

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE *
(7309 McClean Blvd.) *
9th Election District *
5th Council District *
AMCB Perring, LLC, c/o Acadia *
Realty Trust, *Legal Owners* *
McDonald's USA, LLC, *Lessee* *
Petitioners *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2013-0319-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed by Caroline L. Hecker, Esquire with Rosenberg, Martin, Greenberg, LLP, on behalf of AMCB Perring, LLC, the legal owners, and McDonalds USA, LLC, Lessee, ("Petitioners"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a freestanding enterprise sign within an existing shopping center pad site (McDonald's) on a frontage without road access (Sign H on Plat to Accompany Zoning Petition). In addition, a Petition for Variance was filed as follows: (1) pursuant to § 450.4 Attachment 1.5(a)(VI) of the B.C.Z.R., to permit five (5) wall-mounted enterprise signs on the building facades in lieu of the permitted three (3) signs (Signs A & B on Plat to Accompany Zoning Petition); (2) pursuant to § 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 C on Plat to Accompany Zoning Petition); (3) pursuant to §450.4 Attachment 1, 3(b)(VII) to permit two (2) directional signs of 11.2 ft. in height in lieu of the permitted 6 ft. (Sign D on Plat to Accompany Zoning Petition); (4) pursuant to §450.4 Attachment 1, 3(a) to permit one (1) canopy-type directional sign in lieu of the permitted wall-mounted or freestanding sign (Sign E on Plat to Accompany Zoning Petition); (5) pursuant to §450.5.B.3.b to permit erection of the sign above the face of the canopy in lieu of on the face canopy (Sign E on Plat to Accompany

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Date 9-4-13

By [Signature]

Zoning Petition); (6) ¹pursuant to §450.4 Attachment 1, 5(f)(VII) to permit (2) 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); and (7) pursuant to §450.4 Attachment 1.3(a) to permit two (2) projected directional signs in lieu of the two (2) wall-mounted or free-standing directional signs (Sign G on Plat to Accompany Zoning Petition). The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the requests from McDonald's were Scott Rardin, Owner/Operator of 7309 McClean Blvd., and Jeff Bell, Area Construction Manager. Also in appearance was Robert Goldman, Architect with Chesapeake Design Group. Caroline Hecker, Esquire and Eric Kunitomo, Esquire, both with Rosenberg, Martin and Greenberg, LLP, appeared and represented the Petitioners. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations. There were no Protestants in attendance, and the file does not contain any letters of protest or opposition.

There were no Zoning Advisory Committee (ZAC) comments received.

The subject property is zoned BM-CCC, and is improved with a McDonald's restaurant which has been at this location since 1986. As with other locations in the County, the Petitioners have constructed a more modern restaurant facility, and propose to install a new sign package, which requires variance relief.

Before addressing the variance requests, the Petitioners seek special hearing relief to erect at the site a freestanding enterprise sign. Although the McDonald's is technically part of the overall Parkway Crossing Shopping Center, it is at the same time situated on a "pad site" lot that is separated from the main portion of the center by internal roads and curbs. Simply put, the site

¹ Counsel withdrew at the hearing variance request #6 pertaining to the order boards.

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Date 9-4-13

By aw

has the look and appearance of an individual business enterprise; indeed, the McDonald's is in no way identified on the large freestanding joint enterprise sign at the entrance of this shopping center. As such, I believe the Petition for Special Hearing should be granted.

Based on the evidence presented, I find that the variance can be granted in such a manner as to meet the requirements of Section 307 of the B.C.Z.R., as established in *Cromwell v. Ward*, 102 Md. App. 691 (1995). I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Specifically, the pad site is small and mature and dense trees and vegetation along Perring Parkway limit visibility into the site. Thus, the property is unique.

I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship, given that Petitioners would be unable to install the proposed signage. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the absence of opposition from the community and County reviewing agencies.

Pursuant to the advertisement, posting of the property, and public hearing, and after considering the testimony and evidence offered, I find that Petitioners' Special Hearing and Variance requests should be granted.

THEREFORE, IT IS ORDERED this 4th day of September, 2013, by this Administrative Law Judge, that Petitioners' request for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a freestanding enterprise sign within an existing shopping center pad site (McDonald's) on a frontage without road access (Sign H on Plat to Accompany Zoning Petition), be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 9-4-13

By [Signature]

IT IS FURTHER ORDERED that Petitioners' Variance request as follows: (1) pursuant to § 450.4 Attachment 1.5(a)(VI) of the B.C.Z.R., to permit five (5) wall-mounted enterprise signs on the building facades in lieu of the permitted three (3) signs (Signs A & B on Plat to Accompany Zoning Petition); (2) pursuant to § 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 C on Plat to Accompany Zoning Petition); (3) pursuant to §450.4 Attachment 1, 3(b)(VII) to permit two (2) directional signs of 11.2 ft. in height in lieu of the permitted 6 ft. (Sign D on Plat to Accompany Zoning Petition); (4) pursuant to §450.4 Attachment 1, 3(a) to permit one (1) canopy-type directional sign in lieu of the permitted wall-mounted or freestanding sign (Sign E on Plat to Accompany Zoning Petition); (5) pursuant to §450.5.B.3.b to permit erection of the sign above the face of the canopy in lieu of on the face canopy (Sign E on Plat to Accompany Zoning Petition); and (6) pursuant to §450.4 Attachment 1.3(a) to permit two (2) projected directional signs in lieu of the two (2) wall-mounted or free-standing directional signs (Sign G on Plat to Accompany Zoning Petition), be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JEB/dlw

ORDER RECEIVED FOR FILING

Date 9-4-13 4

By [Signature]


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

September 4, 2013

Caroline L. Hecker, Esquire
Eric Kunimoto, Esquire
Rosenberg, Martin and Greenberg, LLP
25 South Charles Street, 21st Floor
Baltimore, Maryland 21201

RE: Petitions for Special Hearing and Variance
Property: 7309 McClean Blvd.
Case No.: 2013-0319-SPHA

Dear Counsel:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure



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 7309 McClean Blvd. which is presently zoned BM-CCC
Deed References: 31520/00181 10 Digit Tax Account # 2400001380
Property Owner(s) Printed Name(s) AMCB Perring, 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. ☒ 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:

McDonald's USA, LLC

Name- Type or Print

Signature

6930 Rockledge Drive, Ste. 1100 Bethesda MD

Mailing Address City State

20817

Zip Code Telephone # Email Address

Attorney BY Petitioner:

Caroline L. Hecker / 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 checker@rosenbergmartin.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

AMCB Perring, LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

c/o Acadia Realty Trust
1311 Mamaroneck Ave., Ste. 260 White Plains NY

Mailing Address City State

10605

Zip Code Telephone # Email Address

Representative to be contacted:

Jeffrey Bell, Area Construction Manager, McDonald's USA, LLC

Name - Type or Print

Signature

6930 Rockledge Drive, Ste. 1100 Bethesda MD

Mailing Address City State

20817 (703) 395-8595 Jeff.bell@us.mcd.com

Zip Code Telephone # Email Address

CASE NUMBER 2013-0319-SPHA Filing Date 6/27/2013 Do Not Schedule Dates: Reviewer [Signature]

McDonald's USA, LLC
7309 McClean Blvd.
Zoned BM CCC
Deed Reference: 31520/00181
Tax Acct. # 2400001380

Variance Relief Is Requested From The Following Sections:

1. Section 405.4 Attachment 1, 5(a)(VI) to permit 5 wall-mounted enterprise signs on the building facades in lieu of the permitted 3 signs (Signs A & B 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 C 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 D on Plat to Accompany Zoning Petition);
4. Section 450.4 Attachment 1, 3(a) to permit one canopy-type directional sign in lieu of the permitted wall-mounted or free-standing sign (Sign E on Plat to Accompany Zoning Petition)
5. Section 450.5.B.3.b to permit erection of the sign 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)
7. Section 450.4 Attachment 1.3(a) to permit two (2) projected directional signs in lieu of the two (2) wall-mounted or free-standing directional signs (Sign G on Plat to Accompany Zoning Petition)

A Special Hearing Is Requested To Permit:

- To permit a freestanding enterprise sign within an existing shopping center pad site (McDonald's) on a frontage without road access (Sign H on Plat to Accompany Zoning Petition)

In the event that the Special Hearing request to approve a free-standing enterprise sign on the McDonald's pad site is denied, an additional variance is requested from:

- Section 450.4 Attachment 1, 5(VI) to permit a free-standing enterprise sign on the McClean Blvd. frontage of the Perring Parkway Shopping Center in addition to the existing freestanding joint identification sign located on this frontage (Sign H on Plat to Accompany Zoning Petition)

McLean Blvd. McDonald's Metes & Bounds Property Description

Beginning at most Northwest property corner and thence running North 16 degrees 00 minutes 16 seconds East 77 feet to a corner, thence South 89 degrees 24 minutes 13 seconds East 52.85 feet to a corner, thence North 73 degrees 49 minutes 23 seconds East 329.07 feet to a corner, thence South 25 degrees 31 minutes 33 seconds East 129.08 feet to a corner, thence South 71 degrees 54 minutes 55 Seconds West 265.00 feet to a corner, thence West 25 degrees 59 minutes 44 seconds West 127.24 feet to a corner, thence North 12 degrees 54 minutes 24 seconds West to the place of beginning containing 35,762 square feet, more or less.



2013-0319-SPHA

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: 2013-0319-SPHA

Petitioner: AMCB PERRING LLC

Address or Location: 7309 McCLEAN BLVD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: CDG ARCHITECTS c/o STACY BOTLER

Address: 419 NORTH CHARLES STREET

Baltimore, MD. 21201

Telephone Number: 410-837-3622

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

No. **101405**

Date: **6/27/13**

PAID RECEIPT

BUSINESS ACTUAL TIME
6/27/2013 6/27/2013 10:06:53
REG #004 WALKIN SHIL SWH
>>RECEIPT # 572661 6/27/2013
Dept 5 528 ZONING VERIFICATION
CR NO. 101405

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

Recpt Tot \$770.00
\$385.00 CK \$385.00 CA
Baltimore County, Maryland

Total: **770.00**

Rec From _____

For _____

2013-0319-SPHM

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

CERTIFICATE OF POSTING

RE: Case No. 2013-0319-SPHA

Petitioner: McDonald's Corporation

Hearing / Closing Date: 9/3/13

Baltimore County Department of
Permits and Development Management
Room 111, County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204

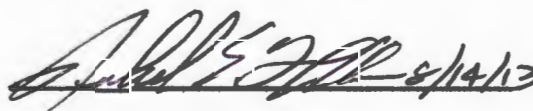
This letter is to confirm, under penalties of perjury, that the necessary sign(s)
were posted conspicuously, on the property located at _____

7309 McClean Bl'vd.

on

8/14/13

Sincerely,



Richard E. Hoffman

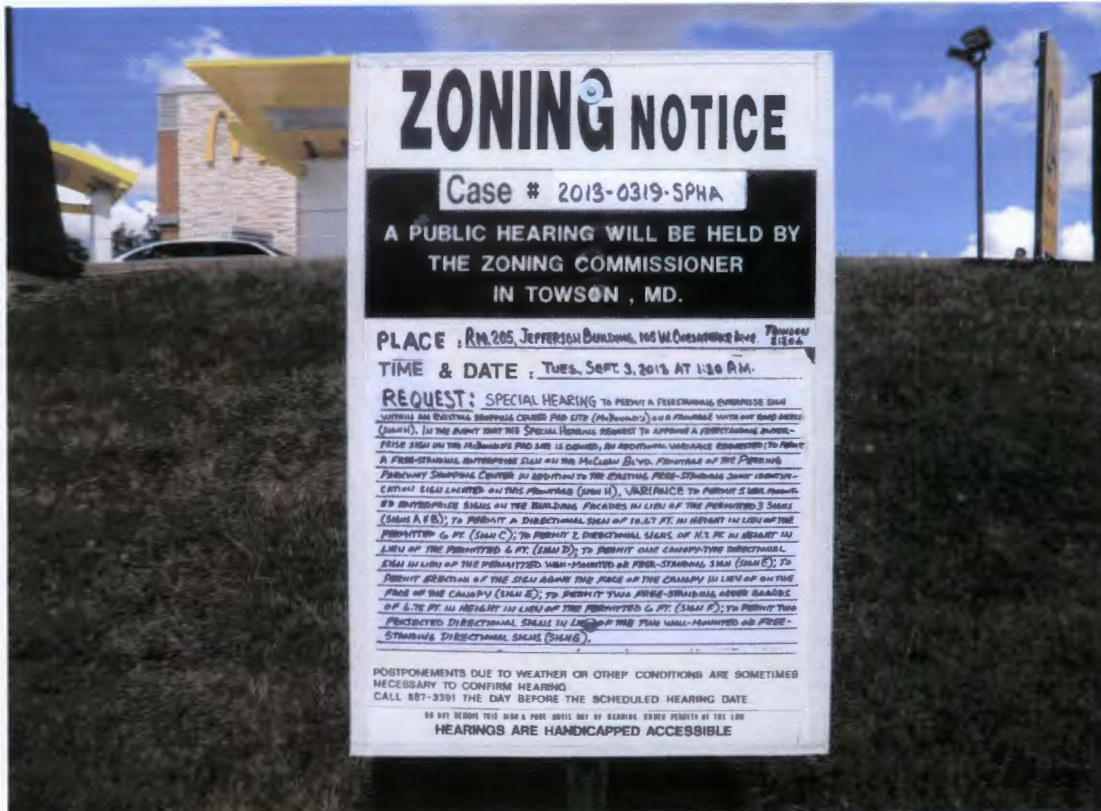
904 Dellwood Drive

Fallston, Md. 21047

(443-243-7360)

Certificate of Posting

Case No. 2013-0319-SPHA



7309 McClean Bl'vd.

(posted 8/14/13)

Richard E. Hoffman 8/14/13

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

(443-243-7360)



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

August 15, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, the publication appearing on August 13, 2013

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

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: #2013-0319-SPHA

7309 McClean Boulevard

NW/s of McClean Blvd., 170 ft. +/- SE of centerline of Perring Parkway

9th Election District - 5th Councilmanic District

Legal Owner(s): AMCB Perring, LLC

Contract Purchaser: McDonald's USA, LLC

Special Hearing: to permit a freestanding enterprise sign within an existing shopping center pad site (McDonald's) on a frontage without road access (Sign H). In the event that the Special Hearing request to approve a freestanding enterprise sign on the McDonald's pad site is denied, an additional variance is requested: to permit a free-standing enterprise sign on the McClean Blvd. frontage of the Perring Parkway Shopping Center in addition to the existing free-standing joint identification sign located on this frontage (Sign H).

