

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2b to allow 5,300 parking spaces in lieu of the required 6,837 parking spaces.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty. The number of spaces required by Regulations are excessive when dealing with a major shopping mall. As shown on the plat, we request that we be allowed to provide parking spaces for 4,143 cars in the aggregate at the time of completion and utilization of Building No. 1 including as to the Sears parcel 828 spaces out of 828 spaces required; as to the Macy's parcel 1,003 spaces out of 1,003 spaces required and as to the mall (developer) parcel 2,312 out of the 3,379 spaces required; subsequently to provide in the aggregate spaces for the parking of 4,565 cars at the time of completion and utilization of Building No. 2 including the providing of 422 spaces as to Building No. 2 instead of the 877 spaces required; and finally at the completion and utilization of Building No. 3 to provide parking spaces in the aggregate for 5,300 cars including the providing of 735 spaces instead of the 730 spaces required.

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

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do 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 Petition.

Legal Owners:
SEARS, ROEBUCK & CO., INC., CORP.
(Type or Print Name)
By: *[Signature]*
Signature (hereunto duly authorized)

Address
555 E. Lancaster Avenue
City and State
St. Davids, PA 19087

Attorney for Petitioner:
W. Lee Thomas, Esquire
(Type or Print Name)
[Signature]
Signature
409 Washington Ave., Suite 314
Address
Towson, MD 21204
City and State

Attorney's Telephone No.: 296-6777

Legal Owner(s):
HUNT VALLEY PROPERTIES CORP., a MD CORP.
(Type or Print Name)
By: *[Signature]*
Signature Ray L. Troiger, Vice President

HUNTMAR ASSOCIATES, a MD General Partnership
(Type or Print Name)
By: *[Signature]*
Signature Arthur L. Powell, President

Name, address and phone number of legal owner's representative to be contacted
W. Lee Thomas, Esquire
Name
409 Washington Avenue
Towson, MD 21204
Address
296-6777
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of October, 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 15th day of January, 1981, at 10:00 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.

(over)

IN THE MATTER OF THE APPLICATION OF HUNT VALLEY PROPERTIES CORP. FOR A VARIANCE ON PROPERTY LOCATED ON THE NORTH SIDE OF SHAWAN RD., 535' WEST OF YORK RD. - 8th DISTRICT

KENNETH BOSLEY, PROTESTANT-APPELLANT

Zoning File No. 81-125-A

Misc. Docket No. 15
Folio No. 108
File No. 83-M-71

ORDER

Having given due consideration to the pleadings filed to date as well as the Motion Re Recipiatur and the Points and Authorities cited therein, it is this 23rd day of May, 1983,

ORDERED, that the Motion Re Recipiatur filed by Petitioner be, and the same is, hereby granted and that the Petitioner's Writ of Mandamus is moot and therefore denied.

[Signature]
JUDGE

W. LEE THOMAS, P.A.
ATTORNEY AT LAW
SUITE 314
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
AREA CODE 301
296-6777

FILED MAY 23 1983

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
N/S Shawan Rd., 535' :
W of York Rd., 8th District : OF BALTIMORE COUNTY

HUNT VALLEY PROPERTIES CORP., : Case No. 81-125-A
et al., Petitioners

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

[Signature]
Peter Max Zimmerman
Deputy People's Counsel

[Signature]
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

HEREBY CERTIFY that on this 19th day of December, 1980, a copy of the foregoing Order was mailed to W. Lee Thomas, Esquire, 409 Washington Avenue, Suite 314, Towson, Maryland 21204, Attorney for Petitioners.

[Signature]
John W. Hession, III

Kenneth Bosley : IN THE CIRCUIT COURT
: FOR BALTIMORE COUNTY
v. :
HUNT VALLEY PROPERTIES CORP. : At Law
(Hunt Valley Mall) : Case No. 83-M-71
: 15/106 Misc. Dock.

PETITION FOR WRIT OF MANDAMUS

The Appellant, Kenneth Bosley, respectfully requests that this Honorable Court grant this Petition to compel the Chairman, William T. Hackett, County Board of Appeals of Baltimore County, to forward his records and accept the costs for the Case No. 81-125 A Hunt Valley Properties Corp., in order that this case may be before this Court and for reasons therefore says:

1. That your Petitioner filed a check for the cost of the certified dockets with the Board on or about March 21, 1983 in order that the record would be forward to this Court.
2. That by letter, a copy of which is attached herein, Mr. Hackett, advised your Petitioner of his refusal to forward the Case No. 81-125- A to this Court.
3. That the Board does not have the legal authority to hold the record once the costs have been tendered.

WHEREFORE, your Petitioner prays that this Court issue a Writ of Mandamus compelling Mr. William T. Hackett and or the County Board of Appeals to forward the record in Case No. 81-125-A (Hunt Valley Mall), pursuant to Maryland Rules of Procedures, Mandamus, Subtitle BE.

[Signature]
Kenneth Bosley
Box 334
Cockeysville, Maryland 21030

I hereby certify that on this 18th day of April 1983 that a copy of the above was mailed to William T. Hackett and or the County Board of Appeals, Court House, Towson, Maryland 21204, and to W. Lee Thomas, 409 Washington Avenue, Suite 314, Towson, Maryland 21204.

[Signature]
Kenneth Bosley

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

May 27, 1982

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 81-125-A HUNT VALLEY PROPERTIES CORP.
N/S Shawan Rd., 535' W of York Rd.
8th District
Var. to permit 6065 parking spaces in lieu of the required 6837 spaces
1/8/82 - D.Z.C. GRANTED variance w/restrictions
THURSDAY, JULY 1, 1982, at 10 a.m.

ASSIGNED FOR:

cc: Hunt Valley Properties Corp. Petitioner

Sears, Roebuck & Co. "

W. Lee Thomas, Esq. Counsel for Petitioners

Douglas G. Worral, Esq. Counsel for Protestants, W. Merryman Kemp, et al

Kenneth Bosley Protestants

Ms. Judith Baer "

J. W. Hession, Esq. People's Counsel

J. Dyer

J. Hoswell

J. Jung

N. Gerber

W. Hammond

June Holmen, Secretary

KENNETH BOSLEY : IN THE CIRCUIT COURT
Appellant : FOR
: BALTIMORE COUNTY
vs. :
HUNT VALLEY PROPERTIES CORPORATION : At Law
Appellee : Misc. Docket No.
: Folio File

ORDER FOR APPEAL

Mr. Clerk:

Please enter an Appeal on behalf of Appellant, Kenneth Bosley, from an Order of the County Board of Appeals of Baltimore County passed in the matter of the Application of Hunt Valley Properties Corporation, a/k/a Hunt Valley Mall, for a variance on the property located on the North Side of Shawan Road, 535 Feet West of York Road, 8th District, the date of the order being January 26, 1983.

[Signature]
Kenneth Bosley
Box 334
Cockeysville, Maryland 21030
Appellant

Certificate of Compliance

I hereby certify that a copy of the above Order for an Appeal has been delivered to the County Board of Appeals of Baltimore County in accordance with Rule 82 and Rule 306 G of the Maryland Rules of Procedure prior to the filing of the case with the Clerk of the Circuit Court for Baltimore County, and that a copy of the above was mailed to W. Lee Thomas, 409 Washington Avenue, Towson, Maryland 21204, on January 23, 1983.

[Signature]
Kenneth Bosley

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

June 18, 1982

NOTICE OF POSTPONEMENT

CASE NO. 81-125-A HUNT VALLEY PROPERTIES CORP.
N/S Shawan Rd. 535' W. of York Rd.
8th District

Scheduled for hearing on Thursday, July 1, 1982 has been POSTPONED at the request of Counsel for the Petitioner (expert witness out of country), and will be rescheduled at a later date.

cc: Hunt Valley Properties Corp.
Sears, Roebuck & Co.
W. Lee Thomas, Esq.
Douglas G. Worral, Esq.
Kenneth Bosley
Ms. Judith Baer
John W. Hession, Esq.
Mr. W. E. Hammond
Mrs. J. Jung
Mr. J. E. Dyer
Mr. N. E. Gerber
Mr. J. G. Hoswell

Edith T. Eisenhart, Adm. Secretary

5/27/82 - Following have been notified of hearing set for Thurs., July 1, 1982, at 10 a.m. - 7/1/82

Hunt Valley Properties Corp.
Sears, Roebuck & Co.
W. Lee Thomas
Douglas Worral
Kenneth Bosley
Judith Baer
J. Hession
J. Dyer
J. Hoswell
J. Jung
N. Gerber

11/18/82 - Above notified of appeal hearing scheduled for THURSDAY, JANUARY 20, 1983 at 10 a.m.

[Signature]
Postponed 6-18-82
Requested by
Mr. Thomas
Expert witness out of country

APPEAL
APR 22 9 45 AM '83
CLOCK NO. 30
BY: 5

APPEAL
APR 22 2 1 PM '83
CLOCK NO. 30
BY: 5

Contr. No.	78068	25 02
Scale	1" = 100'-6"	
Date	8 APRIL 80	
Last Rev.	16 APRIL 77	

PARKING PROFILE SMITHHAVEN MALL EXPANSION

ESTIMATED 30th HIGHEST SALES DAY

PARKING LOT CAPACITY (7,083)

GLA = 1,190,000 sq. ft.

MINIMUM RESERVE
1,721 SPACES (24.3%)

LEGEND

PROJECTED
PARKING DEMAND
DUE TO EXPANSION

DESIGN DAY
PARKING DEMAND

PARKING SPACES

TIME OF DAY (PM)

DESIGN DAY

RAYMOND KEYES ENGINEERS
LOS ANGELES
FIGURE NO. 2

10/24/73

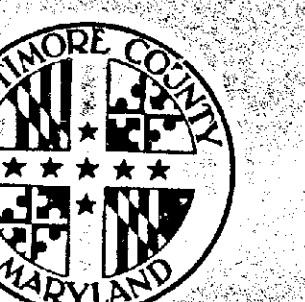
Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
Zoning Commissioner

Date: January 6, 1981

TO: Norman E. Gerber, Director
Office of Planning and Zoning

FROM: Office of Planning and Zoning

SUBJECT: Petition No. 81-125-A

Petitioner- Hunt Valley Properties, Corporation, et al

If granted, it is requested that those areas set aside for future use be landscaped until such time as they are developed for parking. Further, it is requested that any granting of the subject variance be conditioned to require a detailed, comprehensive landscaping plan for the entire site, approved by the Division of Current Planning and Development.

Norman E. Gerber, Director
Office of Planning and Zoning

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 8, 1981

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

W. Lee Thomas, Esquire
409 Washington Avenue, Suite 314
Towson, Maryland 21204

RE: Item No. 79
Petitioner: Hunt Valley Properties Corp.
Variance Petition

Dear Mr. Thomas:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on-site field inspection of the property. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your clients' proposal to decrease the required parking for the Hunt Valley Mall, this Variance is required.

It is my understanding that revised plans, incorporating the comments from the Director of Permits and Licenses, will be submitted prior to the scheduled hearing.

Enclosed are all comments submitted to this office from the Committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/sf

Enclosures

RTKL Associates, Inc.
Village of Cross Keys
Baltimore, Maryland 21210

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

December 2, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #79 (1980-1981)
Property Owner: Hunt Valley Properties Corp.
N/S Shawan Rd. 535' W. of York Rd.
Acres: 106.245 Acres District: 8th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved and are secured by Public Works Agreement #87915 executed in conjunction with the current development of Hunt Valley Mall.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 79 (1980-1981).

Very truly yours,

Robert A. Morton, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:ss

cc: J. Wimbley
P. Koch

V-NE Key Sheet
73-75 NW 7-9 Pos. Sheets
NW 19 B & C Topo
42 Tax Map

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

December 29, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #79, Zoning Advisory Committee Meeting, October 21, 1980, are as follows:

Property Owner: Hunt Valley Properties Corp.
Location: N/S Shawan Road 535' W. of York Road
Acres: 106.245 acres
District: 8th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

A detailed landscape plan should be provided for all areas not being used for parking.

The number of parking spaces provided should be indicated for each parking area.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

December 30, 1980

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 79 - ZAC - October 21, 1980
Property Owner: Hunt Valley Properties Corp.
Location: N/S Shawan Road 535' W. of York Road
Existing Zoning: BM-CT & MLR
Proposed Zoning: Variance to permit 5,300 parking spaces in lieu of the required 6,837 parking spaces.

Acres: 106.245 acres
District: 8th

Dear Mr. Hammond:

The requested parking variance to parking can be expected to cause parking problems in the area.

Very truly yours,

Michael E. Flanagan
Michael E. Flanagan
Engineer Associate II

MSF/bza

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
625-7310

PAUL H. REINCKE
CHIEF

November 5, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Hunt Valley Properties Corp.

Location: N/S Shawan Road 535' West of York Road

Item No.: 79

Zoning Agenda: Meeting of October 21, 1980

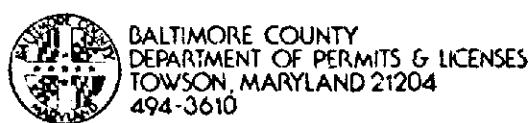
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below, marked with an "X", are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards, as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- (X) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: [Signature] Noted and Approved: [Signature]
PLANNING GROUP FIRE PREVENTION BUREAU
SPECIAL INSPECTION DIVISION

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI JR.
DIRECTOR

October 21, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #79 Zoning Advisory Committee Meeting, October 21, 1980
are as follows:

Property Owner: Hunt Valley Properties Corporation
Location: N/S Shawan Road 535' E of York Road
Existing Zoning: BM-CT & MLR
Proposed Zoning: Variance to permit 5,300 parking spaces in lieu of the required 6,837 parking spaces.

Acres: 106.245
District: 8th

The items checked below are applicable:

X A. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Aged, and other applicable Codes.

B. A building/ permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/ is not required.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 5" masonry firewall is required if construction is on the lot line.

F. Requested variance conflicts with the Baltimore County Building Code, Section/s

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 214.

X I. Comments - Of the total parking, 20 + 1 for each 100 over 1000 shall be for the handicapped and shall be located so that physically handicapped persons are not required to wheel or walk behind parked cars to reach a walkway, entrance ramp or elevator. These spaces do not appear to be so located. NOTE: These comments reflect only on the information provided by the drawing. See Section 316.4 submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CED:rrj

IN THE MATTER OF
THE APPLICATION OF
HUNT VALLEY PROPERTIES CORP.
FOR A VARIANCE ON PROPERTY
LOCATED ON THE NORTH SIDE OF
SHAWAN RD., 535' WEST OF
YORK RD. - 8th DISTRICT

KENNETH BOSLEY, PROTESTANT-
APPELLANT

Zoning File No. 81-125-A

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

AT LAW

Misc. Docket No. 15
Folio No. 106
File No. 83-M-71

ORDER

Having given due consideration to the pleadings filed to date as well as the Motion to Dismiss and the Points and Authorities cited therein, it is this 5th day of March, 1983,

ORDERED, that the appeal filed by Kenneth Bosley, Protestant Appellant, be, and the same is, hereby dismissed because of his failure to file his petition within 10 days of the appeal.

