS ON FRONT FACADE: 2 (SIGNS #4 & #5)
 - SIGN ON NON-DRIVE-THRU FACADE: 1 (SIGN #4)
 - SIGNS ON DRIVE-THRU FACADE: 2 (SIGNS #4 & #5)
 - SIGN ON REAR FACADE: 1 (SIGN #4)
 - TOTAL NUMBER OF PROPOSED ENTERPRISE SIGNS: 6

II. DIRECTIONAL SIGNS ON THE BUILDING FACADES

- MAX. AREA / FACE ALLOWED - 8 SF / SIGN
- AREA / FACE PROPOSED: SIGN #3 = 2.60 SF < 8 SF ALLOWED
- STRUCTURAL TYPE ALLOWED: WALL-MOUNTED
- STRUCTURAL TYPE PROPOSED: SIGN #3 = CANOPY

III. DIRECTIONAL FREESTANDING SIGNS

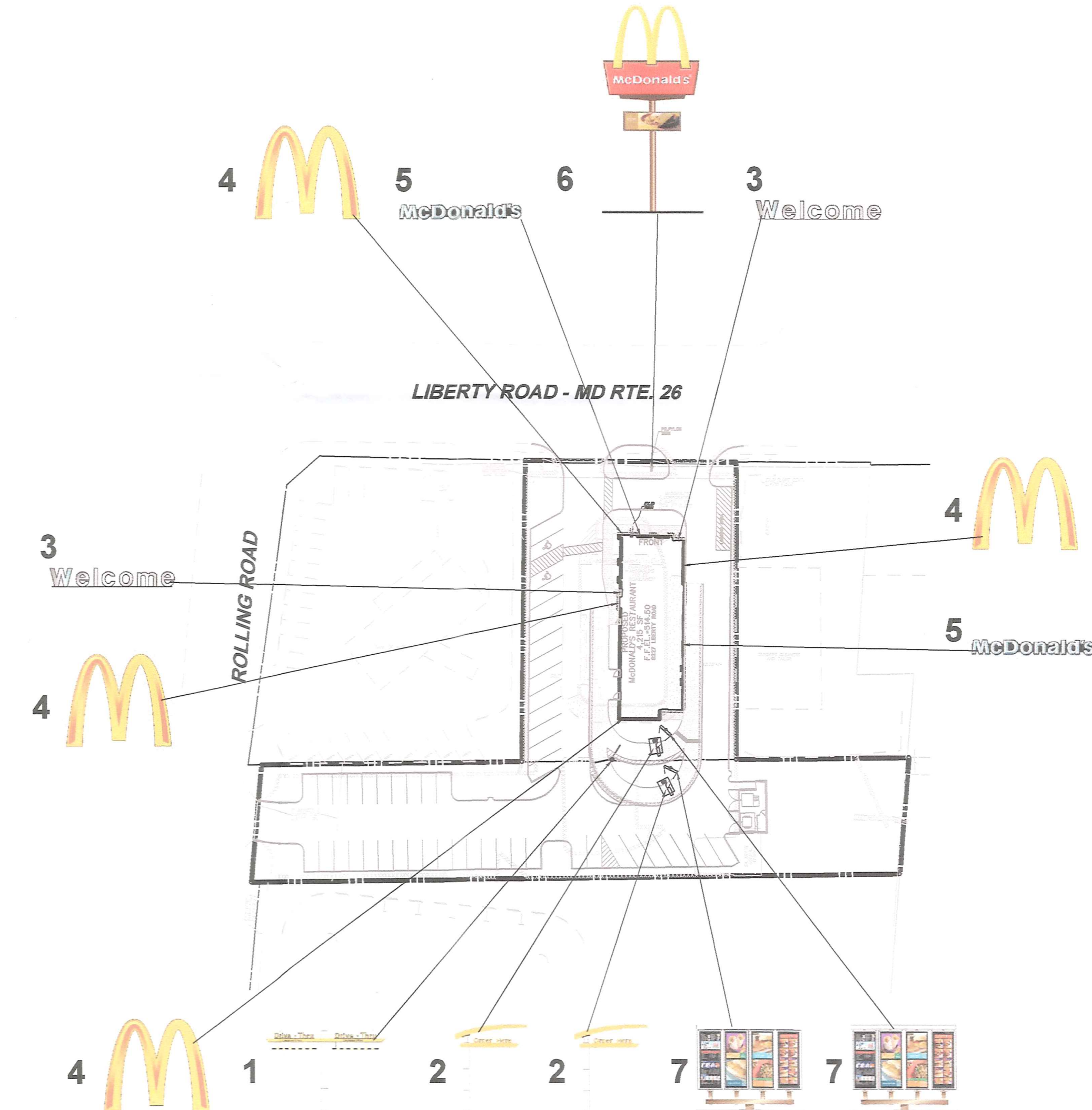
- MAX. AREA / FACE ALLOWED: 8 SF / SIGN
- AREA / FACE PROPOSED: SIGN #1 = 6.8950 SF < 8 SF ALLOWED
- STRUCTURAL TYPE ALLOWED: FREESTANDING
- STRUCTURAL TYPE PROPOSED: FREESTANDING (SIGNS #1 & #2)
- MAX. HEIGHT ALLOWED: 6 FT
- MAX. HEIGHT PROPOSED: SIGN #1 = 10.70 FT > 6 FT
- SIGN #2 = 9.71 FT > 6 FT

