

IN RE: **PETITION FOR VARIANCE**  
**(3223 Washington Blvd.)**  
13<sup>th</sup> Election District  
1<sup>st</sup> Councilmanic District  
McDonald's Corporation  
Petitioner

\* BEFORE THE  
\* OFFICE OF  
\* ADMINISTRATIVE HEARINGS  
\* FOR BALTIMORE COUNTY  
\* **Case No. 2014-0032-A**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Variance filed by Caroline L. Hecker, Esquire, of Rosenberg, Martin, Greenberg, LLP on behalf of McDonald's Corporation, legal owner. The Variance was filed pursuant to Baltimore County Zoning Regulations ("B.C.Z.R") as follows:

Signage Regulations:

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 and 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 two canopy-type directional signs in lieu of the permitted wall-mounted or freestanding signs (Sign E 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 ft. in height in lieu of the permitted 6 ft. (Sign F on the 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).

**ORDER RECEIVED FOR FILING**

Date 10/10/13  
By Sen

8. Section 450.4 Attachment 1, 5(b)(V) to permit a free-standing enterprise sign having a height of 35 ft. in lieu of the permitted 25 ft. (Sign H on Plat to Accompany Variance Petition).

9. Section 450.4 Attachment 1, 5(b)(V) to permit a free-standing enterprise sign having a face of 133 sq. ft. in lieu of the permitted 75 sq. ft. (Sign H on Plat to Accompany Zoning Petition).

Appearing at the public hearing in support of the requests was Eric Kunimoto, Esquire, Jeff Bell and Robert Goldman. Caroline Hecker, Esquire, appeared as counsel and represented the Petitioner. The file reveals that the Petition was properly posted and advertised 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.

No substantive Zoning Advisory Committee (ZAC) comments were received from any of the County reviewing agencies.

The subject property is approximately 1.32 acres and is zoned BL. The property is improved with a McDonald's restaurant, constructed in 1987. The Petitioner is remodeling the location (a \$1 million investment) and as part of the renovation will install an updated sign package, for which variance relief is required.

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). The property is irregularly shaped, fronts on three streets, and is partially located in Baltimore City and partially located in Baltimore County. It is thus unique.

The Petitioner would experience a practical difficulty if relief were denied, given it would be unable to install the proposed signage, which is in place at 17 other McDonald's locations in the County.

ORDER RECEIVED FOR FILING

Date 10/10/13

By Den

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 lack of County and/or community opposition.

Pursuant to the posting of the property, public hearing, and after considering the testimony and evidence offered, I find that Petitioner's Variance request should be granted.

THEREFORE, IT IS ORDERED this 10th day of October, 2013, by the Administrative Law Judge that the Petition for Variance filed pursuant to B.C.Z.R. as follows:

Signage Regulations:

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 and 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).
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6. Section 450.4 Attachment 1, 5(f)(VII) to permit two free-standing order boards of 6.75 ft. in height in lieu of the permitted 6 ft. (Sign F on the 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).
8. Section 450.4 Attachment 1, 5(b)(V) to permit a free-standing enterprise sign having a height of 35 ft. in lieu of the permitted 25 ft. (Sign H on Plat to Accompany Variance Petition).
9. Section 450.4 Attachment 1, 5(b)(V) to permit a free-standing enterprise sign having a face of 133 sq. ft. in lieu of the permitted 75 sq. ft. (Sign H on Plat to Accompany Zoning Petition),

be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date

10/10/13

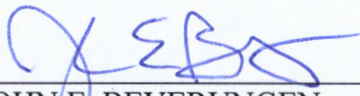
By

Den

The relief granted herein shall be subject to the following:

1. Petitioner may apply for its appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner 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.

  
\_\_\_\_\_  
JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING

Date

10/10/13

By

Den



KEVIN KAMENETZ  
*County Executive*

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

October 10, 2013

Caroline L. Hecker, Esquire  
Rosenberg, Martin, Greenberg, LLP  
25 S. Charles Street, 21<sup>st</sup> Floor  
Baltimore, Maryland 21201

RE: Petition for Variance  
Property: 3223 Washington Blvd.  
Case No.: 2014-0032-A

Dear Mrs. Hecker :

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,

A handwritten signature in black ink, appearing to read "JEB", is written over a horizontal line.

JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:sln  
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 3223 Washington Blvd. which is presently zoned BL  
 Deed References: 07818/00730 10 Digit Tax Account # 2100003989  
 Property Owner(s) Printed Name(s) McDonald's Corporation

(SELECT THE HEARING(S) BY MARKING ☒ 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:

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:

Name- Type or Print \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Date 10/10/13  
 Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
 By \_\_\_\_\_  
 Zip Code \_\_\_\_\_ Telephone # \_\_\_\_\_ Email Address \_\_\_\_\_

## Attorney for Petitioner:

Caroline L. Hecker / Rosenberg Martin Greenberg, LLP  
 Name- Type or Print \_\_\_\_\_  
 Signature Caroline L. Hecker  
 25 S. Charles Street, 21st Floor Baltimore MD  
 Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
 21201 / (410) 727-6600 / checker@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 Mr. [Signature] Signature #2 \_\_\_\_\_  
 One McDonald's Plaza Oak Brook IL  
 Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
 60523 / 630-623-3000 /  
 Zip Code Telephone # Email Address

## Representative to be contacted:

Jeffrey Bell, Area Construction Manager, McDonald's USA, LLC  
 Name - Type or Print \_\_\_\_\_  
 Signature Jeffrey Bell  
 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 2014-0032-A Filing Date 8/9/2014 Do Not Schedule Dates: \_\_\_\_\_ Reviewer TL

**McDonald's Corporation**  
**3223 Washington Blvd.**  
**Zoned BL**  
**Deed Reference: 07817/00730**  
**Tax Acct. # 2100003989**

**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 and 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)
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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)
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9. Section 450.4 Attachment 1, 5(b)(V) to permit a free-standing enterprise sign having a face of 133 sq. ft. in lieu of the permitted 75 sq. ft. (Sign H on Plat to Accompany Zoning Petition)

2014-0032-A

# 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.**

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#### For Newspaper Advertising:

Item Number or Case Number: 2014 - 0032 - A  
Petitioner: McDonald's Corporation  
Address or Location: 3223 Washington Blvd.

#### PLEASE FORWARD ADVERTISING BILL TO:

Name: Chesapeake Design Group  
Address: 419 North Charles Street  
Baltimore, MD 21201  
Telephone Number: 410 837-2622

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

No. **101532**

Date: **8/9/13**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW

8/09/2013 8/09/2013 09:40:36

REG #302 WALKIN JENA JEE

>> RECEIPT # 840178 7/31/2013

OFF

Dept 5 528 ZIMING VERIFICATION

CR NO. 101532

Receipt Tot \$500.00

\$385.00 CR \$120.00 CA

\$5.00 CB

Baltimore County, Maryland

| Fund | Dept | Unit | Sub Unit | Rev Source/ | Sub Rev/ | Obj | Sub Obj | Dept Obj | BS Acct | Amount |
|------|------|------|----------|-------------|----------|-----|---------|----------|---------|--------|
| 001  | 806  | 0000 |          | 6150        |          |     |         |          |         | 500.00 |
|      |      |      |          |             |          |     |         |          |         |        |
|      |      |      |          |             |          |     |         |          |         |        |
|      |      |      |          |             |          |     |         |          |         |        |
|      |      |      |          |             |          |     |         |          |         |        |
|      |      |      |          |             |          |     |         |          |         |        |
|      |      |      |          |             |          |     |         |          |         |        |
|      |      |      |          |             |          |     |         |          |         |        |

Total: **500.00**

Rec From **CHESAPEAKE DESIGN GROUP, INC.**

For **2914-0032-A**

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

CASHIER'S  
VALIDATION

## CERTIFICATE OF POSTING

RE: Case No. 2014-0032-A

Petitioner: McDonald's Corporation

Hearing / Closing Date: 10/10/13

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 \_\_\_\_\_

3223 Washington Boulevard

\_\_\_\_\_ on 9/20/13

Sincerely,

\_\_\_\_\_  
Richard E. Hoffman

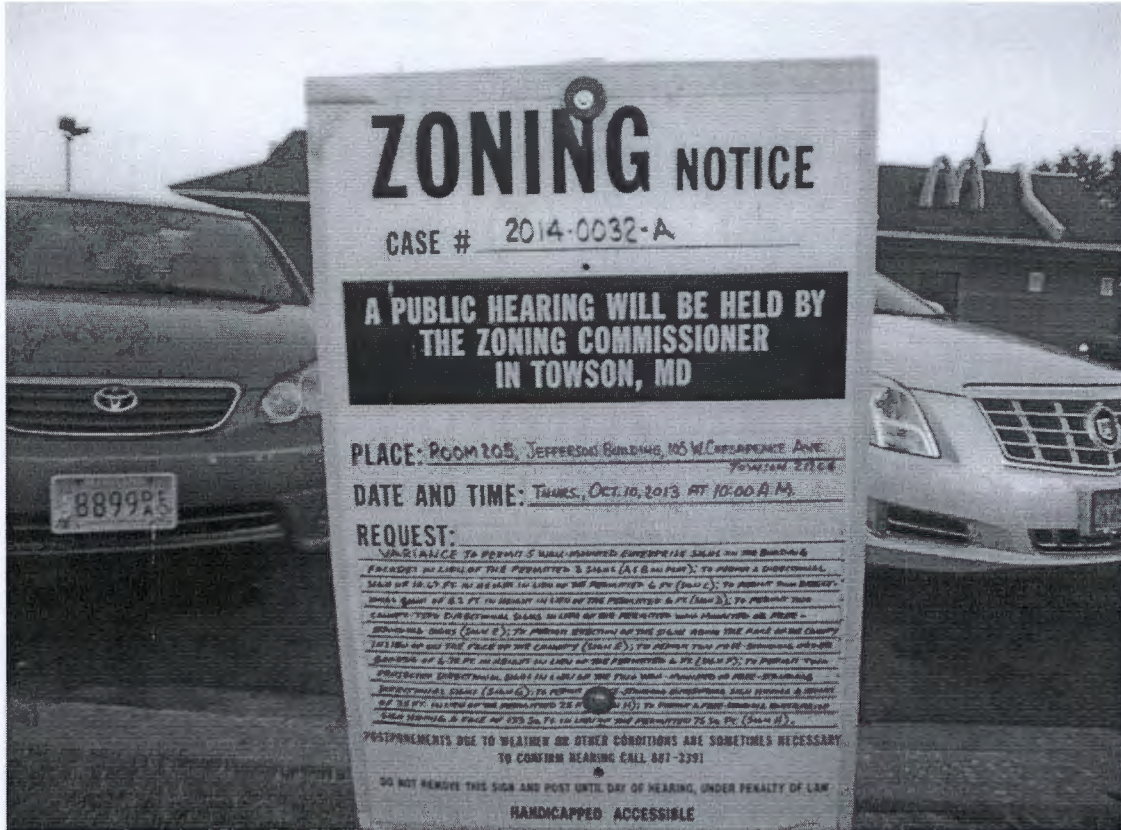
904 Dellwood Drive

Fallston, Md. 21047

(443-243-7360)

# Certificate of Posting

Case No. 2014-0032-A



3223 Washington Boulevard

(posted 9/20/13)

---

Richard E. Hoffman

---

904 Dellwood Drive

---

Fallston, Md. 21047

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(443-243-7360)

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# THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

September 19, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on September 19, 2013

☐ The Jeffersonian

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: #2014-0032-A

3223 Washington Boulevard

SE/s Washington Blvd., NE corner of Hammonds Ferry Road

13th Election District - 1st Councilmanic District

Legal Owner(s): McDonald's Corporation

**Variance** to permit 5 wall-mounted enterprise signs on the building facades in lieu of the permitted 3 signs (A & B on Plat); 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 two canopy-type directional signs in lieu of the permitted wall-mounted or free-standing signs (Sign E); to permit erection of the signs above the face of the canopy in lieu 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); to permit a free-standing enterprise sign having a height of 35 ft. in lieu of the permitted 25 ft. (Sign H); to permit a free-standing enterprise sign having a face of 133 sq. ft. in lieu of the permitted 75 sq. ft. (Sign H).

Hearing: Thursday, October 10, 2013 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 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.

09/29/13 September 19

947403



KEVIN KAMENETZ  
County Executive

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

August 27, 2013

## 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: 2014-0032-A**

3223 Washington Boulevard  
SE/s Washington Blvd., NE corner of Hammonds Ferry Road  
13<sup>th</sup> Election District – 1<sup>st</sup> Councilmanic District  
Legal Owners: McDonald's Corporation

Variance to permit 5 wall-mounted enterprise signs on the building façades in lieu of the permitted 3 signs (A & B on Plat); 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 two canopy-type directional signs in lieu of the permitted wall-mounted or free-standing signs (Sign E); to permit erection of the signs above the face of the canopy in lieu 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); to permit a free-standing enterprise sign having a height of 35 ft. in lieu of the permitted 25 ft. (Sign H); to permit a free-standing enterprise sign having a face of 133 sq. ft. in lieu of the permitted 75 sq. ft. (Sign H).

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105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon  
Director

AJ:kl

C: Caroline Hecker, 25 S. Charles St., 21<sup>st</sup> Fl., Baltimore 21201  
McDonalds, One McDonald Plaza, Oak Brook IL 60523  
Jeffrey Bell, 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 FRIDAY, SEPTEMBER 20, 2013.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY  
Thursday, September 20, 2013 Issue - Jeffersonian

Please forward billing to:  
Chesapeake Design Group  
419 North Charles Street  
Baltimore, MD 21201

410-837-2622

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## 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: 2014-0032-A**

3223 Washington Boulevard

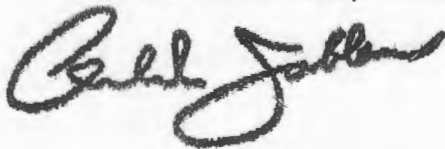
SE/s Washington Blvd., NE corner of Hammonds Ferry Road

13<sup>th</sup> Election District – 1<sup>st</sup> Councilmanic District

Legal Owners: McDonald's Corporation

Variance to permit 5 wall-mounted enterprise signs on the building façades in lieu of the permitted 3 signs (A & B on Plat); 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 two canopy-type directional signs in lieu of the permitted wall-mounted or free-standing signs (Sign E); to permit erection of the signs above the face of the canopy in lieu 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); to permit a free-standing enterprise sign having a height of 35 ft. in lieu of the permitted 25 ft. (Sign H); to permit a free-standing enterprise sign having a face of 133 sq. ft. in lieu of the permitted 75 sq. ft. (Sign H).

Hearing: Thursday, October 10, 2013 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 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.