JUDGE

RECEIVED
MAR 9 11 22 AM '83
COURT CLERK
JANIS

W. LEE THOMAS, P.A.
ATTORNEY AT LAW
SUITE 214
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
286-8777

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Nicholas B. Commodari

TO: Zoning Advisory Committee

Date: October 20, 1980

Sharon M. Caplan

FROM: E. Planning Development Commission

SUBJECT: Item #79 - Property Owner: Hunt Valley Properties Corp.
Location: N/S Shawan Road 535' W. of York Road
Existing Zoning: BM-CT & MLR
Proposed Zoning: Variance to permit 5,300 parking spaces in lieu of the required 6,837 parking spaces.

In recognition of Baltimore County's desire to foster a healthy economic growth, we request the zoning officer to evaluate the above request in the best interest of industrial expansion.

SMC:jet

CIRCUIT COURT FOR BALTIMORE COUNTY

CATEGORY: APPEAL

KENNETH BOSLEY

ATTORNEYS

P.P.
Box 334
Cockeysville, Md. 21030

HUNT VALLEY PROPERTIES CORPORATION

- (1) Feb. 24, 1983 - Appellants Order for Appeal from an Order of the County Board of Appeals of Baltimore County fd.
(2) Feb. 25, 1983 Certificate of Notice fd.
(3) Mar. 8, 1983 Petitioner's Motion to Dismiss, Points & Authorities and Order of Court granting same fd. (JHL)

COSTS
LAW # 8371 #
L-CLERK 60.00
CASH TL 60.00
#03625 C001 R02 714:21
02/24/83

DOCKET 15

PAGE 106

CASE NO. 83-M-71



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

January 14, 1981

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #79, Zoning Advisory Committee Meeting of October 21, 1980, are as follows:

Property Owner: Hunt Valley Properties Corp.
Location: N/S Shawan Rd. 535' W. of York Road
Existing Zoning: BM-CT & MLR
Proposed Zoning: Variance to permit 5,300 parking spaces in lieu of the required 6,837 parking spaces
Acres: 106.245 Acres
District: 8th

Metropolitan water and sewer are available, therefore no health hazards are anticipated.

Very truly yours,

Donal J. Roop
Donal J. Roop, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJE/mw

RE: PETITION FOR VARIANCE : BEFORE THE
N/S of Shawan Rd., 535' W of : DEPUTY ZONING
York Rd. - 8th Election District : COMMISSIONER
Hunt Valley Properties Corporation - :
Petitioner : OF
NO. 81-125-A (Item No. 79) :
: BALTIMORE COUNTY

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that by reason of the following finding of facts:

- The herein petitioner requests a variance to permit 5,300 parking spaces in lieu of the required 6,837 spaces.
- Testimony presented by and on behalf of the petitioner indicated that:
 - Nationally recognized industry standards for regional shopping centers calculate the number of parking spaces needed using gross leasable square feet rather than total floor area, as required by the Baltimore County Zoning Regulations.
 - Raymond Keyes, a professional site engineer, testified that the rock on the site would present difficulty in excavating the northern portion of the property, and he was of the opinion that the proposed 5,300 spaces would be adequate.
 - A common easement allows customers, employees, and employees to use any parking area within the shopping center.
- Argument presented on behalf of the protestants indicated that:
 - Differences in industry parking standards exist among recognized authorities.
 - The developers have increased the gross buildable area from 1,176,000 square feet as shown on the June 13, 1979, site plan reviewed by the Joint Subdivision Planning Committee to 1,242,532 square feet as shown on the January 19, 1981, site plan filed herein.

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: October 21, 1980

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: October 21, 1980

RE: Item No: 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

c. In their opinion, insufficient parking, even for a limited number of hours per year, would present potential problems by blocking fire lanes and hydrants and in the handling of emergencies.

4. Comments submitted by the Department of Traffic Engineering indicate that the requested parking variance can be expected to cause parking problems in the area.

and, thus, the present public hearing is required.

Section 409 of the Baltimore County Zoning Regulations states its intent to require sufficient off-street parking spaces for all buildings, acknowledges parking standards, and suggests that those standards should be met under normal circumstances. The petitioner proposes to increase the building area within the shopping center to a point beyond the capacity of the site, and a portion of his difficulty and/or hardship results from his decision to expand the size of the buildings unduly. Nevertheless, since a variance to the parking requirements for the mall area only would be in strict harmony with the spirit and intent of the zoning regulations and would not adversely affect the health, safety, and general welfare of the community, a variance should be granted, and, therefore,

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 8th day of January, 1982, that a variance to permit 6,065 parking spaces in lieu of the required 6,837 parking spaces should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- The "parking provided" column on the herein site plan shall be revised to read:

Bambergers	1003
Sears	828
Mall	4607
Total	4438
Building 2	877
Total	5315
Building 3	750
Total	6065

ORDER RECEIVED FOR FILING

DATE January 8, 1982

BY *John P. Kelly*

DATE January 8, 1983
BY John R. Hackett
Deputy Zoning Commissioner

- If the size of Buildings 2 and 3 are modified, parking spaces provided must be in accordance with the Baltimore County Zoning Regulations.
- All areas designated for "future parking" shall be landscaped until they are developed. All areas shown on the herein site plan as being undeveloped shall remain in their permanent green natural state or planted open space.
- A revised site plan, incorporating the restriction set forth above, shall be submitted for approval by the Department of Public Works and the Office of Planning and Zoning, including a separate detailed landscaping plan for the entire site for approval by the Current Planning and Development Division.

John M. H. Jones
Deputy Zoning Commissioner of
Baltimore County

IN THE MATTER OF : BEFORE
THE APPLICATION OF :
HUNT VALLEY PROPERTIES CORP. : COUNTY BOARD OF APPEALS
FOR A VARIANCE ON PROPERTY :
LOCATED ON THE NORTH SIDE OF : OF
SHAWAN ROAD, 533rd WEST OF :
YORK ROAD : BALTIMORE COUNTY
8th District :
 : No. 81-125-A

OPINION

The above captioned matter came on for hearing as a result of an appeal from a January 8, 1982, decision of the Deputy Zoning Commissioner for Baltimore County. At issue is the Petitioner's request for a variance to permit 5300 parking spaces in lieu of the 6837 parking spaces mandated by Section 409.2b of the Baltimore County Zoning Regulations (B.C.Z.R.).

The appeal was heard de novo.

Inasmuch as this hearing did not involve a factual dispute, the testimony and evidence submitted can be briefly summarized.

Petitioner presented testimony and evidence by and through Claude C. Morton, developer of Hunt Valley Mall and Raymond Keyes, a consulting traffic engineer. The substance of Petitioner's evidence demonstrated that the criteria utilized by Baltimore County to determine minimum parking requirements was five (5) parking spaces per one thousand (1000) square feet of gross building area (GBA). Petitioner presented uncontradicted evidence that the more practical standard of five (5) parking spaces per one thousand (1000) square feet of gross leased area (GLA) was being employed throughout the United States and particularly noted newly developed malls in Denver, Colorado, Long Island, New York and King of Prussia, Pennsylvania. Buttressing their argument that GLA was the more accurate criteria, the Petitioner introduced a study of Urban Land Development, noting that said study was unavailable when this matter was heard before the Deputy Zoning Commissioner. Additionally, Petitioner demonstrated that the present site contains 5260 parking spaces and that a physical count of all vehicles at the subject

Hunt Valley Properties Corp.
Case No. 81-125-A

site, at given hours between 11:00 o'clock A.M. and 9:00 o'clock P.M. on December 21, 1982, an extremely busy period, indicated that at no time did the number of parking spaces utilized approach five (5) spaces per one thousand (1000) square feet of GBA or GLA.

The Petitioner testified that their research indicates that by utilizing the GLA criteria, the maximum number of parking spaces required would be 5290. Thus, according to the Petitioner, a variance to permit 5300 parking spaces is reasonable.

Finally, the Petitioner presented testimony to the effect that the failure to grant the requested variance would result in an economic hardship and would create a practical difficulty for the Petitioner, inasmuch as the proposed 5300 parking spaces is sufficient and the general public shall be comfortably and adequately served thereby.

Kenneth Bosley, sole protestant, testified that he owns property near Hunt Valley Mall and that he believes Baltimore County should require strict compliance with the parking requirements mandated by 409.2b of the Baltimore County Zoning Regulations (B.C.Z.R.). Mr. Bosley testified that it is not unusual for people to leave the mall area and park their vehicles on his property.

People's Counsel presented testimony from Michael Flannigan, Associate Traffic Engineer and Paul Solomon, Chief of Environmental Planning.

Mr. Flannigan did not contradict the evidence of the Petitioner, but to the contrary, candidly admitted that GLA is an acceptable criteria for determining the minimum parking requirements in Baltimore County and, additionally, that it was not unusual for his department to approve reasonable variances at malls with respect to parking because the requirements mandated by 409.2b, B.C.Z.R., are not always reasonable.

Mr. Solomon's primary concern was that the development at the subject site maintain as much open space as possible and that the amount of impervious surfaces utilized be minimal.

Hunt Valley Properties Corp.
Case No. 81-125-A

The Board is persuaded that the subject site, including the additional two (2) department stores, shall require 5290 parking spaces, if GLA criteria is utilized. Naturally, if GBA criteria is utilized, 5290 parking spaces shall be inadequate. The Board notes that the site, as presently constituted, contains 5260 parking spaces. Of course, when the two (2) new department stores are added, present parking spaces will be eliminated and it will then be necessary for the Petitioner to utilize some of the areas designated as future parking on Petitioner's Exhibit One (1).

The Board is persuaded that GBA criteria to determine minimum parking is now obsolete. GLA is the more feasible criteria. Such a criteria provides a more practical, reasonable and accurate standard by which minimum parking requirements can be ascertained. The Board recognizes that the Deputy Zoning Commissioner previously granted a variance to the Petitioner so as to permit 6065 parking spaces in lieu of the required 6837 parking spaces required by the B.C.Z.R. However, the Board is also cognizant of the fact that the Urban Land Development study, placed into evidence by the Petitioner, was unavailable to the Deputy Zoning Commissioner at the time she heard this matter. That study clearly substantiates GLA as the more accurate criteria to be employed when determining minimum parking requirements for shopping malls.

This Board is convinced, therefore, that the Petitioner has presented uncontroverted evidence that the utilization of GLA criteria enables the Petitioner to adequately accommodate the public by providing a minimum of 5300 parking spaces in lieu of the required 6837 parking spaces dictated by Section 409.2b, B.C.Z.R. However, the Board is also mindful of the genuine environmental concerns expressed by the Deputy Zoning Commissioner and advanced by People's Counsel.

For the reasons stated above, the decision of the Deputy Zoning Commissioner is reversed, in part.

Hunt Valley Properties Corp.
Case No. 81-125-A

ORDER

For the reasons set forth in the foregoing Opinion, it is this 26th day of January, 1983, by the County Board of Appeals, ORDERED that the decision of the Deputy Zoning Commissioner dated January 8, 1982, be and the same is REVERSED, and it is further ORDERED

- That the Petitioner be and hereby is GRANTED a variance so as to permit a minimum of 5300 parking spaces in lieu of the required 6837 parking spaces; and
- That the Petitioner shall maintain a minimum of five (5) parking spaces for each one thousand (1000) square feet of gross leased area at Hunt Valley Mall; and
- That all areas designated on Petitioner's Exhibit One (1) as "future parking", shall be landscaped until such time as same is developed or converted to parking spaces; and
- That all undeveloped areas depicted on Petitioner's Exhibit One (1) shall remain in their permanent, green, natural state or, in the alternative, landscaped so as to maximize open space; and
- That the Petitioner shall submit a revised site plan for approval by Department of Public Works, Office of Planning and Zoning, Department of Traffic Engineering and the current Planning and Development Division, including a designation of the location of a minimum of 5300 parking spaces and a detailed landscaping plan.

Any appeal from this decision must be in accordance with Rules B-1 thru B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

William R. Evans
William R. Evans

Leroy B. Spurr
Leroy B. Spurr

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

Legislative Session 1980, Legislative Day No. 22

BILL NO. 210-80

Mr. Barbara F. Bachur, Councilman

By the County Council, November 3, 1980

A BILL INTITLED

AN ACT to provide for a reduction in the number of parking spaces required for retail shops and restaurants in the Towson town center without the necessity of petition and public hearing, by adding new paragraph (f) to subsection 409.2 of the Baltimore County Zoning Regulations.

WHEREAS, the Baltimore County Zoning Regulations currently provide for the adoption of special parking standards for town centers applicable on a case by case basis following petition and public hearings; and

WHEREAS, the application of special parking standards for the Towson town center results in more parking spaces than are needed. This tends to discourage development of the Towson town center despite the desirability of concentrating development in town centers; and

WHEREAS, during the daytime hours, many of the customers of the shops and restaurants in the Towson town center are likely to have parked their automobiles at and walked from other locations such as their places of work while during the night time hours the restaurants of the Towson town center which need parking spaces could make use of the spaces that, during the day, are used by offices and places of work; and

WHEREAS, this potential for shared use of parking spaces reduces the total number of spaces required to serve the Towson town center as a whole; and

WHEREAS, the County Council has received a final report from the Baltimore County Planning Board and has held a public hearing thereon recommending adoption of legislation in regard to reducing, by means of shared use, the total number of parking spaces to serve the Towson town center SUBSTANTIALLY DEVELOPED TOWN CENTERS; and

WHEREAS, the County Council is desirous of developing standards for parking which are consistent with the detailed plan for the Towson town center.

Patricia K.
Hunt Valley

- SECTION 1. Be it enacted by the County Council of Baltimore County, Maryland,
- that new paragraph (f) be and it is hereby added to subsection 409.2 of the Baltimore County Zoning Regulations, to read as follows:
- 409.2 Parking Spaces.
- (f) In the CT DISTRICT of the Towson town center, only one parking space for each 325 square feet of total floor area need be provided for any building devoted to retail trade and no parking spaces need be provided for any restaurant. All parking spaces for any non-residential use in the CT DISTRICT of the Towson town center may be located as much as 1500 feet from the building housing the use. Except for parking spaces for dwellings, all such parking spaces must be located inside the boundaries of the business-zone CT DISTRICT of the Towson town center. These standards are applicable to any property only to the extent that they are consistent with the detailed plan for the Towson town center. These standards are not applicable to any property governed by parking-space standards implemented by a petition granted pursuant to paragraph (d) above. In addition, this paragraph may not be construed to prohibit any grant of a further decrease in parking requirements pursuant to Section 307.
- SECTION 2. And be it further enacted, that this Act shall take effect forty-five (45) days after its enactment.

