



**Rosenberg
Martin
Greenberg** LLP

Caroline L. Hecker
Direct Dial: (410) 727-5676
hecker@rosenbergmartin.com

January 8, 2013

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: 501 Frederick Road – Petition for Variance
Case No. 2013-146

Dear Ms. Lewis:

This firm represents McDonald's USA, LLC in connection with the Petition for Variance filed in the above-referenced matter. Per our conversation yesterday, we would like to withdraw this Petition in order to revise the site plan for the project. We will re-file the application at a later date with an updated plan. Please confirm that this item has been withdrawn.

Thank you for your prompt attention to this matter.

Very truly yours,

A handwritten signature in cursive script, reading "Caroline L. Hecker".

Caroline L. Hecker

cc: Mr. Jeff Bell, McDonald's USA, LLC (via electronic mail)
Mr. Robert Goldman, Chesapeake Design Group (via electronic mail)
Stanley S. Fine, Esq. (via electronic mail)

4842-2987-4194, v. 1



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 501 Frederick Road which is presently zoned BL CCC
 Deed References: 16119/00021 10 Digit Tax Account # 101020111
 Property Owner(s) Printed Name(s) IAMIC, LLC

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

To be presented at hearing.

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 Stanley S. Fine
 25 S. Charles St., 21st Floor Baltimore MD
 Mailing Address _____ City _____ State _____
 21201 / (410) 727-6600 / sfine@rosenbergmartin.com
 Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

IAMIC, LLC
 Name #1 - Type or Print _____ Name #2 - Type or Print _____
X Edna C. Madalene Murray
 Signature #1 _____ Signature #2 _____
 9515 Deereco Rd, #801, Timonium, MD
 Mailing Address _____ City _____ State _____
 21093 / 410/308-0300
 Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

Jeff Bell, Area Construction Manager, McDonald's Corporation
 Name - Type or Print _____
 Signature Jeff Bell
 6903 Rockledge Dr., Ste. 1100 Bethesda MD
 Mailing Address _____ City _____ State _____
 20817 / (703) 395-8595 / jeff.bell@us.mcd.com
 Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2013-0146-A Filing Date 12/20/12 Do Not Schedule Dates: _____ Reviewer JS

McDonald's USA, LLC
501 Frederick Road
Zoned BL CCC
Deed Reference: 16199/00021
Tax Acct. # 101020111

Variance Relief Is Requested From The Following Sections:

1. Section 405.4 Attachment 1, 5(a)(VI) to permit 4 wall-mounted enterprise signs on the building facades in lieu of the permitted 3 signs (Sign A on Plat to Accompany Zoning Petition)
2. Section 450.4 Attachment 1, 3(b)(VII) to permit a directional sign of 10.67 ft. in height in lieu of the permitted 6 ft. (Sign B on Plat to Accompany Zoning Petition)
3. Section 450.4 Attachment 1, 3(b)(VII) to permit two directional signs of 11.2 ft. in height in lieu of the permitted 6 ft. (Sign C on Plat to Accompany Zoning Petition);
4. Section 450.4 Attachment 1, 3(a) to permit two canopy-type directional signs in lieu of the permitted wall-mounted or free-standing signs (Sign D on Plat to Accompany Zoning Petition)
5. Section 450.5.B.3.b to permit erection of the signs above the face of the canopy in lieu of on the face of the canopy (Sign E on Plat to Accompany Zoning Petition)
6. Section 450.4 Attachment 1, 5(f)(VII) to permit two free-standing order boards of 6.75 feet in height in lieu of the permitted 6 feet (Sign F on Plat to Accompany Zoning Petition)

2013-0146-A

Property Description:

501 Frederick Road

BEGINNING FOR THE SAME at a point on the westernmost right-of-way line of Delrey Avenue, 60 feet wide, located south 76 degrees 10' 04" West 30.00 feet from Station 23 plus 82.70 on the center line of said Avenue as shown on Plan H.R.W. 59-229 attached to a deed from Donald I. Mohler and Emile R. Mohler, co-partners trading as Mohler Brothers to Baltimore County, Maryland, dated March 7, 1960 and recorded among the Land Records of said County in Liber W.J.R. No. 3675, folio 501, etc. and running thence, binding on said westernmost right-of-way line of Delrey Avenue, southerly by a line curving toward the right with a radius of 1243.24 feet and a chord which bears south 11 degrees 39' 19" East 94.45 feet the distance of 94.47 feet to intersect a line drawn parallel with the southernmost side of Frederick Road, 66 feet wide and distant 150.00 feet Southerly, measured at right angles, therefrom; thence binding on said line so drawn, South 74 degrees 13' 34" West 143.27 feet to a point in the Westernmost outline of the whole tract of which the lot now being described is a part as fixed by Agreement between said Mohler Brothers and William C. Mullineaux and Edith M. Mullineaux dated May 1, 1945 and recorded among said Land Records in Liber R.J.S. No. 1381, folio 560 etc. thence binding on said outline as indicated on said Plan H.R.W. 59-229, North 17 degrees 04' West 150.04 feet to the Southernmost side of Frederick Road; thence binding on said side of Frederick Road; North 74 degrees 13' 34" East 138.86 feet to the Westernmost right-of-way line of Delrey Avenue and thence binding thereon, South 63 degrees 29' 26" East 21.61 feet and South 13 degrees 49' 56" East 41.29 feet to the place of beginning. The improvements thereon being known as 501 Frederick Road, Baltimore, Maryland.

2013-0146-A

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

No.

92761

Date:

12/20/12

PAID RECEIPT

BUSINESS ACTUAL TIME 0PM
12/20/2012 12/20/2012 10:47:04 6

REQ 4506 WALKER TAYLOR
RECEIPT # 673040 12/20/2012 OPEN

Dept 5 528 JIMMY (RECEIPTION)
CHRG. 09/27/11

Receipt for 4319.00
\$385.00 00 0.00 14
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$ 385.00

Total:

\$ 385.00

Rec

From:

501 FALLBACK RD

For:

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: 2013-0146-A
Petitioner: IAMIC, LLC
Address or Location: 501 FREDERICK RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: CHESAPEAKE DESIGN GROUP
Address: 419 NORTH CHARLES ST
21201
Telephone Number: 410-837-3622

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



Darrell B. Mobley, Acting Secretary
Melinda B. Peters, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 1-11-13

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

RE: Baltimore County
Item No. 2013-0146-A
Variance
IAMIC, LLC
501 Frederick Road
MD144

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 1-7-13. A field inspection and internal review reveals that an entrance onto MD144 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance. Case Number 2013-0146-A.