## MEMORANDUM

DATE: November 13, 2013  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2014-0032-A - Appeal Period Expired

---

The appeal period for the above-referenced case expired on November 12, 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 VARIANCE  
3223 Washington Boulevard; SE/S of Washington  
Boulevard, corner of Hammonds Ferry Road  
13<sup>th</sup> Election & 1<sup>st</sup> Councilmanic Districts  
Legal Owner(s): McDonald's Corporation  
Petitioner(s)

\* BEFORE THE OFFICE  
\* OF ADMINISTRATIVE  
\* HEARINGS FOR  
\* BALTIMORE COUNTY  
\* 2014-032-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.

*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

RECEIVED

AUG 21 2013

.....

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 21st day of August, 2013, a copy of the foregoing Entry of Appearance was mailed to Jeff Bell, Construction Manager, McDonald's Corporation, 6903 Rockledge Drive, Suite 1100, Bethesda, Maryland 20817 and Carolyn Hecker, Esquire, 25 S. Charles Street, 21<sup>st</sup> Floor, Baltimore, Maryland 21201, Attorney for Petitioner(s)

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

CASE NO. 2014-0032-A

**C H E C K L I S T**

Support/Oppose/  
Conditions/  
Comments/  
No Comment

Comment  
Received

Department

8/21/13

DEVELOPMENT PLANS REVIEW  
(if not received, date e-mail sent \_\_\_\_\_)

N/C

8/21/13

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

N/C

FIRE DEPARTMENT

PLANNING  
(if not received, date e-mail sent \_\_\_\_\_)

8/20/13

STATE HIGHWAY ADMINISTRATION

NO Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. \_\_\_\_\_)

PRIOR ZONING (Case No. \_\_\_\_\_)

NEWSPAPER ADVERTISEMENT

Date:

9/19/13

SIGN POSTING

Date:

9/20/13

by Hoffman

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: \_\_\_\_\_

EXHIBIT "B"

LIBER 7818 PAGE 735

ALL THAT TRACT or parcel of land lying and being in Block 7822 of the 13th Election District, Baltimore County, Baltimore City, Maryland, and being more particularly described as follows:

Beginning for the same at a iron pipe here found that marks the intersection formed by the southeast side of Washington Boulevard and the southwest side of Patapsco Avenue, thence leaving the southeast side of Washington Boulevard and binding on the southwest side of Patapsco Avenue, 1) South 50 degrees 46 minutes 50 seconds East 285.67 feet to a iron pipe here set, thence leaving the southwest side of Patapsco Avenue, and binding on the southeastmost outline of the OLDWIN CORP. property, 2) South 49 degrees 41 minutes 20 seconds West 253.74 feet to a iron pipe here set, and 3) South 78 degrees 43 minutes 29 seconds West 196.78 feet to a iron pipe here found, said pipe is also on the northeasternmost side of Hammonds Ferry Road, thence binding on the northeasternmost side of Hammonds Ferry Road, 4) North 04 degrees 26 minutes 24 seconds West 213.23 feet to a P.K. nail here set, 5) thence binding along a curve deflecting to the right having a radius of 30.00 feet, a length of 28.32 feet and a chord of North 22 degrees 35 minutes 58 seconds East 27.28 feet to a P.K. Nail here set, on the southeasternmost side of Washington Boulevard, thence binding on the southeasternmost side of Washington Boulevard, 6) North 49 degrees 38 minutes 20 seconds East 224.64 feet to the point of beginning.

Containing within the bounds of this description 2.103 acres of land, more or less, according to a survey prepared by Severn Surveys, Inc, in July, 1987.

2014-0032-A

LIBER 9 FOLIO 28

FILED TO:  
AFECO TITLE INSURANCE CORPORATION  
210 ST. PAUL ST.  
BALTIMORE, MD. 21202

EXHIBIT "B"

LIBER 7818 PAGE 735

ALL THAT TRACT or parcel of land lying and being in Block 7822 of the 13th Election District, Baltimore County, Baltimore City, Maryland, and being more particularly described as follows:

Beginning for the same at a iron pipe here found that marks the intersection formed by the southeast side of Washington Boulevard and the southwest side of Patapsco Avenue, thence leaving the southeast side of Washington Boulevard and binding on the southwest side of Patapsco Avenue, 1) South 50 degrees 46 minutes 50 seconds East 285.67 feet to a iron pipe here set, thence leaving the southwest side of Patapsco Avenue, and binding on the southeastmost outline of the OLDWIN CORP. property, 2) South 49 degrees 41 minutes 20 seconds West 253.74 feet to a iron pipe here set, and 3) South 78 degrees 43 minutes 29 seconds West 196.78 feet to a iron pipe here found, said pipe is also on the northeasternmost side of Hammonds Ferry Road, thence binding on the northeasternmost side of Hammonds Ferry Road, 4) North 04 degrees 26 minutes 24 seconds West 213.23 feet to a P.K. nail here set, 5) thence binding along a curve deflecting to the right having a radius of 30.00 feet, a length of 28.32 feet and a chord of North 22 degrees 35 minutes 58 seconds East 27.28 feet to a P.K. Nail here set, on the southeasternmost side of Washington Boulevard, thence binding on the southeasternmost side of Washington Boulevard, 6) North 49 degrees 38 minutes 20 seconds East 224.64 feet to the point of beginning.

Containing within the bounds of this description 2.103 acres of land, more or less, according to a survey prepared by Severn Surveys, Inc, in July, 1987.

2014-0032-A

LIBER 7818 PAGE 735

FILED TO:  
FICO TITLE INSURANCE CORPORATION  
210 ST. PAUL ST.  
BALTIMORE, MD. 21202



KEVIN KAMENETZ  
County Executive

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

October 2, 2013

McDonald's Corporation  
One McDonald's Plaza  
Oak Brook IL 60523

RE: Case Number: 2014-0032 A, Address: 3223 Washington 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 August 9, 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." in a cursive style.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR: jaf

Enclosures

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

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



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

Date: 8-20-13

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

RE: Baltimore County  
Item No. 2014-0032-A  
Variance  
McDonald's Corporation  
3223 Washington Boulevard  
US 1

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 8-14-13. A field inspection and internal review reveals that an entrance onto US 1 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance. Case Number 2014-0032-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,

Steven D. Foster, Chief  
Development Manager

Access Management Division

SDF/raz

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**

**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 21, 2013

SUBJECT: DEPS Comment for Zoning Item # 2014-0032-A  
Address 3223 Washington Boulevard  
(McDonald's Corporation Property)

Zoning Advisory Committee Meeting of August 19, 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 21 2013**

**OFFICE OF ADMINISTRATIVE HEARINGS**

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**DATE:** August 21, 2013

**FROM:** Dennis A. Kennedy, <sup>DAK</sup>Supervisor  
Bureau of Development Plans  
Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For August 26, 2013  
Item Nos. 2014- 0031, 0032, 0033, 0034, 0037 and 0038.

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

DAK:CEN  
Cc: file

Real Property Data Search ( w4)

[Search Help](#)

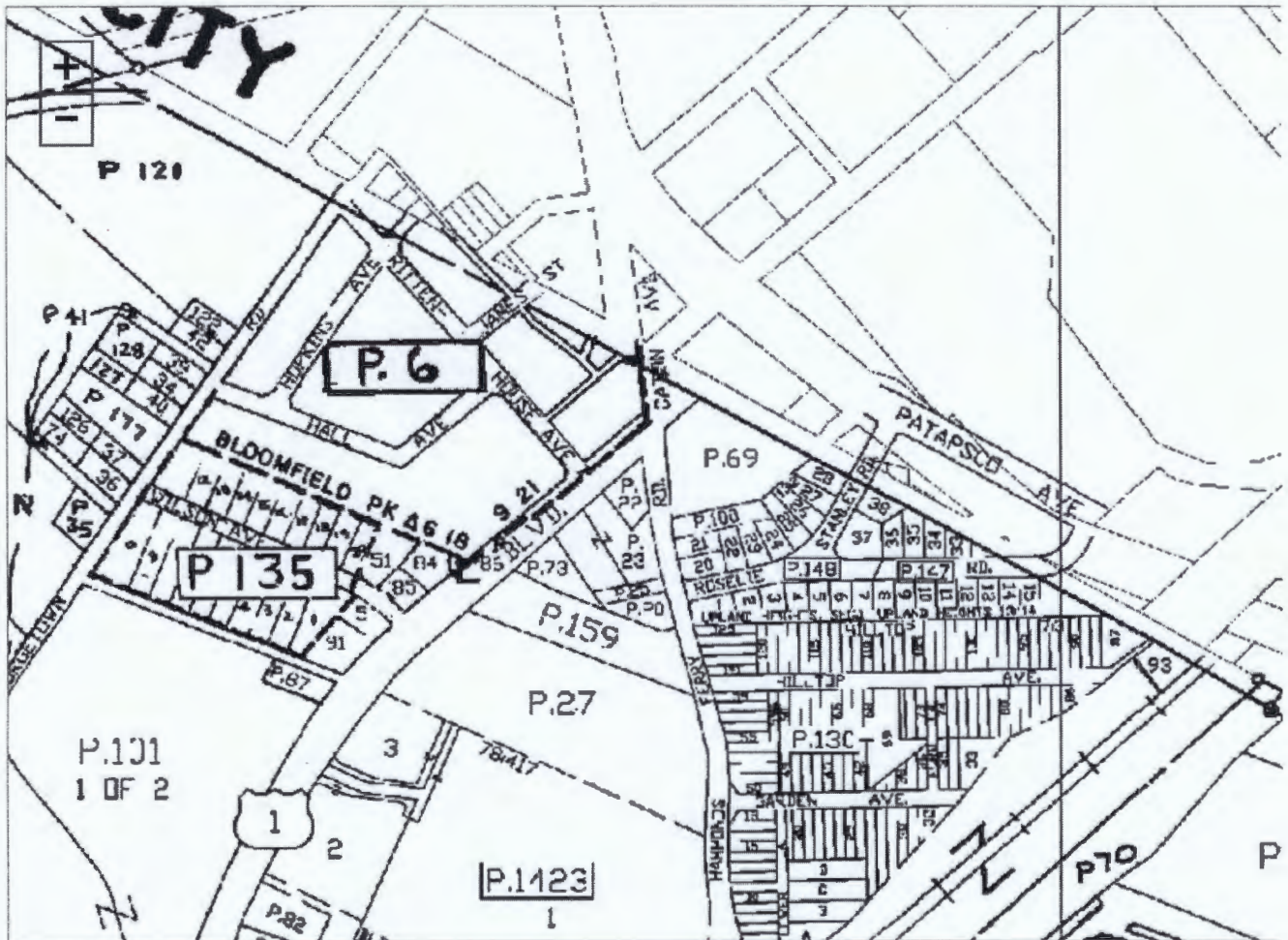
Search Result for BALTIMORE COUNTY

| <a href="#">View Map</a>                            | <a href="#">View GroundRent Redemption</a>       | <a href="#">View GroundRent Registration</a>                                      |
|-----------------------------------------------------|--------------------------------------------------|-----------------------------------------------------------------------------------|
| <b>Account Identifier:</b>                          | <b>District - 13 Account Number - 2100003989</b> |                                                                                   |
| Owner Information                                   |                                                  |                                                                                   |
| <b>Owner Name:</b>                                  | MCDONALDS CORPORATION<br>#19-0295                | <b>Use:</b> COMMERCIAL                                                            |
| <b>Mailing Address:</b>                             | P O BOX 182571<br>COLUMBUS OH 43218-2571         | <b>Principal Residence:</b> NO<br><b>Deed Reference:</b> 1) /07818/ 00730<br>2)   |
| Location & Structure Information                    |                                                  |                                                                                   |
| <b>Premises Address:</b>                            | 3223 WASHINGTON BLVD<br>BALTIMORE MD 21227-0000  | <b>Legal Description:</b> 1.317 AC SES<br>WASHINGTON BLVD<br>NE COR HAMNDS FRY RD |
| <b>Map:</b> 0102                                    | <b>Grid:</b> 0020                                | <b>Parcel:</b> 0069                                                               |
| <b>Sub District:</b>                                | <b>Subdivision:</b> 0000                         | <b>Section:</b>                                                                   |
| <b>Block:</b>                                       | <b>Lot:</b>                                      | <b>Assessment Year:</b> 2014                                                      |
| <b>Plat No:</b>                                     | <b>Plat Ref:</b>                                 | <b>Town:</b> NONE                                                                 |
| <b>Special Tax Areas:</b>                           |                                                  | <b>Ad Valorem:</b>                                                                |
| <b>Tax Class:</b>                                   |                                                  |                                                                                   |
| <b>Primary Structure Built</b> 1988                 | <b>Above Grade Enclosed Area</b> 4004            | <b>Finished Basement Area</b>                                                     |
| <b>Property Land Area</b> 57,365 SF                 | <b>County Use</b> 24                             |                                                                                   |
| <b>Stories</b>                                      | <b>Basement</b>                                  | <b>Type</b> FAST FOOD                                                             |
| <b>Exterior</b>                                     | <b>Full/Half Bath</b>                            | <b>Garage</b>                                                                     |
| <b>Last Major Renovation</b>                        |                                                  |                                                                                   |
| Value Information                                   |                                                  |                                                                                   |
|                                                     | <b>Base Value</b>                                | <b>Value</b>                                                                      |
|                                                     |                                                  | <b>As of</b> 01/01/2011                                                           |
| <b>Land:</b>                                        | 654,700                                          | 654,700                                                                           |
| <b>Improvements</b>                                 | 548,600                                          | 548,600                                                                           |
| <b>Total:</b>                                       | 1,203,300                                        | 1,203,300                                                                         |
| <b>Preferential Land:</b>                           | 0                                                |                                                                                   |
| Transfer Information                                |                                                  |                                                                                   |
| <b>Seller:</b> KENNEY DAVID B                       | <b>Date:</b> 03/21/1988                          | <b>Price:</b> \$1,100,000                                                         |
| <b>Type:</b> ARMS LENGTH IMPROVED                   | <b>Deed1:</b> /07818/ 00730                      | <b>Deed2:</b>                                                                     |
| <b>Seller:</b>                                      | <b>Date:</b>                                     | <b>Price:</b>                                                                     |
| <b>Type:</b>                                        | <b>Deed1:</b>                                    | <b>Deed2:</b>                                                                     |
| <b>Seller:</b>                                      | <b>Date:</b>                                     | <b>Price:</b>                                                                     |
| <b>Type:</b>                                        | <b>Deed1:</b>                                    | <b>Deed2:</b>                                                                     |
| Exemption Information                               |                                                  |                                                                                   |
| <b>Partial Exempt Assessments:</b>                  | <b>Class</b>                                     | <b>07/01/2013</b>                                                                 |
| <b>County:</b>                                      | 000                                              | 0.00                                                                              |
| <b>State:</b>                                       | 000                                              | 0.00                                                                              |
| <b>Municipal:</b>                                   | 000                                              | 0.00                                                                              |
| <b>Tax Exempt:</b>                                  | <b>Special Tax Recapture:</b>                    |                                                                                   |
| <b>Exempt Class:</b>                                | NONE                                             |                                                                                   |
| Homestead Application Information                   |                                                  |                                                                                   |
| <b>Homestead Application Status:</b> No Application |                                                  |                                                                                   |

## Baltimore County

**New Search (<http://sdat.resiusa.org/RealProperty>)**

District: **13** Account Number: **2100003989**



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at [www.plats.net](http://www.plats.net) (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at [www.mdp.state.md.us/OurProducts/OurProducts.shtml](http://www.mdp.state.md.us/OurProducts/OurProducts.shtml) (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



(<http://imsweb05.mdp.state.md.us/website/mosp/>)

✕ Loading... Please

Loading... Please Wait.