IV. ENTERPRISE FREESTANDING PYLON SIGN (SIGN #6)

- MAX. AREA / FACE ALLOWED: 75 SF
- MAX. AREA / FACE PROPOSED: 92.9868 SF
- AREA / FACE OF EXISTING SIGN TO BE REMOVED: 198 SF +/-
- MAX. HEIGHT ALLOWED: 25 SF
- MAX. HEIGHT PROPOSED: 25 SF
- MAX. NUMBER / PREMISES ALLOWED: 1 PER FRONTAGE
- NUMBER OF PROPOSED SIGNS: 1

V. ENTERPRISE FREESTANDING ORDER BOARD (SIGN #7)

- MAX. AREA / FACE ALLOWED: 50 SF PER ORDER BOARD
- MAX. AREA / FACE PROPOSED: 40.9688 SF
- MAX. HEIGHT ALLOWED: 6 FT
- MAX. HEIGHT PROPOSED: 6.75 FT > 6 FT
- MAX. NUMBER / PREMISES ALLOWED: 2
- NUMBER OF PROPOSED SIGNS: 2





Plan Sheet: 077C3

Note:
The zoning depicted in this application incorporates the actions associated with 2008 Comprehensive Zoning Map Process, zoning changes associated with an adopted Community Plan and Baltimore County Board of Appeals actions through December 31, 2008.