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 email 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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For January 21, 2013
Item Nos. 2013-0146, 0148 and 0152.

DATE: January 14, 2013

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

DAK:CEN
Cc: file

2/8/13 TO WAC
file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 30, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 501 Frederick Road

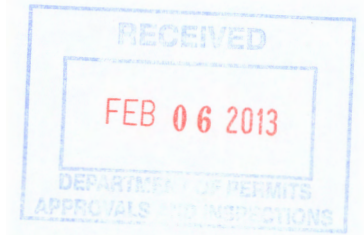
INFORMATION:

Item Number: 13-146

Petitioner: McDonald's Inc.

Zoning: BL CCC

Requested Action: Variance



SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan and has the following comments:

The property is located within the Catonsville Design Review Area. The building plans, elevations, materials and redesign of the existing McDonalds shall be reviewed by the Design Review Panel (DRP) to determine if they are appropriate for the Catonsville Community. The Panel's recommendation is binding on the Administrative Law Judge, and on agencies, unless the ALJ or agencies find that the Panel's actions constitute an abuse of its discretion or are unsupported by the documentation and evidence presented per Section 32-4-203 of the Baltimore County Code. As such the ALJ should not render a decision without the input of the DRP.

The development plan, deed and record plat shall contain the following note in **bold**: The Property is located within the Catonsville Design Review Panel area. Contact the Department of Planning (410-887-3480) to discuss DRP scheduling, requirements, process and submissions. Proposed building plans, elevations and materials shall be reviewed and approved by the DRP prior to the issuance of a building permit.

The plan notes a required parking variance but it is not listed on the petition.

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

Prepared by:

Division Chief:
AVA/LL: CM

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
501 Frederick Road; S/S Frederick Road, *
25' SW of c/line intersection with Delray Ave * OF ADMINISTRATIVE
1st Election & 1st Councilmanic Districts *
Legal Owner(s): IAMIC, LLC * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2013-146-A

* * * * *

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

JAN 08 2013

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

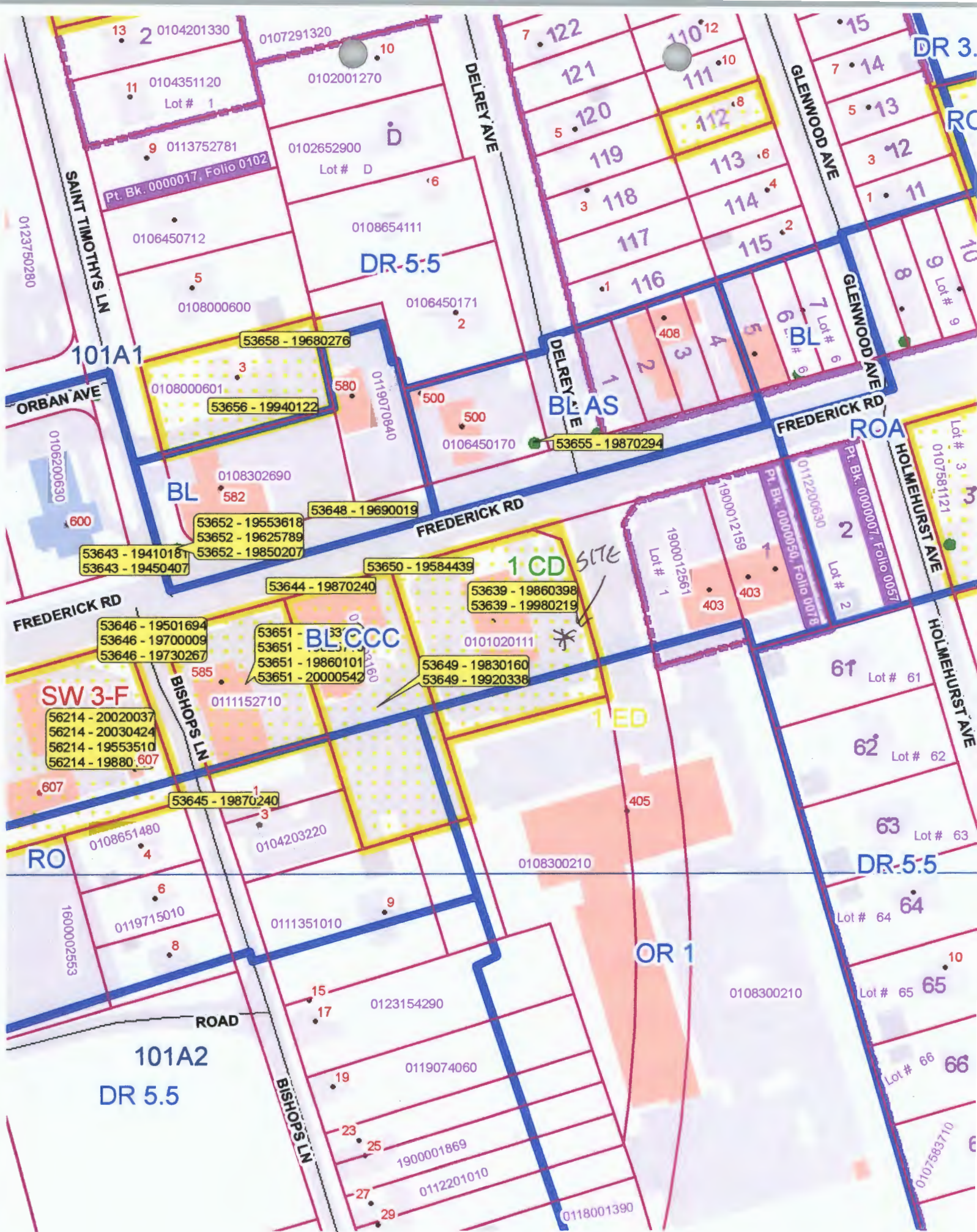
CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of January, 2013, a copy of the foregoing Entry of Appearance was mailed to Stanley Fine, Esquire, 25 S. Charles Street, 21st Floor, Baltimore, MD 21201, Attorney for Petitioner(s).