→

CASE NAME 2014-032A  
CASE NUMBER 3223 Washington Blvd  
DATE 10/10/13

[illegible]

Case No.:

2014-0032-A

Exhibit Sheet

Petitioner/Developer

Protestants

DW  
11-13-13

10-10-13  
pen

|        |                                        |  |
|--------|----------------------------------------|--|
| No. 1  | Site plan                              |  |
| No. 2  | Color photos of site                   |  |
| No. 3  | 3A - Elevations<br>3B - Sign details   |  |
| No. 4  | photo - freestanding sign              |  |
| No. 5  | elevation - proposed freestanding sign |  |
| No. 6  | hearing outline                        |  |
| No. 7  |                                        |  |
| No. 8  |                                        |  |
| No. 9  |                                        |  |
| No. 10 |                                        |  |
| No. 11 |                                        |  |
| No. 12 |                                        |  |



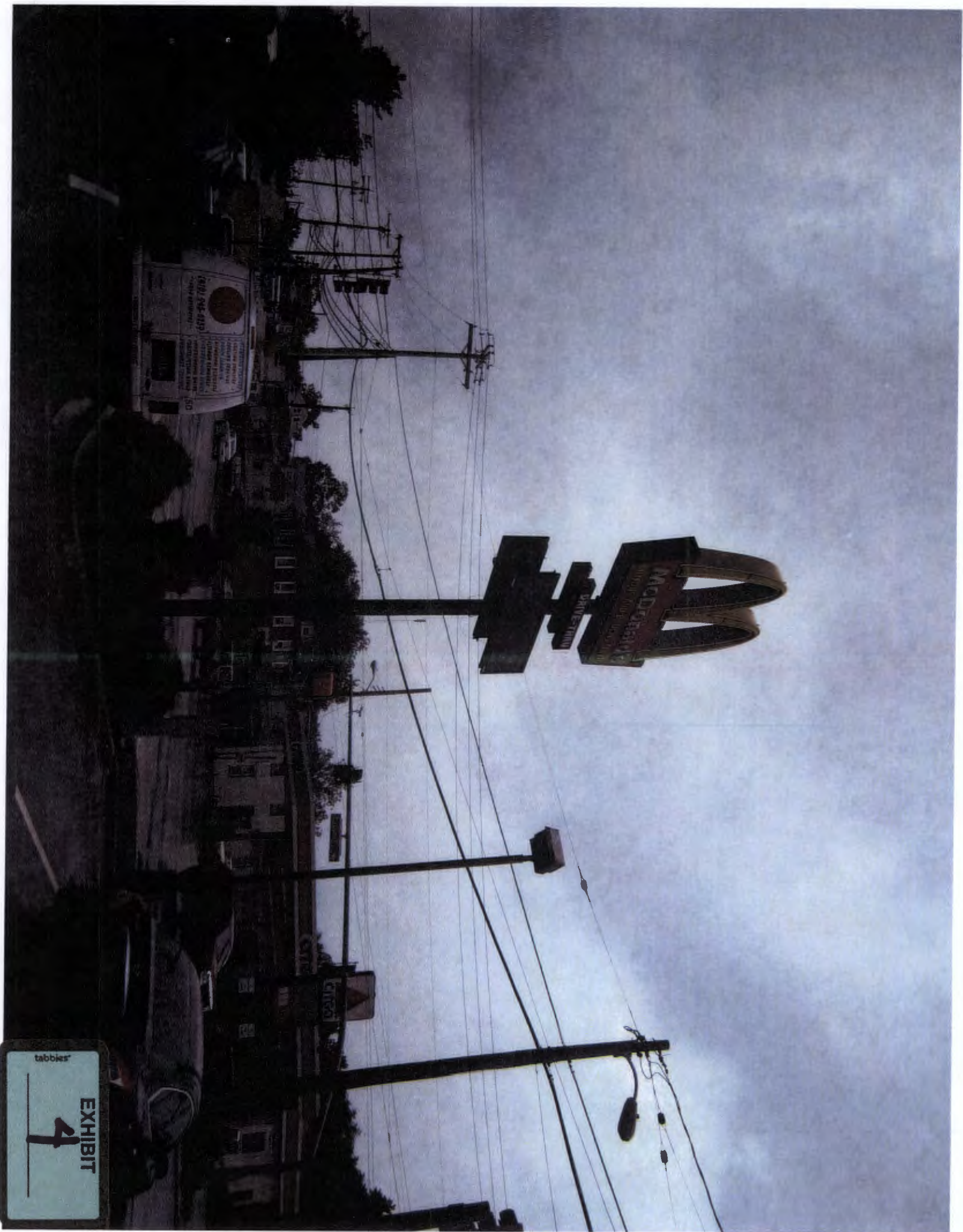








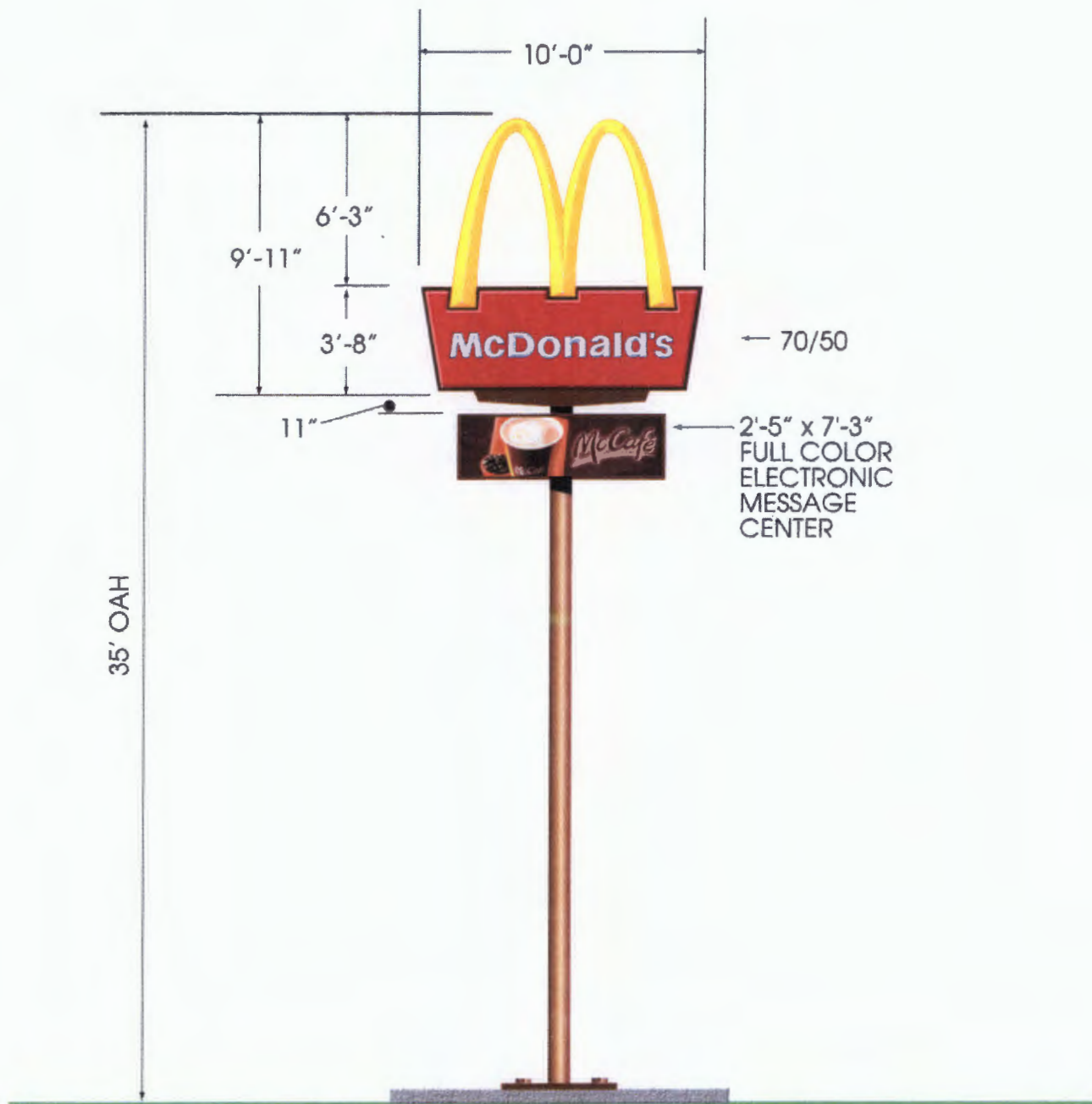




tabbies®

EXHIBIT

4



|                                                                                                      |              |                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |
|------------------------------------------------------------------------------------------------------|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|  <b>Everbrite</b> |              | <small>DISCLAIMER: Renderings are for graphic purposes only and not intended for actual construction dimensions. For windload requirements, actual dimensions and mounting detail, please refer to engineering specifications and install drawings. These drawings and designs are the exclusive property of Everbrite LLC. Use of, or duplication in any manner without express written permission of Everbrite LLC is prohibited.</small> |  |
| Customer: MCDONALD'S                                                                                 |              | Description: 70/50 @ 35' OAH with 2'5"x7'3" EMC                                                                                                                                                                                                                                                                                                                                                                                             |  |
| Project No: 297595-1                                                                                 | Scale:       | Customer Approval: NOTE: Unless specified by customer, all depth of embossing will be determined by Everbrite Engineering or existing customer specifications on file. Colors and graphics on file will be used unless otherwise specified by customer.<br>Please read carefully, check appropriate box and fax back to Everbrite:<br>_____<br>SIGNATURE                                                                                    |  |
| Date: 07.03.13                                                                                       | Drawn By: EO |                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |
| Location & Site No: BALTIMORE, MD 21230 NN10626-2                                                    |              |                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |





# ROSENBERG | MARTIN | GREENBERG, LLP

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

## BALTIMORE COUNTY ZONING HEARING OUTLINE

### MCDONALD'S – 3223 WASHINGTON BLVD.

OCTOBER 3, 2013

#### INTRODUCTION

1. Caroline Hecker – Rosenberg Martin Greenberg, LLP
2. Jeff Bell – Area Construction Manager – McDonald's Corporation
3. Robert Goldman – Chesapeake Design Group (architect)
4. Tom Hayden – Owner/Operator of 3223 Washington 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?** 3223 Washington Blvd.

**What is your interest in the property?** McDonald's owns 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).



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

McDonald's is remodeling the existing restaurant and desires to install a new signage package as part of the remodel.

**Describe existing conditions at this site.**

**EXHIBIT– PLAT TO ACCOMPANY ZONING PETITION**

(Describe location, shape of site, access, improvements, etc.)

**Identify photographs of McDonald's.**

**EXHIBIT – PHOTOS**

**Describe the location of the proposed McDonald's.**

The property is located partially in Baltimore County and partially in Baltimore City, and also includes a Bank of America, which is located on the Baltimore City portion.

**What is being proposed at this location?**

**SEE EXHIBIT – PLAT TO ACCOMPANY ZONING PETITION**

McDonald's is remodeling the existing restaurant at this location.

We are adding a second drive-thru lane with a second order point to improve the efficiency of the drive-thru operation.

The remodeled restaurant will incorporate McDonald's new, contemporary design, including the new signage package. We are 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.

McDonald's is also proposing to retain the existing free-standing enterprise sign located at the intersection of Washington Blvd. and Hammonds Ferry Road.

**What is the square footage of the McDonald's restaurant? 4,362 SF**

No additions to the restaurant are proposed as part of the remodel.

**How many seats does the existing restaurant have? 87**

**How many seats will the remodeled restaurant have? 82**

We are reducing the seating capacity by 5 seats.

**Show elevations of new McDonald's – highlight the features of the new building.**

## **EXHIBIT – ELEVATIONS & SIGNAGE DETAILS**

- Contemporary, upscale look – moving away from the bright, plastic look of the old McDonald’s restaurants.
  - “Café”-type customer area - tasteful colors and materials; limited branding.
- Brick exterior.
- No mansard roof with (lighted) white roof beams.
- “Green building” features:
  - Auto-sensor lavatory faucets
  - LED lighting throughout the building
  - All internally lit signs are LED
  - Cardboard recycling
- The building is now entirely ADA-compliant.

### **Explain the sign package:**

#### **What is proposed?**

We are proposing 5 enterprise signs on the faces of the buildings: 2 signs on the front of the building; 1 sign on the drive-thru side of the building; 1 sign on the non-drive-thru side of the building; and 1 sign on the rear of the building.

We also propose two “canopy”-style directional signs on the front and non-drive-thru sides of the building. These signs will have the word “Welcome” above the face of the canopy, rather than printed directly on the face of the canopy.

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

Finally, we are proposing to retain the free-standing enterprise sign for the McDonald’s site, which is larger (both in height and area) than what would be permitted, but which is a reduction in area from the existing sign.

The existing includes three components – the enterprise sign, a “drive-thru” sign, and an electronic changeable copy sign.

## **EXHIBIT – PHOTO OF FREE-STANDING SIGN**

The drive-thru appendage will be removed, and the electronic changeable copy sign will be raised to within one foot of the enterprise sign in accordance with the Zoning Regulations.

As a result, the enterprise sign will be significantly smaller in area than the existing sign.

#### **EXHIBIT – PROPOSED ENTERPRISE SIGN**

The electronic changeable copy sign will comply with the Zoning Regulations regarding frequency of the message change.

#### **Why are you proposing these signage variances?**

We have requested these signage variances to make the building visible to passing motorists along Washington Blvd., Patapsco Avenue, and Hammonds Ferry Road, 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 seventeen (17) other McDonald's restaurants.

#### **What is the amount of capital investment for this project?**

Approximately \$1 million.

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

The remodel is underway and the signs will be installed as part of that project. The remodel is expected to be completed this month.