Legend

- Buildings
- Streams
- Vegetation
- Zoning
- Roads
- Rail Lines

Baltimore County Office of Planning and Zoning Official Zoning Map

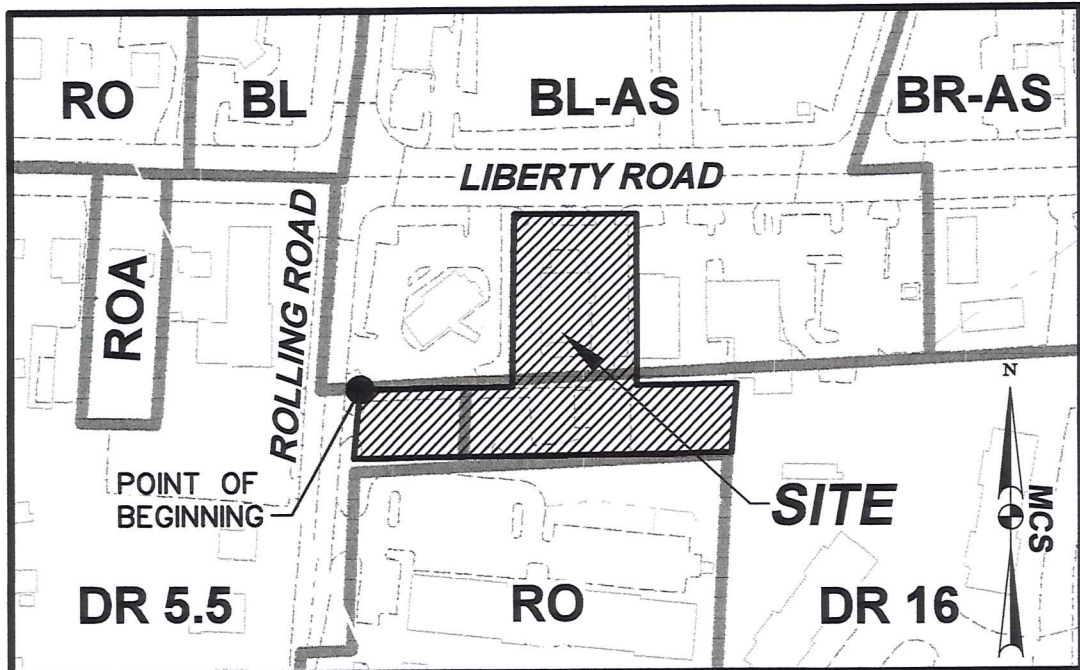
077A2	077B2	077C2	078A2	078B2
077A3	077B3	077C3	078A3	078B3
087A1	087B1	087C1	088A1	088B1

Scale
1" = 200'
0 100 200 400 Feet



2013-0006-SPHA

Data Sources:
Planimetric Data - Baltimore County
OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2008



ZONING MAP

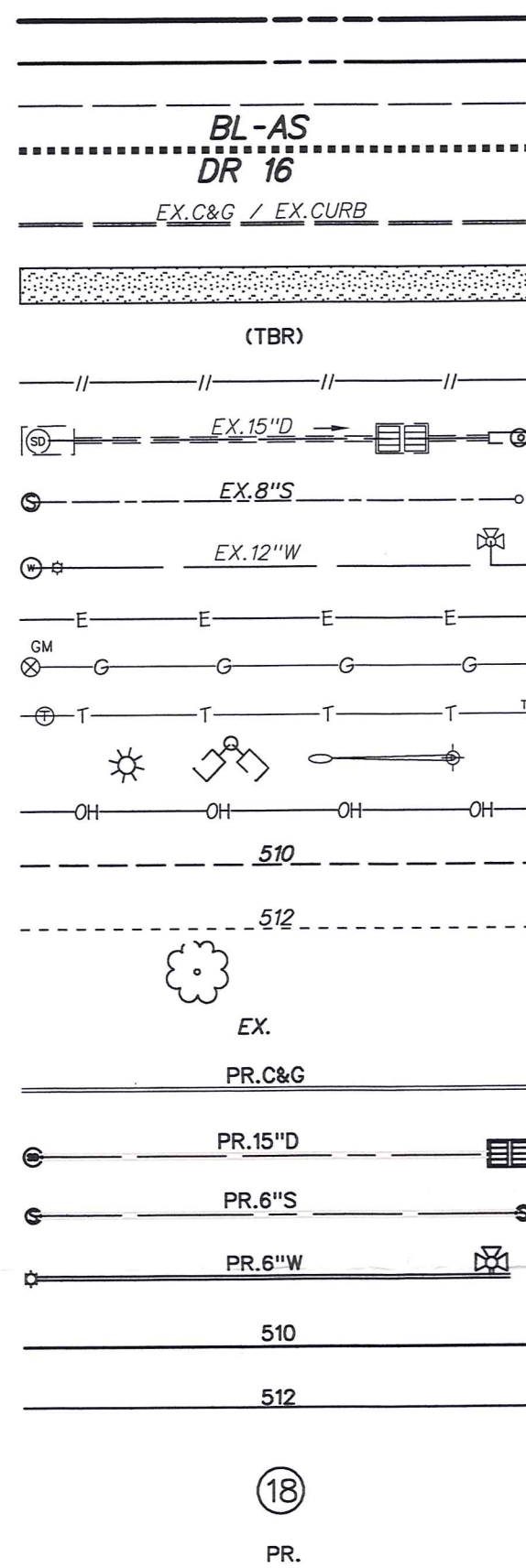
SCALE: 1" = 200'
(MAP: 77 C3)