Peter Max Zimmerman

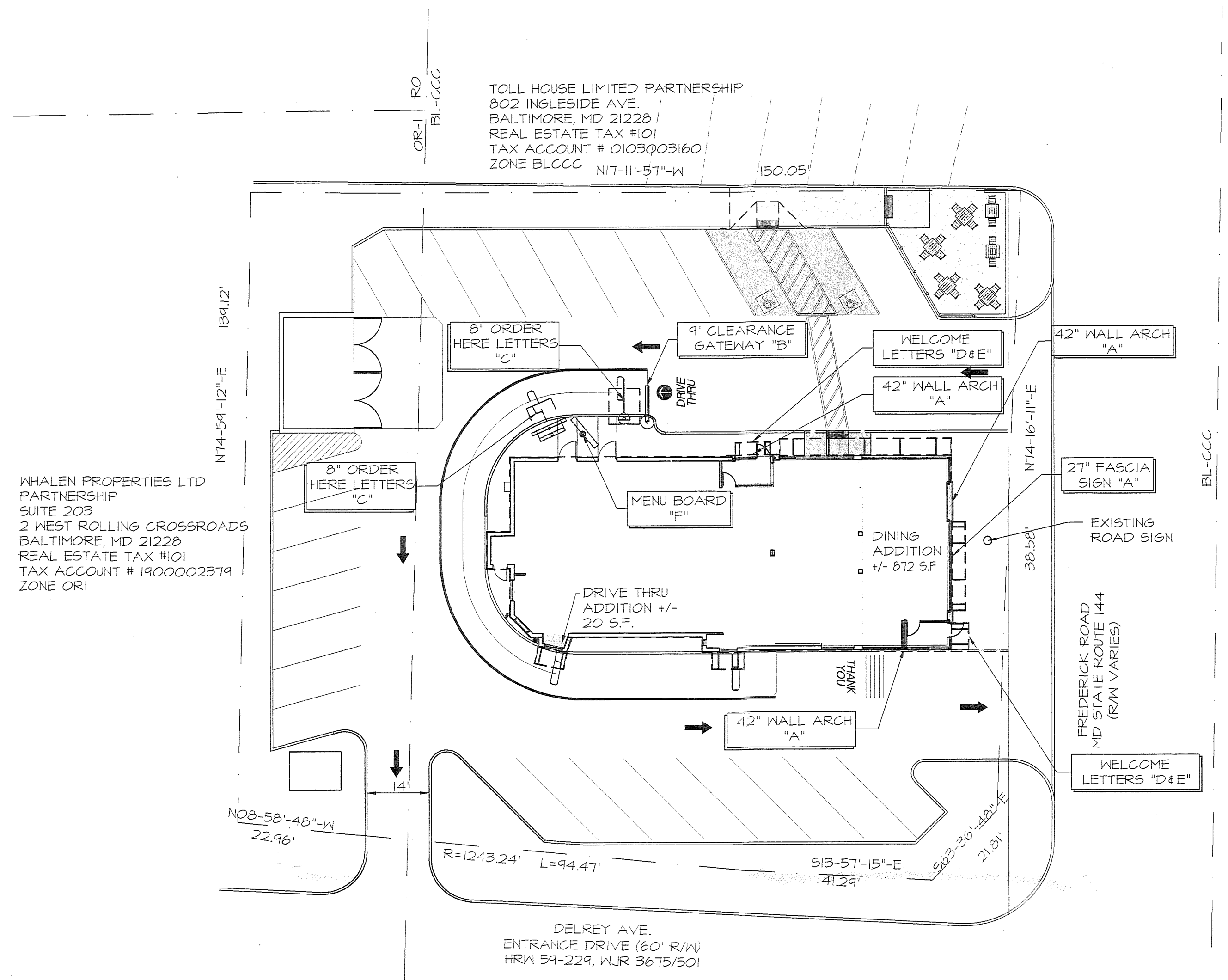
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



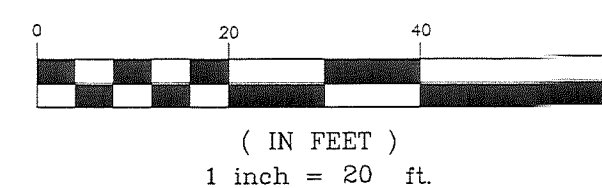
2013-0146-A



2013-0146-A



GRAPHIC SCALE



GENERAL NOTES:

1. OWNER:

IAMIC LLC
c/o JAMES BOWER
1565 ST. LAWRENCE CT.
FREDERICK, MD. 21701

2. SITE AREA: 22,231 SF/ 0.510 AC

3. BUILDING AREA: 3,246 SF

4. UTILITIES:

PUBLIC WATER
PUBLIC SEWER

5. THIS SITE DOES NOT LIE WITHIN THE FLOODPLAIN AS SHOWN ON FIRM 2040010 PANEL 0386 OF 560 DATED SEPTEMBER 26, 2008.

6. PARKING CALCULATION (RESTAURANT W/ DRIVE THRU)

REQUIREMENT: 16/1,000

3,246/1,000=3.246

3.246*16= 52 REQUIRED

PROVIDED: 26 SPACES

7. SETBACKS

FRONT REQUIRED

SIDE 10'

REAR NONE

8. HEIGHT OF STRUCTURE:

MAX PERMITTED: 40'-0"

PROVIDED: 17'-11"