Variance: to permit 5 wall-mounted enterprise signs on the building facades in lieu of the permitted 3 signs (Signs A & B); to permit a directional sign of 10.67 ft. in height in lieu of the permitted 6 ft. (Sign C); to permit two directional signs of 11.2 ft. in height in lieu of the permitted 6 ft. (Sign D); to permit one canopy-type directional sign in lieu of the permitted wall-mounted or free-standing sign (Sign E); to permit erection of the sign above the face of the canopy in lieu of on the face of the canopy (Sign E); to permit two free-standing order boards of 6.75 ft. in height in lieu of the permitted 6 ft. (Sign F); to permit two projected directional signs in lieu of the two wall-mounted or free-standing directional signs (Sign G).

Hearing: Tuesday, September 3, 2013 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 accommodations 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.
JT 08/659 August 13 939997

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 13, 2013 Issue - Jeffersonian

Please forward billing to:
CDG Architects
c/o Stacy Butler
419 North Charles Street
Baltimore, MD 21201

410-837-3622

NOTICE OF ZONING HEARING

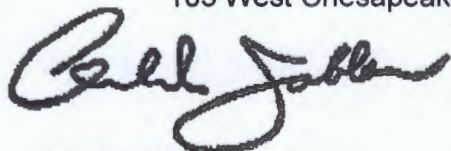
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2013-0319-SPHA

7309 McClean Boulevard
NW/s of McLean Blvd., 170 ft. +/- SE of centerline of Perring Parkway
9th Election District – 5th Councilmanic District
Legal Owners: AMCB Perring, LLC
Contract Purchaser: McDonald's USA, LLC

Special Hearing to permit a freestanding enterprise sign within an existing shopping center pad site (McDonald's) on a frontage without road access (Sign H). In the event that the Special Hearing request to approve a freestanding enterprise sign on the McDonald's pad site is denied, an additional variance is requested: to permit a free-standing enterprise sign on the McClean Blvd. frontage of the Perring Parkway Shopping Center in addition to the existing free-standing joint identification sign located on this frontage (Sign H). **Variance** to permit 5 wall-mounted enterprise signs on the building facades in lieu of the permitted 3 signs (Signs A & B); to permit a directional sign of 10.67 ft. in height in lieu of the permitted 6 ft. (Sign C); to permit two directional signs of 11.2 ft. in height in lieu of the permitted 6 ft. (Sign D); to permit one canopy-type directional sign in lieu of the permitted wall-mounted or free-standing sign (Sign E); to permit erection of the sign above the face of the canopy in lieu of on the face of the canopy (Sign E); to permit two free-standing order boards of 6.75 ft. in height in lieu of the permitted 6 ft. (Sign F); to permit two projected directional signs in lieu of the two wall-mounted or free-standing directional signs (Sign G).

Hearing: Tuesday, September 3, 2013 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
July 18, 2013

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

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: 2013-0319-SPHA

7309 McClean Boulevard
NW/s of McLean Blvd., 170 ft. +/- SE of centerline of Perring Parkway
9th Election District – 5th Councilmanic District
Legal Owners: AMCB Perring, LLC
Contract Purchaser: McDonald's USA, LLC

Special Hearing to permit a freestanding enterprise sign within an existing shopping center pad site (McDonald's) on a frontage without road access (Sign H). In the event that the Special Hearing request to approve a freestanding enterprise sign on the McDonald's pad site is denied, an additional variance is requested: to permit a free-standing enterprise sign on the McClean Blvd. frontage of the Perring Parkway Shopping Center in addition to the existing free-standing joint identification sign located on this frontage (Sign H). **Variance** to permit 5 wall-mounted enterprise signs on the building facades in lieu of the permitted 3 signs (Signs A & B); to permit a directional sign of 10.67 ft. in height in lieu of the permitted 6 ft. (Sign C); to permit two directional signs of 11.2 ft. in height in lieu of the permitted 6 ft. (Sign D); to permit one canopy-type directional sign in lieu of the permitted wall-mounted or free-standing sign (Sign E); to permit erection of the sign above the face of the canopy in lieu of on the face of the canopy (Sign E); to permit two free-standing order boards of 6.75 ft. in height in lieu of the permitted 6 ft. (Sign F); to permit two projected directional signs in lieu of the two wall-mounted or free-standing directional signs (Sign G).

Hearing: Tuesday, September 3, 2013 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Caroline Hecker, 25 S. Charles St., 21st Fl., Baltimore 21201
Jeffrey Bell, 6930 Rockledge Dr., Ste. 1100, Bethesda 20817
AMCB Perring, 1311 Mamaroneck Avenue, Ste. 260, White Plains NY 10605

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, AUGUST 14, 2013.**
- (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.**



KEVIN KAMENETZ
County Executive

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

August 29, 2013

AMCB Perring LLC
c/o Acadia Realty Trust
1311 Mamaroneck Avenue
White Plains NY 10605

RE: Case Number: 2013-0319 SPHA, Address: 7309 McLean Boulevard

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 June 27, 2013. 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.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Caroline L Hecker, Esquire, 25 S. Charles Street, 21st Floor, Baltimore MD 21201
McDonald's USA LLC, 6930 Rockledge Drive, Suite 1100, Bethesda MD 20817
Jeffrey Bell, Area Construction Manager, McDonald's USA LLC, 6930 Rockledge Drive, Suite 1100, Bethesda MD 20817

MEMORANDUM

DATE: October 8, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0319-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on October 4, 2013. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
7309 McClean Boulevard; NW/S McClean	*	OF ADMINSTRATIVE
Blvd, 170' SE c/line Petting Parkway		
9 th Election & 5 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): AMCB Perring, LLC		
Contract Purchaser(s): McDonald's USA LLC *		BALTIMORE COUNTY
Petitioner(s)	*	2013-319-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

JUL 10 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 10th day of July, 2013, a copy of the foregoing Entry of Appearance was mailed to Jeffrey Bell, Area Construction Manager, 6930 Rockledge Drive, Suite 1100, Bethesda, MD 20817 and Carolyn Hecker, Esquire, Rosenberg Martin Greenberg, LLP, 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

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



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 7/2/13

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No 2013-0319-SPHA
Special Hearing Variance
AMCB Paving, LLC
c/o Acadia Realty Trust
7309 McClean Boulevard

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2013-0319-SPHA.

Should you have any questions regarding this matter, please 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).

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

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: August 6, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0319-SPHA
Address 7309 McClean Boulevard
(AMCB Perring, LLC Property)

Zoning Advisory Committee Meeting of July 1, 2013.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: *Jeff Livingston – Development Coordination*

RECEIVED

AUG 13 2013

OFFICE OF ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: July 3, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For July 08, 2013
Item Nos. 2013- 0313,0314, 0315,0316,0317,0318 and 0319.

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

DAK:CEN
Cc: file

CASE NAME 7309 ~~McClean~~ McClean Blvd.
CASE NUMBER 2013-319-SPA
DATE 9/2/13

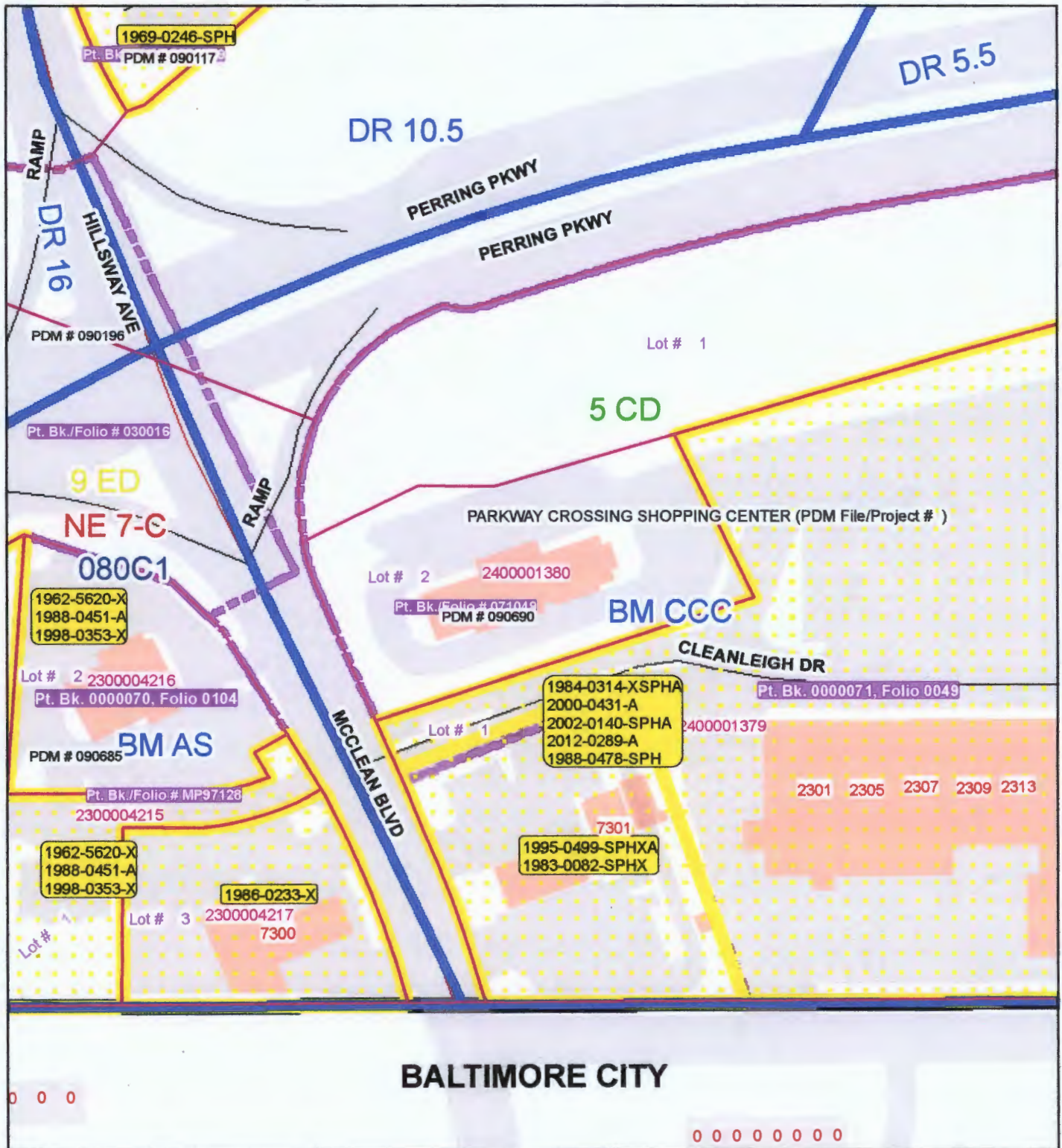
[illegible]

Real Property Data Search (w3)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 09 Account Number - 2400001380		
Owner Information		
Owner Name:	AMCB PERRING LLC	Use: COMMERCIAL
		Principal Residence: NO
Mailing Address:	C/O ACADIA REALTY TRUST 1311 MAMARONECK AVE STE 260 WHITE PLAINS NY 10605-	Deed Reference: 1) /31520/ 00181 2)
Location & Structure Information		
Premises Address:	7309 MCCLEAN BLVD 0-0000	Legal Description: .821 AC 7309 MCCLEAN BLVD ES PRKWY CRSNG SHPNG CNTR
Map: 0080	Grid: 0012	Parcel: 0172
Sub District:	Subdivision: 0000	Section:
Block:	Lot: 2	Assessment Year: 2014
		Plat No:
		Plat Ref: 0071/ 0049
Special Tax Areas:		Town: NONE
		Ad Valorem:
		Tax Class:
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
1988	4950	35,762 SF
Property Land Area	County Use	
	06	
Stories	Basement	Type
		FAST FOOD
Exterior	Full/Half Bath	Garage
Last Major Renovation		
Value Information		
	Base Value	Value
		As of
		01/01/2011
Land:	478,800	478,800
Improvements	675,400	675,400
Total:	1,154,200	1,154,200
Preferential Land:	0	1,154,200
Transfer Information		
Seller: R&P PLAZA LLC	Date: 12/20/2011	Price: \$20,259,654
Type: ARMS LENGTH MULTIPLE	Deed1: /31520/ 00181	Deed2:
Seller: PARKWAY CROSSING ACQUISITION LLC	Date: 03/29/2005	Price: \$18,750,000
Type: ARMS LENGTH MULTIPLE	Deed1: /21629/ 00433	Deed2:
Seller: BETHEL PARK LIMITED PARTNERSHIP	Date: 06/02/2002	Price: \$16,000,000
Type: ARMS LENGTH MULTIPLE	Deed1: /16466/ 00340	Deed2:
Exemption Information		
Partial Exempt Assessments: Class	07/01/2013	07/01/2014
County: 000	0.00	
State: 000	0.00	
Municipal: 000	0.00	0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: No Application		



Publication Date: 6/27/2013



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 25 50 100 150 200 Feet

1 inch = 100 feet

Case No.: 2013-0319-SPHA

Exhibit Sheet

Petitioner/Developer

Protestant

JB 9/3
1:30
PM

DW 10-8-13

9-4-13
DW

No. 1	Site plan	
No. 2	Colored site site plan	
No. 3	photos - existing conditions	
No. 4	Elevations	
No. 5	Order in # 2012-78	
No. 6	Sign rendering	
No. 7	Google Earth photos	
No. 8	Hearing Outline	
No. 9		
No. 10		
No. 11		
No. 12		



EXHIBIT

3

tabbles





IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE

N/S Eastern Avenue; 37' NE c/l
of North Point Boulevard
(7801 Eastern Avenue)
15th Election District
7th Council District

Thor East Point Mall, LLC,
Legal Owner
McDonald's USA, LLC,
Contract Purchaser
Petitioners

BEFORE THE

* OFFICE OF

* ADMINISTRATIVE HEARINGS

* FOR

* BALTIMORE COUNTY

* CASE NO. 2012-0078-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for consideration of Petitions for Special Hearing and Variance filed by the lessee of the subject property, McDonald's USA, LLC ("McDonald's" or "Petitioner"), through its attorneys, Stanley S. Fine, Esquire, and Caroline L. Hecker, Esquire, for the property located at 7801 Eastern Avenue. The Petitioner requests a Special Hearing to determine whether a separate, free-standing enterprise sign on the McDonald's pad site is permitted. If it is determined that McDonald's is permitted to have a separate, free-standing enterprise sign on its pad site, McDonald's seeks variance relief from the following sections of the Baltimore County Zoning Regulations ("B.C.Z.R."):

- Section 405.4 Attachment 1, 5(a)(VI) to permit 6 wall-mounted enterprise signs on the building facades in lieu of the permitted 3 signs; and
- 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.; and
- Section 450.4 Attachment 1, 3(b)(VII) to permit two (2) directional signs of 9.71 ft. in height in lieu of the permitted 6 ft.; and
- 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; and





EXHIBIT

7



Google earth





Google earth

feet
meters





ROSENBERG | MARTIN | GREENBERG, LLP

25 South Charles Street, Suite 2115 Baltimore, Maryland 21201-3305 410-727-6600

BALTIMORE COUNTY ZONING HEARING OUTLINE

MCDONALD'S – 7309 MCCLEAN BLVD.