LEGEND

RIGHT-OF-WAY LINE
PROPERTY LINE
EX. EASEMENT
ZONING LINE

EX. CONCRETE CURB AND GUTTER
EX./PR. CONCRETE
TO BE REMOVED DESIGNATION
EX. WOOD FENCE
EX. STORM DRAIN, MANHOLE & INLET
EX. SANITARY SEWER
EX. WATER MAIN, VALVE & FIRE HYDRANT
EX. ELECTRIC LINE
EX. GAS LINE
EX. TELEPHONE LINE, POLE & BOX
EX. POLE WITH LIGHT
EX. OVERHEAD LINE
EX. INDEX COUNTOURS
EX. INTERMEDIATE COUNTOURS
EX. TREE
"EXISTING" DESIGNATION

PR. CONCRETE CURB & GUTTER
PR. STORM DRAIN, MANHOLE & INLET
PR. SANITARY SEWER & CLEANOUT
PR. WATER MAIN, VALVE & FIRE HYDRANT
PR. INDEX COUNTOURS
PR. INTERMEDIATE COUNTOURS
PR. PARKING COUNT
"PROPOSED" DESIGNATION



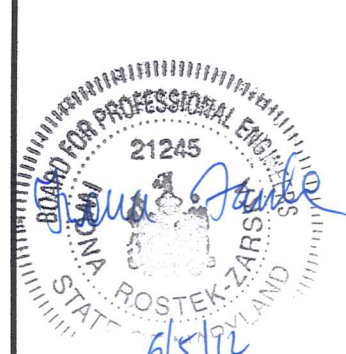
ZONING HEARING REQUESTS

- SPECIAL HEARING:
 - TO VERIFY THAT APPROVAL FOR OFF-STREET PARKING IN RESIDENTIAL ZONES GRANTED IN SPECIAL HEARING ZONING CASE #73-28 SPH IS STILL VALID.
 - TO VERIFY THAT THE EXISTING PARKING LOT LOCATED WITHIN THE 100-FOOT RESIDENTIAL TRANSITION AREA (RTA) IS GRANDFATHERED UNDER ZONING CASE #73-28 SPH AS IT IS EXISTING AND WAS LAWFULLY ESTABLISHED.
 - TO AMEND THE PREVIOUSLY APPROVED ZONING AUTHORIZATION IN CASE #73-28 SPH TO PERMIT DRIVE-THRU LOCATIONS, DUMPSTER AND ESD PRACTICES WHERE ONLY PASSENGER VEHICLES ARE ALLOWED, PER BCZR SECTION 409.8.B.2(6) AND (c).
 - TO SUBSTITUTE THIS PLAT FOR THE PLAT INCORPORATED BY REFERENCE AS EXHIBIT 'A' IN CASE #73-28 SPH.

BLDG

Baltimore Land Design Group Inc.
Consulting Engineers

230 SCHILLING CIRCLE, SUITE 364 • HUNT VALLEY, MARYLAND 21031
PHONE: 410.229.9851 • FAX: 410.229.9865 • BLDG@BLDGINC.COM



NOTE:
THIS PLAN IS INTENDED FOR ZONING PURPOSES ONLY
AND SHALL NOT BE USED FOR ANY OTHER PURPOSE.

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21245, EXPIRATION DATE: JUNE 9, 2014.