**BALTIMORE COUNTY ZONING HEARING OUTLINE**

**MCDONALD'S – 3223 WASHINGTON BLVD.**

**OCTOBER 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 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 and 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 two canopy-type directional signs in lieu of the permitted wall-mounted or free-standing signs (Sign E 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)
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)
8. Section 450.4 Attachment 1, 5(b)(V) to permit a free-standing enterprise sign having a height of 35 ft. in lieu of the permitted 25 ft. (Sign H on Plat to Accompany Zoning Petition).
9. Section 450.4 Attachment 1, 5(b)(V) to permit a free-standing enterprise sign having a face of 133 sq. ft. in lieu of the permitted 75 sq. ft. (Sign H on Plat to Accompany Zoning Petition)

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

Yes. The property is unique due to its irregular shape and the fact that it has frontage and access on three streets. In addition, the property is unique because it is partially located in Baltimore County and partially located in Baltimore City.

**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 irregular shape of the lot and the fact that vehicles can enter from several access points on three streets create practical difficulties in identifying the building and safely directing traffic in and around the site. In addition, the fact that it is partially located in Baltimore County and partially in Baltimore City

creates practical difficulties because each part of the property must comply with the regulations of the respective jurisdiction.

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 approach the 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.

The existing free-standing sign exceeds the height and area requirements of the current Zoning Regulations, but it is an existing sign that McDonald's proposes to retain.

With the proposed modifications, the free-standing sign will be significantly smaller than the sign is currently.

There is another free-standing enterprise sign on the Baltimore City portion of the property, and that sign complies with Baltimore City's signage regulations.

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 Landsdown Improvement Association and Greater Bloomfield Community 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 requested variances be granted.

**EXHIBIT – OUTLINE OF TESTIMONY**



Publication Date: 8/9/2013



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



VARIANCE REQUEST 4  
VARIANCE REQUEST 5:  
WELCOME SIGN: 2.6 SF  
SIGN TYPE - E

VARIANCE REQUEST 1:  
FASCIA SIGN: 32.82 SF  
SIGN TYPE - B

VARIANCE REQUEST 1:  
ARCH LOGO SIGN: 14 SF  
SIGN TYPE - A

T/ENTRY HEARTH  
ELEV. + 10'-11"

T/PARAPET  
ELEV. + 11'-11"

T/ARCADE WALL  
ELEV. + 15'-4"

T/ARCADE OPENING  
BY TRELLIS  
ELEV. + 9'-4"

T/SLAB  
ELEV. + 0'-0"

STOREFRONT ELEVATION

T/OP PARAPET  
ELEV. + 10'-5"

T/OP PARAPET  
ELEV. + 11'-5"

T/OP ARCADE OPENING  
BOTTOM TRELLIS  
ELEV. + 9'-4"

T/OP SLAB  
ELEV. + 0'-0"

REAR ELEVATION

VARIANCE REQUEST 4  
VARIANCE REQUEST 5:  
WELCOME SIGN: 2.6 SF  
SIGN TYPE - E

VARIANCE REQUEST 1:  
ARCH LOGO SIGN: 14 SF  
SIGN TYPE - A

T/ARCADE WALL  
ELEV. + 15'-5"

T/PARAPET  
ELEV. + 11'-11"

T/ACCENT BAND  
ELEV. + 15'-4"

T/ARCADE OPENING  
BY TRELLIS  
ELEV. + 9'-4"

T/SLAB  
ELEV. + 0'-0"

RIGHT SIDE ELEVATION

T/ARCADE WALL  
ELEV. + 15'-5"

T/PARAPET  
ELEV. + 11'-11"

T/ARCADE OPENING  
BY TRELLIS  
ELEV. + 11'-4"

T/SLAB  
ELEV. + 0'-0"

LEFT SIDE ELEVATION

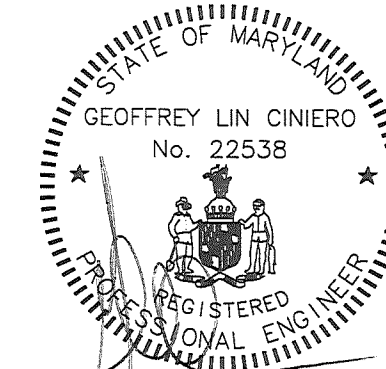
VARIANCE REQUEST 7:  
PICK UP HERE SIGN  
SIGN TYPE - G

VARIANCE REQUEST 1:  
FASCIA SIGN: 32.82 SF  
SIGN TYPE - B

VARIANCE REQUEST 7:  
PICK UP HERE SIGN  
SIGN TYPE - G



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

**CMS**  
4925 Ellis Lane  
Ellicott City, Md 21043  
(410) 888-2436  
gciniero@cms-engineering.net  
c/o Geoffrey Ciniero

REVISIONS

| NO. | DESCRIPTION | DATE     |
|-----|-------------|----------|
| 0   | FIRST ISSUE | 03/11/13 |
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|     |             |          |

DATE: 03/11/13

SCALE: AS NOTED

BUILDING AREA 4,940 SQ. FT.

DINING ROOM SEATING 1,245 SQ. FT.

PROJECT #: 12ARCADE65

DRAWN BY: SW CHECKED BY: SW

PROJECT TITLE

ALTERATIONS TO  
McDONALD'S

WASHINGTON BLVD  
3223 WASHINGTON BLVD.  
BALTIMORE, MD

REGION: BWR

LC NO. 019-0295

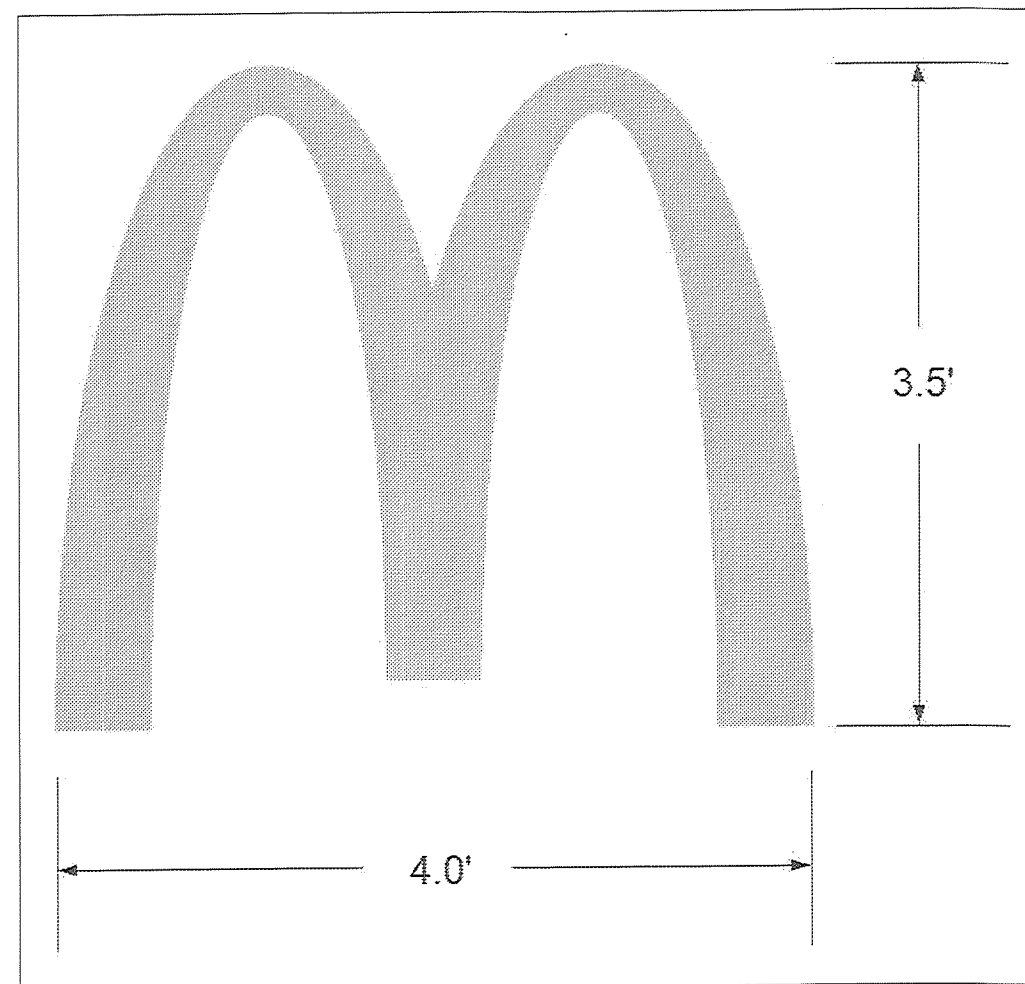
SHEET TITLE

SIGNAGE VARIANCE  
REQUEST:  
ELEVATIONS

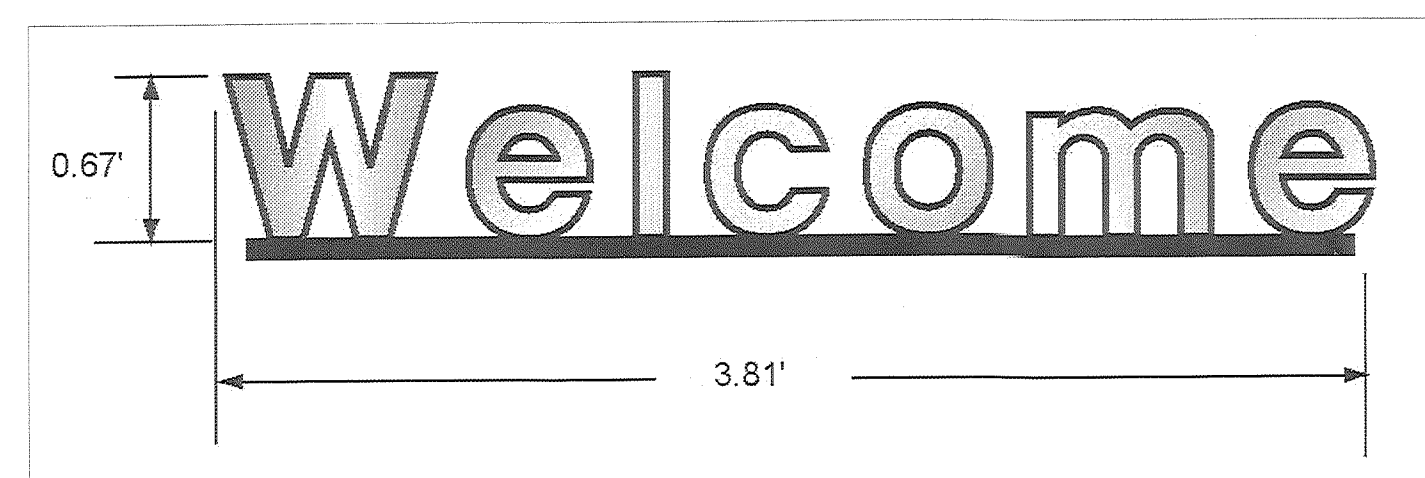
2014-0032-A  
SHEET NO. SPL-105-00

1 ELEVATIONS

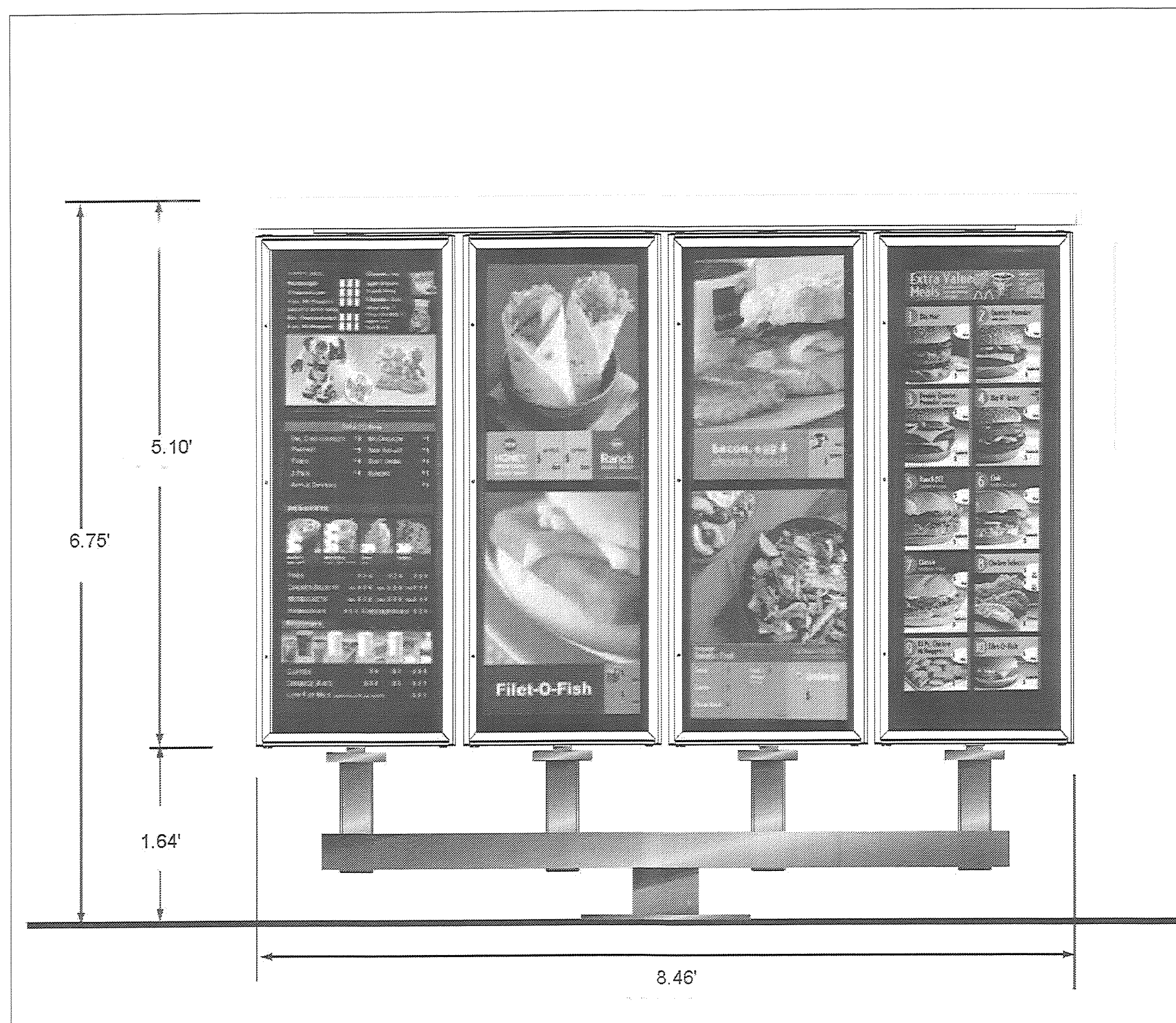
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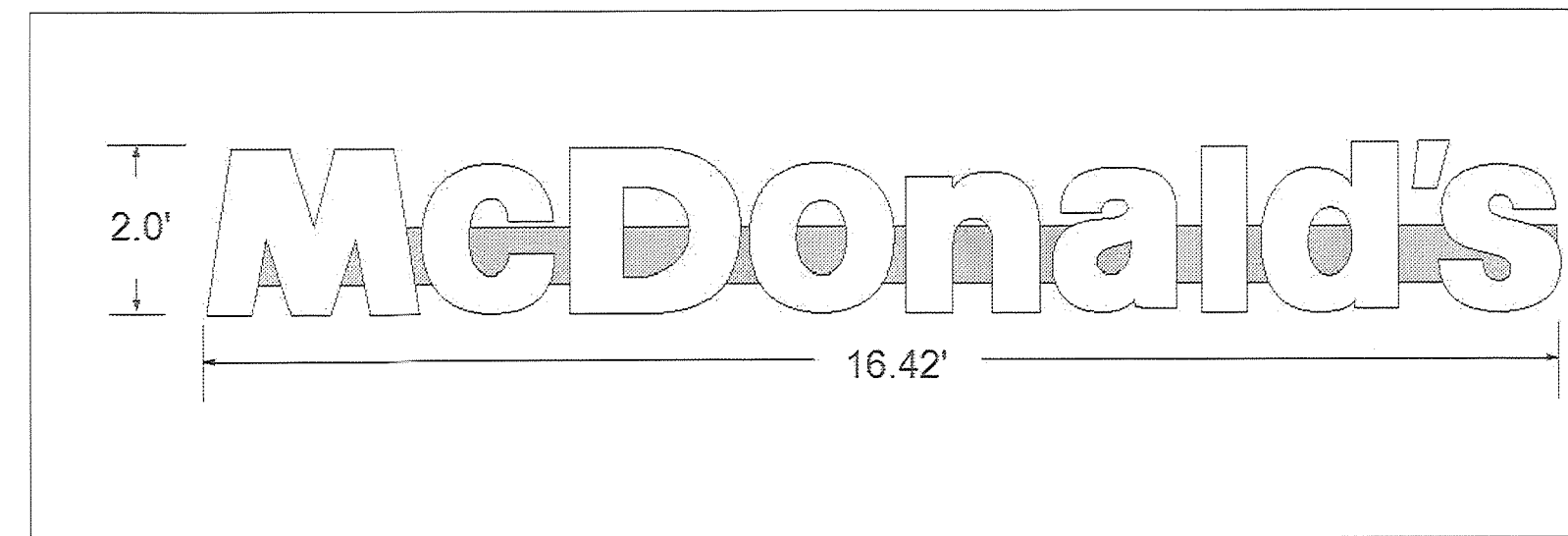
SIGN TYPE - A:  
NEXT GEN M ARCH LOGO SIGN