IN THE MATTER OF : IN THE CIRCUIT COURT
THE APPLICATION OF :
HUNT VALLEY PROPERTIES CORP. : FOR
FOR A VARIANCE ON PROPERTY : BALTIMORE COUNTY
LOCATED ON NORTH SIDE OF : Misc Docket No. 15
SHAWAN ROAD, 535 Feet WEST OF : Folio No. 106
YORK ROAD, 8th Election District :
(aka Hunt Valley Mall)

KENNETH BOSLEY : File No. 83-M-71
Appellant :

PETITION

The Petition of Kenneth Bosley, Appellant, in this Administrative Appeal from Order of the County Board of Appeals of Baltimore County, Case No. 81-125-A, respectfully represents unto this Honorable Court:

1. That the Appellant, Kenneth Bosley, as an adjacent owner of certain real estate located on the York Road just North of the Petitioner's Hunt Valley Mall site and is also a taxpayer of Baltimore County real estate.

2. That the County Board of Appeals of Baltimore County by its Opinion and Order, dated January 26, 1983, ordered a reduction in the required parking spaces in the Hunt Valley Mall by almost 1/3 rd of that mandated by the Baltimore County law.

3. That the aforesaid Order of the Board of Appeals is erroneous for the following reasons:

(a) The ruling of the Board of Appeals, "That the Petitioner shall maintain a minimum of five parking spaces for each one thousand square feet of gross leased area at Hunt Valley Mall," is without any meaning whatever and such Order is unlawful.

(b) That it is impossible for the Appellant and or the County to determine leased area when the County law has established gross building area as a Zoning requirement.

(c) That the County Board of Appeals misinterpreted the law applicable to the parking zoning ordinance.

RECEIVED
BALTIMORE COUNTY
CLERK OF THE COURT
BY John R. Hackett

(d) That the County Board of Appeals has attempted to rewrite and reword the Baltimore County Zoning Regulations by substituting certain words therein set forth into their Order and such acts by the County Board of Appeals is an unlawful attempt by said Board to perform legislative acts which by law are reserved to the County Council of Baltimore County.

(e) That the Opinion and subsequent Order of the County Board of Appeals is an arbitrary and capricious act on the part of said Board designed to interfere with your Petitioner's constitutional right to enjoy the quiet and peaceful possession of his property within the express provisions of the Baltimore County Zoning Regulations and within the protection of the Constitutions of the State of Maryland and the United States of America.

WHEREFORE your Petitioners pray that this Honorable Court:

1. Reverse the aforesaid Order of the County Board of Appeals of Baltimore County dated January 26, 1983.
2. And grant such other and further relief as may be appropriate in these proceedings.

Kenneth Bosley
Kenneth Bosley
Box 334
Cockeysville, Maryland
21030
771-4316

I hereby certify that a copy of the above Petition has been mailed to June Holmen, County Board of Appeals, Rm. 200, Court House, Towson, Maryland 21204, and to W. Lee Thomas, 409 Washington Avenue, Towson, Maryland 21204, on this 7th day of March 1983 by prepaid postage.

Kenneth Bosley
Kenneth Bosley

IN THE MATTER OF : IN THE
THE APPLICATION OF : CIRCUIT COURT
HUNT VALLEY PROPERTIES CORP. :
FOR A VARIANCE ON PROPERTY :
LOCATED ON THE NORTH SIDE OF :
SHAWAN RD., 535' WEST OF :
YORK RD. - 8th DISTRICT :
BALTIMORE COUNTY
KENNETH BOSLEY, PROTESTANT- :
APPELLANT : AT LAW
Zoning File No. 81-125-A : Misc. Doc. No. 15
Folio No. 106
File No. 83-M-71

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, William T. Hackett, William R. Evans and Leroy B. Spurrier, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, Kenneth Bosley, Box 334, Cockeysville, Md. 21030, Protestant-Appellant; Hunt Valley Properties Corp., c/o Suite 314, 409 Washington Ave., Towson, Md. 21204, Petitioner; Sears, Roebuck and Co., Territorial Facilities Planning Manager, 555 E. Lancaster Ave., St. David, Pa. 19087, Petitioner; W. Lee Thomas, Esq., 409 Washington Ave., Suite 314, Towson, Md. 21204, Counsel for Petitioners; Ms. Judith Boer, Valleys Planning Council, 212 Washington Ave., Towson, Md. 21204, Protestant; Douglas G. Worral, Esq., 100 Light St., Baltimore, Md. 21202, Counsel for Protestants W. Merryman Kemp, Phillips L. Lee, Josephine O. Millsbaugh, and Central Baltimore County Planning Assoc.; and John W. Hessian, Esq., Court House, Towson, Md. 21204, People's Counsel for Baltimore County, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

June Holmen
June Holmen
County Board of Appeals of Baltimore County
Rm. 200, Court House, Towson, Md. 21204
494-3180

Hunt Valley Properties Corp.
Case No. 81-125-A

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Kenneth Bosley, Box 334, Cockeysville, Md. 21030, Protestant-Appellant; Hunt Valley Properties Corp., c/o Suite 314, 409 Washington Ave., Towson, Md. 21204, Petitioner; Sears, Roebuck and Co., Territorial Facilities Planning Manager, 555 E. Lancaster Ave., St. David, Pa. 19087, Petitioner; W. Lee Thomas, Esq., 409 Washington Ave., Suite 314, Towson, Md. 21204, Counsel for Petitioners; Ms. Judith Boer, Valleys Planning Council, 212 Washington Ave., Towson, Md. 21204, Protestant; Douglas G. Worral, Esq., 100 Light St., Baltimore, Md. 21202, Counsel for Protestants W. Merryman Kemp, Phillips L. Lee, Josephine O. Millsbaugh, and Central Baltimore County Planning Assoc.; and John W. Hessian, Esq., Court House, Towson, Md. 21204, People's Counsel for Baltimore County, on this 25th day of February, 1983.

June Holmen
June Holmen, Secretary
County Board of Appeals of Baltimore County

IN THE MATTER OF : IN THE
THE APPLICATION OF : CIRCUIT COURT
HUNT VALLEY PROPERTIES CORP. :
FOR A VARIANCE ON PROPERTY :
LOCATED ON THE NORTH SIDE OF :
SHAWAN RD., 535' WEST OF :
YORK RD. - 8th DISTRICT :
BALTIMORE COUNTY
KENNETH BOSLEY, PROTESTANT- :
APPELLANT : AT LAW
Zoning File No. 81-125-A : Misc. Doc. No. 15
Folio No. 106
File No. 83-M-71

MOTION NE RECIPIATUR

Comes now the Petitioner in the administrative hearing from which this appeal was taken, HUNT VALLEY PROPERTIES, CORP., by and through its attorney, W. LEE THOMAS, P.A., and KEITH E. RONALD, and respectfully requests that this Honorable Court not receive or, in the alternative, strike Appellant's Petition filed herein, as well as his Request for Hearing, and for grounds states:

1. That on the 28th day of January, 1983, the County Board of Appeals passed an Order granting to Petitioner a variance from the Baltimore County Zoning Regulations in the above-referenced zoning matter.
2. That on February 24, 1983, KENNETH BOSLEY, Protestant-Appellant, filed an Order for Appeal with this Court in regards to the decision of the County Board of Appeals.
3. That, in accordance with rule B2(e) of the Maryland rules of Procedure, Appellant was required to file a petition setting forth the action appealed from, the error committed by the agency and the relief sought within ten (10) days after filing said Order.
4. That Appellant has failed to file his petition within the time prescribed by Section (e) of the aforesaid Rule B2.
5. That on the 8th day of March, 1983, Petitioner filed a motion to Dismiss the appeal, which motion was granted on that day by an Order signed by Judge Langrall.

W. LEE THOMAS, P.A.
ATTORNEY AT LAW
SUITE 314
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
AREA CODE 410
838-9777

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
February 25, 1983

W. Lee Thomas, Esq.
409 Washington Ave., Suite 314
Towson, Md. 21204

Dear Mr. Thomas: Re: Case No. 81-125-A
Hunt Valley Properties Corp.

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

June Holmen
June Holmen, Secretary

Encl.
cc: Hunt Valley Properties Corp.
Sears, Roebuck & Co.
Douglas G. Worral, Esq.
Judith Boer
J. W. Hessian, Esq.
J. Dyer
W. Hammond
J. Jung
N. Garber
J. Howell

6. That the Petition filed by KENNETH BOSLEY was received by this Court on March 9, 1983, one day after the date of Judge Langrall's Order.
7. That the Request for Hearing on the Motion to Dismiss was received by this Court on March 11, 1983, some three days subsequent to Judge Langrall's Order.

WHEREFORE, Petitioner respectfully requests that the Petition and Request for Hearing filed by the Appellant be not received by this Honorable Court, or in the alternative, that said pleadings be stricken from the Court's record, and for such other and further relief as this Court deems appropriate.

Respectfully submitted

Keith E. Ronald
W. Lee Thomas, P.A.
Suite 314, 409 Washington Avenue
Towson, Maryland 21204
296-0777
Attorney for Petitioner

POINTS AND AUTHORITIES

1. Maryland Rule of Procedure B2(e)
2. Maryland Rule of Procedure B5
3. Ohio Casualty Insurance Co. v. Insurance Commissioner, 39 Md. App. 347, 387 A.2d 622 (1978).
4. Maryland Rule of Procedure 322

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of March, 1983, a copy of the foregoing Motion Ne Recipiatur was mailed to Kenneth Bosley, Box 334, Cockeysville, Maryland 21030, Protestant-Appellant; and John W. Hessian, Esq., Court House, Towson, Maryland 21204, People's Counsel for Baltimore County.

Keith Ronald
W. Lee Thomas, P.A.

IN THE MATTER OF : IN THE
THE APPLICATION OF : CIRCUIT COURT
HUNT VALLEY PROPERTIES CORP. :
FOR A VARIANCE ON PROPERTY :
LOCATED ON THE NORTH SIDE OF :
SHAWAN RD., 535' WEST OF :
YORK RD. - 8th DISTRICT :
BALTIMORE COUNTY
KENNETH BOSLEY, PROTESTANT- :
APPELLANT : AT LAW
Zoning File No. 81-125-A : Misc. Doc. No. 15
Folio No. 106
File No. 83-M-71

ORDER

having given due consideration to the pleadings filed to date as well as the Motion Ne Recipiatur and the Points and Authorities cited therein, it is this day of 1983.

ORDERED, That the Motion Ne Recipiatur filed by Petitioner be, and the same is, hereby granted.

JUDGE

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
February 25, 1983

Mr. Kenneth Bosley
Box 334
Cockeysville, Md. 21030

Dear Mr. Bosley:

Re: Case No. 81-125-A
Hunt Valley Properties Corp.

In accordance with Rule B-7 (a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the zoning appeal which you have taken to the Circuit Court for Baltimore County in the above matter within thirty days.

The cost of the transcript of the record must be paid by you. Certified copies of any other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court not later than thirty days from the date of any petition you might file in court, in accordance with Rule B-7 (a).

Enclosed is a copy of the Certificate of Notice; also invoice covering the cost of certified copies of necessary documents.

Very truly yours,

June Holmen
June Holmen, Secretary

Encl.

February 25, 1983

BILLED TO: Kenneth Bosley
Box 334
Cockeysville, Md. 21030

Cost of certified documents
in Case No. 81-125-A \$ 24.00

Hunt Valley Properties Corp.
N/4 of Shawan Rd., 535' W of York Rd.
8th District

REMIT TO: County Board of Appeals
Rm. 200, Court House, Towson, Md. 21204

MAKE PAYMENT TO: Baltimore County, Maryland

CARL L. GERHOLD
PHILIP H. CROSS
JOHN F. ETZEL
WILLIAM G. ULRICH
GORDON T. LANGDON

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204

EMERITUS
PAUL G. DOLLENSBERG
FRED H. DOLLENSBERG

September 12, 1980

Hunt Valley Mall Zoning Description

All that piece or parcel of land situate, lying and being in the Eighth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for, the same at a point on the north side of Shawan Road as widened and shown on the Revised Record Plat of Hunt Valley Mall and recorded among the Plat Records of Baltimore County in Plat Book E.H.K.Jr. No. 46 folio 27, said point of beginning being distant 535 feet westerly measured along the north side of Shawan Road from the center of York Road and running thence and binding on the north side of Shawan Road as widened and shown on said plat, the five following courses and distances viz: South 85 degrees 01 minute 43 seconds West 215.38 feet, South 89 degrees 01 minute 43 seconds West 235 feet, North 86 degrees 53 minutes 43 seconds West 226.59 feet, South 89 degrees 45 minutes 34 seconds West 145.50 feet and South 85 degrees 01 minute 43 seconds West 1204.46 feet, thence leaving Shawan Road and binding on a line which connects the north side of Shawan Road with the west side of McCormick Road Extension, Northeastly by a line curving toward the left having a radius of 62.50 feet for an arc distance of 97.28 feet (the chord of said arc bearing North 40 degrees 26 minutes 13 seconds East 87.76 feet) to the west side of McCormick Road Extension, thence binding on the Valley Mall, the four following lines viz: North 4 degrees 09 minutes 18 seconds West 0.03 feet, Northwestly by a line curving toward the left having a radius of 665 feet for an arc distance of 253.78 feet (the chord of said arc bearing North 15 degrees 05 minutes 16 seconds West 252.24 feet), North 26 degrees 01 minute 14 seconds West 177.35 feet, Northerly by a line curving toward the right having a radius of 735 feet for an arc distance of 872.65 feet (the chord of said arc bearing North 7 degrees 59 minutes 34 seconds East 822.29 feet), thence leaving McCormick Road Extension and binding on the zoning lines EM-CT and MLR and also binding on the outlines of the property of the Petitioners herein, the three following lines viz: Northeastly by a line curving toward the right having a radius of 1200 feet for an arc distance of 1043.32 feet (the chord of said arc bearing North 43 degrees 30 minutes 49 seconds East 1010.77 feet), Easterly by a line curving toward the right having a radius of 1600 feet for an arc distance of 932.82 feet (the chord of said arc bearing North 83 degrees 16 minutes 02 seconds East 922.40 feet) and Southeastly by a line curving toward the right having a radius of 10,000 feet for an arc distance of 825.81 feet (the chord of said arc bearing South 79 degrees 04 minutes 56 seconds East 825.58 feet) to the west right of way line of York Road, thence binding on the west right of way lines of York Road, the seven following lines viz: Southerly by a line curving toward the left having a radius of 1306.24 feet for an arc distance of 103.40 feet (the chord of said arc bearing South 1 degree 20 minutes 26 seconds East 103.375 feet), South 3 degrees 36 minutes 30 seconds East 361.26 feet,

CARL L. GERHOLD
PHILIP H. CROSS
JOHN F. ETZEL
WILLIAM G. ULRICH
GORDON T. LANGDON

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204

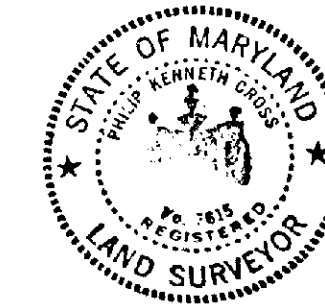
EMERITUS
PAUL G. DOLLENSBERG
FRED H. DOLLENSBERG

(2)

South 86 degrees 23 minutes 30 seconds West 37 feet, South 3 degrees 36 minutes 30 seconds East 41 feet, North 86 degrees 23 minutes 30 seconds East 37 feet, South 3 degrees 36 minutes 30 seconds East 340 feet and South 0 degrees 58 minutes 33 seconds East 462.15 feet and thence leaving York Road and binding on the lines of the property of the Petitioners herein, the eight following courses and distances viz: South 87 degrees 24 minutes 13 seconds West 142.00 feet, North 86 degrees 52 minutes 50 seconds West 20.03 feet, South 87 degrees 24 minutes 13 seconds West 112 feet, South 0 degrees 40 minutes 26 seconds East 321.50 feet, South 87 degrees 24 minutes 13 seconds West 8.68 feet, South 2 degrees 35 minutes 47 seconds East 13.74 feet, South 85 degrees 32 minutes 27 seconds West 190.13 feet and South 3 degrees 30 minutes 11 seconds East 185.44 feet to the place of beginning.