OWNER

McDONALD'S CORPORATION
BALTIMORE - WASHINGTON REGION
6903 ROCKLEDGE DRIVE, SUITE 1100
BETHESDA, MARYLAND 20817
PHONE (240) 497-3626

DEVELOPER / APPLICANT

McDONALD'S USA, LLC
BALTIMORE - WASHINGTON REGION
6903 ROCKLEDGE DRIVE, SUITE 1100
BETHESDA, MARYLAND 20817
PHONE (240) 497-3626

REVISIONS

DATE	NO.	DESCRIPTION	BY

PLAN TO ACCOMPANY ZONING PETITION FOR SPECIAL HEARING

McDONALD'S RESTAURANT

8227 LIBERTY ROAD
BALTIMORE, MARYLAND 21244

BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 20'

ELECTION DISTRICT 2, C4
DATE: JUNE, 2012

DRAWING NO.

SH-1

SHEET 1 OF 1

ZONING HISTORY

A REQUEST, VIA A SPECIAL HEARING, FOR APPROVAL OF OFF-STREET PARKING IN A RESIDENTIAL ZONE SHOWN ON A PLAT FILED AS EXHIBIT 'A' WAS GRANTED ON 9/6/72. (CASE #73-28-SPH).



VICINITY MAP

SCALE: 1" = 1,000'

BENCH MARK

ELEVATIONS ARE BASED ON NAVD 88 DATUM PER BALTIMORE COUNTY CONTROL POINTS:

CONTROL POINT 391: N 615,194.65; E 1,378,430.37; EL. 518.80
DESCRIPTION: SPIKE IN ASPHALT PARKING LOT ON WEST SIDE OF ROLLING RD, 31.77' NORTH WEST OF WATER VALVE IN ROLLING ROAD, 922.09' SOUTH TO BCO*392.

CONTROL POINT 392: N 614,376.57; E 1,378,005.05; EL. 522.28
DESCRIPTION: SPIKE IN PAVING AT INTERSECTION OF ROLLING ROAD, LAGES LANE AND MAYFIELD AVENUE, 35.35' SOUTHEAST OF WATER VALVE IN LAGES LANE, 922.09' NORTH TO BCO*391.