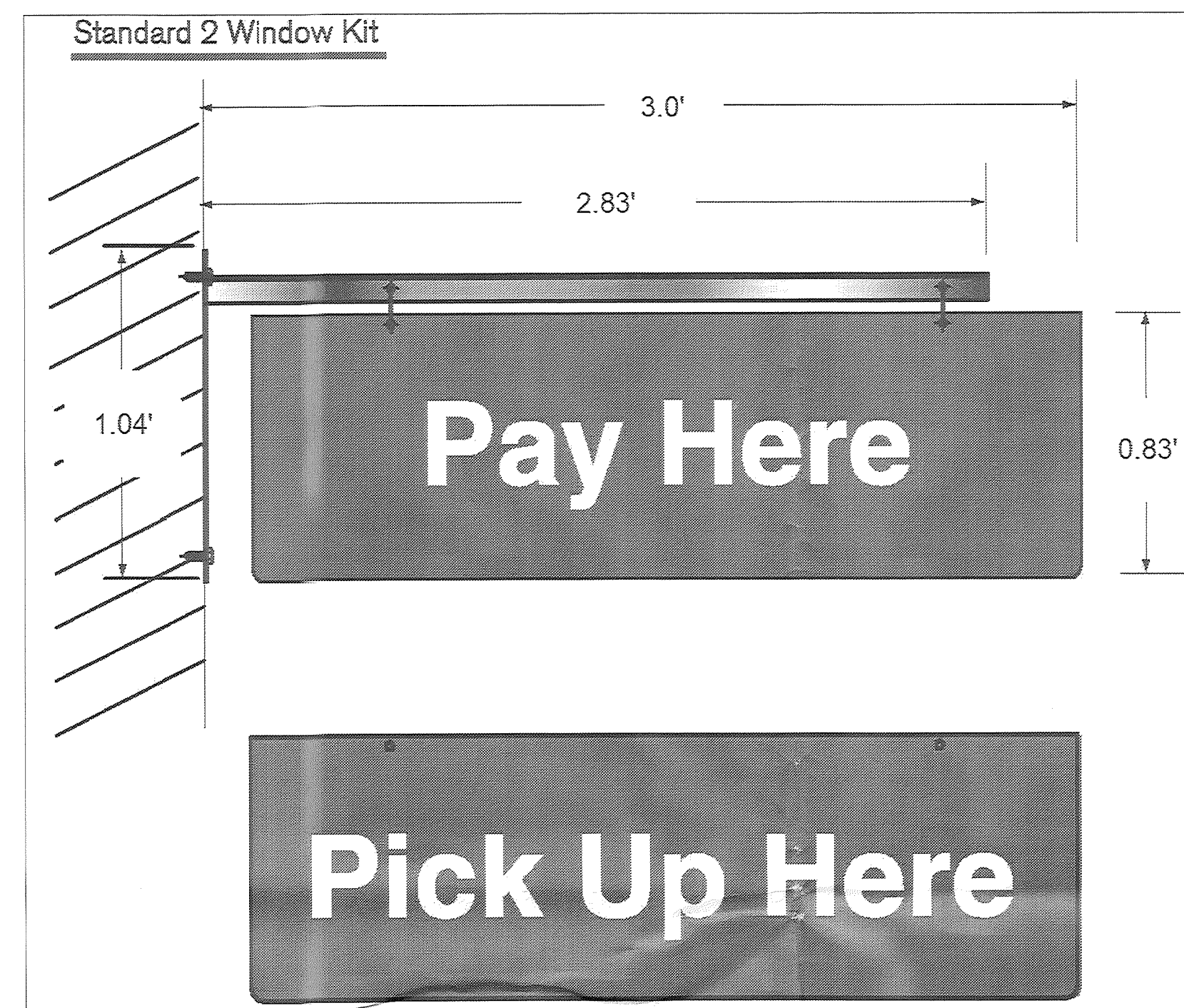
SIGN TYPE - E:  
WELCOME SIGN ON CANOPY



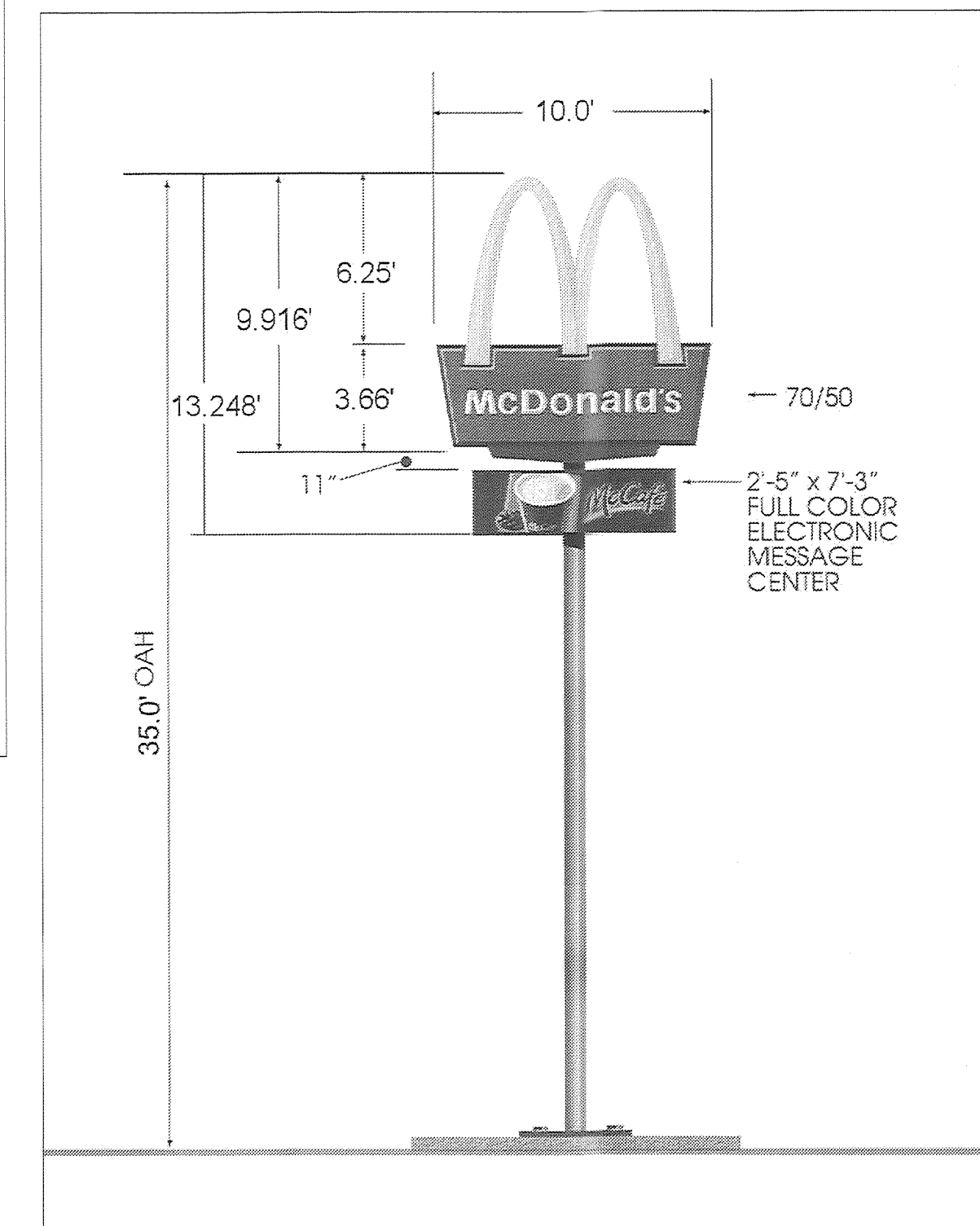
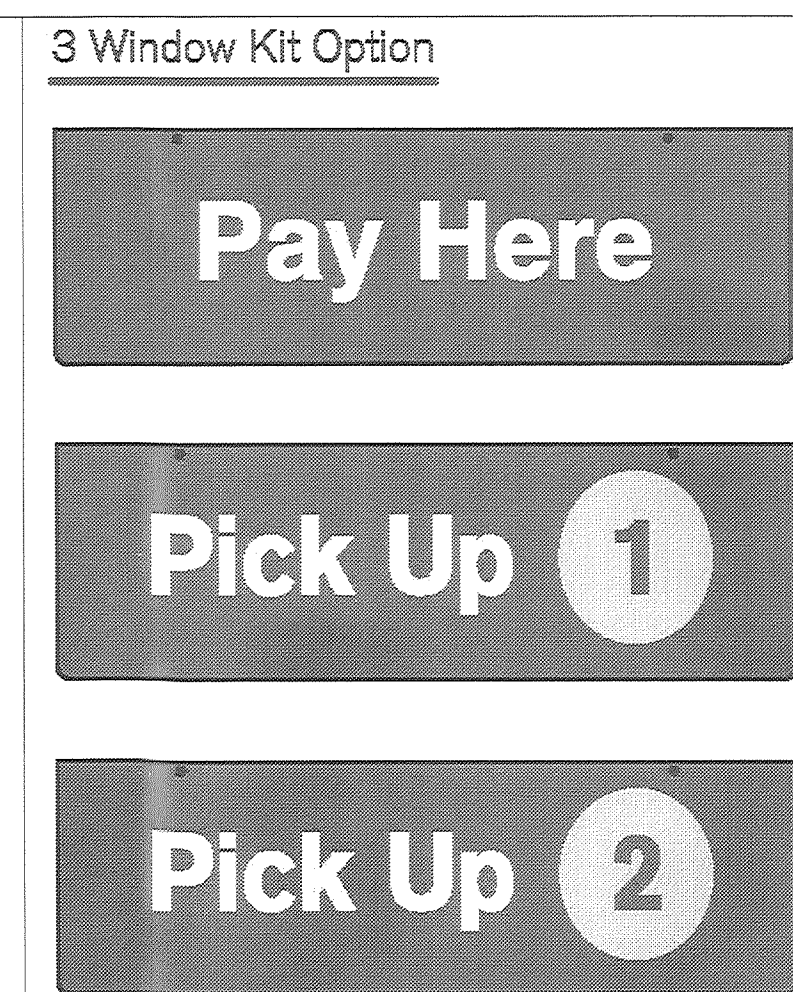
SIGN TYPE - F:  
OPO MENU BOARD