SEPTEMBER 3, 2013

INTRODUCTION

1. Caroline Hecker and Eric Kunitomo – Rosenberg Martin Greenberg, LLP
2. Jeff Bell – Area Construction Manager – McDonald's Corporation
3. Robert Goldman – Chesapeake Design Group (architect)
4. Scott Rardin – Owner/Operator of 7309 McClean Blvd.

JEFF BELL – TESTIMONY

Name: Jeff Bell

Employer, employer's address: McDonald's Corporation
6903 Rockledge Drive, Ste. 1100
Bethesda, MD 20817

Your job title and responsibilities at McDonalds: Area Construction Manager

Are you familiar with the petition before the Office of Administrative Hearings? Yes

What is the location that is the subject of the petition? 7309 McClean Blvd.

What is your interest in the property? McDonald's is the lessee of the property.

What is at this location currently?

There is an existing McDonald's restaurant at this location.

How long has that McDonald's been operating at that location?

Since 1987 (26 years).



The McDonald's pad site is part of the Parkway Crossing Shopping Center property but is a separate tax parcel with an address of 7309 McClean Blvd.

What is McDonald's proposing to do at this location?

McDonald's has recently remodeled the existing restaurant and now desires to install a new signage package, including its own free-standing sign.

Describe existing conditions at this site.

EXHIBIT – OVERALL SITE PLAN OF PERRING PARKWAY SHOPPING CENTER

EXHIBIT– PLAT TO ACCOMPANY ZONING PETITION

Identify photographs of McDonald's.

EXHIBIT – PHOTOS

Describe the location of the proposed McDonald's.

The McDonald's site is a pad site at Parkway Crossing Shopping Center at the intersection of Perring Parkway and McClean Blvd.

What is being proposed at this location?

SEE EXHIBIT – PLAT TO ACCOMPANY ZONING PETITION

We recently remodeled the existing McDonald's restaurant at this location.

Preliminarily, as part of the signage package, we have requested a Special Hearing to determine whether a free-standing sign is permitted on the McDonald's site, as the McDonald's site functions as a separate property from the Shopping Center.

We are also requesting several signage variances for the restaurant in order to make the restaurant visible to passing motorists and to bring the new restaurant into conformity with other new McDonald's restaurants in Baltimore County.

In the event that it is determined that the free-standing sign is not permitted, we are also requesting an additional variance to permit an additional free-standing enterprise sign at the Parkway Crossing Shopping Center.

There is ample off-street parking on this site as it is treated as part of the Shopping Center for off-street parking purposes.

We are also proposing directional signs over the drive-thru lane which, because they are intended to go over the drive-thru lane, are higher than what would otherwise be permitted.

Finally, we are proposing a free-standing enterprise sign for the McDonald's site, which is the subject of the Petition for Special Hearing.

Why are you proposing these signage variances?

We have requested these signage variances to make the building visible to passing motorists at the busy intersection of Perring Parkway and McClean Blvd., and to safely direct traffic in and around the site.

These signage variances will also permit the appearance of this restaurant to be consistent with other McDonald's restaurants in Baltimore County.

Similar signage packages have been approved by variances granted by the Baltimore County Administrative Law Judge for sixteen (16) other McDonald's restaurants.

What is the amount of capital investment for this project?

Approximately \$1,017,000.

When do you plan to implement the new signage program, if approved?

We plan to install the new signs as soon as possible if our application is approved.



BALTIMORE COUNTY ZONING HEARING OUTLINE

MCDONALD'S – 7309 MCCLEAN BLVD.

SEPTEMBER 3, 2013

ROBERT GOLDMAN – TESTIMONY

Name: Robert Goldman

Address:

Employer, employer's address: Chesapeake Design Group
414 N. Charles Street
Baltimore, Maryland 21201

What is your job title?

Please describe the nature of the services you provide.

Have you ever testified as an expert witness in the field of architecture before the Zoning Commissioner or Office of Administrative Hearings of Baltimore County?

Yes.

Have you ever been accepted an approved as such an expert witness?

Yes.

I offer Mr. Goldman as an expert witness in architecture.

Are you familiar with the petition before the Office of Administrative Hearings?

Yes.

What has been your involvement with this project?

I have overseen the preparation of the plans that have been submitted to Baltimore County for the variances and special hearing.

As a result of the Petitioner's application, what is being requested?

SPECIAL HEARING:

Preliminarily, we are requesting a Special Hearing to determine whether a separate free-standing enterprise sign for the McDonald's pad site is permitted.

The proposed free-standing sign would be located on the southwest corner of the pad site and would consist of a 15' tall free-standing sign.

SEE EXHIBIT – PLAT TO ACCOMPANY ZONING PETITION

EXHIBIT – RENDERING OF FREESTANDING SIGN

McDonald's is not identified on the Parkway Crossing Shopping Center identification signs and therefore does not benefit from the existing free-standing signs at the shopping center.

In addition, although the McDonald's restaurant is technically part of the shopping center, the site is surrounded by curb islands and is separated from the shopping center property by internal roads. The McDonald's therefore functions as its own independent site.

The McDonald's also has a separately dedicated parking area, distinguishing its pad site from the rest of the mall.

A separate free-standing sign for the McDonald's on a pad site at Eastpoint Mall was permitted by the Administrative Law Judge in Case No. 2012-0078-SPHA.

EXHIBIT – CASE NO. 2012-0078-SPHA

This case is nearly identical, as it also involves a McDonald's pad site at a larger shopping center.

For these reasons, we request that McDonald's be permitted to install its own free-standing sign on its pad site.

VARIANCE PETITION:

As a result of the Petitioner's application, what variances are being requested?

1. Section 405.4 Attachment 1, 5(a)(VI) to permit 5 wall-mounted enterprise signs on the building facades in lieu of the permitted 3 signs (Signs A & B 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 C 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 D on Plat to Accompany Zoning Petition);

4. Section 450.4 Attachment 1, 3(a) to permit one canopy-type directional sign in lieu of the permitted wall-mounted or free-standing sign (Sign E on Plat to Accompany Zoning Petition)
5. Section 450.5.B.3.b to permit erection of the sign 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)
7. Section 450.4 Attachment 1.3(a) to permit two (2) projected directional signs in lieu of the two (2) wall-mounted or free-standing directional signs (Sign G on Plat to Accompany Zoning Petition)

If the Special Hearing is denied, we are also requesting an additional variance to permit a second free-standing sign on the McClean Blvd. frontage of the shopping center near the intersection with Perring Parkway.

Is the subject property peculiar, unusual, or unique when compared to other properties in the neighborhood?

Yes. The property is unique-due to its small size (35,741 SF) relative to the shopping center, as well as the fact that it is located within the Parkway Crossing Shopping Center property and does not have direct access from the streets it abuts. In addition, the view of the site from Perring Parkway is obstructed by trees located on the north side of the site.

EXHIBIT – GOOGLE EARTH VIEWS

Since you have indicated that the property is peculiar, unusual, or unique, would strict compliance with the Baltimore County Zoning Regulations result in a practical difficulty or unreasonable hardship to the Petitioner?

Yes.

The small size of the lot, the fact that the property is located within the Parkway Crossing Shopping Center property without access to the abutting streets, and the obstructed view of the property due to the location of trees along Perring Parkway all create practical difficulties in identifying the building and safely directing traffic in and around the site.

The additional wall-mounted enterprise signs identify the building as a McDonald's restaurant from all sides, and will permit motorists to more easily identify the building as a McDonald's as they enter the shopping center parking lot, as well as from within the mall property.

In addition, the proposed signage identifies the drive-thru lane and the entrances to the restaurant in order to safely direct traffic around the site.

Finally, this McDonald's would also differ from McDonald's standard signage plan that has been implemented on other restaurants in Baltimore County if the requested variances were not permitted.

Would the granting of the variance be injurious to the use and enjoyment of the other property owners in the immediate vicinity, or substantially diminish and impair property values in the neighborhood?

The granting of the variances will likely improve property values in the vicinity, as the remodeled restaurant with the new signage package is more aesthetically appealing than it was previously.

The remodeled restaurant represents a private investment of over \$1 million in this community.

In addition, as the requested variances will simply permit McDonald's to update the restaurant with some additional signage, there will be no greater impact on the use and enjoyment of the neighboring properties than that created by the existing restaurant.

We have shared our plans with the Hillendale Improvement Association and they have expressed no objection to the proposed variances.

Would the granting of the variances impair an adequate supply of light and air to adjacent property, or overcrowd the land, or create an undue concentration of population, or substantially increase the congestion of the streets, or create hazardous traffic conditions, or increase the danger of fire, or otherwise endanger the public safety?

The granting of the variances will not impact the size, shape or location of the building and therefore will not impair the supply of light and air to adjacent properties, nor will these variances cause an overcrowding of the land. Similarly, the granting of the variances will have no affect on the concentration of population, congestion of the streets, traffic conditions, or the danger of fire, nor will they endanger the public safety in any manner.

Would the granting of the variances adversely affect transportation or unduly burden water, sewers, school, park, or other public facilities?

The granting of the variances will not have any impact on transportation, nor will they burden water, sewers, school, park, or other public facilities.

Would the granting of the variances be in strict harmony with the spirit and intent of the BCZR?

The granting of these variances is in harmony with the purpose of the Zoning Regulations, as they will promote the health, security, comfort, convenience, orderly development and other aspects of the general welfare of the community by permitting McDonald's to remodel an outdated restaurant and update it with more modern, attractive signage. This will improve the general welfare of the surrounding neighborhood.

Would the granting of the variances cause any injury to the public health, safety, or general welfare?

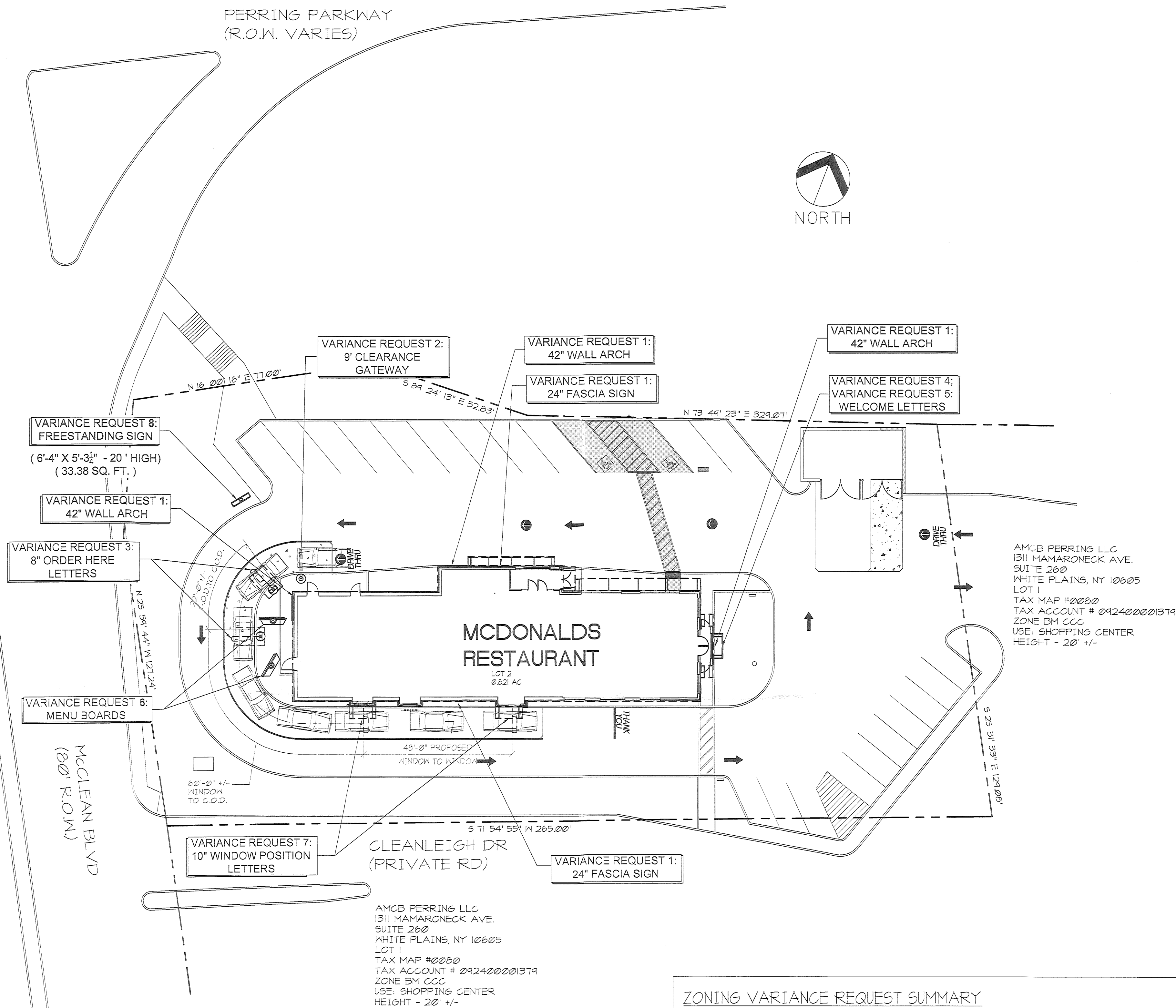
The granting of the variances will not cause any injury to the public health, safety, or general welfare.

CONCLUSION

For these reasons, we respectfully request that the Petition for Special Hearing be granted to permit McDonald's to have its own free-standing enterprise sign on its pad site and that the requested variances be granted.