Containing 106.245 Acres of land more or less.

Saving and excepting therefrom the area lying with the right of way of McCormick Road Extension and the future widening of York Road.



Philip H. Cross

Raymond Keyes Engineers
44 EXECUTIVE BOULEVARD
ELMFGORD, NEW YORK 10523

TRANSPORTATION AND TRAFFIC ENGINEERING HANDBOOK

INSTITUTE OF TRAFFIC ENGINEERS

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Harrisburg, Pennsylvania

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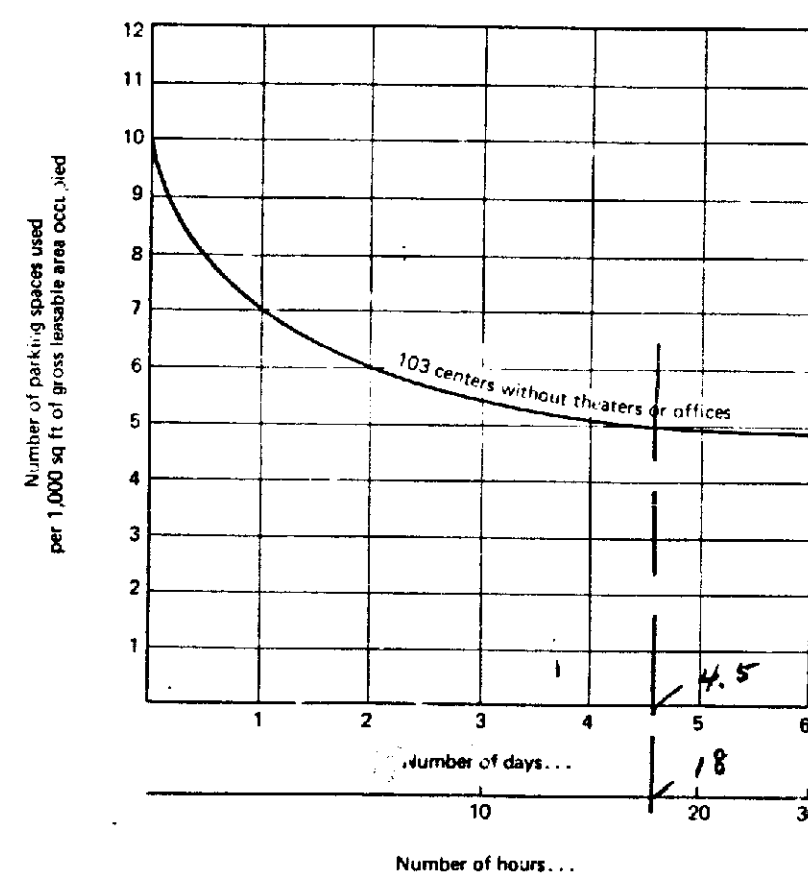


Figure 15.6. Shopping center daily parking requirements. (Source: Voorhees and Crow, p. 24.)

variations, sex of workers, and income level are additional factors that affect parking demand.

Figure 15.7 illustrates a typical vehicle accumulation curve for an auto assembly plant. The shift overlap peaks are quite distinct and, in this instance, nearly equal in magnitude.

The kind of parking facility used by employees of industrial plants varies with plant employment (see Table 15.14). The percentage of the employees using free off-street lots decreases as plant employment increases. Conversely, the number of employees parking on-street or in other facilities (generally off-street pay parking) increases with plant employment. It can be concluded that demand is more likely to exceed parking supply as the size of the plant increases.

Table 15.15 summarizes parking supply and demand per employee for various sized industrial plants. For multishift plants, the maximum shift employment is used.

8-778

81-125-A

HUNT VALLEY PROPERTIES

Mrs. Jung
Deputy Zoning Commissioner
Baltimore County Office Building
Rm 109, County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mrs. Jung,

Please be advised that I did not get a notice of re-hearing of the continuation of the Hunt Valley Mall parking special exception.

I want to protest the requested special exception and give testimony in the case.

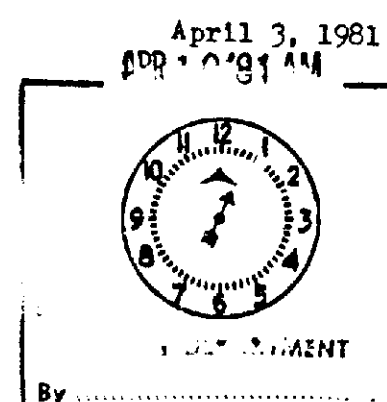
I have 40 acres of land within 300 feet of the mall and I am not a party in the case with the other protestors.

I was at the initial hearing for a day and the case was to be continued at a convenient time since the Kravaco officers would be out of town during that following week.

Thank you for your attention to the above matter.

Very truly yours,

Kenneth Bosley
Box 334
Cockeysville, Maryland 21030



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

January 8, 1982

W. Lee Thomas, Esquire
409 Washington Avenue
Towson, Maryland 21204

RE: Petition for Variance
N/S of Shawan Rd., 535' W of York Rd. - 8th Election District
Hunt Valley Properties Corp. - Petitioner
NO. 81-125-A (Item No. 79)

Dear Mr. Thomas:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jan M. H. Jung
DEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Douglas G. Worrall, Esquire
100 Light Street
Baltimore, Maryland 21202

Mr. Kenneth Bosley
Box 334
Cockeysville, Maryland 21030

Ms. Judith Baer
Valleys Planning Council
212 Washington Avenue
Towson, Maryland 21204

John W. Hessian, III, Esquire, People's Counsel



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

March 5, 1982

Douglas G. Worrall, Esquire
100 Light Street
Baltimore, Maryland 21202

RE: Petition for Variance
N/S of Shawan Rd., 535' W of York Rd.
Hunt Valley Properties Corp. - Petitioner
Case #81-125-A Item #79

Dear Mr. Worrall:

Please be advised that Appeals dated February 2, 1982 from Kenneth T. Bosley, and February 5, 1982, from W. Lee Thomas, Attorney for Petitioners, have been filed from the decision rendered by the Deputy Zoning Commissioner of Baltimore County in the above-referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Very truly yours,

William E. Hammond
Zoning Commissioner

WEH:klr

cc: W. Lee Thomas, Esquire
409 Washington Avenue
Towson, Maryland

Mr. Kenneth Bosley
Box 334
Cockeysville, Maryland 21030

Ms. Judith Baer
Valleys Planning Council
212 Washington Avenue
Towson, Maryland 21204

John W. Hessian, III, Esquire
People's Counsel

Hunt Valley Properties Corp.
June 20, 1983. Petitioner Exhibit Case No. - 81-125-A.
(Exhibit map per 11/11)
1. Exhibit 1-2 Photos of Hunt Valley M. C.
dated 1-19-83 (Site Plan) R.T.K. Associates
2. Raymond Regel questionnaire as signed witness
3. Parking requirements for shopping centers
Urban Subdiv. Institute dated 1981
4. Study conducted by Dec 21, 1982
Parking study study "By Regel Engineering Co."
5. Changing Artwork and Parking Stalls
signed Richard E. Roth Jan 16, 1983
6. Oct 2, 1982. Decision date to
Zoning Commission - Page 2
7. Protestants Exhibit
Nov 1982. Photos of Hunt Valley Mall (2 Photos)
area Hunt Valley Mall (2 Photos)

RE: PETITION FOR VARIANCE
from Section 409.2b(6) of the
Zoning Regulations
NW corner Pulaski Highway and
Ramp to the Beltway
15th District
Montgomery Ward Development
Corporation, Petitioner
BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 72-160-A

ORDER OF DISMISSAL

Petition of Montgomery Ward Development Corporation for a variance from
Section 409.2b(6) of the Zoning Regulations to permit 3,118 parking spaces instead of the
required 3,848 parking spaces, on property located at the southwest corner of Pulaski High-
way and the Ramp to the Beltway, in the Fifteenth Election District of Baltimore County.

WHEREAS, in open hearing before the Board of Appeals on October 24, 1972
and prior to the taking of any testimony, the attorney for the protestant-appellant (Pulaski
Industrial Park) dismissed the appeal taken on behalf of the protestant-appellant in the above
entitled matter; and

WHEREAS, the Board of Appeals is in receipt of a Letter of Dismissal of
Appeal filed July 18, 1972 from the attorney representing the protestant-appellant (C. J.
Langenfelder & Son, Inc.) in the above entitled matter; and

WHEREAS, the said attorney for the said protestant-appellant requests that
the appeal filed on behalf of said protestant be dismissed and withdrawn as of July 18, 1972;
and

WHEREAS, the Board of Appeals is in receipt of a Letter of Dismissal of
Appeal filed July 18, 1972 from the attorneys representing the protestant-appellant
(Nottingham Village, Inc.) in the above entitled matter; and

WHEREAS, the said attorneys for the said protestant-appellant request that
the appeal filed on behalf of said protestant be dismissed and withdrawn as of July 17, 1972;
and

WHEREAS, copies of the aforementioned dismissals are attached hereto and
made a part hereof.

IT IS HEREBY ORDERED this 26 day of October, 1972 that said
appeals be and the same are hereby dismissed.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John A. Slawik, Chairman

Walter A. Keiter, Jr.

W. Giles Parker

TRUE COPY TEST
ZONING COMMISSIONER OF BALTIMORE COUNTY
11/14/83



Pursuant to the advertisement, posting of property, and public hearing on the Petition and it
appearing that by reason of the following findings of facts:

1. The herein petitioner requests a variance to permit
1,810 parking spaces in lieu of the required 2,913
spaces for the developer's mall parcel of White Marsh
Mall, which would reduce the total number of required
spaces within the shopping center from 7,011 to 5,908.

2. Testimony presented by and on behalf of the petitioner indicated:

- a. Nationally recognized industry standards for
regional shopping centers calculate the number
of parking spaces needed using gross leasable
square feet rather than total floor area, as re-
quired by the Baltimore County Zoning Regulations.
- b. White Marsh Mall, zoned B.M. C.T., is a key
element in the concept of White Marsh as a town center
with a detailed plan.
- c. Denial of the variance would result in additional energy
spent to pave large areas; additional impervious sur-
faces with accompanying runoff; additional maintenance
and security; and unnecessary, unattractive, hard-sur-
faced areas that few persons would use for parking
because of their location outside of the ring road and
their distance from the enclosed mall.
- d. Office uses are proposed for areas adjacent to the
shopping center; residential uses are presently being
developed nearby.
- e. It is anticipated that some of the nearby residents and
office employees will walk to the enclosed mall.
- f. Reciprocal easements and/or lease arrangements allow
customers, employers, and employees to use any of the
parking areas within the shopping center. Several major
department stores have expansion parcels outside of the
ring road.

3. Sections 259.2.D and 409.2d and f of the Baltimore County Zoning
Regulations, as well as Bill No. 210-80, address the intent of the
district designation of a town center with a planned shopping center,
modification of parking space requirements in town centers, and
special parking standards consistent with a detailed plan.

4. No protestants appeared at the hearing in opposition to the petition.

5. As shown on the site plan prepared by Whitman, Reardon and
Associates, dated May 8, 1981, Parcels A and F, located outside
of the ring road of the shopping center, will not be needed for
parking for users of the enclosed mall, would be conducive to
misuse if paved for parking, and could be better used in the con-
tinuing development of White Marsh as a designated town center.

RE: PETITION FOR VARIANCE
NW corner of Pulaski Highway
and the Ramp to the Balti-
more County Beltway - 15th
District
Montgomery Ward Development
Corporation - Petitioner
NO. 72-160-A (Item No. 92)
BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

The Petitioner originally requested a Variance from the
Baltimore County Zoning Regulations from the required thirty-eight
hundred and forty-eight (3848) parking spaces to permit a total of
thirty-one hundred and eighteen (3118) parking spaces at the time
of the filing of the Petition. Same was advertised and posted.

At the time of the public hearing, the Petitioner sub-
mitted amended plats indicating a required thirty-nine hundred and
sixty-two (3962) parking spaces and requested that he be permitted
a total of thirty-two hundred and sixty-three (3263) parking spaces.
Since the Variance for the number of parking spaces finally
requested is less than originally Petitioned for, the Zoning Com-
missioner has the authority and jurisdiction to hear and deter-
mine same.

Pursuant to the advertisement, posting of property, and
public hearing on the above, and it appearing that by reason of
the following finding of facts that strict compliance with the
Baltimore County Zoning Regulations would result in practical dif-
ficulty and unreasonable hardship upon the Petitioner, the finally
requested Variance should be had; and it further appearing that by
reason of the granting of the Variance requested not adversely af-
fecting the health, safety, and general welfare of the community,
a Variance from Section 409.2b.(6) to permit thirty-two hundred
and sixty-three (3263) off-street parking spaces instead of the
required thirty-nine hundred and sixty-two (3962) spaces should be
granted.

For the foregoing reasons, IT IS ORDERED by the Zoning
Commissioner of Baltimore County, this 8 day of February,

6. The requested variance to the parking requirements would be
in strict harmony with the spirit and intent of the zoning re-
gulations and would not adversely affect the health, safety,
and general welfare of the community.

and, therefore,

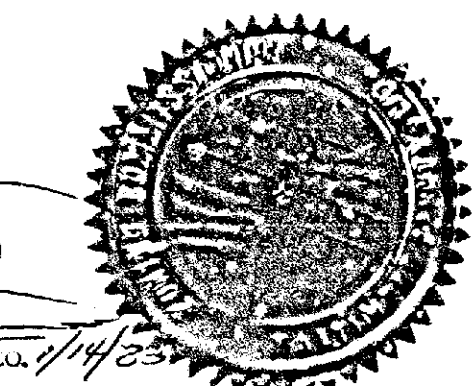
IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County,
this 21st day of December, 1981, that the herein Petition for Variance
to permit 1,810 parking spaces in lieu of the required 2,913 spaces on the
developer's mall parcel of White Marsh Mall, thereby reducing the total required
number of spaces within the shopping center from 7,011 to 5,908, in accordance
with Petitioner's Exhibit 1, should be and the same is GRANTED, from and after
the date of this Order, subject, however, to the approval of the aforementioned
site plan by the Department of Public Works and the Office of Planning and Zoning,
including landscaping and screening required for approval by the Current Planning
and Development Division.