SITE DATA

- AREA OF TRACT:
PARCEL 633: 23,173 SF OR .532 AC.
PARCEL 638: 27,663 SF OR .635 AC.
TOTAL: 50,836 SF OR 1.167 AC.
- OWNER:
McDONALD'S CORPORATION
BALTIMORE - WASHINGTON REGION
6903 ROCKLEDGE DRIVE, SUITE 1100
BETHESDA, MARYLAND 20817
PHONE (240) 497-3626
- TAX MAP REFERENCES:
T.M. 77: G. 23; P. 633; TAX ID. #0219581040 &
T.M. 77: G. 23; P. 538; TAX ID. #1900006557
- DEED REFERENCES: L. 5588; F. 660 & L. 6387 F. 189
- PLAT REFERENCE: NONE
- ELECTION DISTRICT: 2; COUNCILMANIC DISTRICT: 4
- EXISTING ZONING: BL AS, DR 5.5 & DR 16, MAP #077 C3
- EXISTING USE: EX. McDONALD'S TO BE RAZED
PROPOSED USE: NEW McDONALD'S
- MINIMUM SETBACK REQUIREMENT:
FRONT: 10 FEET FROM PROPERTY LINE; 40 FEET FROM STREET CENTERLINE AND AVERAGE FRONT YARDS OF ADJACENT LOTS PER SECTION 232.1 & 203.2 OF BCZR
SIDE: NONE, OR AS PER SECTION 232.2 OF BCZR
REAR: NONE, OR AS PER SECTION 232.3 OF BCZR
- F.A.R. ALLOWED = 3.0 MAX.
PROPOSED F.A.R. FOR LEASE AREA 4,215 / 50,836 = 0.08
- BUILDING HEIGHT:
PERMITTED: 40 FEET
PROPOSED: 23.3 FEET
- ADT:
(550 X 4,215 SF) / 1,000 = 2,318 DAILY TRIPS
- CENSUS TRACK: 402303
REGIONAL PLANNING DISTRICT: 319
TRANSPORTATION ZONE: 0535
ZIP CODE: 21244
WATERSHED: GWYNNS FALLS
- LANDSCAPE REQUIREMENTS:
LANDSCAPING WILL BE PROVIDED AS PER THE MOST RECENT BALTIMORE COUNTY LANDSCAPE MANUAL, OR AS APPROVED OTHERWISE BY BALTIMORE COUNTY.
- STORM WATER MANAGEMENT (SWM):
THIS SITE IS A RE-DEVELOPMENT. SWM SHALL BE ADDRESSED IN ACCORDANCE WITH THE FOLLOWING CRITERIA:
- REDUCTION OF EX. IMPERVIOUS AREAS WITHIN LIMIT OF DISTURBANCE (LOD) BY 50%
- REMEDIATION OF EX. IMPERVIOUS AREAS TO MEET TO PROVIDE WATER QUALITY TREATMENT FOR AT LEAST 50% OF EX. IMPERVIOUS AREA WITHIN LOD OR
- USE A COMBINATION OF IMPERVIOUS AREA REDUCTION AND ESD IMPLEMENTATION
- AT LEAST 50% EX. IMPERVIOUS AREAS
- USE OF ALTERNATIVE SWM MEASURES
SINCE THE FULL REDUCTION OF EXISTING IMPERVIOUS AREA COULD NOT BE ACHIEVED FOR PROPOSED DEVELOPMENT, THEREFORE ESD PRACTICES, MICRO BIOTRETION OR EQUIVALENT, WILL BE PROVIDED TO MEET SWM REQUIREMENTS.
- THERE ARE NO EXISTING OR PROPOSED WELL OR SEPTIC AREAS.
- PUBLIC WATER AND SANITARY SEWER FACILITIES EXIST.
- THERE ARE NO KNOWN WETLANDS REQUIRING REGULATION, 100YR. FLOODPLAINS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS, OR HAZARDOUS MATERIALS ON SITE.
- THE DEVELOPER IS REQUESTING A VARIANCE TO SECTION 33-6-109 (IN PART) OF THE BALTIMORE COUNTY CODE TO RESTRICT APPLICABILITY OF THE FOREST CONSERVATION REGULATIONS TO THE PROPOSED LIMIT OF DISTURBANCE. THE RESULTING 0.2 ACRE AFFORESTATION OBLIGATION WILL BE MET BY PURCHASE OF CREDIT IN A COUNTY APPROVED FOREST RETENTION BANK.
- ANY SIGNS SHALL COMPLY WITH SECTION 450 OF THE B.C.Z.R. AND ALL SIGN POLICIES OR AS APPROVED OTHERWISE BY BALTIMORE COUNTY.
- THERE ARE NO HISTORIC BUILDINGS ON THIS PROPERTY.
- FLOOD MAP INFORMATION:
PREMISES IS SHOWN ON MAP ENTITLED "FIRM FLOOD INSURANCE RATE MAP, BALTIMORE COUNTY, MARYLAND, UNINCORPORATED AREAS, PANEL 350 OF 560, MAP NUMBER 2400100360 F, MAP REVISED SEPTEMBER 26, 2008" AND IS LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).
- THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- LIGHTING SHALL BE ERECTED AS NOT TO REFLECT INTO ANY ADJOINING RESIDENTIAL AREAS AND PUBLIC ROADS.
- THE BOUNDARY SHOWN HEREON WAS TAKEN FROM ALTA/ACSM LAND TITLE SURVEY PREPARED BY BOHLER ENGINEERING MD, DATED FEBRUARY 9, 2012.

PARKING REQUIREMENTS

EXISTING PARKING SPACES: 61 PS

PARKING SPACES REQUIRED: 4,215 SF @ 16 PS / 1000 SF = 68 PS

PARKING SPACES PROVIDED: 49 PS (INCL. 2 HDPC)

PETITIONS FOR ZONING HEARINGS / VARIANCES HAVE BEEN FILED WITH BALTIMORE COUNTY.

THE COORDINATE SYSTEM OF ALL DRAWINGS IS BASED ON THE NORTH AMERICAN DATUM OF 1983. THE ELEVATION SYSTEM OF ALL DRAWINGS IS BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1985. HORZ: NAD 83/91; VERT: NAVD 88

2013-0006-SPHA