EXHIBIT – OUTLINE OF TESTIMONY

4835-6940-4181, v. 1



PURPOSE:
THIS PLAN IS FOR THE RECONFIGURATION OF THE EXISTING
TRASH CORRAL, 14 SQ. FT. OF BUILDING EXPANSION, ACCESSIBLE
PARKING, AND NEW BUILDING FACADE

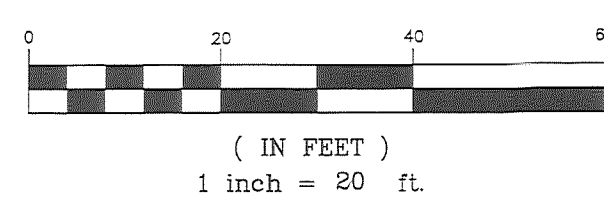
A Special Hearing Is Requested To Permit:

- To permit a freestanding enterprise sign within an existing shopping center pad site (McDonald's) on a frontage without road access (Sign H on Plat to Accompany Zoning Petition)

In the event that the Special Hearing request to approve a free-standing enterprise sign on the McDonald's pad site is denied, an additional variance is requested from:

- Section 450.4 Attachment 1, 5(VI) to permit a free-standing enterprise sign on the McClean Blvd. frontage of the Perring Parkway Shopping Center in addition to the existing freestanding joint identification sign located on this frontage (Sign H on Plat to Accompany Zoning Petition)

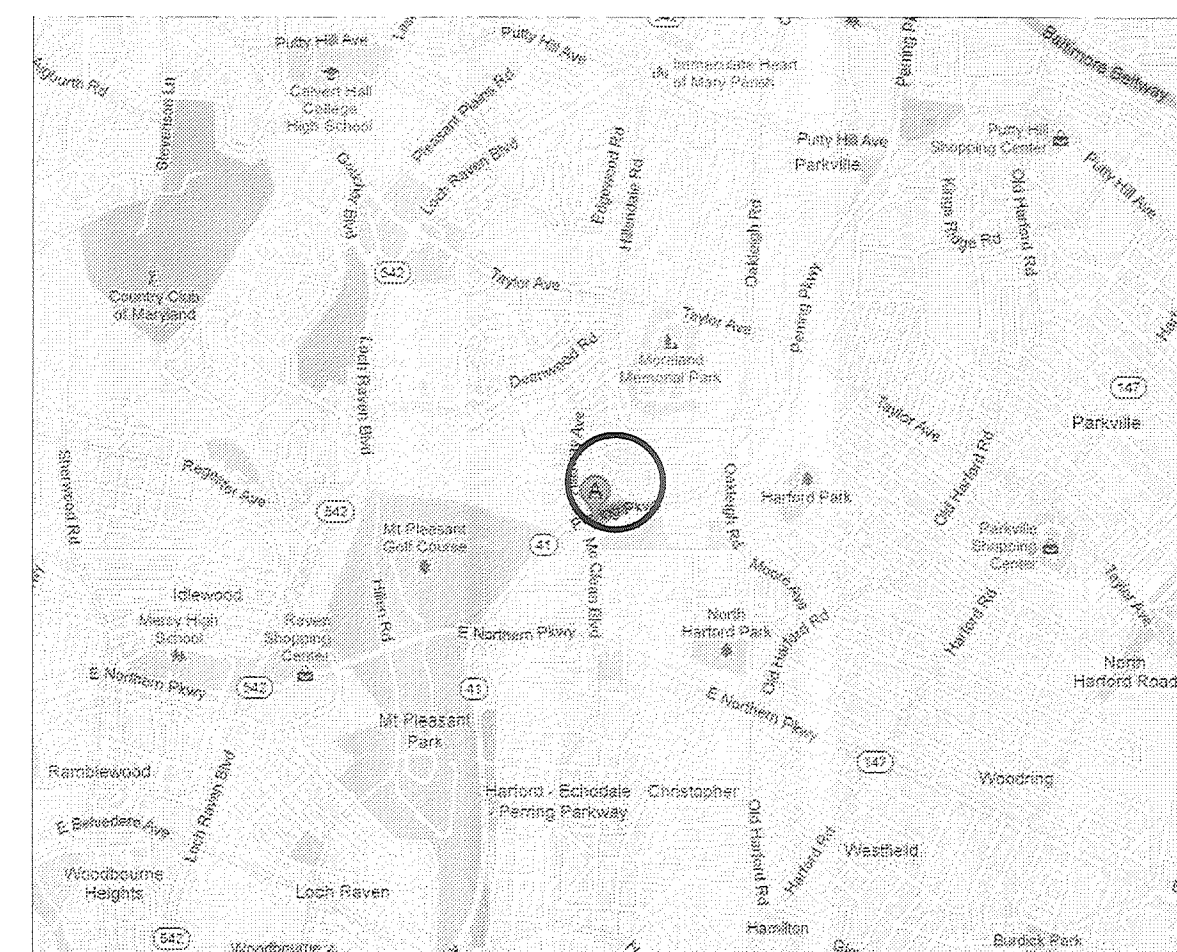
GRAPHIC SCALE



ZONING VARIANCE REQUEST SUMMARY

VARIANCE REQUEST	DESCRIPTION	REQUEST BY VARIANCE
"1"	450.4 Attachment 1, 5(a)(VI) to permit 5 wall-mounted enterprise signs on the building facades in lieu of the permitted 3 signs;	1
"2"	450.4 Attachment 1, 3(b)(VII) to permit one (1) freestanding directional sign of 10.67 ft in height in lieu of the permitted 6 ft;	1
"3"	450.4 Attachment 1, 3(b)(VII) to permit two (2) directional signs of 11.2 ft. in height in lieu of the permitted 6 ft;	2
"4"	450.4 Attachment 1, 3(a) to permit one (1) canopy-type directional sign in lieu of the permitted wall-mounted or free-standing sign;	1
"5"	450.5.B.3.b to permit erection of the canopy sign above the face of the canopy in lieu of its erection on the face of the canopy;	1
"6"	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.	2
"7"	450.4 1.3A to permit 2 projected directional signs in lieu of the permitted wall of freestanding directional signs.	2

VICINITY MAP



GENERAL NOTES:

APPLICANT:
MCDONALD'S CORPORATION
c/o JEFFREY BELL SR.
6403 ROCKLEDGE DRIVE
SUITE 100
BETHESDA, MD. 20817

- OWNER:
ACMB Perring, LLC
c/o Acadia Realty Trust
1311 Mamaroneck Ave., Ste. 260
White Plains, NY 10605
- SITE AREA: 35,762 SF / 0.821 AC
- EXISTING BUILDING AREA: 4,786 S.F.
PROPOSED BUILDING AREA: 4,800 S.F.
- TOTAL AREA DISTURBED BY NEW CONSTRUCTION: 616 S.F.

- PARKING:
EXISTING PARKING TO REMAIN.
NO ADDITIONS OR SUBTRACTIONS TO PARKING.

- PER APPROVED PLAN PDM # 1X-640 JUNE 19TH, 2001
EXISTING - 1321 PARKING SPACES (INCLUDING 43 H.C.)
REQUIRED - 202,304 S.F. @ 5 SPACES/1000 S.F. = 1412 SPACES
PROVIDED - 1,255 SPACES (INCLUDING 46 H.C.P)

- PROPOSED ADDITION (MCDONALD'S):
REQUIRED - 202,316 S.F. @ 5 SPACES/1000 S.F. = 1412 SPACES (NO CHANGE)
PROVIDED - 1,255 SPACES (INCLUDING 46 H.C.P)
(SEE VARIANCE BELOW - CASE # 00-431-A)

- UTILITIES:
PUBLIC WATER
PUBLIC SEWER

- THIS SITE DOES NOT LIE WITHIN THE FLOODPLAIN.

- SETBACKS
REQUIRED:
FRONT 15' FROM PROPERTY LINE AND 40' FROM CENTERLINE OF STREET
SIDE 10'
REAR NONE

- HEIGHT OF STRUCTURE:
MAX PERMITTED: 40'
PROVIDED: 17' - 11" Max

- DEED REFERENCE: 31520 / 00101

- TAX ACCOUNT NUMBER (SHOPPING CENTER): 0910141360
TAX ACCOUNT NUMBER (LOT 2 - LEASE PARCEL): 0912400001360

- COUNCILMANIC DISTRICT: 5 - ELEANOR DISTRICT 9

- THE SITE IS LOCATED IN THE BACK RIVER WATERSHED

- ZONING: BM-CCC (BUSINESS MAJOR) - map # 080C1

- TAX MAP 00, GRID 12, PARCEL 172

- PROPOSED SEATING: 114

- THIS SITE IS NOT HISTORIC OR WITHIN A HISTORIC DISTRICT

- THIS SITE IS WITHIN CBGA

- ZONING HISTORY FOR SHOPPING CENTER:
CASE NO. 66162-A
VARIANCE FROM SECTION 419 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW A SIGN WITH A HEIGHT OF 30 FEET AND AN AREA OF 252 SQUARE FEET IN LIEU OF THE PERMITTED SIGN WITH A HEIGHT OF 25 FEET AND AN AREA OF 100 SQUARE FEET. GRANTED JANUARY 5, 1996

- CASE NO. 90478-X
PETITION FOR SPECIAL EXCEPTION TO APPROVE AN ARCADE ON THE SUBJECT PROPERTY GRANTED IN AUGUST 1999
- CASE NO. 00-431-A
A VARIANCE FROM SECTION 409.6.A.2 OF BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW 1224 SPACES IN LIEU OF THE REQUIRED 1494 SPACES. A VARIANCE OF 265 SPACES (17.8%) HAS BEEN GRANTED ON JUNE 6, 2000

- BALTIMORE COUNTY DEPARTMENT OF ZONING DETERMINED THAT THE PROPOSED CHANGES SHOWN ON THIS 2ND AMENDED DEVELOPMENT PLAN ARE WITHIN THE SPIRIT AND INTENT OF THE BCZR AND ZONING CASE 00-431-A. DETERMINATION WAS MADE ON JUNE 25, 2001

- CASE NO. 02-140-5PHA
VARIANCE FROM B.C.Z.R. SECTION 450.4.15 (d) TO PERMIT THREE WALL MOUNTED ENTERPRISE SIGNS ON A PREMISES IN LIEU OF THE ALLOWED ONE WALL MOUNTED ENTERPRISE SIGN AND ONE CANOPY SIGN HAS BEEN GRANTED ON DECEMBER 5, 2001.

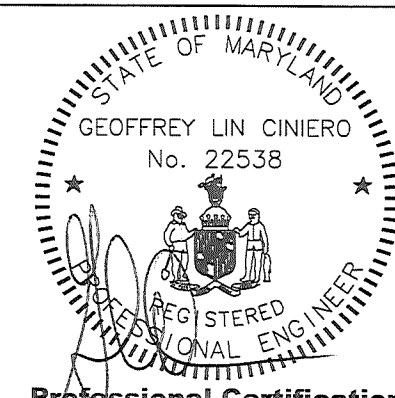


MCDONALD'S USA, LLC
KROC DRIVE
OAKBROOK, ILLINOIS 60521



The Chesapeake Design Group
Architects, Incorporated

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



4925 Ellis Lane
Ellicott City, Md 21043
CMS Associates LLC (410) 988-2436
gciniero@cms-engineering.net
c/o Geoffrey Ciniero

REVISIONS

NO.	DESCRIPTION	DATE
1	FIRST ISSUE	06/24/13

DATE: 06/24/13

SCALE: AS NOTED

BUILDING AREA 4,800 SQ. FT.

DINING ROOM SEATING 1,628 SQ. FT.

PROJECT # :12ARCADE64

DRAWN BY: TB CHECKED BY: WD

PROJECT TITLE

ALTERATIONS TO
MCDONALD'S

MCCLEAN
7309 MCCLEAN BLVD
BALTIMORE, MD 21234

REGION: BWR

LC NO. 019-0289

SHEET TITLE
SIGNAGE
VARIANCE
REQUEST:
SITE PLAN

2013-0319-SPHA

SHEET No.SPL-1.04-00

REVISIONS		
NO.	DESCRIPTION	DATE
1	FIRST ISSUE	06/24/13

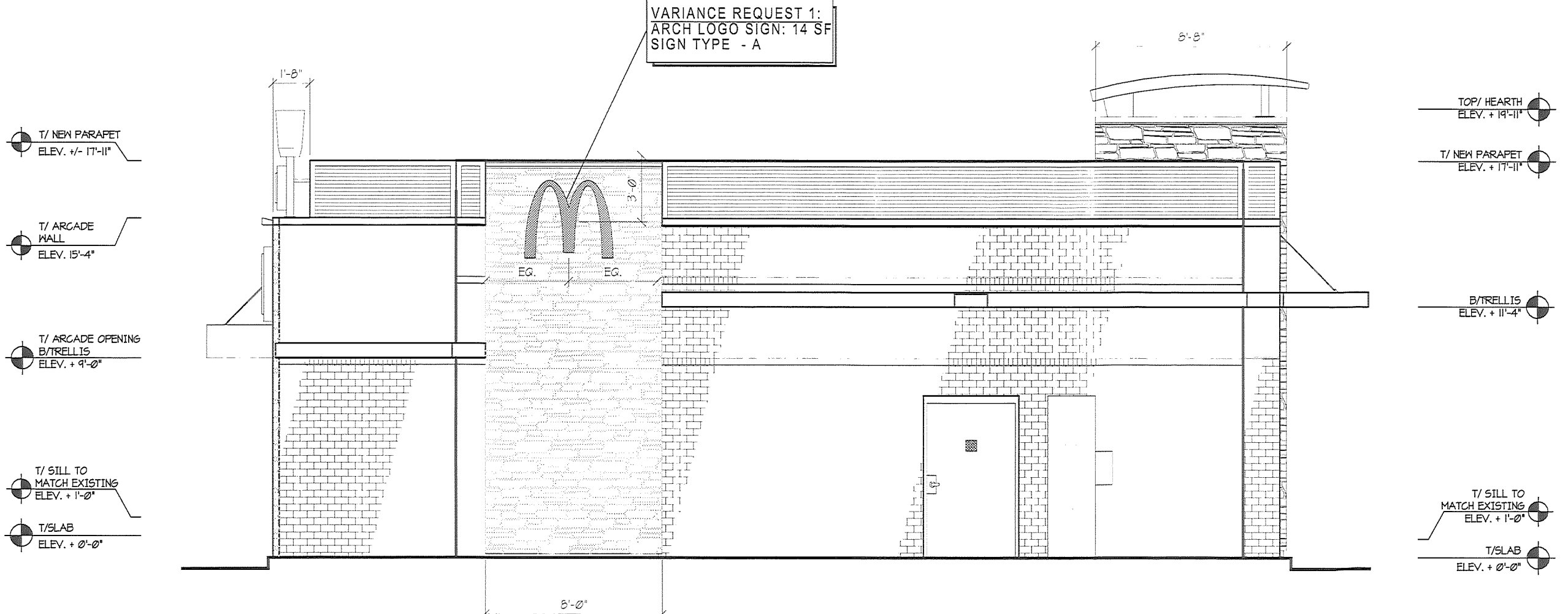
DATE: 06/24/13
 SCALE: AS NOTED
 BUILDING AREA 4,800 SQ. FT.
 DINING ROOM SEATING 1,628 SQ. FT.
 PROJECT # :12ARCADE64
 DRAWN BY: TB CHECKED BY: WD