9. DEED REFERENCE: 1619/00021

10. TAX ACCOUNT #: 101020111

11. COUNCILMATIC DISTRICT: I

12. WATERSHED: PATAPSCO RIVER

13. ZONING: BL CCC

14. TAX MAP: 0101

15. PREVIOUS ZONING CASES:

1986-0346

1992-0219

16. PREVIOUS DRC MEETINGS: None

17. FLOOR AREA FOR BL CCC:

MAXIMUM PERMITTED: 66,643 SF

EXISTING: 3,246 SF

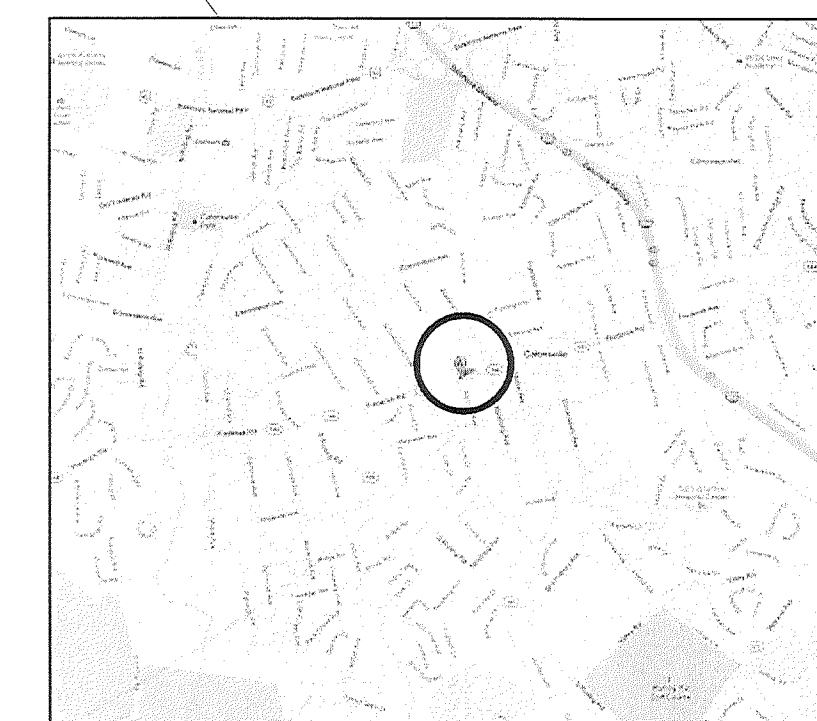
PROPOSED: 4,136

18. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE CRITICAL AREA.

19. THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.

20. PERMITS OF FILE:
PERMIT #165601

SITE LOCATION



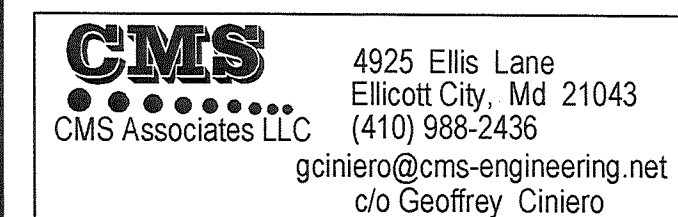
ZONING VARIANCE REQUEST SUMMARY

LABEL	DESCRIPTION	# BY VARIANCE
"A"	450.4 Attachment 1, 5 (a) to permit 4 wall-mounted enterprise signs on the building facades in lieu of the permitted 3 signs;	1
"B"	450.4 Attachment 1, 3(b) to permit one (1) freestanding directional sign of 10.67 ft in height in lieu of the permitted 6 ft;	1
"C"	450.4 Attachment 1, 3(b) to permit two (2) directional signs of 11.2 ft. in height in lieu of the permitted 6 ft;	2
"D"	450.4 Attachment 1, 3(a) to permit a canopy-type directional sign in lieu of the permitted wall-mounted or free-standing sign;	2
"E"	450.5B.3b to permit erection of the canopy sign above the face of the canopy in lieu of its erection on the face of the canopy;	2
"F"	450.5 Attachment 1, 5(f) to permit two (2) free standing order boards of 6.75 ft. in height in lieu of the permitted 6 ft. 409.6A.2 to permit 26 parking spaces in lieu of the required 52 parking spaces	2



419 North Charles Street
Baltimore, Maryland 21201
t: 410.837.3622
f: 410.837.3623

SEAL



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. 22538
Expiration Date: 11-22-13

REVISIONS

NO.	DESCRIPTION	DATE
0	FIRST ISSUE	08/01/12

DATE: 08/21/12

SCALE: AS NOTED

BUILDING AREA 4,238 SQ. FT.

DINING ROOM SEATING 1260 SQ. FT.