TRUE COPY TEST
ZONING COMMISSIONER OF BALTIMORE COUNTY
11/14/83



1972, that the herein Petition for a Variance to permit thirty-two
hundred and sixty-three (3263) off-street parking spaces instead
of the required thirty-nine hundred and sixty-two (3962) spaces
should be and the same is GRANTED, from and after the date of this
Order, subject to the approval of a site plan by the State Highway
Administration, the Department of Traffic Engineering, the Bureau
of Public Services, and the Office of Planning and Zoning.

John A. Slawik, Chairman
Zoning Commissioner of
Baltimore County



TRUE COPY TEST
ZONING COMMISSIONER OF BALTIMORE COUNTY
11/14/83

PETITION FOR ZONING VARIANCE
FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Monumental Properties, Inc., legal owner of the property situate in Baltimore
County and which is described in the description and plat attached hereto and made a part hereof,
hereby petition for a Variance from Section 409.2b to permit 4,134 off-street parking
in lieu of the required 4,524 spaces at Eastpoint Mall.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the
following reasons: (indicate hardship or practical difficulty)

- (1) Survey car counts indicate sufficient parking spaces for retail use.
- (2) Building a parking deck is not economically feasible.
- (3) To provide parking for non-retail use is not reasonable.

See attached description

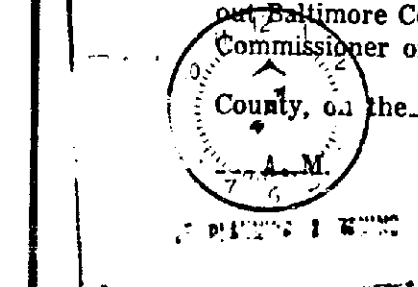
Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this
petition, and further agree to and are to be bound by the zoning regulations and restrictions of
Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Monumental Properties, Inc.
Contract purchaser
J.H. Pearlstone, Esq., P. Legal Owner
Address 25 S. Charles Street
Baltimore, Maryland 21201
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 2nd day of

June 1981, that the subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation throug-
out Baltimore County, that property be posted, and that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore
County, on the 6th day of June, 1981, at 10:15 o'clock
A.M.

John A. Slawik, Chairman
Zoning Commissioner of Baltimore County.



PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is
described in the description and plat attached hereto and made a part hereof, hereby petition for a
Variance from Section 409.2(b) to permit 1,810 parking spaces in lieu of the required
2,913 spaces on the Developer's Mall parcel, thereby reducing the total required
number of spaces within the shopping center from 7,011 to 5,908.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the
following reasons: (indicate hardship or practical difficulty)

(See attached sheet)

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

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this
petition, and further agree to and are to be bound by the zoning regulations and restrictions of
Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do 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 Petition.

Ground Lessee
CORNER POWER CENTER
WHITE MARSH MALL ASSOCIATES,
WHITE MARSH MALL, INC., General
(Type or Print Name) Partner
Signature
Headquarters Building
Address
City and State
Columbia, Maryland 21044

Legal Owner(s):
NOTTINGHAM VILLAGE, INC.
(Type or Print Name)
Signature
P. Douglas Dollenberg
(Type or Print Name)

Attorney for Petitioner:
Morton P. Fisher, Jr.
(Type or Print Name)
Signature
1300 Mercantile Bank & Trust Bldg.
Two Hopkins Plaza
Address
Baltimore, Maryland 21201
City and State

Signature
Campbell Building
100 W. Pennsylvania Ave. 825-0545
Address
Towson, Maryland 21204
City and State

Attorney's Telephone No.: 547-0000

Name
100 W. Pennsylvania Ave.
Towson, Maryland 21204 825-0545
Address

ORDERED By The Zoning Commissioner of Baltimore County, this 2nd day

of June 1981, that the subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation throug-
out Baltimore County, that property be posted, and that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore
County, on the 6th day of August, 1981, at 10:00 o'clock
A.M.

RESCHEDULED TO:
September 17, 1981
at 10:30 A.M.

(over)

UNDER RECEIVED FOR FILING

DATE June 21, 1981

BY John A. Slawik, Chairman



Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner,

the above Variance should be had; and it further appearing that by reason of the existing of the Variance, requested not adversely affecting the health, safety, and general welfare of the community,

to permit four thousand, one hundred and thirty-four (4134) off-street parking spaces in lieu of the required four thousand, five hundred and thirty-four (4534) off-street parking spaces. IT IS ORDERED by the Zoning Commissioner of Baltimore County this 30th day of July, 1977, that the herein Petition for a Variance should be and the same is granted, from and after the date of this Order, to permit four thousand and thirty-four (4134) off-street parking spaces in lieu of the required four thousand, five hundred and thirty-four (4534) off-street parking spaces, subject to the approval of a site plan by the State Highway Commissioner of Baltimore County Administration, the Department of Public Works, and the Office of Planning and Zoning. Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 30th day of July, 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
SE/corner of Joppa and Prince Roads - : ZONING
9th Election District
Eudowood Shopping Plaza, Inc. - : COMMISSIONER
Petitioner
NO. 77-230-XA (Item No. 200) : OF
BALTIMORE COUNTY

This matter comes before the Zoning Commissioner as a result of a Petition for a Special Exception for a movie theatre on property containing 1.82 acres of land, more or less, and a Variance to permit 3,047 parking spaces in lieu of the required 3,648 parking spaces on the overall total tract containing 43.133 acres of land, more or less. The subject property is located on the southeast corner of Joppa and Prince Roads, in the Ninth Election District of Baltimore County.

Testimony presented at the hearing indicated that the subject property is improved with a shopping center, which was constructed in 1962. The property owner and operator of the shopping center intend to revitalize and modernize the center with a mall and additional retail stores, as well as the petitioned movie theatre. The movie theatre would have 1,400 seats and would be divided into four separate mini theatres, varying in size and showing different movies to the public.

Mr. Jake Britwar, associated with United Artists Theatres and testifying on behalf of the Petitioner, indicated that most theatres today are being built with several screens. United Artists Theatres is an experienced movie theatre operator in the United States, controlling and operating approximately 600 movie theatres and screens. It was indicated by Mr. Britwar that there would be an attempt made to show top-rated films at this theatre.

The request for the parking variance is necessitated by the proposed mall over existing outdoor walkways and additional retail space.

Testimony was offered with reference to traffic generating from the subject property, wherein it was indicated that there would be parking spaces

available to the general public for use at the shopping center during the course of a total year, except during a period of approximately 30 hours when the parking needs would exceed the required parking. A study conducted nationally by Barton-Aschman Associates, Inc., indicated that basically the only time when parking exceeds that which is required is on the Saturday preceding Christmas, with the multitude of shoppers going to shopping centers and stores throughout not only this area but the whole country. Basically, testimony indicated that parking would be available to the public, as provided for in the plans, and that the only time there might be a lack of parking spaces would be immediately preceding the Christmas holiday.

A traffic expert thoroughly described the area, indicating that the property is bound on the south by Putty Hill Avenue, on the west by Goucher Boulevard, on the north by Joppa Road, and on the east by an improved industrial park. Testimony indicated that the 1980 peak hour traffic projection indicated a six percent increase on Goucher Boulevard, an eight and one-half percent increase on Putty Hill Avenue, and a three percent increase on Joppa Road, if the property were developed as proposed.

The conclusion was that this increase would not have a detrimental effect upon the neighboring area and would not over congest the roads, as they were constructed for the purpose of handling such an increase.

Area residents, in protest to the subject Petition, indicated that they were fearful the such an expansion of the Eudowood Shopping Center would cause undue concentration of automobiles and congestion on the roads in their neighboring communities. It was also indicated that they were in favor and agreeable with an improved shopping center for the convenience and usage of residents of the general area. However, they did question to what extent the shopping center should be improved and what amount of square footage should be allowed.

There was further concern as to the type of motion pictures to be shown at the proposed theatre. Testimony by a representative of the motion picture

to the health, safety, or general welfare of the community. There may be some inconvenience with regard to the lack of on-site parking spaces during the period immediately following the Christmas holiday, but, in the opinion of the Zoning Commissioner, this would not have a detrimental effect upon the community as such.

It should be noted that this Zoning Commissioner has interpreted the Baltimore County Zoning Regulations as requiring parking spaces for malled areas in shopping centers, even though retail sales are not conducted therein. If the area is open and outdoors, as presently exists on the subject site, spaces are not required. All square footage of retail space in a building and under a roof requires parking spaces, as per the aforementioned Regulations.

Inasmuch as the Zoning Commissioner is denying the request for the Special Exception, that amount of spaces will be deducted from the overall calculation of necessary parking at the ratio of one space per six seats, amounting to 233 spaces.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of October, 1977, that a Variance to permit 3,280 off-street parking spaces in lieu of the required 3,648 spaces should be GRANTED, from and after the date of this Order, subject to the stipulations attached hereto and made a part hereof, and the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

It is further ORDERED that the Special Exception for a movie theatre be and the same is hereby DENIED, and the Variance to permit 3,047 off-street parking spaces in lieu of the required 3,648 spaces be and the same is hereby DENIED.

industry indicated that theatres attempt to show the best first class type motion pictures, but that there are so few available for viewing by the general public that the theatres must, in effect, show what is being made by the motion picture industry. In many instances, this reduces the quality of motion pictures being shown to the general public.

Mr. William G. Wood, President of the Towson-Loch Raven Community Council, Inc., testified that they would be in favor of the request if there were certain stipulations.

Without reviewing the evidence further in detail but based on all the evidence presented at the hearing, in the judgment of the Zoning Commissioner and in the instant case, the prerequisites of Section 502.1 of the Baltimore County Regulations have not been met, and the Special Exception for a movie theatre should not be granted.

With reference to the Variance, the Zoning Commissioner is concerned with the proposed revitalization of the shopping center, which would make the center a viable, sourceful means of shopping for the vicinity. It is the desire of all government to improve areas that have been blighted by abandonment or deterioration. In addition, the Petitioner has an absolute right to expand his facilities, in accordance with the plan submitted, if he wishes to do so, said property being classified B. L. But, in order to expand, he must provide parking facilities per the Baltimore County Zoning Regulations, said parking to be in proportion to the square footage of the proposed use. Because the property owner is not able to obtain additional land to meet the parking requirements, he would probably have no other alternative than to second deck the parking. This could cause an economic hardship and void any improvement to the center, which could result in further deterioration. In addition, this may not be aesthetically desirable.

In the instant case, it is obvious that there is practical hardship and unreasonable difficulty upon the strict enforcement of the Baltimore County Zoning Regulations and that the requested Variance would not be detrimental

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
SE/corner of Joppa and Prince Roads - : ZONING COMMISSIONER
9th Election District
Eudowood Shopping Plaza, Inc. - : OF
Petitioner
NO. 77-230-XA (Item No. 200) : BALTIMORE COUNTY

AMENDED ORDER
NUNC PRO TUNC

It is hereby ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of October, 1977, that the Order, dated October 20, 1977, passed in this matter, should be and the same is hereby amended, "Nunc Pro Tunc", to read:

"... that a Variance to permit 3,047 off-street parking spaces in lieu of the required 3,415 spaces should be GRANTED, ..."

Zoning Commissioner of Baltimore County

December 19, 1980

W. Lee Thomas, Esquire
409 Washington Avenue - Suite 314
Towson, Maryland 21204

NOTICE OF HEARING

RE: Petition for Variance - N/S Shawan Rd., 535' W of York Road - Hunt Valley Properties Corp., et al
Case No. 81-125-A

TIME: 10:00 A.M.

DATE: Tuesday, January 13, 1981

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

ZONING COMMISSIONER OF BALTIMORE COUNTY

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM C. HAMMOND
ZONING COMMISSIONER

January 2, 1981

W. Lee Thomas, Esquire
409 Washington Avenue - Suite 314
Towson, Maryland 21204

RE: Petition for Variance
N/S Shawan Rd., 535' W of York Rd
Hunt Valley Prop. Corp., et al
Case No. 81-125-A

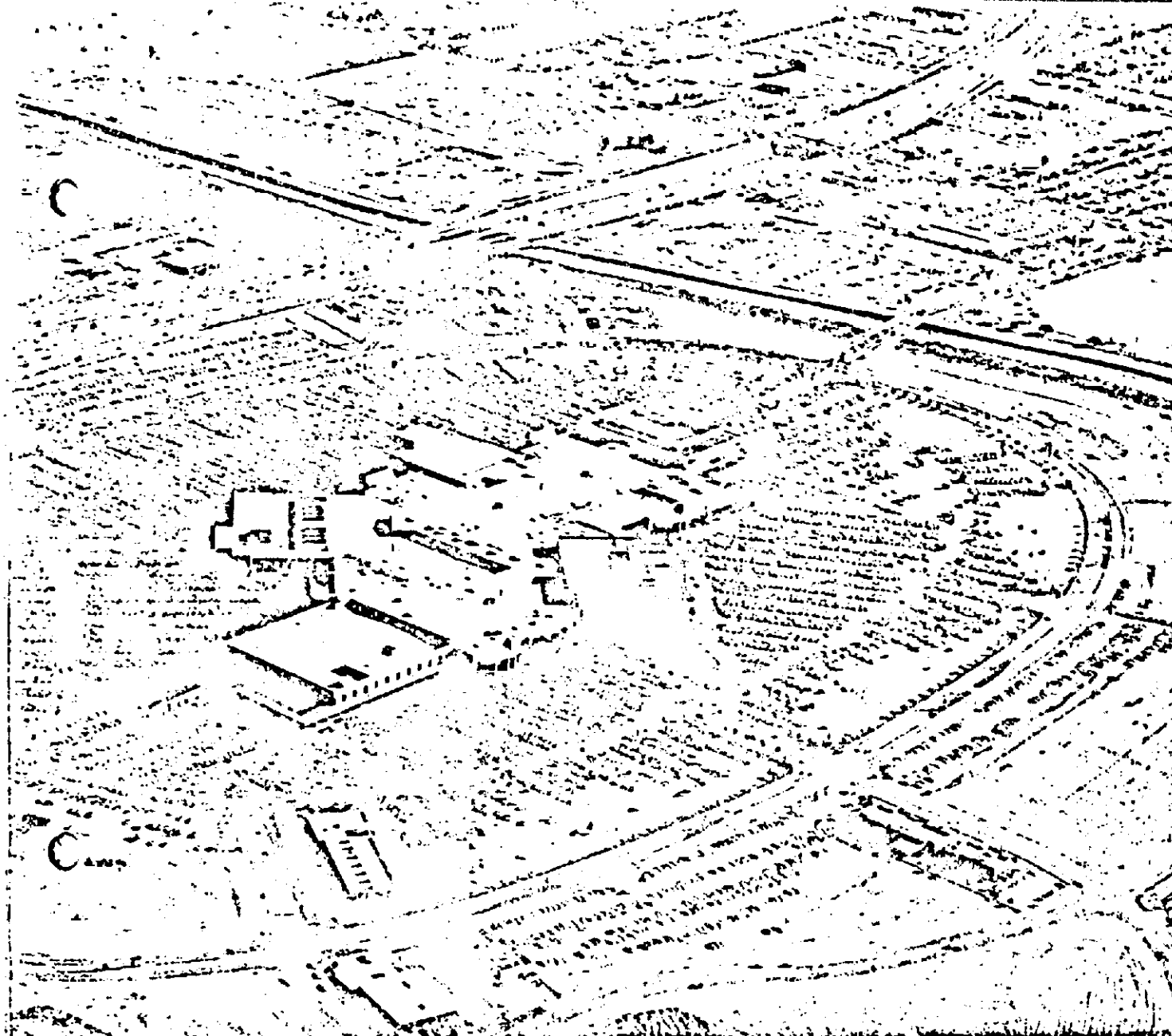
Dear Mr. Thomas:

This is to advise you that \$126.13 is due for advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sondra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,
WILLIAM C. HAMMOND
Zoning Commissioner

WEH:sj



At this new major regional shopping center, more peripheral development can and is occurring. Major additional parking supply should not be necessary considering the available parking spaces, even on peak days (Saturday, December 18, 1976).

the GLA of centers; the constitution of centers (such as number of anchor stores, national anchors versus local anchors, or presence or absence of a full-line food market); uniqueness of centers (is it the only one of its size and diversity serving an entire urban area and its hinterland, or is it but one of a well-distributed series of centers serving a large metropolitan area); availability and type of public transit service; age and/or density of residential district within a center's market area; and the range of family income levels represented within a center's market area.