PROJECT TITLE
 ALTERATIONS TO
 McDONALD'S
 MCCLEAN
 7309 MCCLEAN BLVD
 BALTIMORE, MD 21234
 REGION: BWR
 LC NO. 019-0289

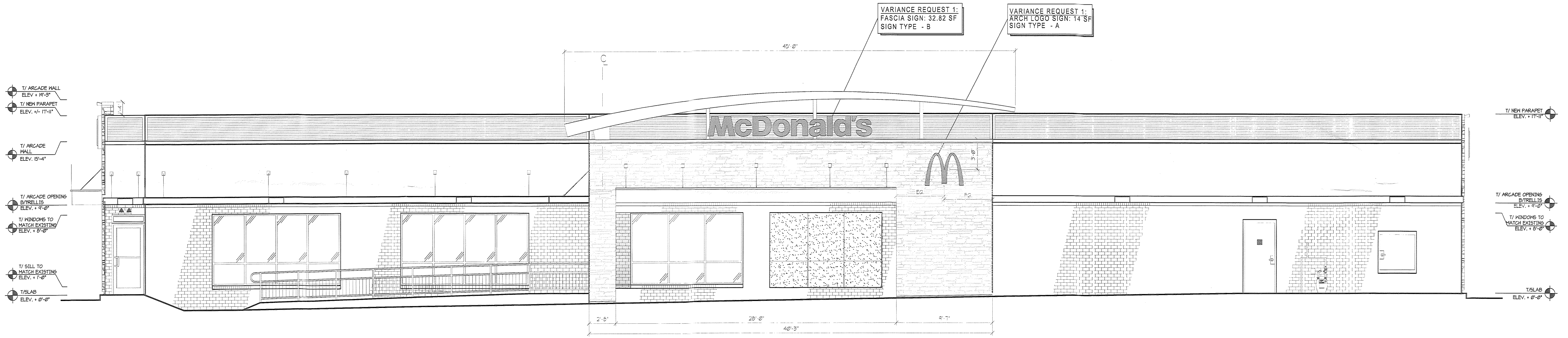
SHEET TITLE
 SIGNAGE
 VARIANCE
 REQUEST:
 ELEVATIONS



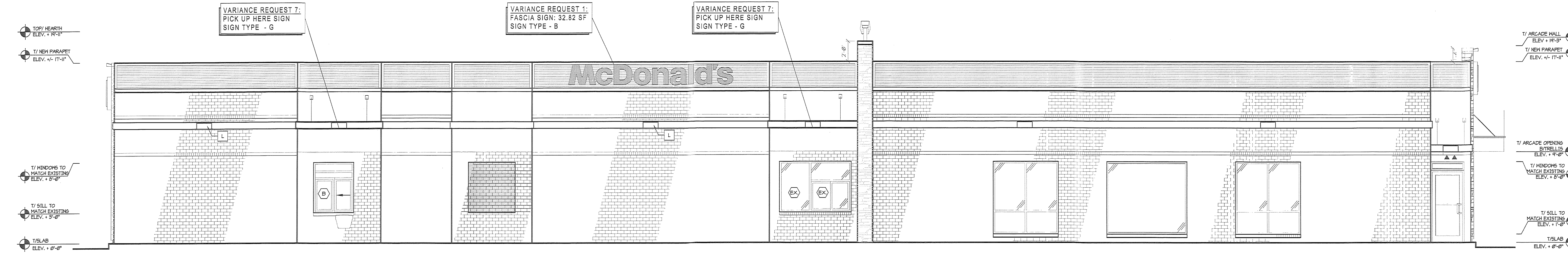
STOREFRONT ELEVATION



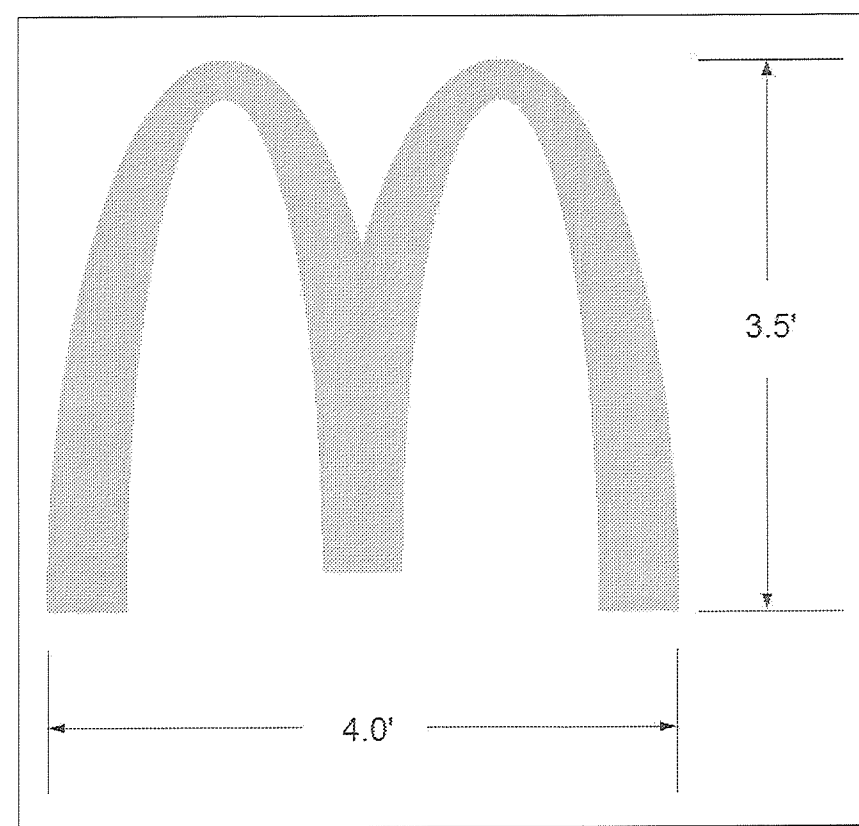
REAR ELEVATION



RIGHT SIDE ELEVATION



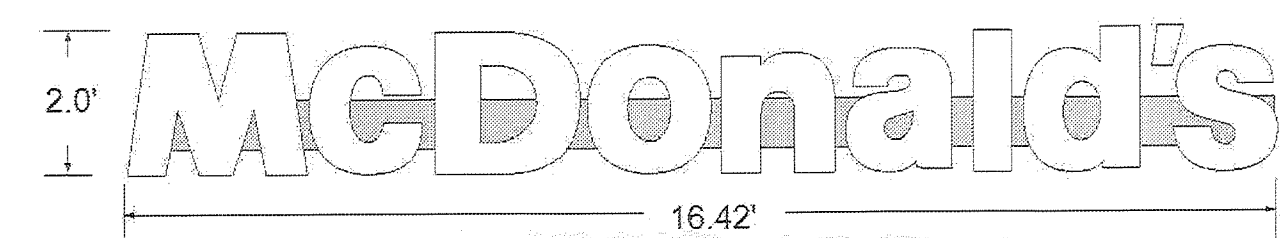
LEFT SIDE ELEVATION



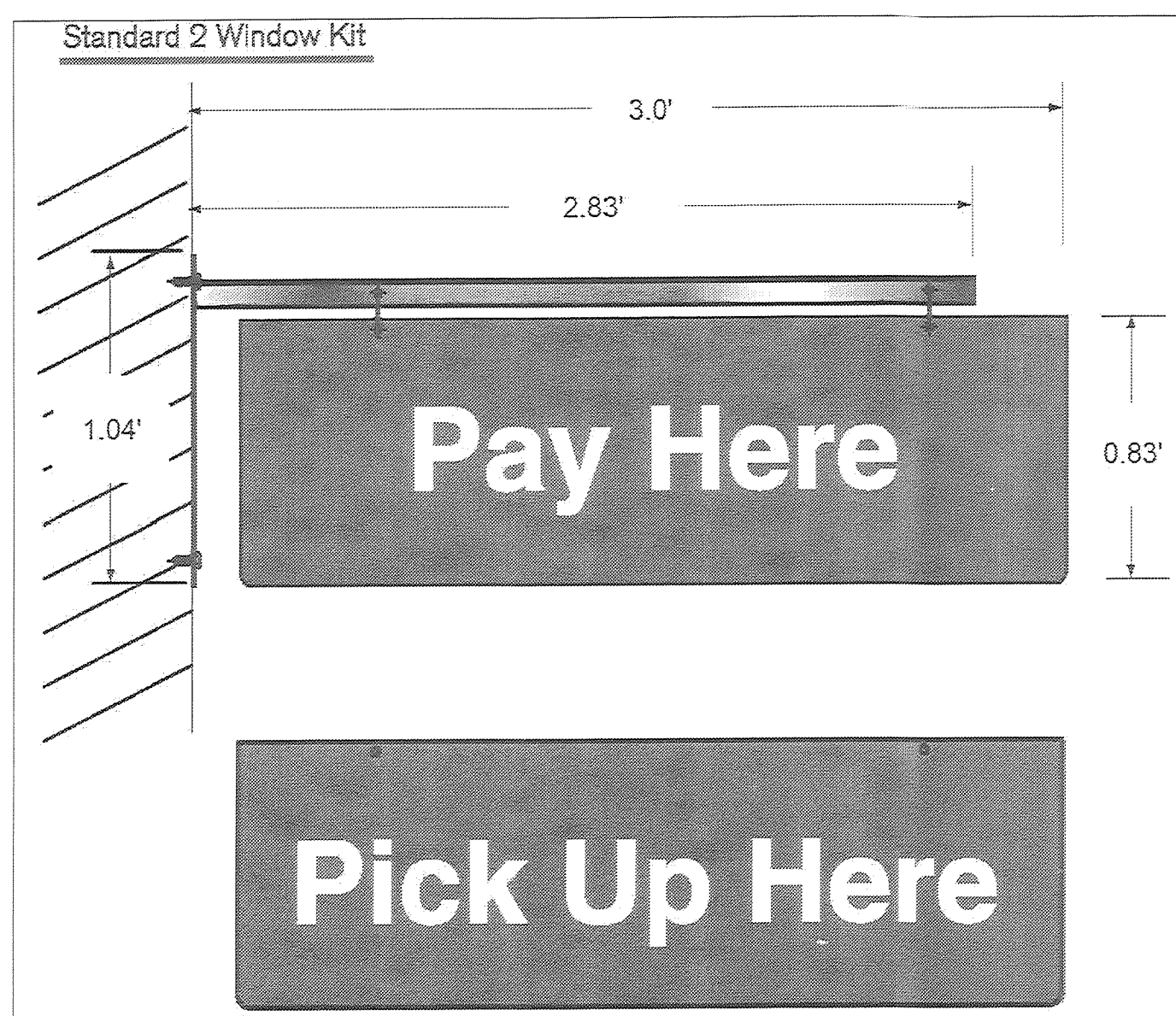
SIGN TYPE - A:
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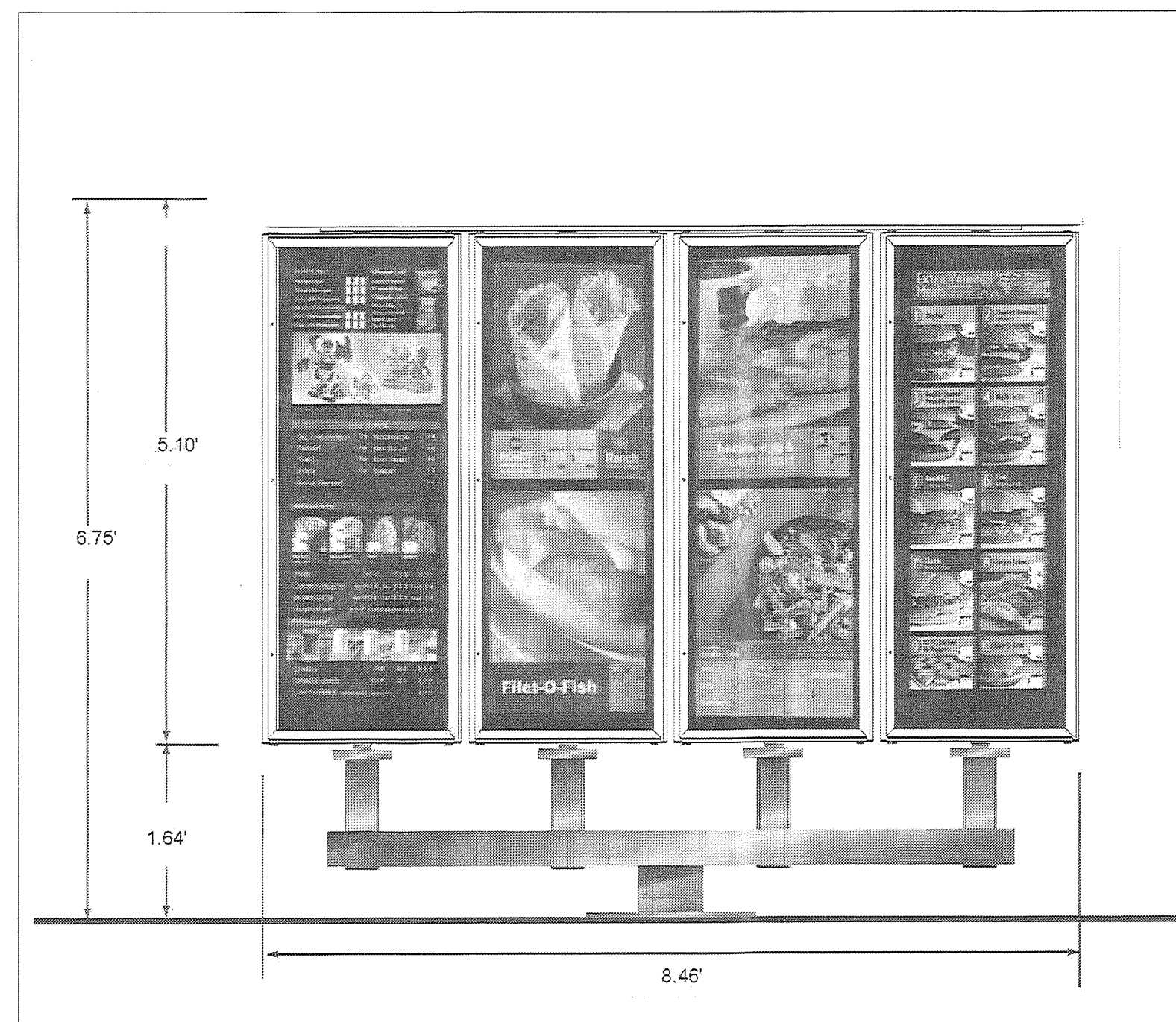
SIGN TYPE - E:
WELCOME SIGN ON CANOPY