PROJECT #: 12ARCADE50

DRAWN BY: JD CHECKED BY: WN

PROJECT TITLE

ALTERATIONS TO
McDONALD'S

CATONSVILLE
501 FREDERICK RD
CATONSVILLE, MD

REGION: BWR

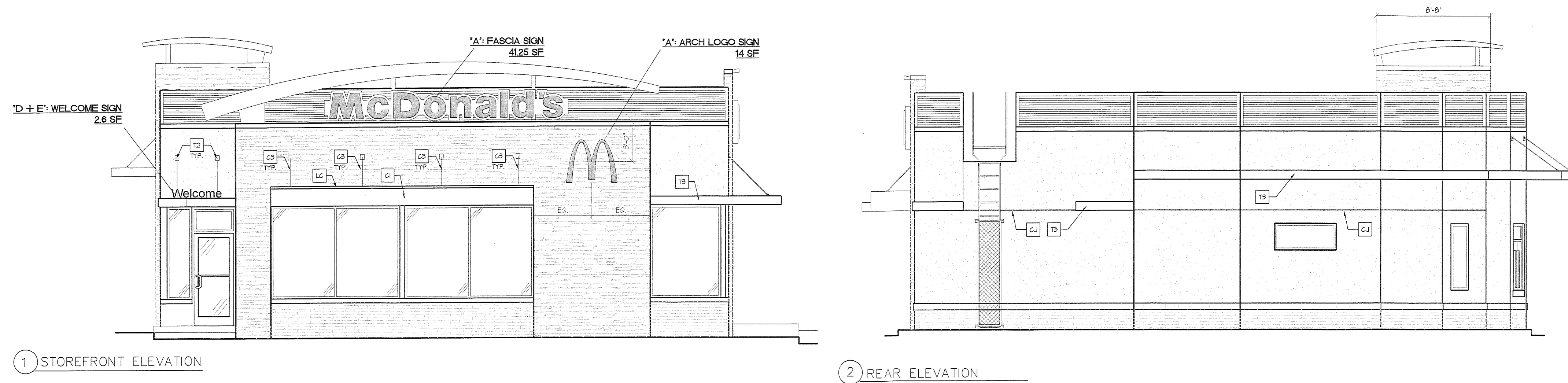
LC NO. 019-0787

SHEET TITLE

ZONING VARIANCE
REQUESTS:
SITE PLAN

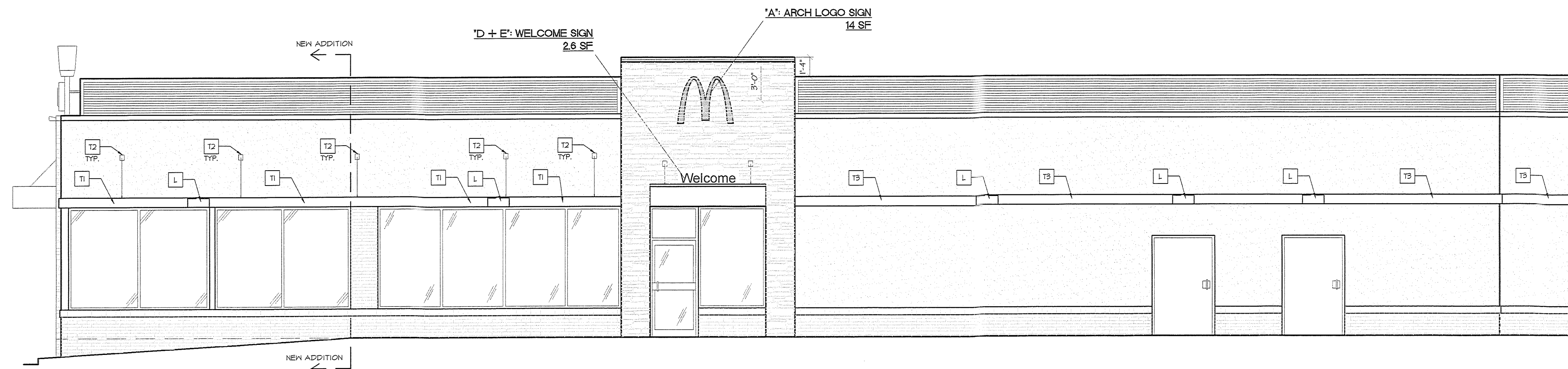
SHEET NO. SPL-104-00

SITE VARIANCE 12/11/12

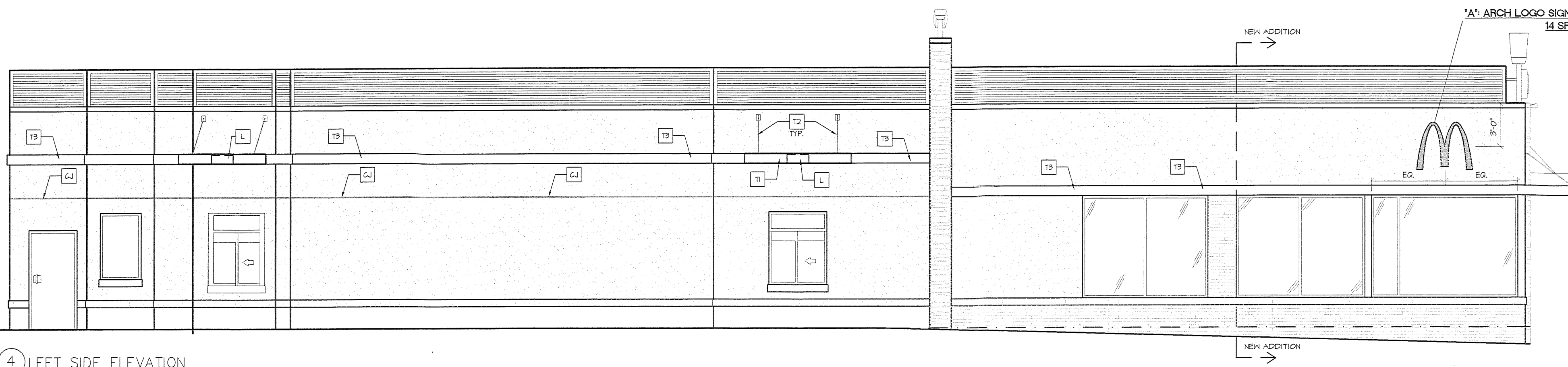