During the research study significant differences were noted in the peak parking demand ratios for shopping centers of similar size, function, and composition, but in different geographic and demographic areas of the United States. Barton-Aschman Associates has not

been able either to make a sufficient number of surveys of individual centers or to analyze the available data in sufficient depth to form definitive conclusions regarding these geographic differences. Hence, firm parking recommendations relating to different geographic or metropolitan areas cannot be made at this juncture. However, the data we have managed to distill during the analytical process exhibited differences that are significant enough to warrant continued data gathering and analysis.

This article is based on research undertaken jointly by the offices of Barton-Aschman Associates, Inc., located in Evanston, Illinois; Washington, D.C.; Minneapolis/St. Paul, Minnesota; Los Angeles and San Jose, California. Richard C. Gertt, senior vice president of the firm, was project coordinator.

312-491-1000

202 942-0332
466-8230

DC
urban land/may 77 11
331-0500

W. Lee Thomas, Esquire
409 Washington Avenue - Suite 314
Towson, Maryland 21204

December 24, 1980

NOTICE OF HEARING

RE: Petition for Variance - N/S Shawan Rd., 535' W of York Rd. - Hunt Valley Properties Corp., et al
Case No. 81-125-A

TIME: 10:00 A.M.

DATE: Thursday, January 22, 1981 (Rescheduled from 1/13/81)

PLACE: ROOM 106, COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

William E. Hammond
ZONING COMMISSIONER OF
BALTIMORE COUNTY

PETITION FOR VARIANCE
8th District

ZONING: Petition for Variance for parking
LOCATION: North side of Shawan Road, 535 feet West of York Road
DATE & TIME: Tuesday, January 13, 1981 at 10:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to allow 5300 parking spaces in lieu of the required 6837 parking spaces

The Zoning Regulation to be excepted as follows:

Section 409.2b - Offstreet parking and loading

All that parcel of land in the Eighth District of Baltimore County

Being the property of Hunt Valley Properties Corporation, et al, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, January 13, 1981 at 10:00 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

PETITION FOR VARIANCE
8th District

ZONING: Petition for Variance for parking
LOCATION: North side of Shawan Road, 535 feet West of York Road
DATE & TIME: Thursday, January 22, 1981 at 10:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to allow 5300 parking spaces in lieu of the required 6837 parking spaces

The Zoning Regulation to be excepted as follows:

Section 409.2b - Offstreet parking and loading

All that parcel of land in the Eighth District of Baltimore County

Being the property of Hunt Valley Properties Corporation, et al, as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, January 22, 1981 at 10:00 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
January 26, 1983

W. Lee Thomas, Esq.
409 Washington Ave., Suite 314
Towson, Md. 21204

Dear Mr. Thomas: Re: Case No. 81-125-A
Hunt Valley Properties Corp.

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Jane Holmen
Jane Holmen, Secretary

Encl.
cc: Mr. Kenneth Bosley
Hunt Valley Properties Corp.
Sears, Roebuck & Co.
Douglas G. Worrall, Esq.
Ms. Judith Boer
J. W. Hession, Esq.
J. Dyer
J. Hoswell
J. Jung
N. Gerber
W. Hammond

BILLED TO: Kenneth Bosley
Box 334
Cockeysville, Md. 21030

Cost of certified documents
in Case No. 81-125-A \$ 24.00

Hunt Valley Properties Corp.
N/S of Shawan Rd., 535' W of York Rd.
8th District

REMIT TO: County Board of Appeals
Rm. 200, Court House, Towson, Md. 21204

MAKE PAYMENT TO: Baltimore County, Maryland

Ms. Jane Holman, Secretary
County Board of Appeals
Rm 219, Court House
Towson, Maryland 21204

March 21, 1983

Re: Case No. 81-125 A
Hunt Valley Properties Corp.

Please be advised that I will submit to the Court on the findings of the facts and the record by the Board of Appeals as submitted in their Opinion and Order of January 26, 1983.

I have no dispute as to the facts so therefore I will be glad to submit to a statement in lieu of the record.

My Appeal will only deal with the question of what law is applicable to the Board of Appeals decision in this matter.

The Court Reporter, Ms. Beresh, has also advised me that due to an overload in her work schedule, even if the record and testimony are transcribed, that she would require a 30day extension of time for its preparation.

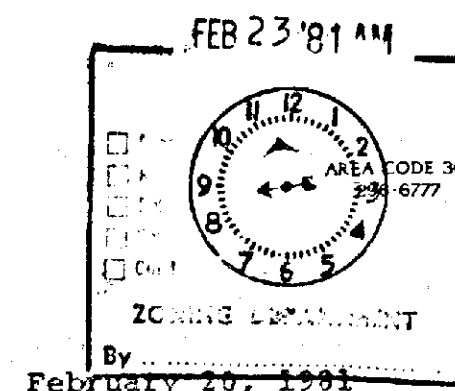
Sincerely yours,
Kenneth Bosley
Kenneth Bosley
Box 334
Cockeysville, Md. 21030

I hereby certify that on this 21 day of March 1983 that a copy of the above was mailed to Carol A. Berch 415 Haverhill Rd, Joppa, Md. 21085, and a copy by certified mail to W. Lee Thomas, 409 Washington Avenue, Suite 314, Towson, Maryland 21204.

Kenneth Bosley
Kenneth Bosley

8-374
W. LEE THOMAS
DAVID A. WILSON

W. LEE THOMAS, P.A.
ATTORNEYS AT LAW
SUITE 314
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204



Douglas G. Worrall, Esquire
Smith, Somerville & Case
100 Light Street - Sixth Floor
Baltimore, MD 21202

Re: Petition #81-125-A
Continuation of Variance Hearing

Dear Doug:

Tuesday, March 3, 1981 at 9:00 a.m. has been designated the date and time for the continuation of our Variance hearing. Even though I discussed it with your secretary a few moments ago, I felt that I should confirm in writing.

Very truly yours,

W. Lee Thomas

WLT:gs

cc: Mrs. Jean M. H. Jung

February 28, 1983

Kenneth Boxley
Box 334
Cockeysville, Md. 21030

Re: Hunt Valley Properties

Dear Sir:

The Office of the Board of Appeals has informed me that you have filed an appeal in the above referenced case. Under Maryland Law a transcript of the hearing must be prepared and filed in court within thirty days from the date of the appeal.

The approximate cost of the transcript will be \$325.00, and I will need a deposit of \$300 before I will begin work on the transcript to cover typing fees, etc. Please send your check to Carol A. Beresh, 415 Haver Hill Road, Joppa, Maryland 21085.

If you have any questions please do not hesitate to call me at 494-3180 (work number) or 679-3844 (home number). Your prompt attention to this matter will insure a timely filing of the transcript.

Sincerely yours,

Carol A. Beresh

Carol A. Beresh
Court Reporter
Board of Appeals

cc: file

P.S. Due to an overload in my work schedule it will be necessary for you to file for a 30 day extension. If you have any questions concerning this, please do not hesitate to contact me.

Carol A. Beresh
Carol A. Beresh

April 5, 1983

Mr. Kenneth Boxley
Box 334
Cockeysville, Md. 21030

Re: Case No. 81-125-A
Hunt Valley Properties Corp.

Dear Mr. Boxley:

We are returning to your herewith your check in amount of \$24.00 covering certified documents in the above entitled case which you appealed to the Circuit Court.

On March 8, 1983, Judge J. H. Langrall dismissed this appeal. This is a final Order from the Circuit Court and the Board of Appeals considers this case closed unless you take an appeal to the Court of Special Appeals from Judge Langrall's Order.

Very truly yours,

William T. Hackett, Chairman

WTH:1

On Changing Automobile and Parking Stall Sizes

Like the passenger cars on America's roadways, parking stall dimensions are currently undergoing a revolution. This change is the result of the proliferation of smaller cars as well as the need to maximize the return on land and improvement investments. To fully understand the effects of the increasing number of small cars sold and in use, it is necessary to reflect a bit into the past as well as review some of the factors affecting change.

Domestic automobile sizes peaked in the mid-1950s, the era of expanded sheet metal and the "tailfin," when the 80-inch-wide car dominated both production and in-use automobile inventories. Today only five passenger cars in domestic production exceed 70 inches in width and most of the remaining large cars do not exceed 73 inches in width.

The changeover to small cars continues with all major manufacturers readingjusting their compact cars for production. The increasing cost of fuel, the continued threat of fuel shortages, the need for "world" cars to compete internationally, the rising initial cost and maintenance of automobiles, and the recent general awareness of the need for natural resource conservation appear to be primary reasons for buyer preference. Domestic manufacturers are being forced to change over to a

greater proportion of small cars to remain competitive with imports. What is a small car and a large car? In terms of design, the large car in the United States remains at 80 inches in width despite the current dramatic downsizing of most large cars. Small cars, in terms of width, are classified as 68 inches and below, 12 inches less than large cars. There are, however, more categories than large or small. All domestic and imported passenger cars are classified as to size in accordance with the 1982 Domestic and Imported Motor Vehicle Size Classifications for Parking Study, distributed by the National Parking Association, Washington, D.C. Classes are established on the basis of square meters of floor area covered by a vehicle. Class 6, for example, contains vehicles where the result of length multiplied by width is in the 60.04-69.99 square meter range. (The several classes that would comprise the small car category vary with the size of the small car parking stall used. Where a 7.5-foot x 15-foot small stall is employed, Classes 5 through 7 constitute the small car space definition. If eight-foot x 16-foot small car parking stalls are used, then Classes 5 through 8 would be considered as small cars in evaluating the percentage of small car stalls to be utilized.)

In the United States in 1979 small car sales constituted 53.32 percent of

the total auto market. An analysis of the 1981 car sales indicates that for 1981 small cars captured 64.10 percent of the total market. For the January through June period of 1982, the small car sales was 67.89 percent of the total sales volume. By 1985, 80 percent of all cars built will be small and 20 percent or less will be large, the exact opposite of production 20 years earlier.

Surveys of cars in use indicate more than 40 percent of all automobiles on the road today fall into small car classifications. While rising fuel prices are the primary factor behind the shift to new small cars, older small cars also typically stay on the road longer than their full-size counterparts, which is proven by the increased scrap rates of large cars. It has been estimated that at the current rate of change the small car as a percentage of the national fleet on the road will top 50 percent in 1984, 70 percent of the 1990s, and level off at about 40 percent by the end of the century.

Interestingly, though, small car use varies greatly in different regions of the country. In California, Alaska, Hawaii, Arizona, and several other states small cars already exceed 50 percent of the total passenger car population (see table). The percentage is even higher in high density urban areas of these states where surveys of long-term parking facilities consistently indicate 60 percent small car use is found to hold true for

Small Cars in Use by State
September 1981

State	% of Small Cars in Use	State	% of Small Cars in Use
Alabama	24.2	Kentucky	19.4
Alaska	61.2	Louisiana	20.9
Arizona	52.2	Maine	20.5
Arkansas	20.5	Maryland	33.8
California	54.8	Massachusetts	34.0
Colorado	42.2	Michigan	15.4
Connecticut	40.0	Minnesota	19.2
Delaware	30.7	Mississippi	18.6
District of Columbia	40.5	Missouri	19.6
Florida	30.1	Montana	36.6
Georgia	27.9	Nebraska	18.1
Hawaii	75.4	Nevada	43.7
Idaho	42.4	New Hampshire	41.2
Illinois	14.5	New Jersey	30.3
Indiana	12.2	New Mexico	27.5
Iowa	17.4	New York	27.9
Kansas	23.7	North Carolina	28.9

*Source: based on vehicle sales. Large data available.