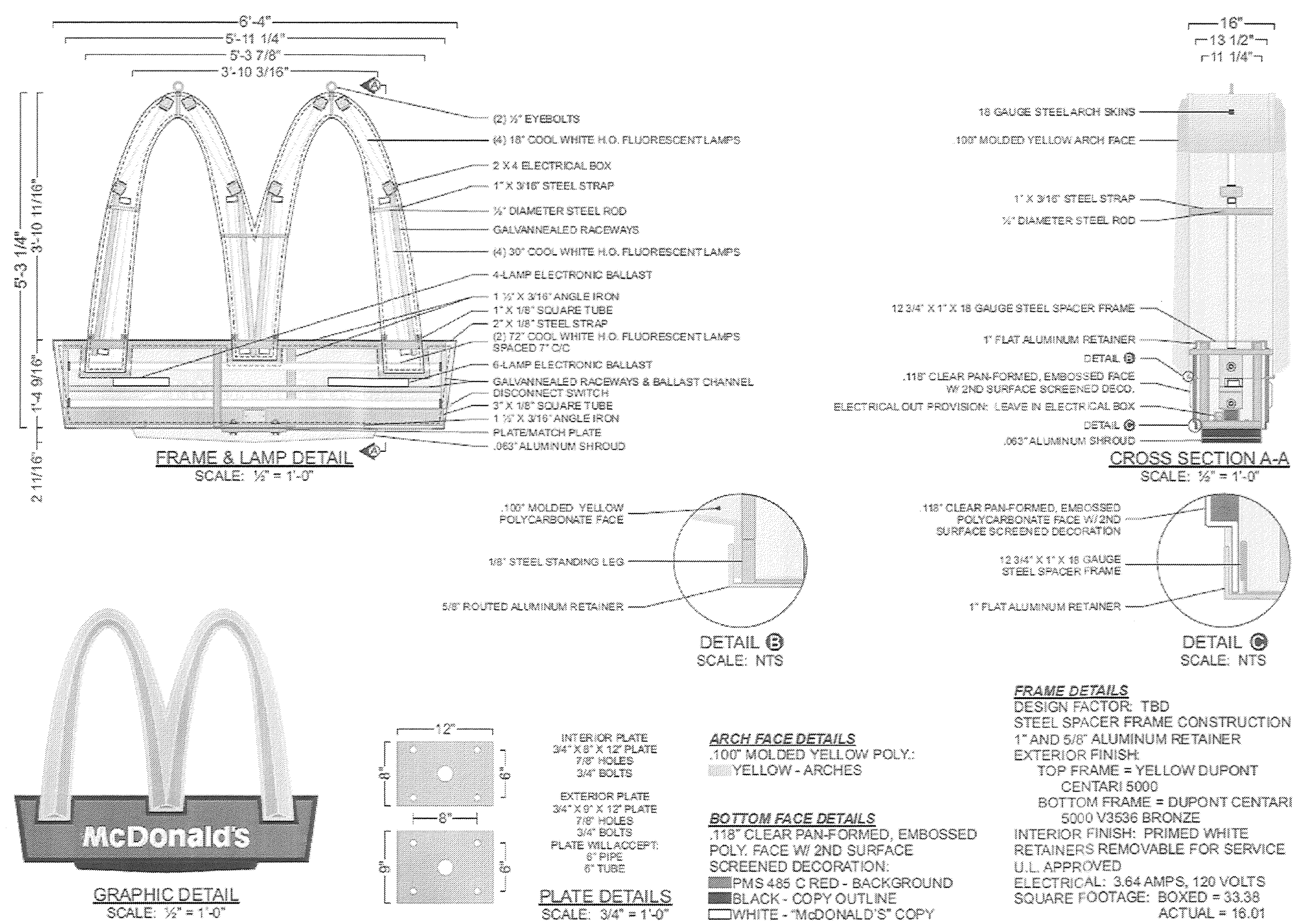
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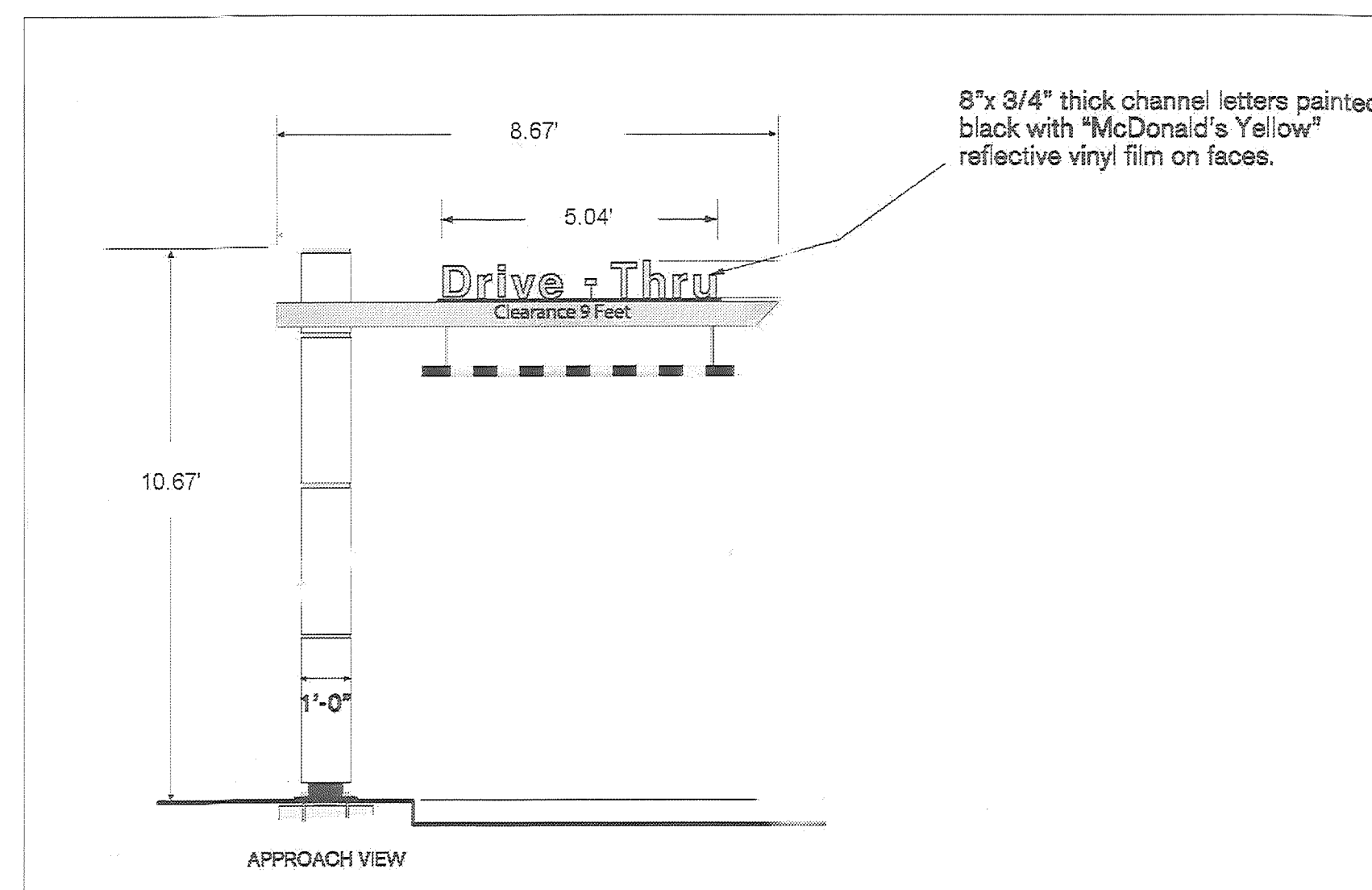
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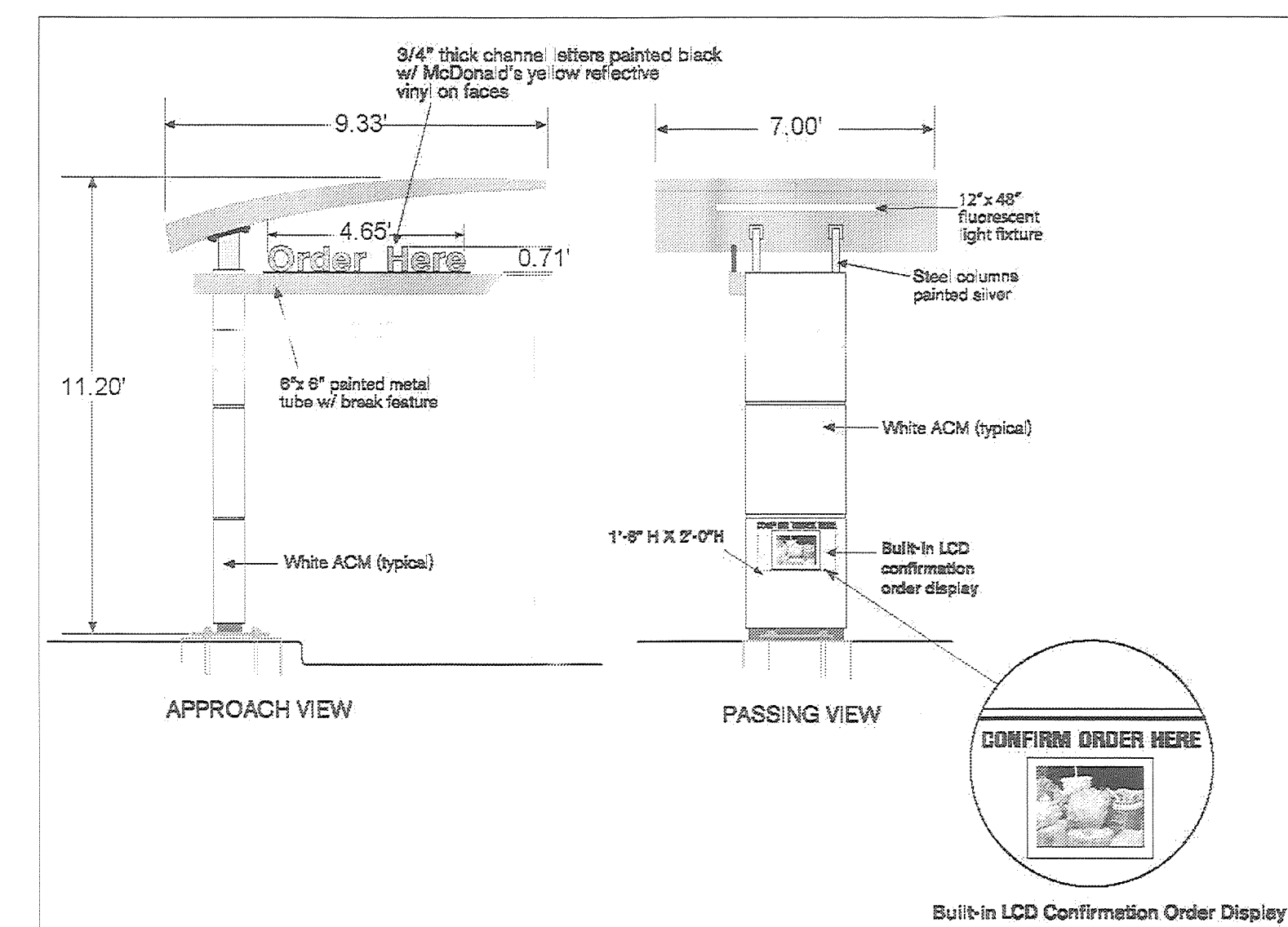
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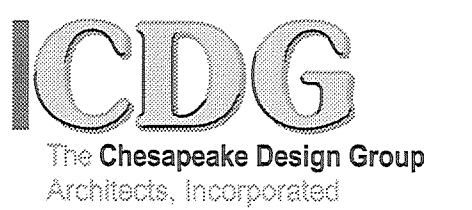
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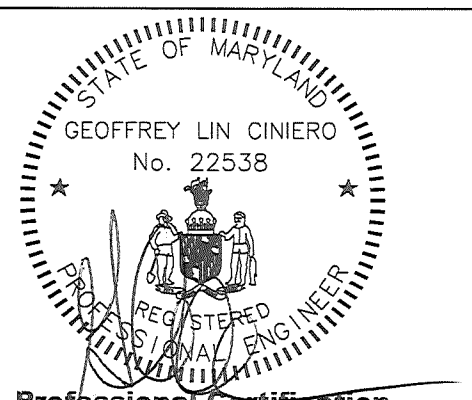
SIGN TYPE - C:
CLEARANCE GATEWAY



SIGN TYPE - D:
TWIN POLE COD CANOPY



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



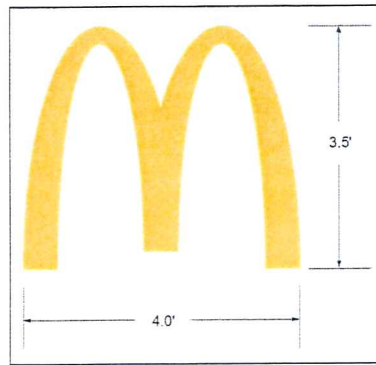
REVISIONS		
NO.	DESCRIPTION	DATE
1	FIRST ISSUE	06/24/13

DATE: 06/24/13
SCALE: AS NOTED
BUILDING AREA 4,800 SQ. FT.
DINING ROOM SEATING 1,628 SQ. FT.
PROJECT # :12ARCADE64
DRAWN BY: TB CHECKED BY: WD

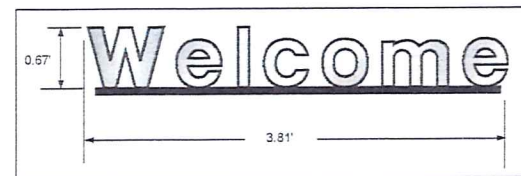
PROJECT TITLE
ALTERATIONS TO
McDONALD'S
MCCLEAN
7309 MCCLEAN BLVD
BALTIMORE, MD 21234
REGION: BWR
LC NO. 019-0289