1 STOREFRONT ELEVATION

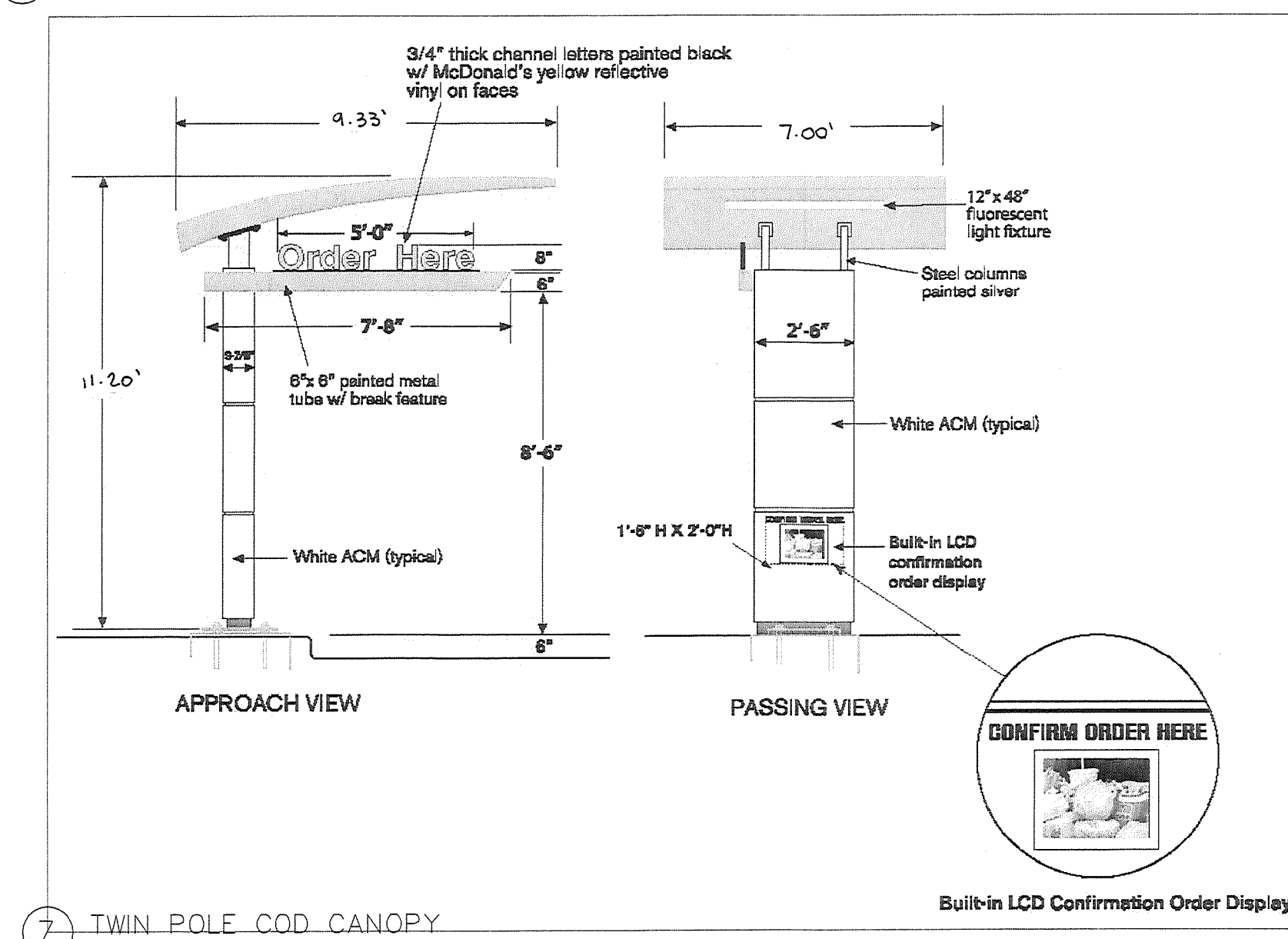
2 REAR ELEVATION



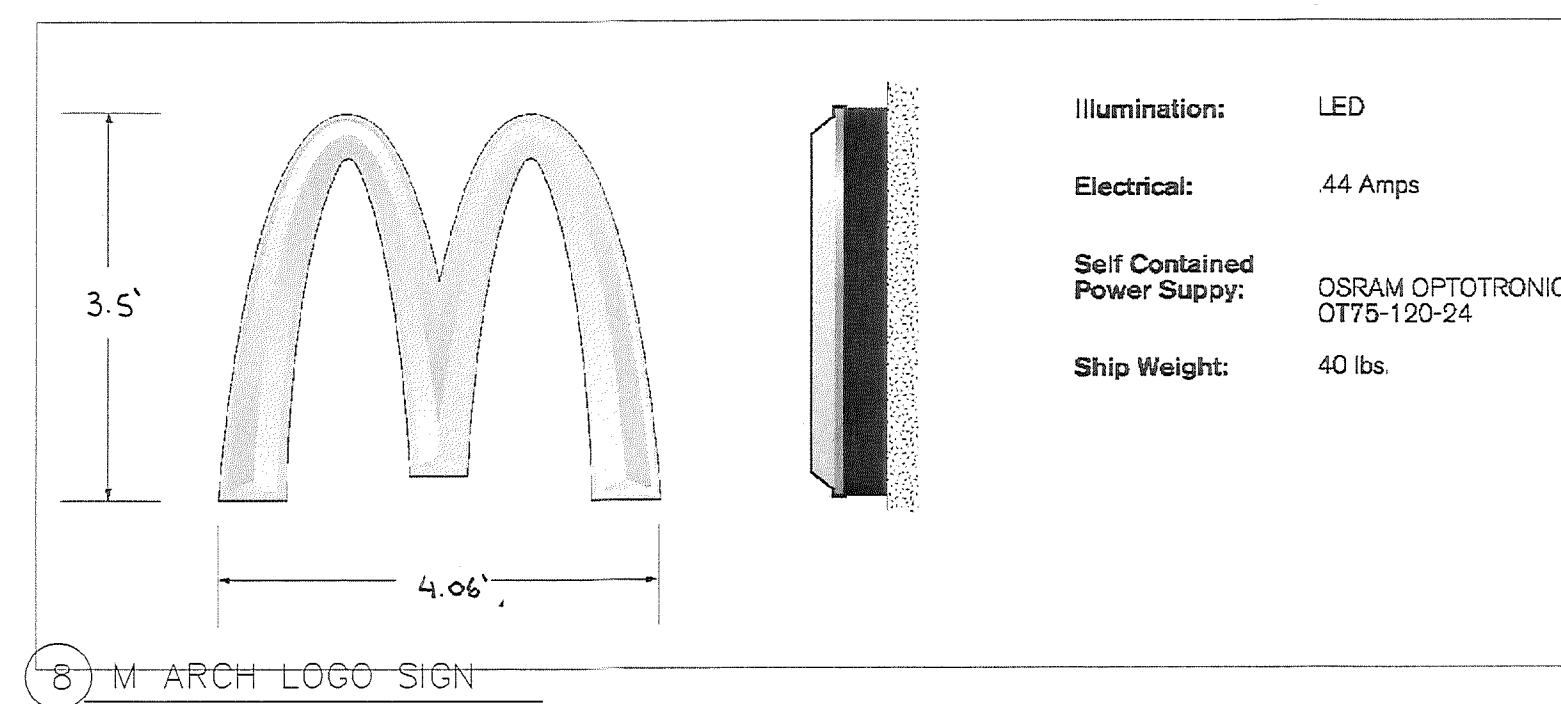
3 RIGHT SIDE ELEVATION



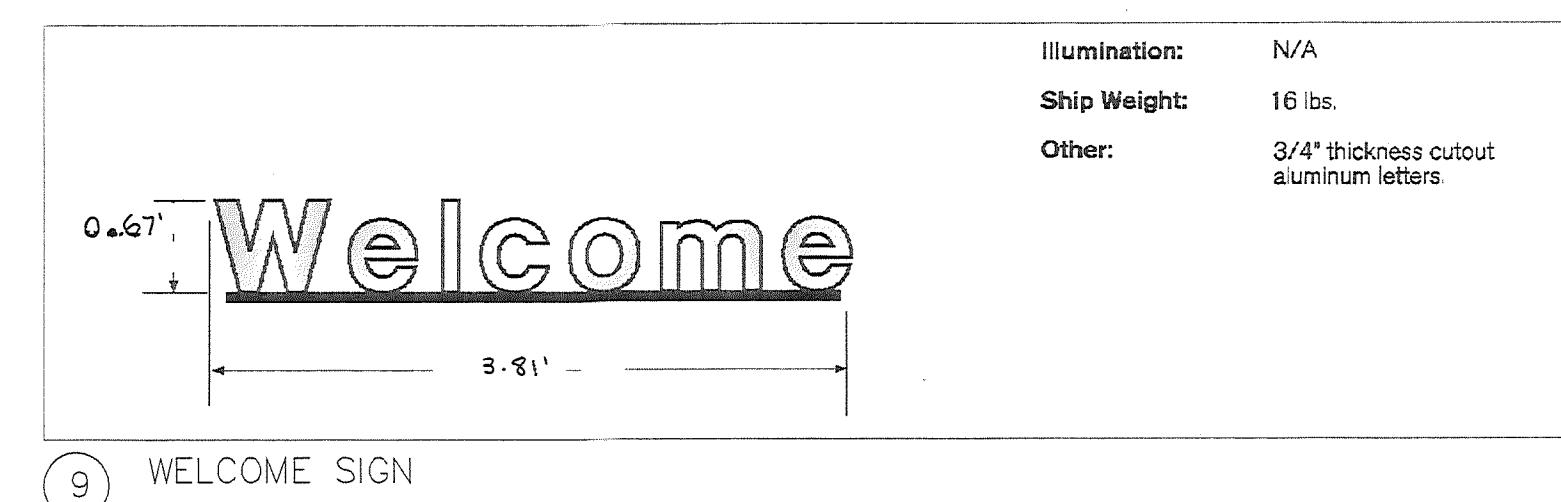
4 LEFT SIDE ELEVATION



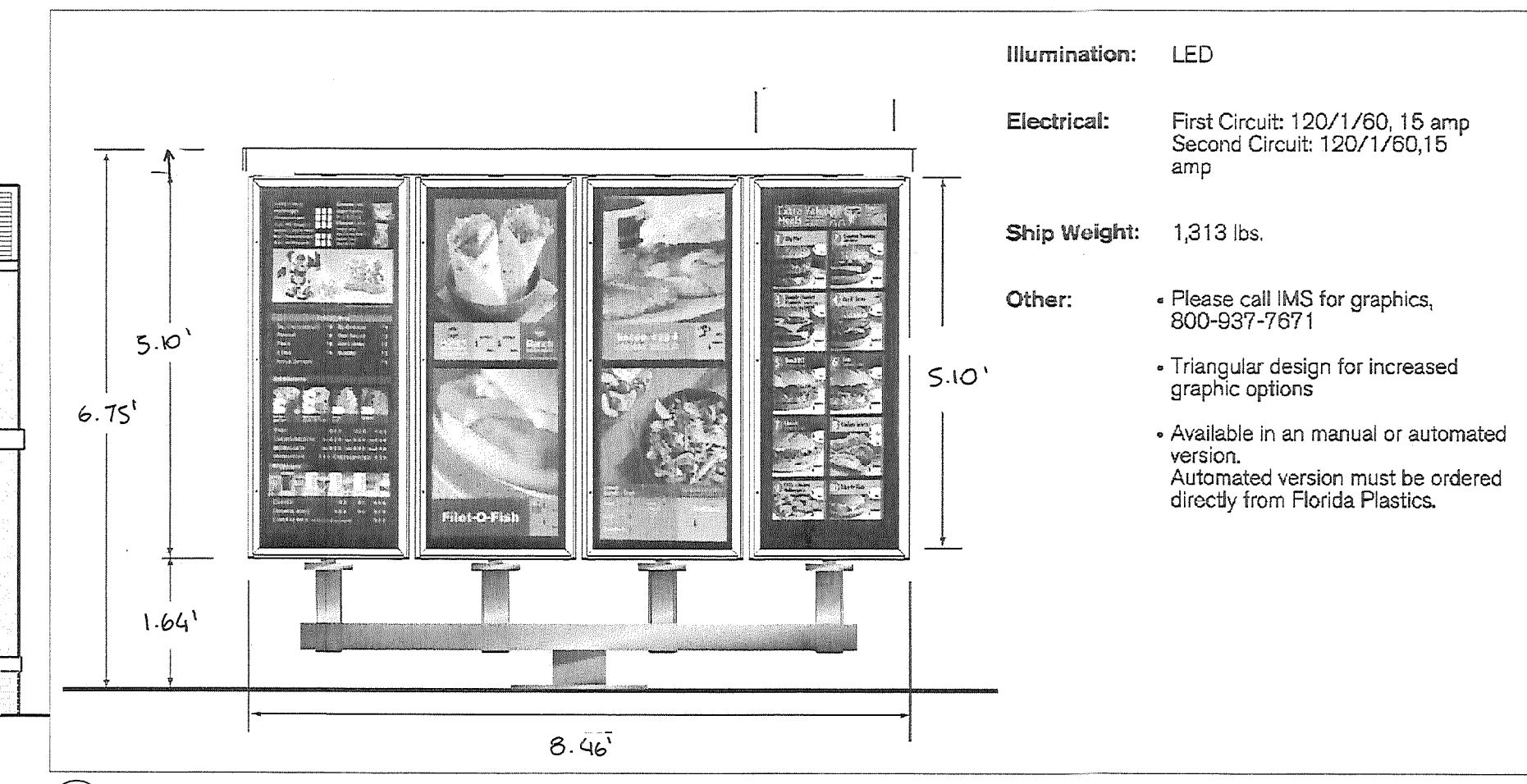
7 TWIN POLE COD CANOPY



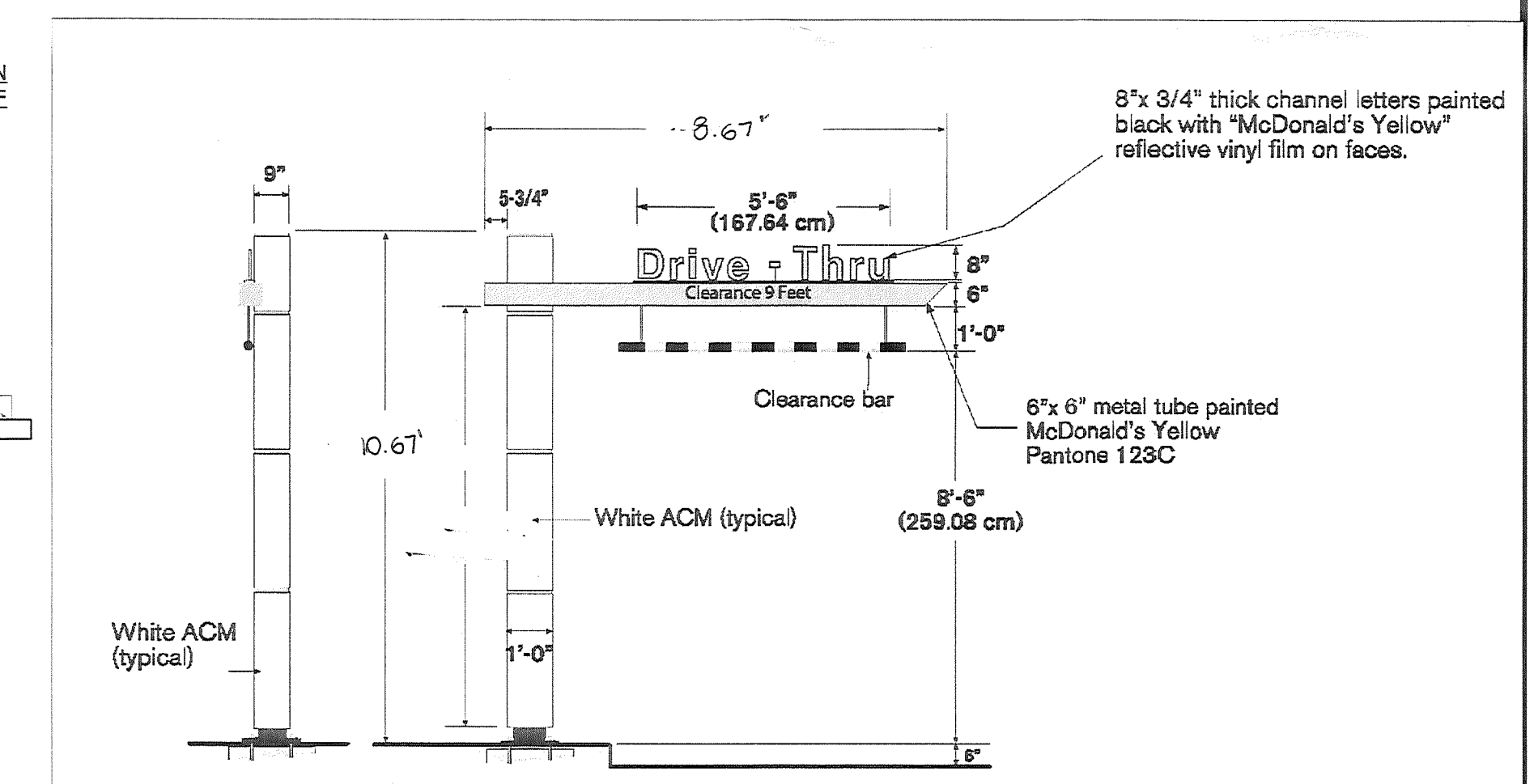
8 M ARCH LOGO SIGN