26 January 83 / URBAN LAND

RAYMOND KEYES
ENGINEERS, P.C.
CONSULTING SITE AND
TRAFFIC ENGINEERS

K

441 EXECUTIVE BLVD.
ELMSFORD, NEW YORK 11523
(914) 592-4040

APPEALS
ATTORNEY'S
#4

Job No. 2887
January 18, 1983

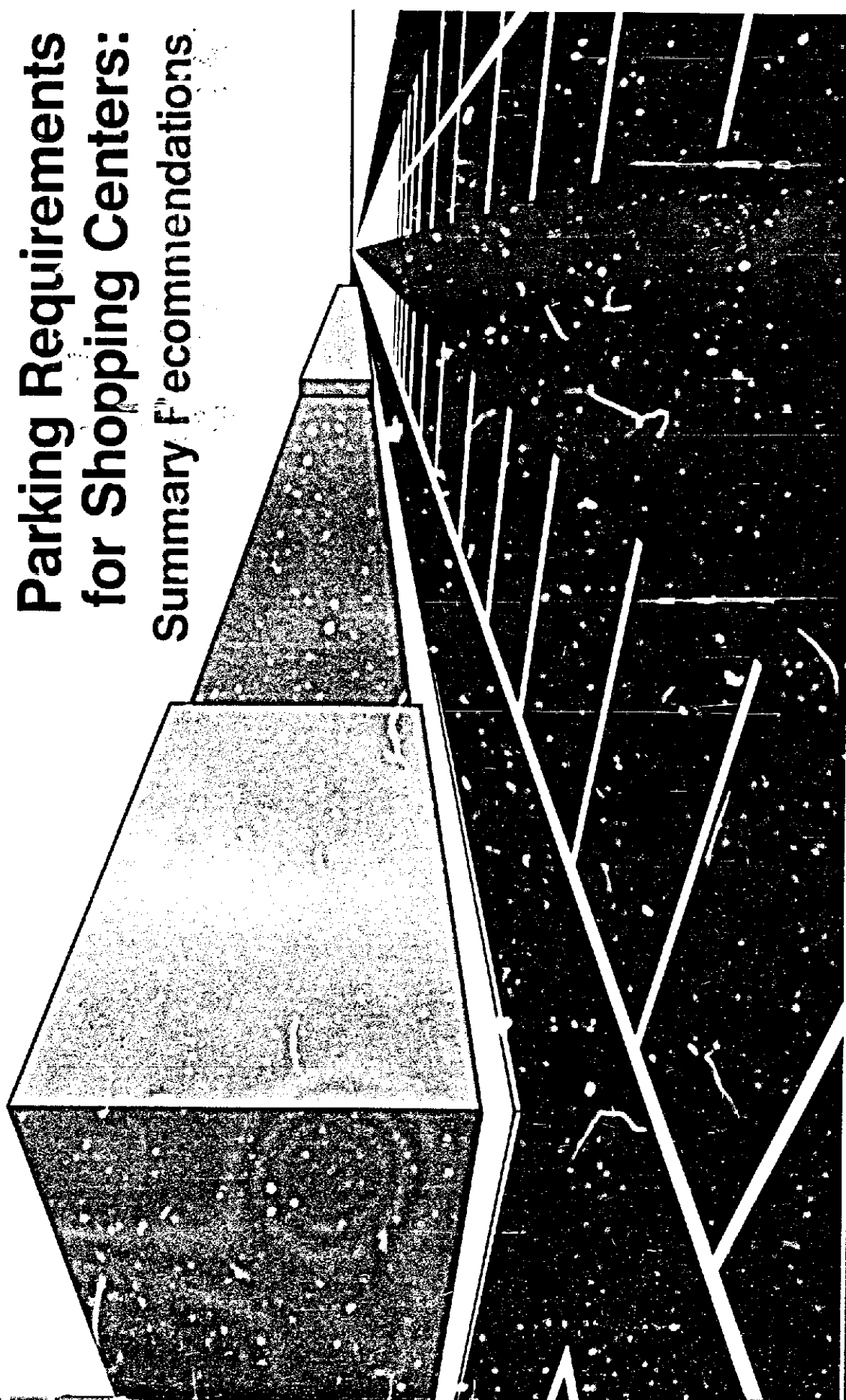
Parking Index
Hunt Valley Mall
Based upon Tuesday, December 21, 1982 Survey

Hour of Day	Total Observed Parked Vehicles	Parking Index	
		Spaces per 1,000 S.F. G.L.A. (1)	Spaces per 1,000 S.F. G.B.A. (2)
11:00 a.m. to 12:00 noon	1,966 vehicles	3.19	2.70
12:00 noon to 1:00 p.m.	2,666 vehicles	4.32	3.66
1:00 p.m. to 2:00 p.m.	2,736 vehicles	4.44	3.76
2:00 p.m. to 3:00 p.m.	2,267 vehicles	3.68	3.11
3:00 p.m. to 4:00 p.m.	1,976 vehicles	3.20	2.71
4:00 p.m. to 5:00 p.m.	1,924 vehicles	3.12	2.64
5:00 p.m. to 6:00 p.m.	1,976 vehicles	3.20	2.71
6:00 p.m. to 7:00 p.m.	2,085 vehicles	3.38	2.86
7:00 p.m. to 8:00 p.m.	2,497 vehicles	4.05	3.43
8:00 p.m. to 9:00 p.m.	2,485 vehicles	4.03	3.41

- 616,680 S.F. G.L.A., based upon Bambergers, Sears, and occupied smaller stores on date of survey.
- 728,096 S.F. G.B.A., based upon Bambergers, Sears, and proportioned area of occupied smaller stores on date of survey.

MICROFILMED

Parking Requirements for Shopping Centers: Summary Recommendations



ULL-the Urban Land Institute

MICROFILMED

Pat. #3

RAYMOND KEYES, P.E.

RAYMOND KEYES is a licensed Professional Engineer in 31 states, and as a Professional Planner in New Jersey.

In 1938 Mr. Keyes founded the predecessor firm in private professional practice as Consulting Site and Traffic Engineers. During this period, he has supervised the engineering design of millions of dollars worth of diversified real estate site developments, including office parks, shopping centers, apartment projects, residential subdivisions, industrial parks, corporate office buildings, etc. The engineering design has included all phases of civil engineering, including traffic analysis, roadway and parking design, grading and utilities, hydraulic design, etc.

Mr. Keyes is a Fellow of the American Society of Civil Engineers and a Member of the Institute of Transportation Engineers, the International Council of Shopping Centers, the Urban Land Institute and the National Association of Corporate Real Estate Executives.

Mr. Keyes is a graduate of Manhattan College with a degree of Bachelor of Civil Engineering, and did post-graduate work at Brooklyn Polytechnical Institute in Traffic Engineering.

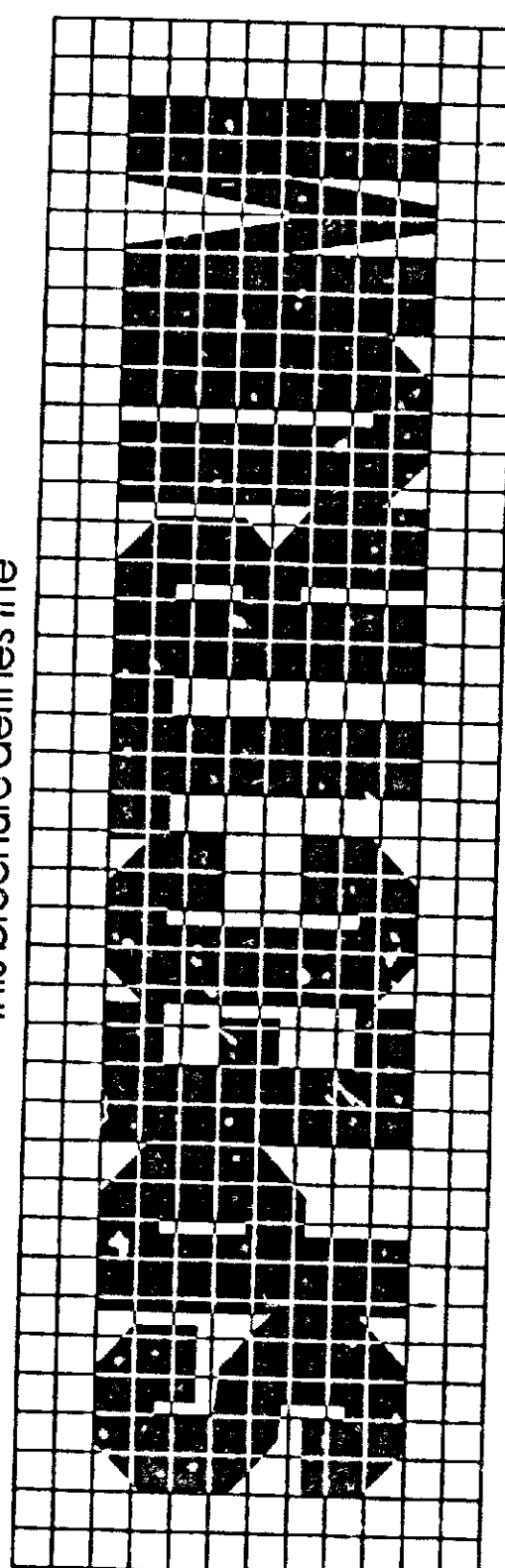
See brochure for details of engineering disciplines covered by Raymond Keyes Engineers.

K

RAYMOND KEYES
ENGINEERS, P.C.
CONSULTING SITE AND
TRAFFIC ENGINEERS
441 EXECUTIVE BLVD.
ELMSFORD, NEW YORK 11523
(914) 592-4040

PROFESSIONAL
RESUME

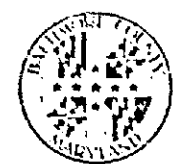
Based on more than 20 years of
diversified engineering for site development,
this brochure defines the



of services offered by
RAYMOND KEYES ENGINEERS

MICROFILMED

Pat. #4



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

January 6, 1981

W. Lee Thomas, Esquire
409 Washington Avenue - Suite 314
Towson, Maryland 21204

RE: Petition for Variance
N/S Shawan Rd., 535' W of York Rd
Hunt Valley Prop. Corp., et al
Case No. 81-125-A

Dear Mr. Thomas:

This is to advise you that \$137.50 is due for advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sondra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 095131

DATE January 22, 1981 ACCOUNT 01-662

AMOUNT \$263.63

RECEIVED FROM W. Lee Thomas, Esquire

FOR Adv. & Posting for Case No. 81-125-A

301 0344 22 263.63

VALIDATION OR SIGNATURE OF CASHIER

ZONING COMMISSIONER
County Office Building
Towson, Maryland 21204

Re: Petition for Variance (Parking)
N/S of Shaw Rd, W. of York Rd.
8th District
Hunt Valley Mall Properties Corp.
Petitioner
No. 81-125-A (Item No. 79)

Dear Commissioner:

Please enter an appeal of the above entitled matter to the County Board of Appeals, from the Order of Ms. Jung, Dated January 8, 1982.

Thank you,

Kenneth T. Bosley
Kenneth Bosley
Box 374, Cockeysville, Md. 21030
February 2, 1982

cc. W. Lee Thomas, Esquire
409 Washington Avenue

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 105734

DATE 3/5/82 ACCOUNT 01-662

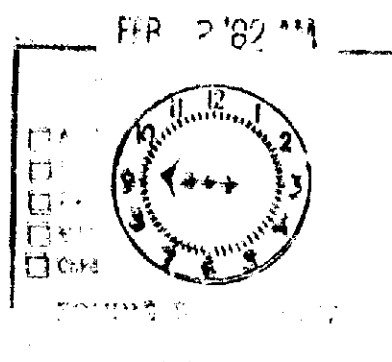
AMOUNT \$45.00

RECEIVED FROM Kenneth T. Bosley

FOR Appeal fee for Case #81-125-A (Hunt Valley Mall Properties Corp.)

303 4244 5 45.00

VALIDATION OR SIGNATURE OF CASHIER



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

81-125-A

District 8th

Date of Posting 3-9-82

Posted for: APPEAL

Petitioner: HUNT VALLEY PROPERTIES CORP.

Location of property: N/S OF SHAWAN RD. 535' W OF YORK RD.

Location of Signs: 1 SIGN NE CORNER OF SHAWAN & MCCORMICK RD.
& 2 SIGN WEST SIDE OF YORK RD. AT CORNER OF YORK & RING RD.

Remarks:

Posted by W. Lee Thomas

Date of return: 3-12-82

Number of Signs: 2

W. Lee Thomas, Esquire
409 Washington Ave., Suite 314
Towson, Maryland 21204

cc: RTKL Associates, Inc.
Village of Green Keys
Baltimore, Maryland 21210

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 21st day of October 1980.

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Hunt Valley Properties Corp.

Petitioner's Attorney W. Lee Thomas

Reviewed by Nicholas E. Worrall
Nicholas E. Worrall
Chairman, Zoning Planning
Advisory Committee

W. LEE THOMAS, P. A.
ATTORNEYS AT LAW
SUITE 314
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

AREA CODE 301
296-6777

February 5, 1982

The Honorable William E. Hammond
Zoning Commissioner
Baltimore County Office of
Planning and Zoning
County Office Building
Towson, MD 21204

Re: Petition for Variance
N/S of Shawan Rd., 535' W of York Rd.
8th Election District
Hunt Valley Properties Corp. - Petitioner
No. 81-125-A (Item No. 79)

Dear Mr. Commissioner:

The Petitioners in the matter referred to above, feeling aggrieved by the Decision of the Deputy Zoning Commissioner dated January 8, 1982, do appeal from such Order to the County Board of Appeals. A check in payment of the Appeal fee is enclosed.

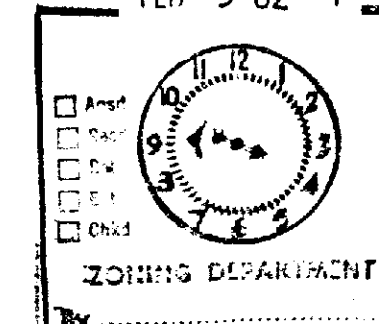
Very truly yours,

W. Lee Thomas
W. Lee Thomas
Attorney for Petitioners

WLT:gs

cc: Douglas G. Worrall, Esquire
Mr. Kenneth Bosley
Ms. Judith Baer
John W. Hessian, III, Esquire

FEB 5 '82 AM



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 8 Date of Posting 1/5/81

Posted for: Petition for Variance

Petitioner: Hunt Valley Properties Corp., et al

Location of property: N/S of Shawan Rd., 535' W of York Rd.

Location of Signs: 1 Shawan Rd. entrance; 2 York Rd. entrance

Remarks:

Posted by W. Lee Thomas Date of return: 1/9/81

Number of Signs: 2

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 10th day of October, 1980.

Filing Fee \$ 25.00 Received: ☒ Check

☐ Cash

☐ Other

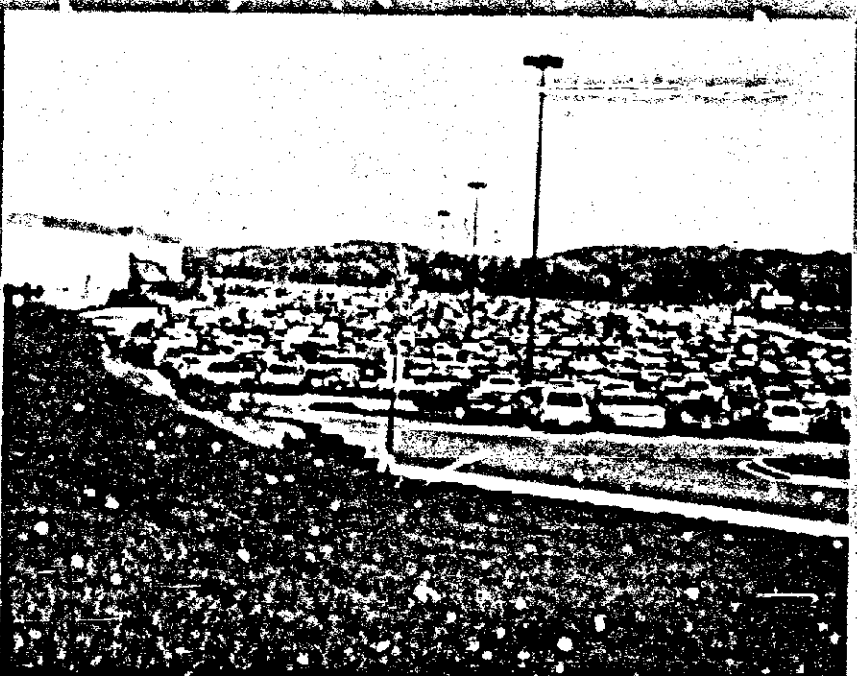
Item # 79

William E. Hammond
William E. Hammond, Zoning Commissioner

Petitioner Hunt Valley Properties Corp. Submitted by W. Lee Thomas Esq.