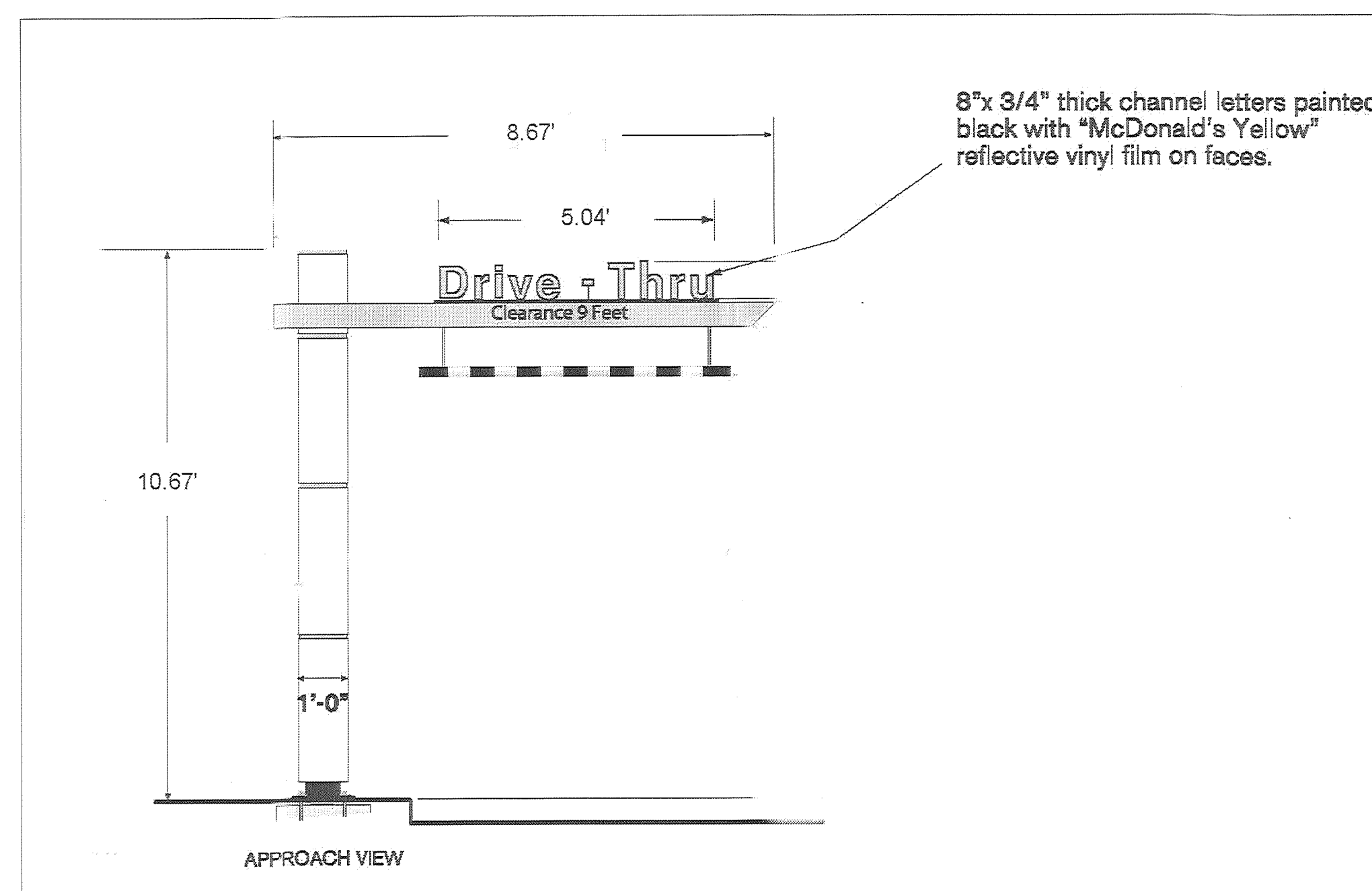
SIGN TYPE - B:  
NEXT GEN FASCIA SIGN



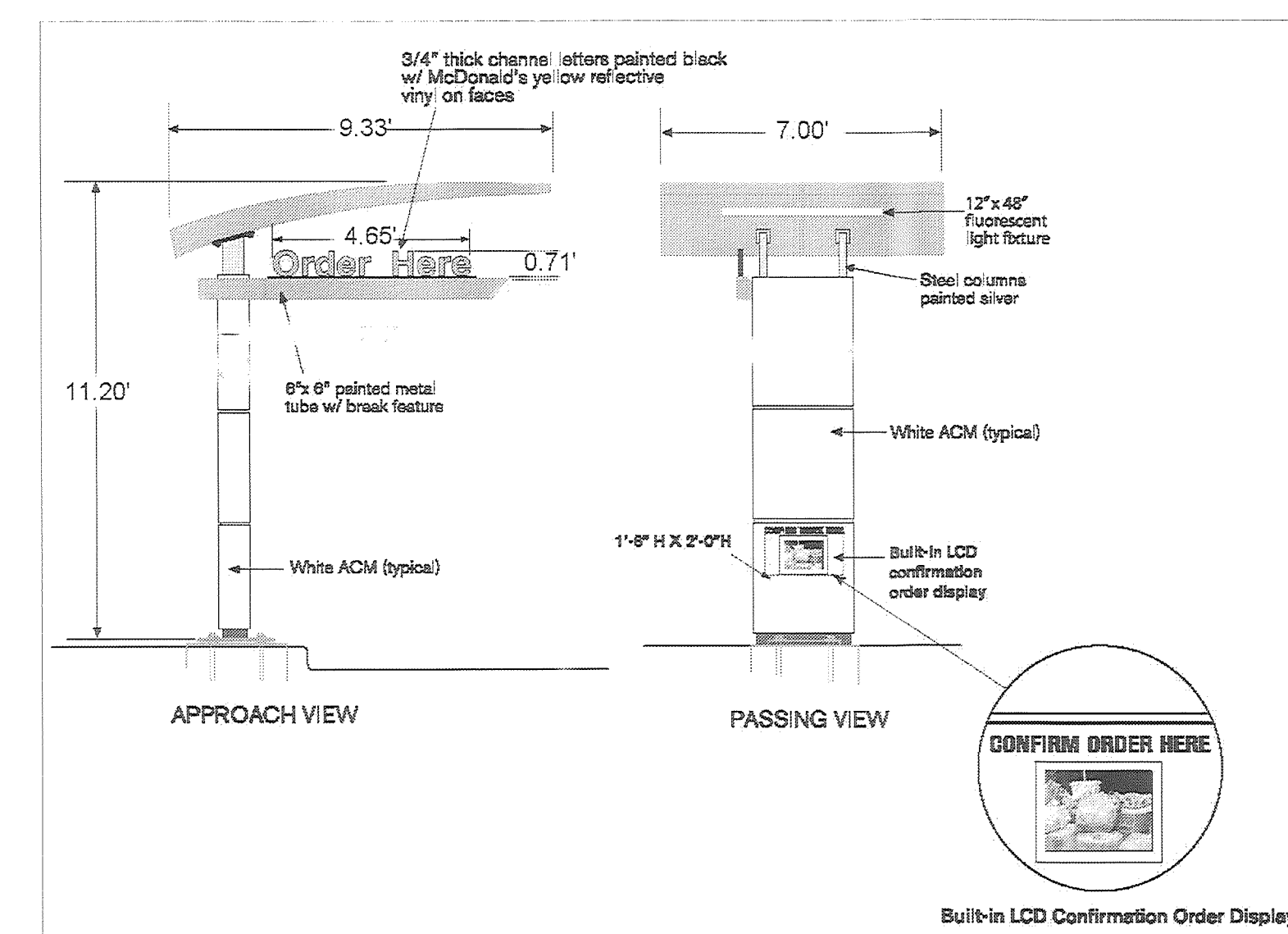
SIGN TYPE - G:  
NEXT GEN WINDOW POSITION SIGNS



SIGN TYPE - H:  
FREESTANDING SIGN



SIGN TYPE - C:  
CLEARANCE GATEWAY



SIGN TYPE - D:  
TWIN POLE COD CANOPY



418 North Charles Street  
Baltimore, Maryland 21201  
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Licence No.: 22538  
Expiration Date: 11-24-13



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|     |             |          |

DATE: 03/11/13

SCALE: AS NOTED

BUILDING AREA 4,940 SQ. FT.

DINING ROOM SEATING 1245 SQ. FT.

PROJECT #: 12ARCADE65

DRAWN BY: SW CHECKED BY: SW

PROJECT TITLE  
ALTERATIONS TO  
McDONALD'S

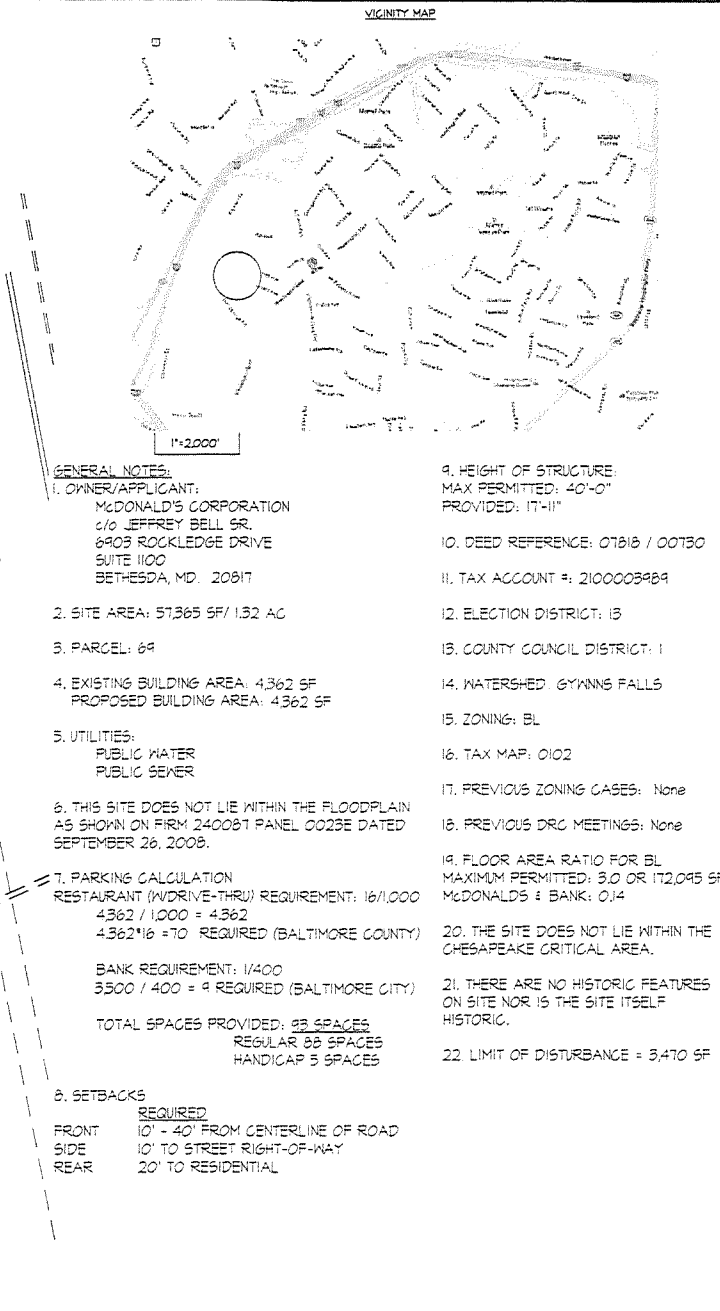
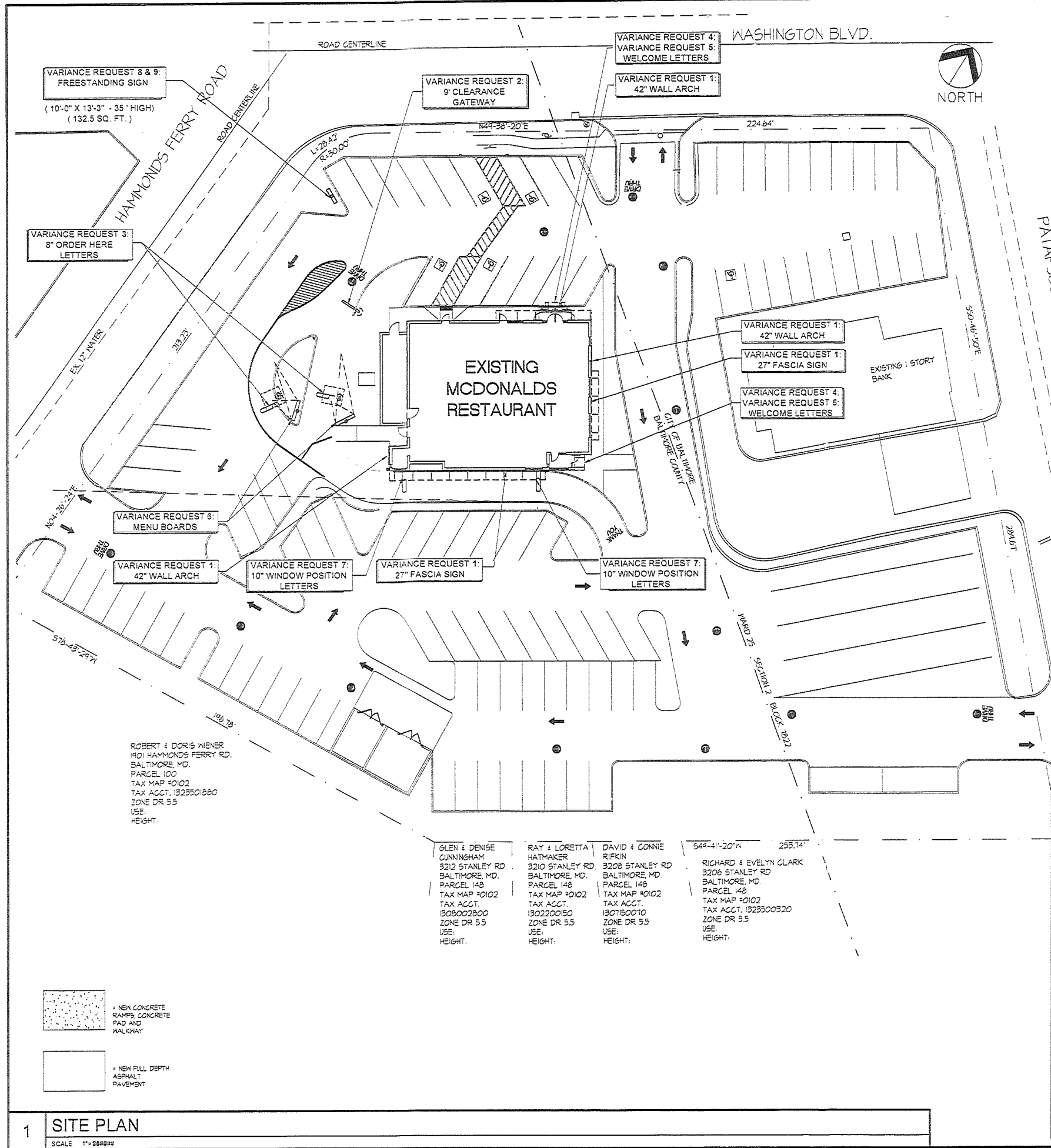
WASHINGTON BLVD  
3223 WASHINGTON BLVD.  
BALTIMORE, MD