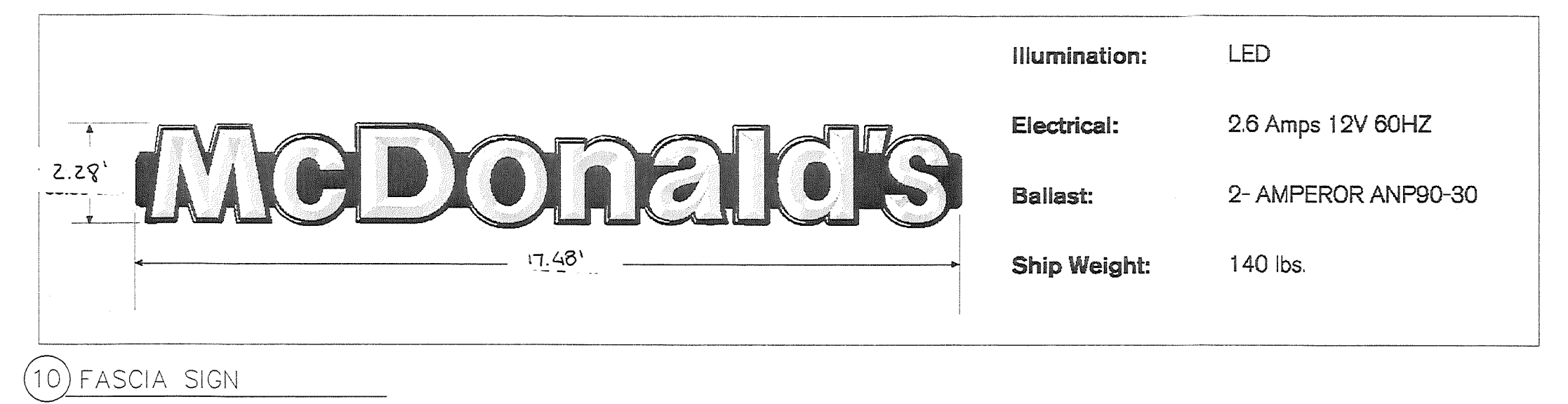
9 WELCOME SIGN



5 OPO MENU BOARD



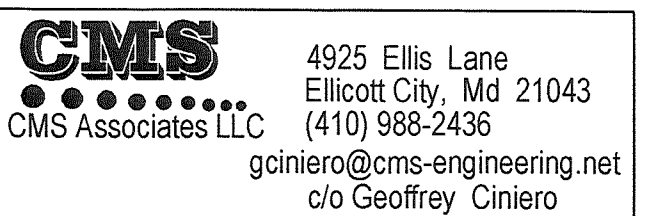
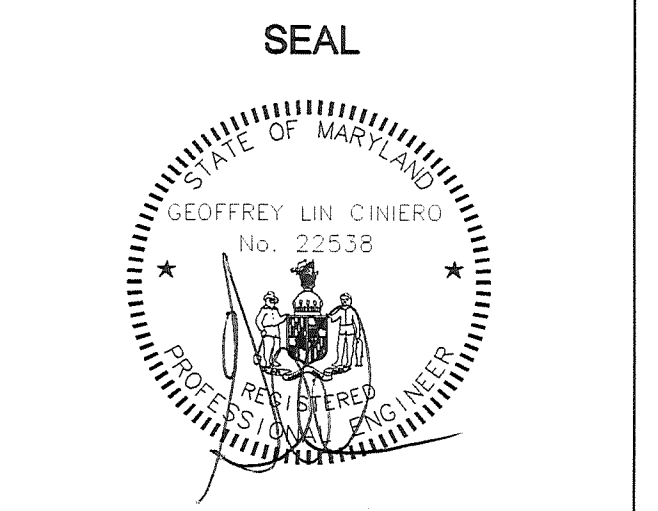
6 CLEARANCE GATEWAY



10 FASCIA SIGN



419 North Charles Street
Baltimore, Maryland 21201
t: 410.837.3622
f: 410.837.3621



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.
Licence No.: 22538
Expiration Date: 11-24-13

REVISIONS		
NO.	DESCRIPTION	DATE
0	FIRST ISSUE	08/01/12

DATE: 08/21/12
SCALE: AS NOTED
BUILDING AREA 4,238 SQ. FT.
DINING ROOM SEATING 1,260 SQ. FT.
PROJECT #: 12ARCADE50
DRAWN BY: JD CHECKED BY: WN

PROJECT TITLE
ALTERATIONS TO McDONALD'S
CATONSVILLE
501 FREDERICK RD
CATONSVILLE, MD
REGION: BWR
LC NO. 019-0787

SHEET TITLE
ZONING VARIANCE REQUESTS:
ELEVATIONS

SHEET NO. SPL-1.05-00