Petitioner's Attorney W. Lee Thomas Reviewed by WLT

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 105735

DATE 3/5/82 ACCOUNT 01-662

AMOUNT \$45.00

RECEIVED FROM W. Lee Thomas, Atty.

FOR Appeal fee for Case #81-125-A (Hunt Valley Prop. Corp.)

303 4244 5 45.00

VALIDATION OR SIGNATURE OF CASHIER

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>WLT</u>	Revised Plans: Change in outline or description <u>Yes</u> ☐ <u>No</u> ☒									
Previous case:	Map # <u>3D</u>									

Item # 79

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 093580

DATE December 22, 1980 ACCOUNT 01-662

AMOUNT \$25.00

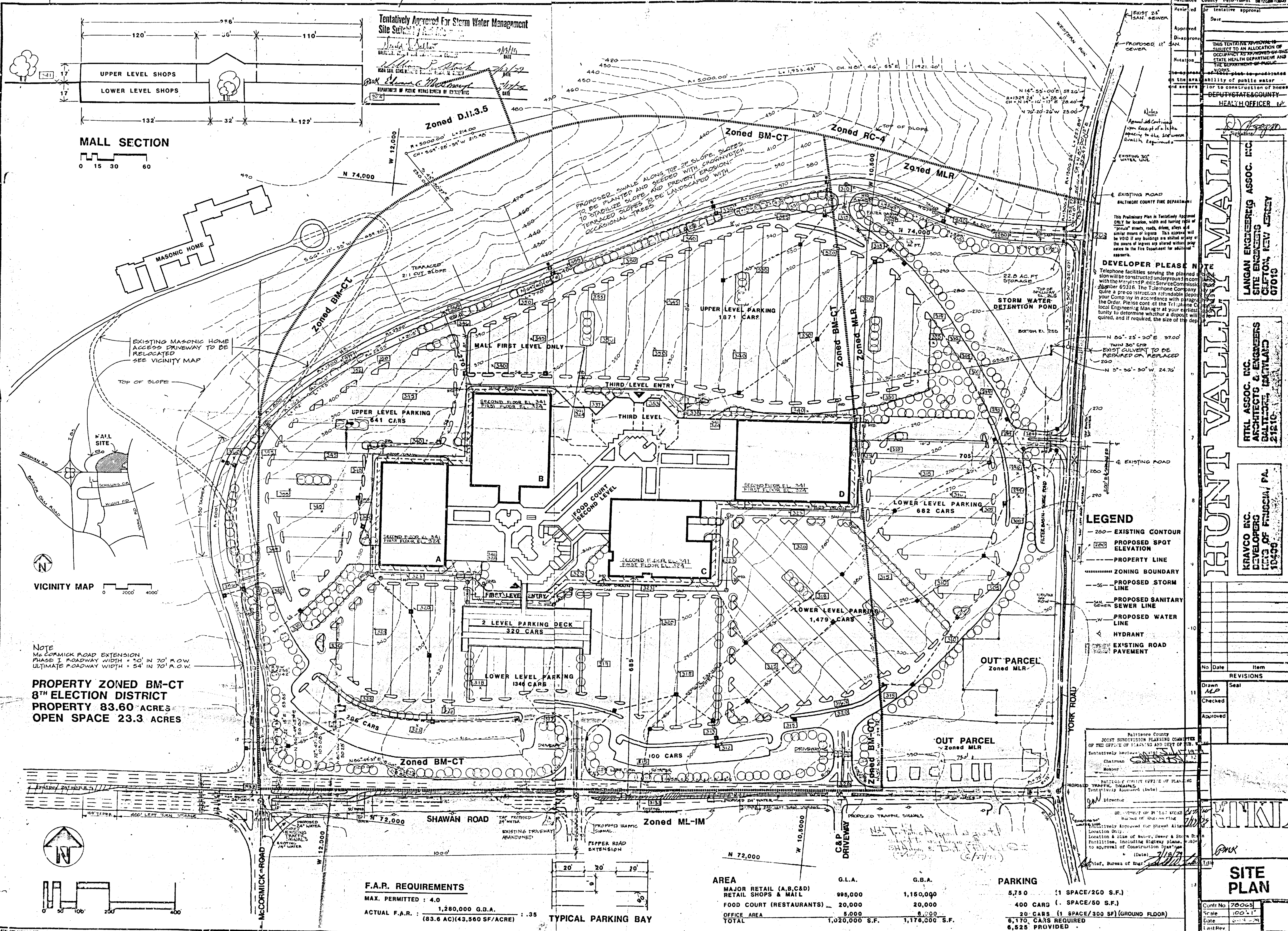
RECEIVED FROM W. Lee Thomas, Esquire

FOR Filing Fee for Case No. 81-125-A

303 4244 2 25.00

VALIDATION OR SIGNATURE OF CASHIER

TELEPHONE (301) 782-1184
SMITH, SOMERVILLE & CASE
ATTORNEYS AT LAW
100 LIGHT ST.
BALTIMORE, MD 21202
DOUGLAS G. WORRALL



LANGAN ENGINEERING ASSOC. INC.
SITE ENGINEERS
CLIFTON, NEW JERSEY
07013

VALLEY

RTL ASSOC. INC.
ARCHITECTS & ENGINEERS
BALTIMORE, MARYLAND
21210

HAUNT

KRAVCO INC.
DEVELOPERS
KING OF PRUSSIA, PA.
10420

[illegible]

10 1/19/80 Gen. Rev.
9 12/8/80 Final/12/80

HUNT VALLEY MALL

King of Prussia, Pennsylvania 19406

Developed by KRAVCO INC.
Architects: Planners • Engineers
RTKL ASSOCIATES INC.
Village of Cross Keys
Baltimore, Maryland 21210

No.	Date	Item
1	4/14/80	SEARS EXTENSION AREA
2	1/19/80	GEN. REVISIONS
3	1/19/80	PARKING DETAILS
4	1/19/80	GEN. REVISIONS
5	1/19/80	GEN. REVISIONS
6	3/1/80	PARKING REV.
7	9/1/80	PARKING REV.
8	9/1/80	PARKING

REVISIONS

Drawn: M.P. Seal

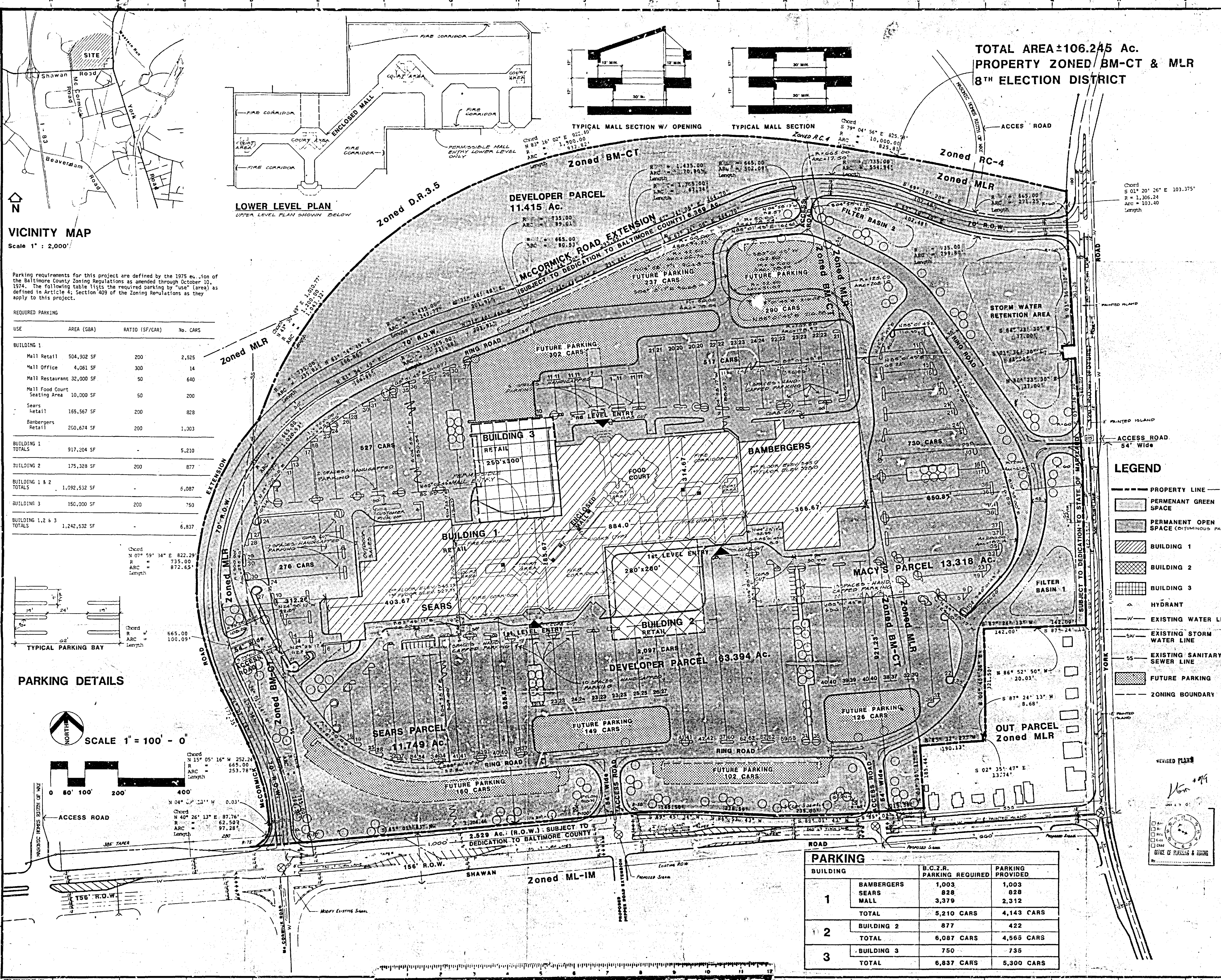
Checked:

Approved:

"PLAT FOR VARIANCE REQUEST"

RTKL	
Title	SITE PLAN
Contr. No.	20008
Scale	1" = 100'-0"
Date	6 April 80
Last Rev.	19 81

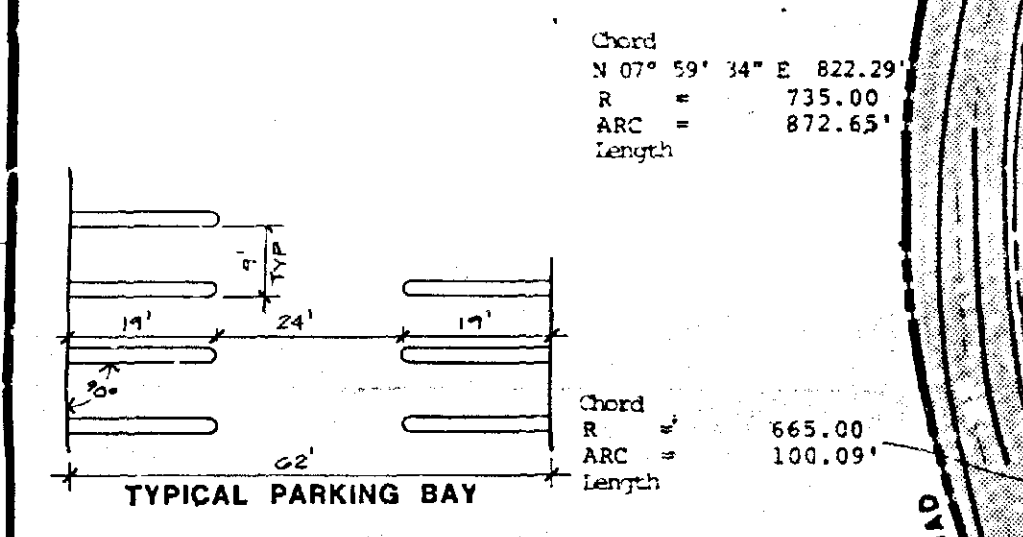
TOTAL AREA ± 106.245 Ac.
PROPERTY ZONED BM-CT & MLR
8TH ELECTION DISTRICT



VICINITY MAP
Scale 1" = 2,000'

Parking requirements for this project are defined by the 1975 edition of the Baltimore County Zoning Regulations as amended through October 10, 1974. The following table lists the required parking by "use" (area) as defined in Article 4, Section 409 of the Zoning Regulations as they apply to this project.

USE	AREA (SBA)	RATIO (SF/CAR)	No. CARS
BUILDING 1			
Mall Retail	504,902 SF	200	2,525
Mall Office	4,061 SF	300	14
Mall Restaurant	32,000 SF	50	640
Mall Food Court Seating Area	10,000 SF	50	200
Sears Retail	165,567 SF	200	828
Bambergers Retail	260,674 SF	200	1,303
BUILDING 1 TOTALS	917,204 SF		5,210
BUILDING 2	175,328 SF	200	877
BUILDING 1 & 2 TOTALS	1,092,532 SF		6,087
BUILDING 3	150,000 SF	200	750
BUILDING 1, 2 & 3 TOTALS	1,242,532 SF		6,837



LEGEND

- PROPERTY LINE
- PERMANENT GREEN SPACE
- PERMANENT OPEN SPACE (CONTIGUOUS PAV.)
- BUILDING 1
- BUILDING 2
- BUILDING 3
- HYDRANT
- EXISTING WATER LINE
- EXISTING STORM WATER LINE
- EXISTING SANITARY SEWER LINE
- FUTURE PARKING
- ZONING BOUNDARY

PARKING	B.C.Z.R. PARKING REQUIRED	PARKING PROVIDED
1		
BAMBERGERS	1,003	1,003
SEARS MALL	828	828
TOTAL	5,210 CARS	4,143 CARS
2		
BUILDING 2	877	422
TOTAL	6,087 CARS	4,565 CARS
3		
BUILDING 3	750	735
TOTAL	6,837 CARS	5,300 CARS

PARKING DEMAND

REGIONAL SHOPPING CENTERS
6th HIGHEST VOLUME DAY OF 1979

PARKING INDEX
CARS / 1,000 SF GLA