REGION: BWR

LC NO. 019-0295

SHEET TITLE  
SIGNAGE VARIANCE  
REQUEST:  
SIGN DETAILS

2014-0032-A  
SHEET No. SPL-106-00



**GENERAL NOTES:**

- OWNER/APPLICANT: MCDONALD'S CORPORATION  
c/o JEFFREY BELL SR.  
6909 ROCKLEDGE DRIVE  
SUITE 1100  
BETHESDA, MD. 20817
- SITE AREA: 57,365 SF / 1.32 AC
- PARCEL: 69
- EXISTING BUILDING AREA: 4,362 SF  
PROPOSED BUILDING AREA: 4,362 SF
- UTILITIES:  
PUBLIC WATER  
PUBLIC SEWER
- THIS SITE DOES NOT LIE WITHIN THE FLOODPLAIN AS SHOWN ON FIRM 240081 PANEL 0023E DATED SEPTEMBER 28, 2008.
- PARKING CALCULATION  
RESTAURANT (W/DRIVE-THRU) REQUIREMENT: 16/1,000  
4,362 / 1,000 = 4.362  
4.362 \* 16 = 70 REQUIRED (BALTIMORE COUNTY)  
BANK REQUIREMENT: 1/400  
5,500 / 400 = 13.75 REQUIRED (BALTIMORE CITY)  
TOTAL SPACES PROVIDED: 82 SPACES  
REGULAR 68 SPACES  
HANDICAP 5 SPACES
- SETBACKS  
REQUIRED  
FRONT 10' - 40' FROM CENTERLINE OF ROAD  
SIDE 10' TO STREET RIGHT-OF-WAY  
REAR 20' TO RESIDENTIAL
- HEIGHT OF STRUCTURE:  
MAX PERMITTED: 40'-0"  
PROVIDED: 17'-11"
- DEED REFERENCE: 071816 / 00730
- TAX ACCOUNT #: 2100003484
- ELECTION DISTRICT: 15
- COUNTY COUNCIL DISTRICT: 1
- WATERSHED: GYNNIS FALLS
- ZONING: BL
- TAX MAP: 0102
- PREVIOUS ZONING CASES: None
- PREVIOUS DRC MEETINGS: None
- FLOOR AREA RATIO FOR BL  
MAXIMUM PERMITTED: 3.0 OR 172,045 SF  
MCDONALD'S & BANK: 0.14
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE CRITICAL AREA.
- THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.
- LIMIT OF DISTURBANCE = 3,470 SF

**ZONING VARIANCE REQUEST SUMMARY**

| VARIANCE REQUEST | DESCRIPTION                                                                                                                                                                                     | REQUEST BY VARIANCE |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| "1"              | 450.4 Attachment 1, 5(a) to permit 5 wall-mounted enterprise signs on the building facades in lieu of the permitted 3 signs;                                                                    | 2                   |
| "2"              | 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                   |
| "3"              | 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                   |
| "4"              | 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                   |
| "5"              | 450.5.3.3a 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                   |
| "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 Attachment 1, 5(b)(V) to permit 2 projected directional signs in lieu of the permitted wall of freestanding directional signs;                                                            | 2                   |
| "8"              | Section 450.4 Attachment 1, 5(b)(V) to permit a free-standing enterprise sign having a height of 35 ft. in lieu of the permitted 25 ft. (Sign 8 on Plat to Accompany Zoning Petition).          | 1                   |
| "9"              | Section 450.4 Attachment 1, 5(b)(V) to permit a free-standing enterprise sign having a face of 132.5 sq. ft. in lieu of the permitted 75 sq. ft. (Sign 9 on Plat to Accompany Zoning Petition). | 1                   |

McDonald's  
MCDONALD'S USA, LLC  
KROO DRIVE  
OAKBROOK, ILLINOIS 60221

ICD6  
Chesapeake Design Group  
410 North Charles Street  
Baltimore, Maryland 21201  
t 410 937 3622  
f 410 937 3621

Professional Engineer  
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

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

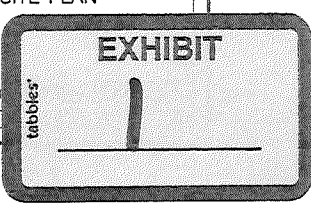
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DATE: 03/11/13  
SCALE: AS NOTED  
BUILDING AREA 4,940 SQ. FT.  
DINING ROOM SEATING 1245 SQ. FT.  
PROJECT #: 12ARCADE65  
DRAWN BY: SW CHECKED BY: SW

PROJECT TITLE  
ALTERATIONS TO  
McDONALD'S  
WASHINGTON BLVD  
3223 WASHINGTON BLVD.  
BALTIMORE, MD  
REGION: BWR  
LC NO. 019-0295

SHEET TITLE  
SIGNAGE VARIANCE  
REQUEST:  
SITE PLAN

SHEET NO. 1



VARIANCE REQUEST 4  
VARIANCE REQUEST 5:  
WELCOME SIGN: 2.6 SF  
SIGN TYPE - E

VARIANCE REQUEST 1:  
FASCIA SIGN: 32.82 SF  
SIGN TYPE - B

VARIANCE REQUEST 1:  
ARCH LOGO SIGN: 14 SF  
SIGN TYPE - A

TOILET HEARTH  
ELEV. + 14'-11"

TRAPAPET  
ELEV. + 17'-11"

THIRCADE RAIL  
ELEV. + 5'-4"

THIRCADE OPENING  
BY TRILLA  
ELEV. + 4'-4"

TRILAB  
ELEV. + 0'-0"

STOREFRONT ELEVATION

TOILET HEARTH  
ELEV. + 14'-11"

TRAPAPET  
ELEV. + 17'-11"

THIRCADE OPENING  
BY TRILLA  
ELEV. + 4'-4"

TRILAB  
ELEV. + 0'-0"

REAR ELEVATION

VARIANCE REQUEST 4  
VARIANCE REQUEST 5:  
WELCOME SIGN: 2.6 SF  
SIGN TYPE - E

VARIANCE REQUEST 1:  
ARCH LOGO SIGN: 14 SF  
SIGN TYPE - A

THIRCADE RAIL  
ELEV. + 5'-4"

TRAPAPET  
ELEV. + 17'-11"

THIRCADE OPENING  
BY TRILLA  
ELEV. + 4'-4"

TRILAB  
ELEV. + 0'-0"

RIGHT SIDE ELEVATION

VARIANCE REQUEST 7:  
PICK UP HERE SIGN  
SIGN TYPE - G

VARIANCE REQUEST 1:  
FASCIA SIGN: 32.82 SF  
SIGN TYPE - B

VARIANCE REQUEST 7:  
PICK UP HERE SIGN  
SIGN TYPE - G

THIRCADE RAIL  
ELEV. + 5'-4"

TRAPAPET  
ELEV. + 17'-11"

THIRCADE OPENING  
BY TRILLA  
ELEV. + 4'-4"

TRILAB  
ELEV. + 0'-0"

LEFT SIDE ELEVATION

McDonald's

McDONALD'S USA, LLC  
KROG DRIVE  
CHESAPEAKE, ILLINOIS 60221

CDG  
Chesapeake Design Group

419 North Charles Street  
Baltimore, Maryland 21201  
t 410 837 3622  
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DATE: 03/11/13  
SCALE: AS NOTED  
BUILDING AREA 4,940 SQ. FT.  
DINING ROOM SEATING 1245 SQ. FT.  
PROJECT #: 12ARCADE65  
DRAWN BY: SW CHECKED BY: SW

PROJECT TITLE  
ALTERATIONS TO  
McDONALD'S  
WASHINGTON BLVD  
3223 WASHINGTON BLVD.  
BALTIMORE, MD  
REGION: BWR  
LC NO. 019-0295

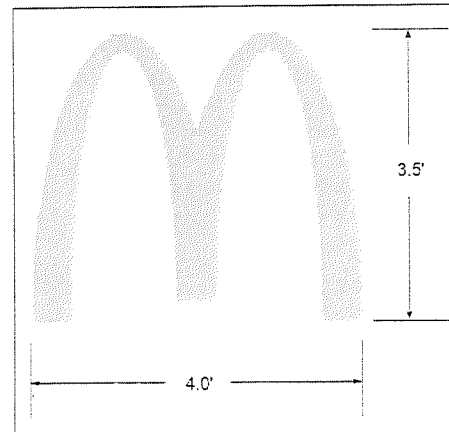
SHEET TITLE  
SIGNAGE VARIANCE  
REQUEST:  
ELEVATIONS

SHEET  
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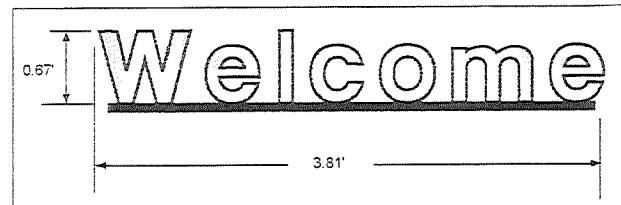
EXHIBIT  
3A

1 ELEVATIONS

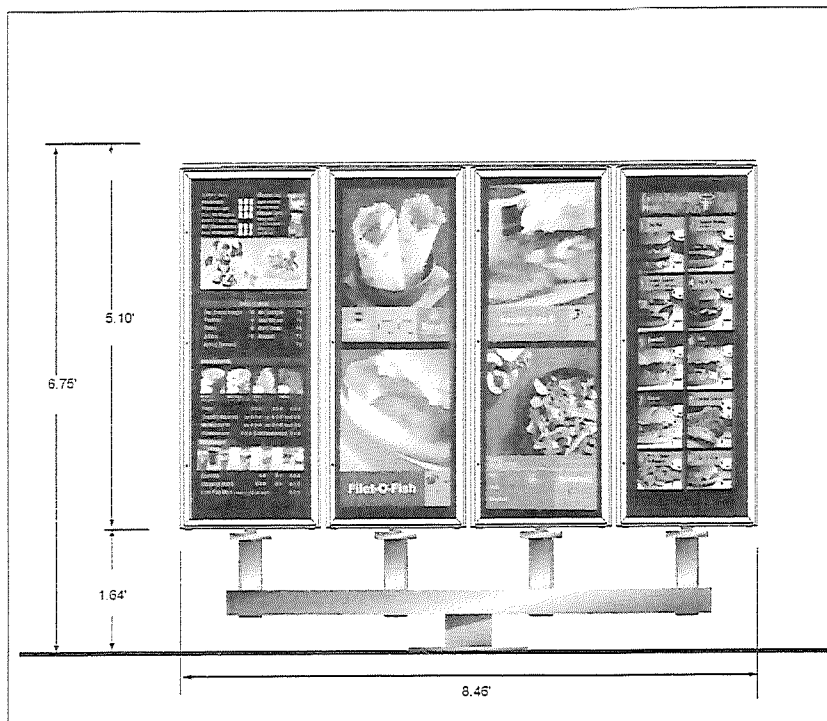
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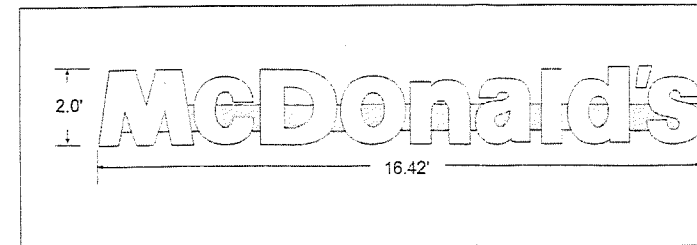
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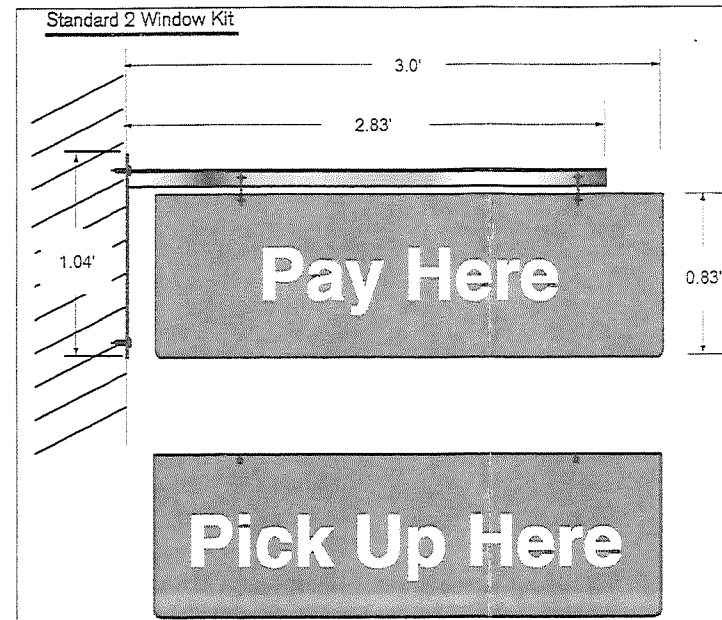
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WELCOME SIGN ON CANOPY



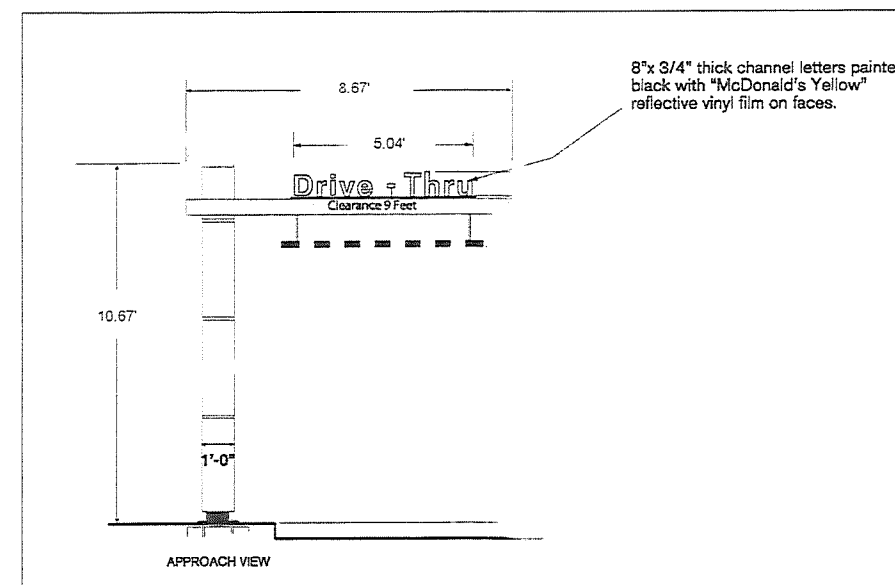
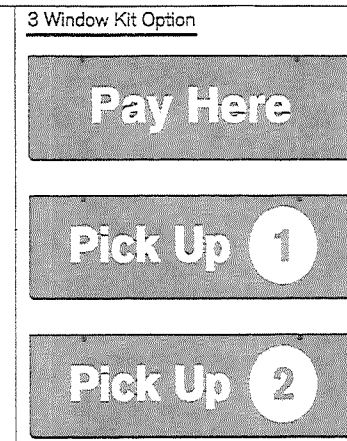
SIGN TYPE - F:  
OPO MENU BOARD