SHEET TITLE
SIGNAGE
VARIANCE
REQUEST:
SIGN DETAILS

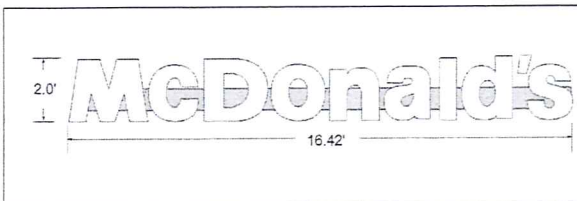
SHEET No.SPL-1.06-00



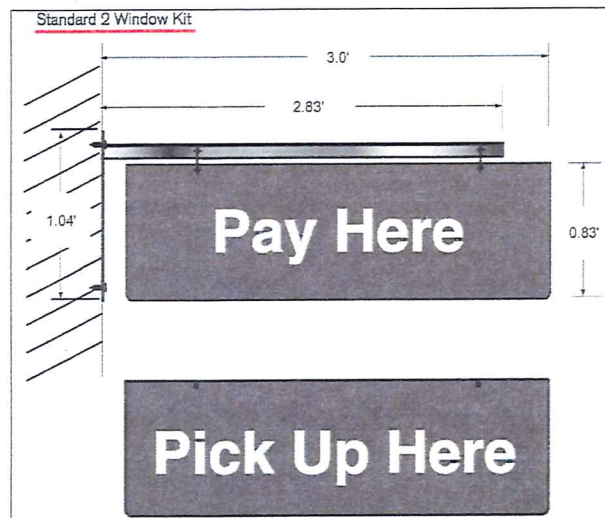
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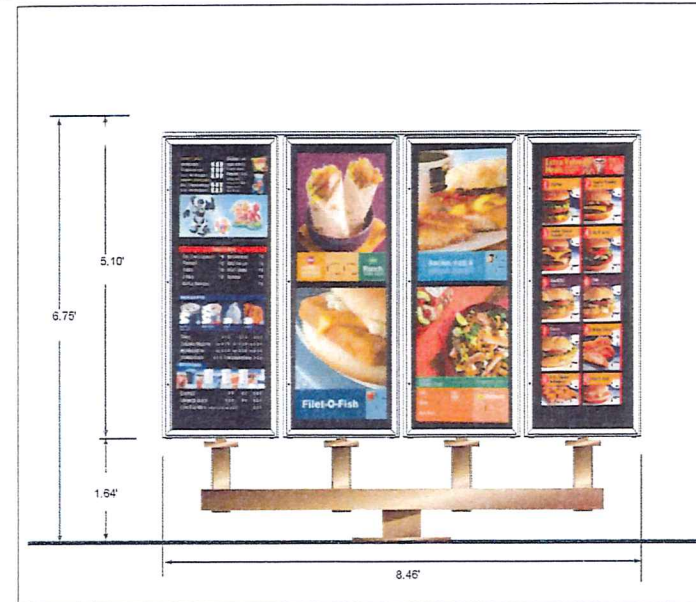
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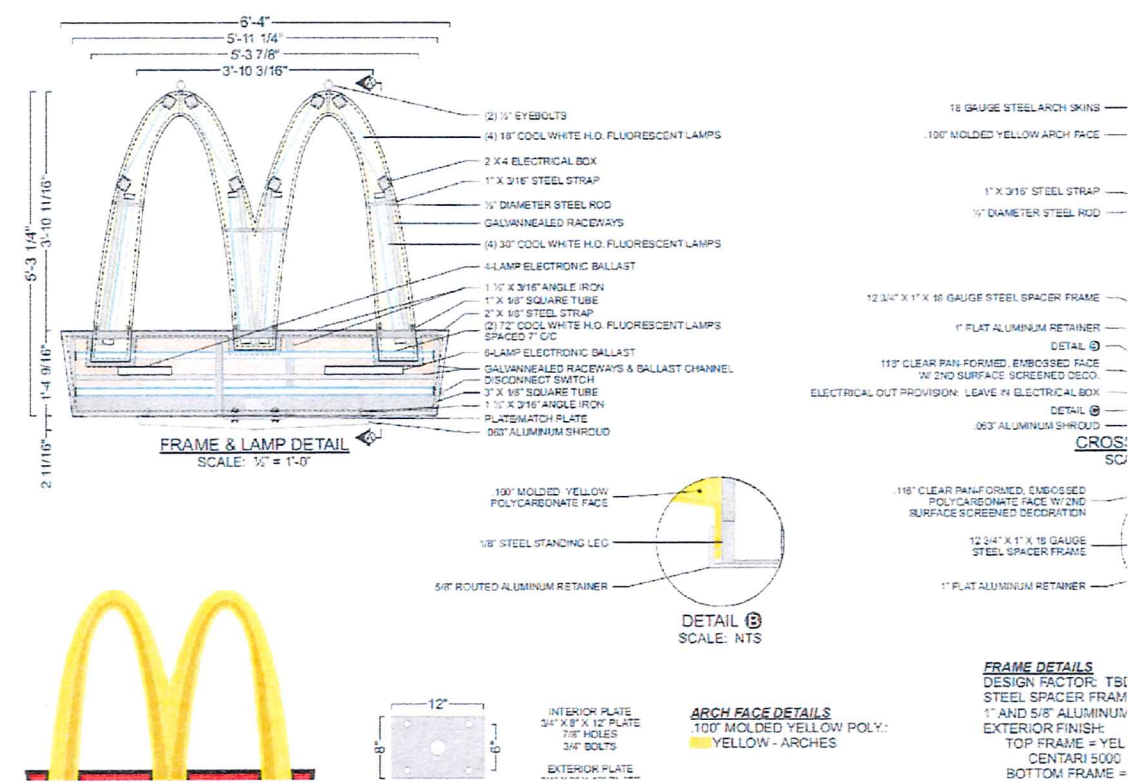
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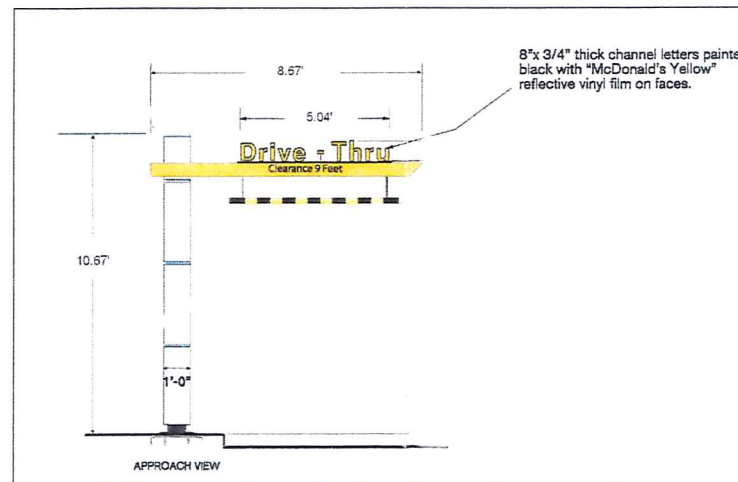
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NEXT GEN WINDOW POSITION SIGNS



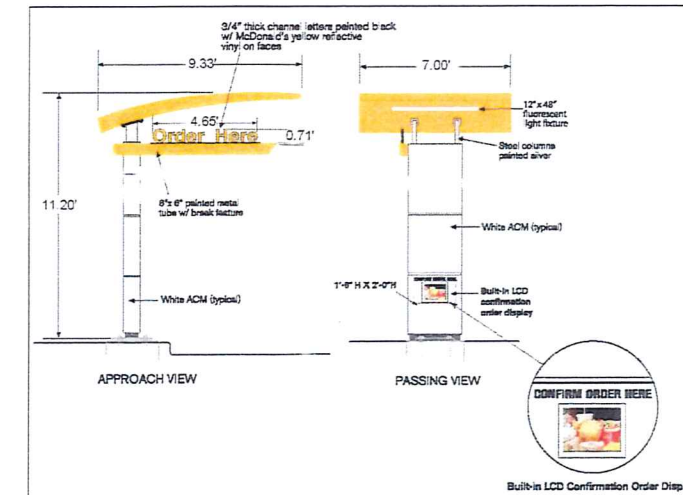
SIGN TYPE - F:
OPO MENU BOARD



SIGN TYPE - H:
FREESTANDING SIGN



SIGN TYPE - C:
CLEARANCE GATEWAY



SIGN TYPE - D:
TWIN POLE COD CANOPY



419 North Charles Street
Baltimore, Maryland 21201
t: 410.537.3622
f: 410.537.3621



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 11/30/13

CMS
CMS Associates LLC
4925 Ellis Lane
Ellicott City, Md 21043
(410) 988-2436
gcinero@cms-engineering.net
c/o Geoffrey Cinero

REVISIONS

NO.	DESCRIPTION	DATE
1	FIRST ISSUE	06/24/13

DATE: 06/24/13
SCALE: AS NOTED
BUILDING AREA: 4,808Q. FT.
DINING ROOM SEATING: 1828Q. FT.
PROJECT #: 12ARCADE84
DRAWN BY: TB CHECKED BY: WD

PROJECT TITLE
ALTERATIONS TO
McDONALD'S
MCCLEAN
7309 MCCLEAN BLVD
BALTIMORE, MD 21234
REGION: BWR
LC NO. 019-0289

SHEET TITLE
SIGNAGE VARIANCE
REQUEST:
SIGN DETAILS

SHEET NO. SPL-106-00

A. PREPARER OF PLAN

Name: **Baltimore Land Design Group, Inc.**
Address: **322 Schiller Circle**
Phone: **410-229-9531** Fax: **410-229-5863**
Date:

DEVELOPER

Name: **Home Depot U.S.A., Inc.**
Address: **2415 River Ferry Rd**
Phone: **410-229-9531**

B. ENVIRONMENTAL INFORMATION

Source	Soil	Field	Field	Remarks
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C. EXISTING BUILT CONDITIONS

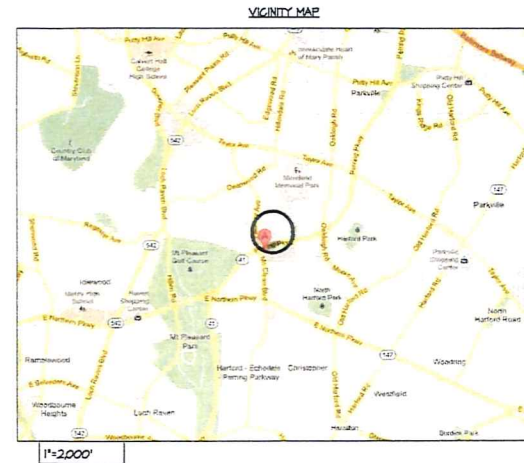
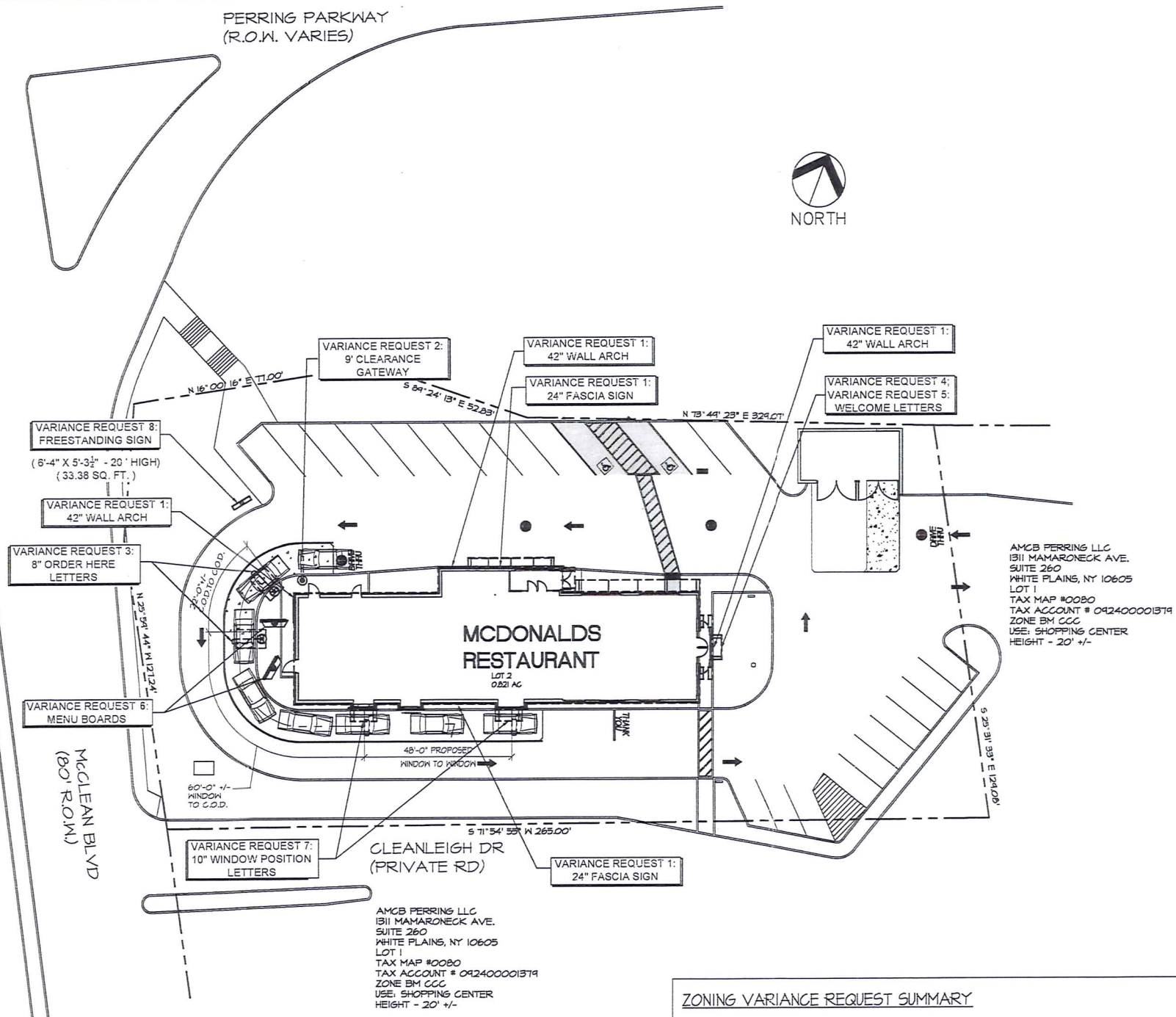
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D. COUNTY ADOPTED PLANS

Feature	Notes
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SOILS DATA

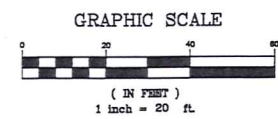
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- GENERAL NOTES:**
- APPLICANT:
MCDONALD'S CORPORATION
c/o JEFFREY BELL SR.
6909 ROCKLEDGE DRIVE
SUITE 1100
BETHESDA, MD. 20811
1. OWNER:
ACMB Perring, LLC
c/o Acadia Realty Trust
1311 Mamaroneck Ave., Ste. 260
White Plains, NY 10605
2. SITE AREA: 35,162 SF / 0.821 AC
3. EXISTING BUILDING AREA: 4,786 SF.
PROPOSED BUILDING AREA: 4,800 SF.
4. TOTAL AREA DISTURBED BY NEW CONSTRUCTION: 648 SF.
5. PARKING:
EXISTING PARKING TO REMAIN.
NO ADDITIONS OR SUBTRACTIONS TO PARKING.
6. PER APPROVED PLAN FROM # 1X-640 JUNE 19TH, 2001
EXISTING - 1,827 PARKING SPACES (INCLUDING 43 H.C.)
REQUIRED - 282,304 SF. @ 5 SPACES/1000 SF. = 1412 SPACES
PROVIDED - 1,255 SPACES (INCLUDING 46 HDGP)
(SEE VARIANCE BELOW - CASE # 00-431-A)
- PROPOSED ADDITION (MCDONALD'S)
REQUIRED - 282,318 SF. @ 5 SPACES/1000 SF. = 1412 SPACES (NO CHANGE)
PROVIDED - 1,255 SPACES (INCLUDING 46 HDGP)
(SEE VARIANCE BELOW - CASE # 00-431-A)
7. UTILITIES:
PUBLIC WATER
PUBLIC SEWER
8. THIS SITE DOES NOT LIE WITHIN THE FLOODPLAIN.
9. SETBACKS:
REQUIRED:
FRONT 15' FROM PROPERTY LINE AND 40' FROM CENTERLINE OF STREET
SIDE 10'
REAR NONE
10. HEIGHT OF STRUCTURE:
MAX PERMITTED: 40'
PROVIDED: 17'-11" MAX
11. DEED REFERENCE: 3520 / 00181
12. TAX ACCOUNT NUMBER (SHOPPING CENTER): 090741360
TAX ACCOUNT NUMBER (LOT 2 - LEASE PARCEL): 092400001380
13. CONGILMATIC DISTRICT: 5
14. THE SITE IS LOCATED IN THE BACK RIVER WATERSHED
15. ZONING: BM-CCC (BUSINESS MAJOR)
16. TAX MAP 80, GRID 12, PARCEL 172
17. PROPOSED SEATING: 114
18. THIS SITE IS NOT HISTORIC OR WITHIN A HISTORIC DISTRICT
19. THIS SITE IS WITHIN CBCA
20. ZONING HISTORY FOR SHOPPING CENTER:
CASE NO. 66-182-A
VARIANCE FROM SECTION 419 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW A SIGN WITH A HEIGHT OF 36 FEET AND AN AREA OF 252 SQUARE FEET IN LIEU OF THE PERMITTED SIGN WITH A HEIGHT OF 25 FEET AND AN AREA OF 100 SQUARE FEET. GRANTED JANUARY 5, 1996
CASE NO. 88-478-X
PETITION FOR SPECIAL EXCEPTION TO APPROVE AN ARCADE ON THE SUBJECT PROPERTY GRANTED IN AUGUST 1998
CASE NO. 00-431-A
A VARIANCE FROM SECTION 409.6.A.2 OF BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW 1224 SPACES IN LIEU OF THE REQUIRED 1484 SPACES. A VARIANCE OF 265 SPACES (17.8%) HAS BEEN GRANTED ON JUNE 6, 2000
BALTIMORE COUNTY DEPARTMENT OF ZONING DETERMINED THAT THE PROPOSED CHANGES SHOWN ON THIS 2ND AMENDED DEVELOPMENT PLAN ARE WITHIN THE SPIRIT AND INTENT OF THE BCCR AND ZONING CASE 00-431-A. DETERMINATION WAS MADE ON JUNE 23, 2001
CASE NO. 02-140-SPHA
VARIANCE FROM B.C.Z.R. SECTION 450.41.5 (d) TO PERMIT THREE WALL MOUNTED ENTERPRISE SIGNS ON A PREMISES IN LIEU OF THE ALLOWED ONE WALL MOUNTED ENTERPRISE SIGN AND ONE CANOPY SIGN HAS BEEN GRANTED ON DECEMBER 5, 2001.