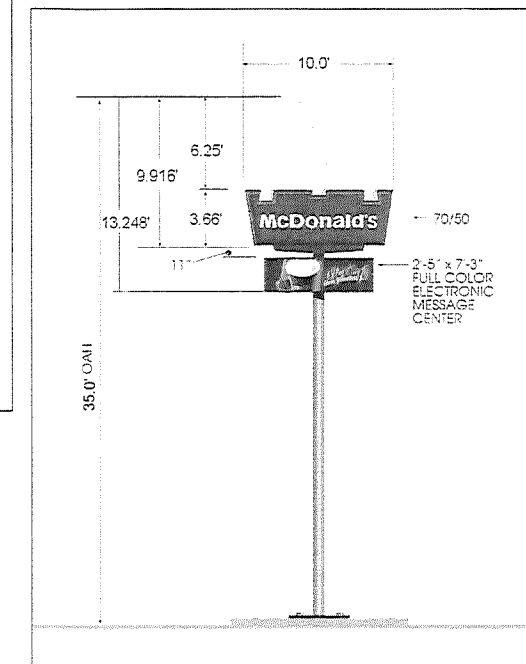
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NEXT GEN FASCIA SIGN



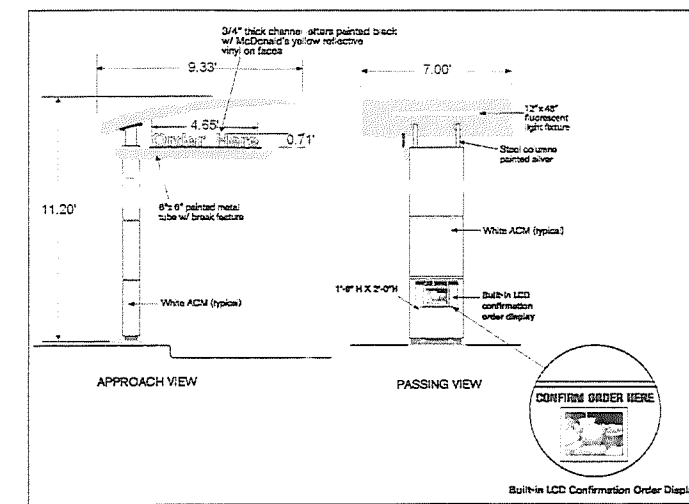
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NEXT GEN WINDOW POSITION SIGNS



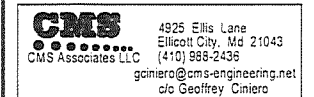
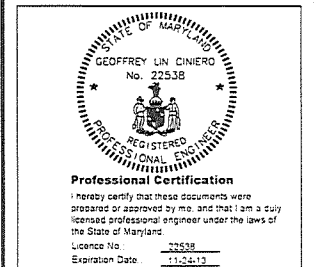
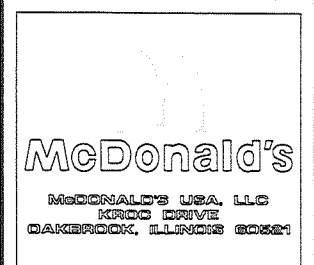
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SIGN TYPE - H:  
FREESTANDING SIGN



SIGN TYPE - D:  
TWIN POLE COD CANOPY



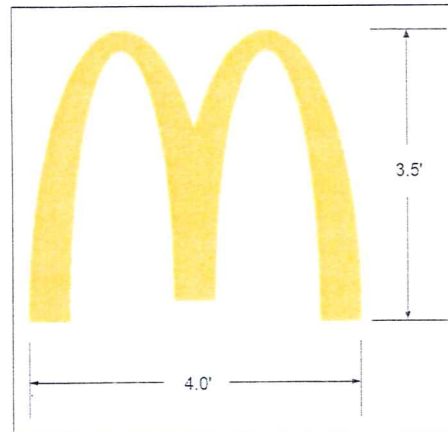
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|---------------------|---------------|
| DATE:               | 03/11/13      |
| SCALE:              | AS NOTED      |
| BUILDING AREA       | 4,940 SQ. FT. |
| DINING ROOM SEATING | 1245 SQ. FT.  |
| PROJECT #:          | 12ARCADE65    |
| DRAWN BY:           | SW            |
| CHECKED BY:         | SW            |

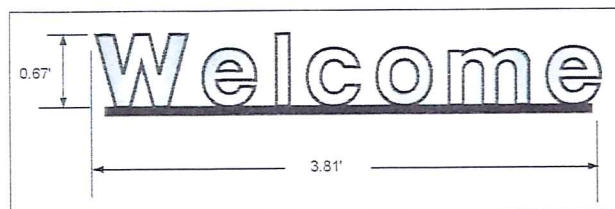
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| ADDRESS       | WASHINGTON BLVD<br>3223 WASHINGTON BLVD.<br>BALTIMORE, MD |
| REGION:       | BWR                                                       |
| LC NO.        | 019-0295                                                  |

|             |                                        |
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| SHEET TITLE | SIGNAGE VARIANCE REQUEST: SIGN DETAILS |
|-------------|----------------------------------------|

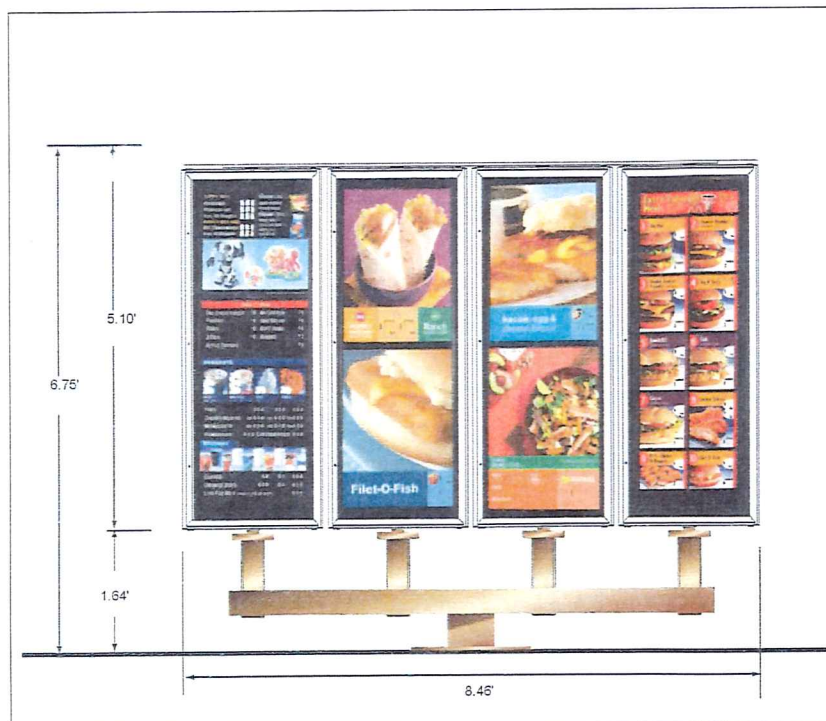
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| SHEET NO. | 8 |
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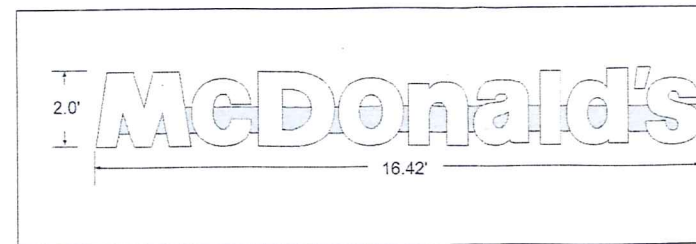
SIGN TYPE - A:  
NEXT GEN M ARCH LOGO SIGN



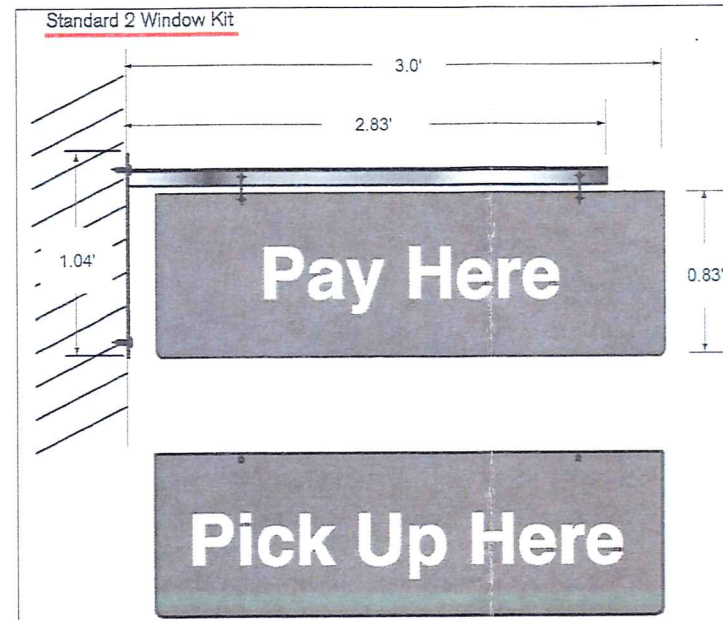
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WELCOME SIGN ON CANOPY



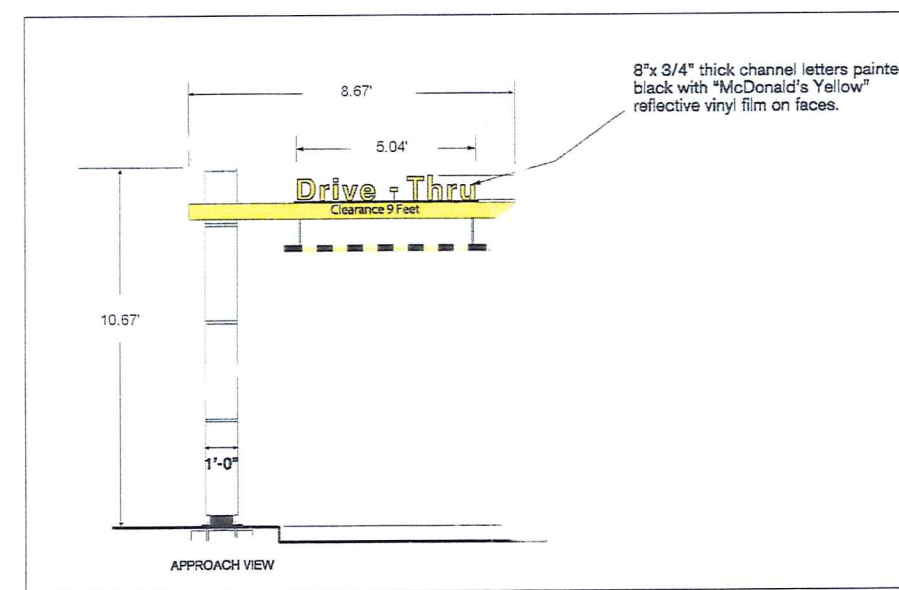
SIGN TYPE - F:  
OPO MENU BOARD



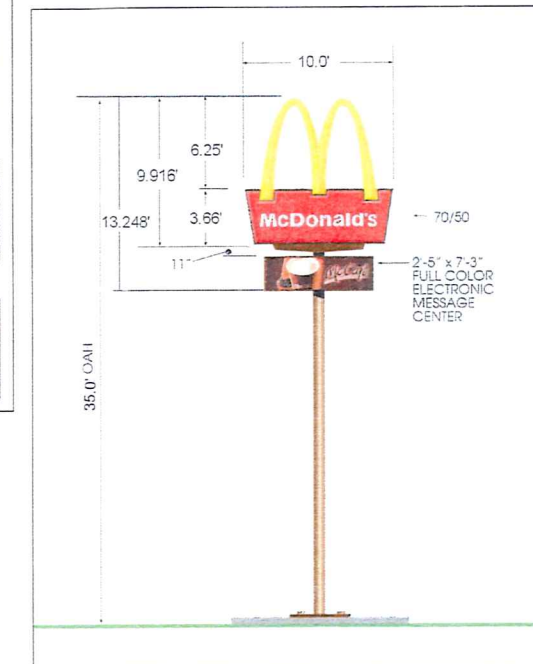
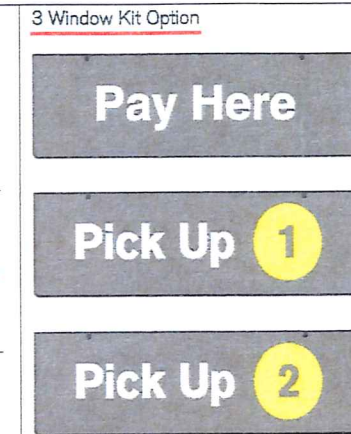
SIGN TYPE - B:  
NEXT GEN FASCIA SIGN



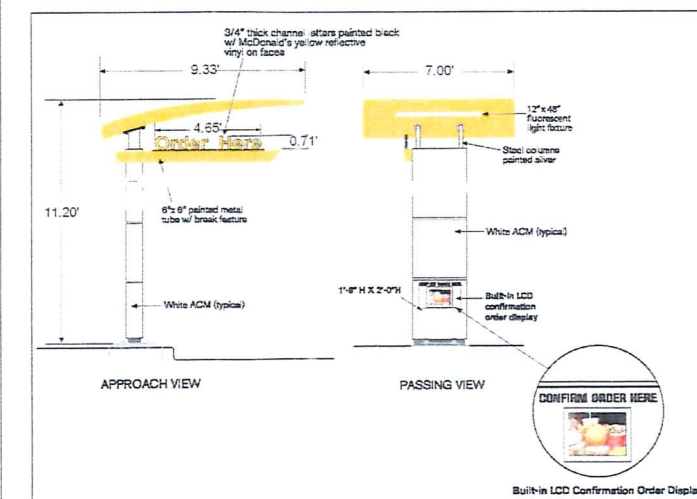
SIGN TYPE - G:  
NEXT GEN WINDOW POSITION SIGNS



SIGN TYPE - C:  
CLEARANCE GATEWAY



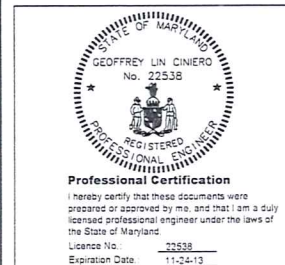
SIGN TYPE - H:  
FREESTANDING SIGN



SIGN TYPE - D:  
TWIN POLE COD CANOPY



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| DATE: 03/11/13                   |
| SCALE: AS NOTED                  |
| BUILDING AREA 4,940 SQ. FT.      |
| DINING ROOM SEATING 1245 SQ. FT. |
| PROJECT #: 12ARCADE65            |
| DRAWN BY: SW CHECKED BY: SW      |

|                           |
|---------------------------|
| PROJECT TITLE             |
| ALTERATIONS TO McDONALD'S |
| WASHINGTON BLVD           |
| 3223 WASHINGTON BLVD.     |
| BALTIMORE, MD             |
| REGION: BWR               |
| LC NO. 019-0295           |

|                           |
|---------------------------|
| SHEET TITLE               |
| SIGNAGE VARIANCE REQUEST: |
| SIGN DETAILS              |

SHEET NO. 3