ZONING VARIANCE REQUEST SUMMARY		
VARIANCE REQUEST	DESCRIPTION	REQUEST BY VARIANCE
"1"	450.4 Attachment 1, 5(a)(VI) to permit 5 wall-mounted enterprise signs on the building facades in lieu of the permitted 3 signs;	1
"2"	450.4 Attachment 1, 3(b)(VII) to permit one (1) freestanding directional sign of 10.67 ft in height in lieu of the permitted 6 ft;	1
"3"	450.4 Attachment 1, 3(b)(VII) to permit two (2) directional signs of 11.2 ft. in height in lieu of the permitted 6 ft;	2
"4"	450.4 Attachment 1, 3(a) to permit one (1) canopy-type directional sign in lieu of the permitted wall-mounted or free-standing sign;	1
"5"	450.5.B.3.b to permit erection of the canopy sign above the face of the canopy in lieu of its erection on the face of the canopy;	1
"6"	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.	2
"7"	450.4.13A to permit 2 projected directional signs in lieu of the permitted wall of freestanding directional signs.	2

PURPOSE:
THIS PLAN IS FOR THE RECONFIGURATION OF THE EXISTING TRASH CORRAL, 14 SQ. FT. OF BUILDING EXPANSION, ACCESSIBLE PARKING, AND NEW BUILDING FACADE



419 North Charles Street
Baltimore, Maryland 21201
t: 410.537.3622
f: 410.537.3621



REVISIONS		
NO.	DESCRIPTION	DATE
1	FIRST ISSUE	08/24/13

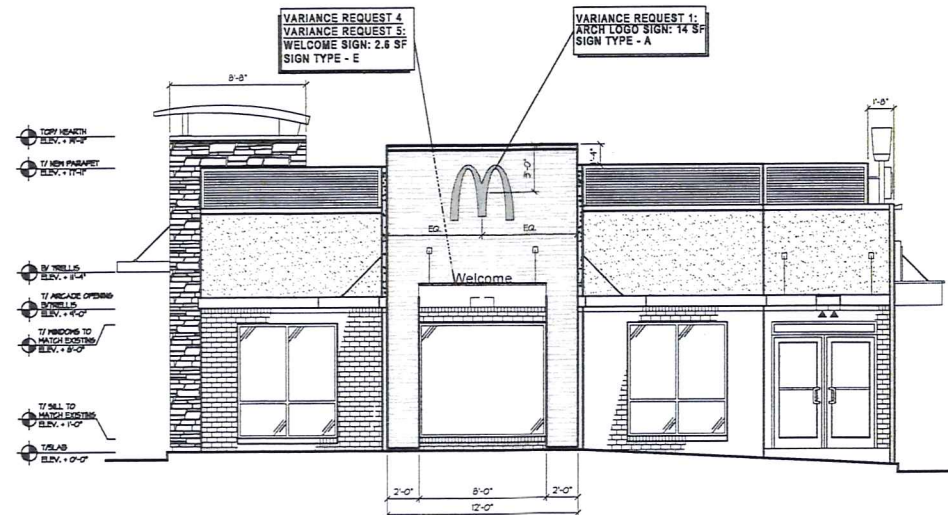
DATE: 08/24/13
SCALE: AS NOTED
BUILDING AREA: 4,800 SQ. FT.
DINING ROOM SEATING: 16280. FT.
PROJECT #: 12ARCADE64
DRAWN BY: TB CHECKED BY: WD

PROJECT TITLE
ALTERATIONS TO MCDONALD'S
MCCLEAN 7309 MCCLEAN BLVD BALTIMORE, MD 21234
REGION: BWR
LC NO. 019-0289

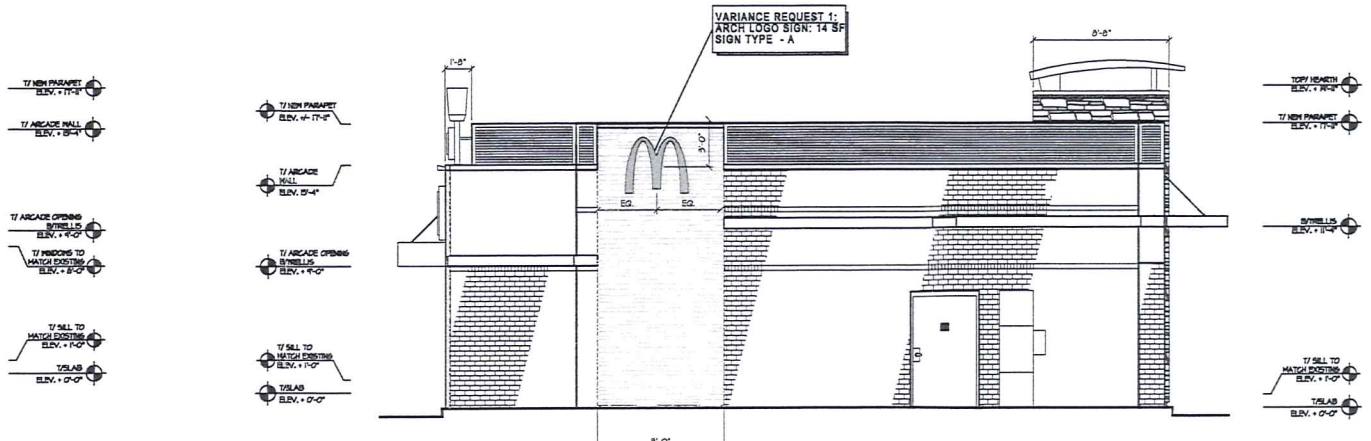
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SIGNAGE VARIANCE REQUEST: SITE PLAN

SHEET NO. S

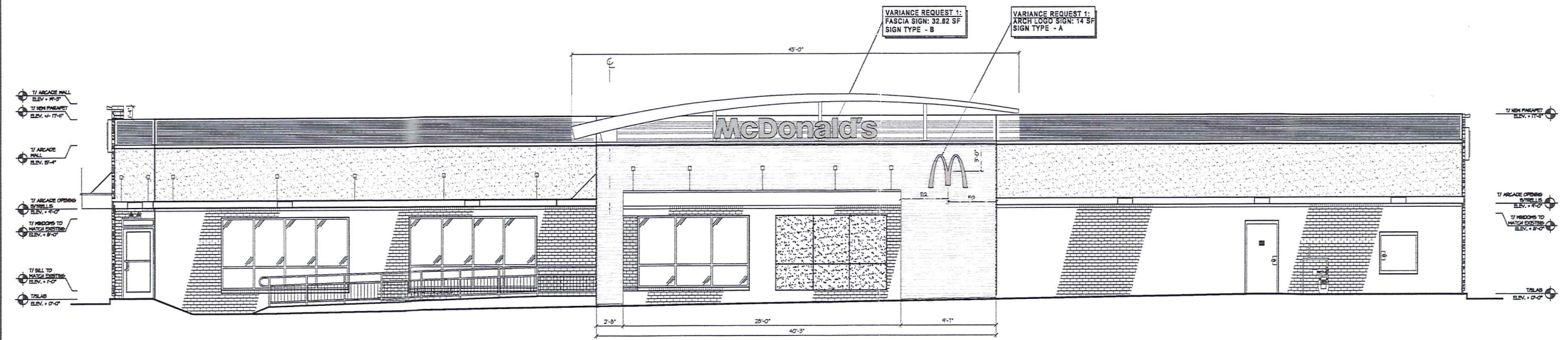




STOREFRONT ELEVATION



REAR ELEVATION



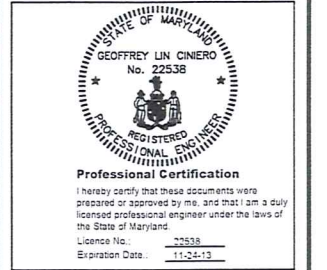
RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION



CDG
The Chesapeake Design Group
Architects, Incorporated
419 North Charles Street
Baltimore, Maryland 21201
t: 410.537.3622
f: 410.537.3621



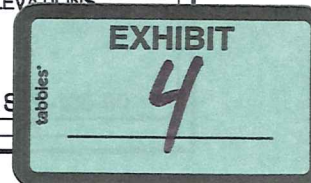
CMS
CMS Associates LLC
4925 Ellis Lane
Ellicott City, Md 21043
(410) 988-2436
gciniero@cms-engineering.net
c/o Geoffrey Ciniero

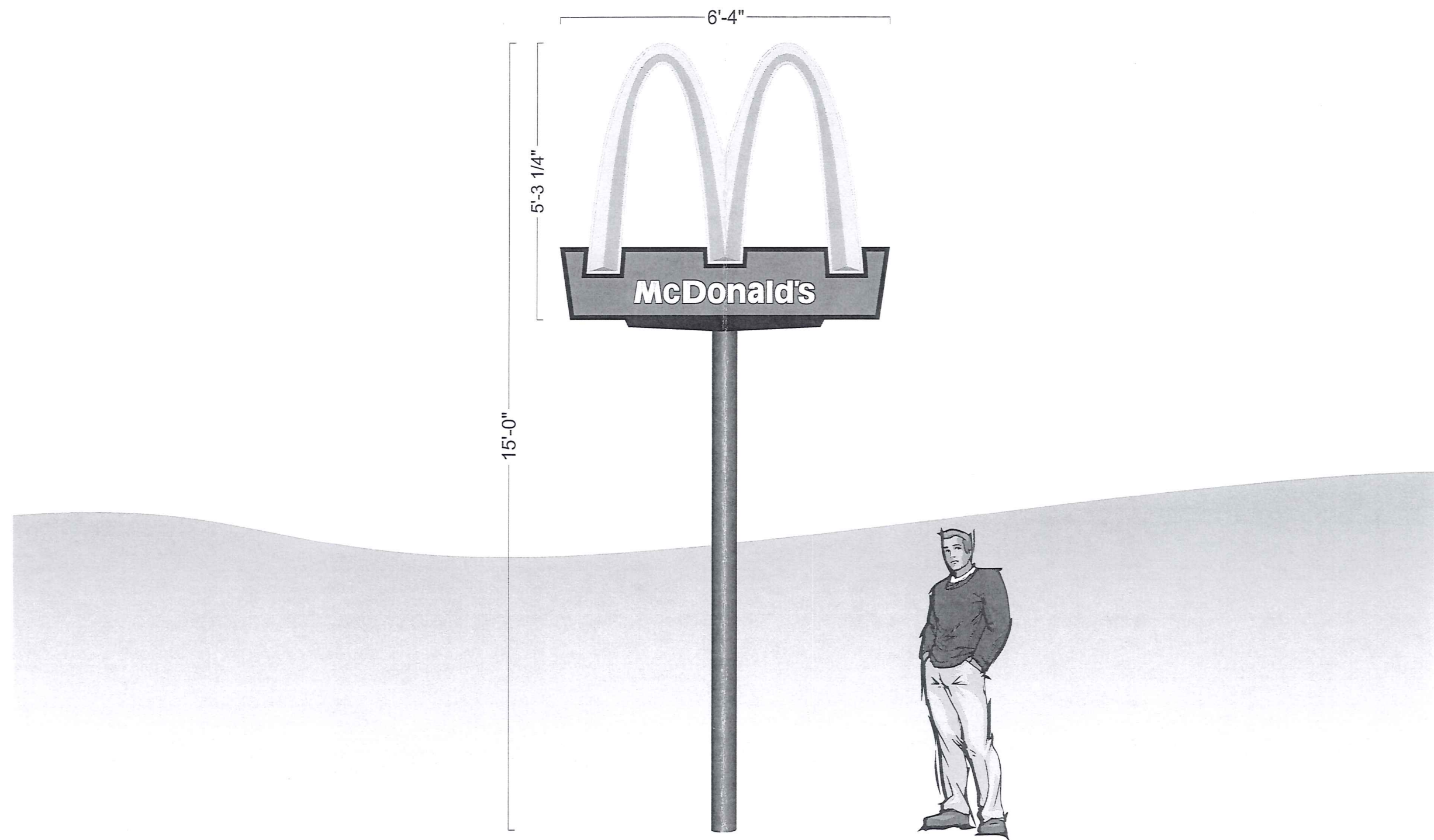
REVISIONS		
NO.	DESCRIPTION	DATE
1	FIRST ISSUE	06/24/13

DATE: 06/24/13
SCALE: AS NOTED
BUILDING AREA: 4,808 SQ. FT.
DINING ROOM SEATING: 16280 SQ. FT.
PROJECT #: 12ARCADE64
DRAWN BY: TB CHECKED BY: WD

PROJECT TITLE
ALTERATIONS TO
MCDONALD'S
MCCLEAN
7309 MCCLEAN BLVD
BALTIMORE, MD 21234
REGION: BWR
LC NO. 019-0289

SHEET TITLE
SIGNAGE VARIANCE
REQUEST:
ELEVATIONS





ELEVATION
SCALE: 3/8" = 1'-0"

Customer: McDONALD'S		Date: 09/28/10	Prepared By: RA	Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.		DISTRIBUTED BY SIGN UP COMPANY 700 21st Street Southwest PO Box 210 Watertown, SD 57201-0210 1 (800) 843-9888 • www.persona-inc.com
Item Number: MCD-9025RSFR-S MCD-9025RSFAARCH-S MCD-9025RSFAMCD-S MCD-9025RSSHROUD-S	File Name: MCD 90-25 5 X 6 DOUBLE FACE WITH COPY					

